

PLYMOUTH BOARD OF ZONING APPEALS

October 7, 2025

The Plymouth Board of Zoning Appeals met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana, on October 7, 2025, at 7:53 p.m.

Board President Art Jacobs called the meeting to order for Board member Paul Wendel and Alternate Linda Secor. Board members Jack Garner, Mark Gidley, and Brandon Richie were absent. Alternate Megan Rogers was absent. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, and Mayor Robert Listenberger. The public was able to see and hear the meeting through Zoom and streamed live at <https://www.youtube.com/@CityofPlymouth>.

Board members Secor and Wendel moved and seconded to approve the minutes of the regular session of August 5, 2025, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on September 25, 2025:

**NOTICE OF
PUBLIC HEARING**

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on may be obtained at the office of October 7th, 2025, at 7:30 p.m. the Clerk-Treasurer, 124 N. in the Council Chambers of the Michigan St., Plymouth, IN, and City Building, 124 N. Michigan telephone #574-936-2124. St. (Garro St. entrance), Ply- Written objections to the pro-posal filed at the Clerk-Treasurer's office will be considered matters:

BZA 2025-19: Johnson, Gary and Heather J H/W, 12515 Meadow Drive Plymouth, IN 46563: A Variance of Use to permit backyard chickens on the property at parcel 50-32-94-000-093.000-018, located at 12515 Meadow Drive, Plymouth, IN 46563, Zoned R-2, Suburban Residential District. If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948. Kyle Williams, Recording Secretary, Board of Zoning Appeals, September 25th, 2025.
September 25, 2025 PN368150 hspaxlp

BZA 2025-19: Johnson, Gary and Heather J H/W, 12515 Meadow Drive, Plymouth, IN 46563: A Variance of Use to permit backyard chickens on the property at parcel 50-32-94-000-093.000-018, located at 12515 Meadow Drive, Plymouth, IN 46563, Zoned R-2, Suburban Residential District.

City Attorney Houin reviewed the findings of fact and the request from the applicant. See the applicant's letter of intent below.

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Plymouth Board of Zoning Appeals
Plymouth, IN

2025

Letter of Intent for Backyard Chicken Keeping at 12515 Meadow Dr.

To the Plymouth Board of Zoning Appeals:

I am writing to express my intent to raise chickens at my property located at 12515 Meadow Dr. Plymouth, IN 46563.

I respectfully request approval to keep up to eight (8) hens for the purpose of personal egg consumption as well as an educational opportunity for my children.

My plan for raising chickens includes:

- **Number of Hens:** I will keep a maximum of eight (8) hens, in accordance with local ordinances. No desire for a rooster.
- **Housing:** I will construct a chicken coop and run that meets size and placement restrictions, ensuring it is in a location that minimizes any potential impact on neighbors and is at least 50 feet from property lines. The sight of the coop will be obstructed from the neighbors by hills and trees to prevent any visual issues. This will also reduce potential audible issues that may arise.
- **Management:** I am committed to proper waste management, odor control, and noise abatement to ensure the chickens are not a nuisance. The chickens will be confined to my property at all times. I have no plans on letting them roam due to natural predators in the area. I plan on using their waste in my compost for my raised gardens that are also being planned. I have 3+ acres and hope to use at least an acre for the garden, so this fertilizer will greatly help with the garden's growth.
- **Compliance:** I am willing to obtain the necessary license, pay the licensing fee, and complete any mandatory chicken-keeping course. I also understand the city council's request to treat neighbors well and address any potential issues on a per-complaint basis.

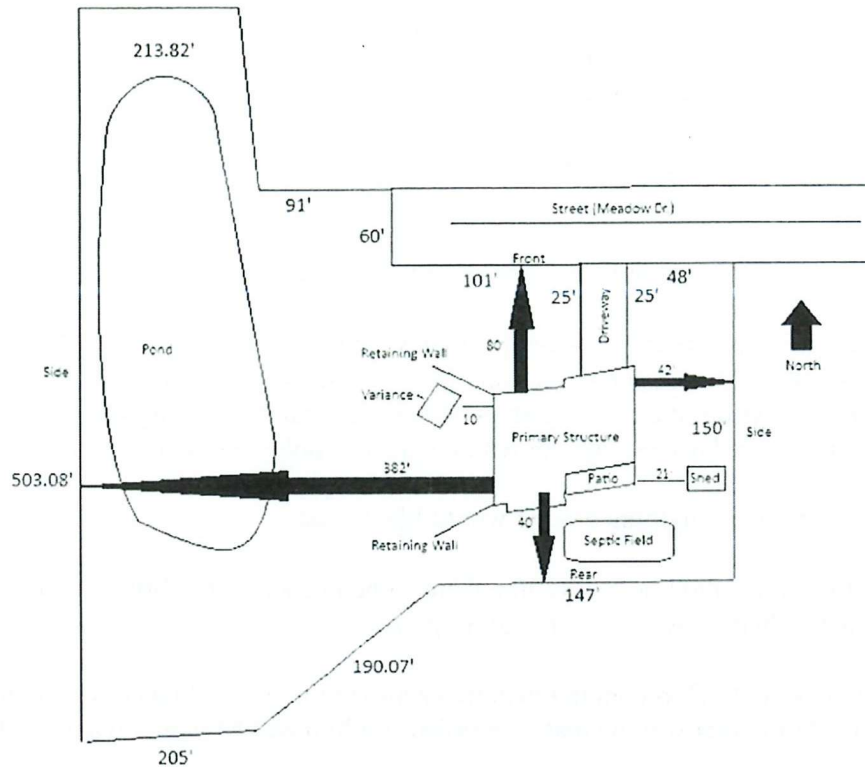
This project will be a positive addition to my property and will provide my household with the ability to enjoy fresh eggs, the companionship and bonding the chickens provide, and my children the experience and responsibility of handling, managing, and respecting animals and neighbors. I am dedicated to being a responsible chicken keeper and to maintaining a good relationship with my neighbors and the community.

I am available to discuss my plans further and provide any additional information required.
Thank you for your consideration.

Sincerely,

[Your Signature] 
Gary Johnson

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Wendel asked if there was a minimum size lot they discussed before for chickens. He asked if it was 5 acres.

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Houin replied there were provisions added to the zoning ordinance a couple years ago that do allow for chickens in the R-1, Rural Residential District. He replied that he did not remember what those area requirements were but it was different for other livestock.

Jacobs asked with the chickens already being on the property, was the applicant not aware that they needed to have zoning approval.

Gary Johnson (12515 Meadow Drive, Plymouth, IN 46563)

Johnson replied he was unsure considering that he was not in the city, so he thought he was following county rules. He stated it wasn't until talking with someone else that he dug a little deeper and realized he was within the 2 mile radius. He stated with there being cows just a quarter mile down the road, he figured a same size lot with chickens would be easier to maintain.

Jacobs asked if there was anything else he would like to add.

Johnson stated if the location he would like them to be needed to be further away, than he would be willing to locate them to wherever in that property.

Jacobs asked if he saw staff's recommendation of a maximum of six chickens or anything else noted in the recommendation that would create a problem for him that he would want to address.

Johnson replied that he had eight currently. He stated he only ordered six but they gave him two additional so he would have to get rid of two with that recommendation. He explained if it was possible to keep all eight that would be great, but if need be he would go down to six.

Wendel stated this property was a lot larger than what was brought before them before as well and there were few people here for this case compared to previous cases.

Board members Wendel and Secor moved and seconded to open the public hearing. The motion carried.

Kevin Birchmeier (12520 Hillside Drive, Plymouth, IN 46563)

Birchmeier stated he was adjacent to the property next door and have lived there for over 15 years. He stated he was in that neighborhood even longer for about 25 years and his concern was coyotes. He stated that coyotes and cats are attracted to chickens. He explained that he had outside cats to keep the mice away from his house. He stated the coyote population over the last 5 years had declined out there and they have a lot of small deer, rabbits are back, and wildlife is back. He stated he does not see coyotes running through his backyard picking up goslings that were just born weeks ago. He stated it was five years ago where they were just coming in snatching up all the geese, killing all the deer, and that population of coyotes is gone now. He stated he was not sure how long this person lived at that house, but that little area back there where he is at is full of all kinds of wildlife, but not coyotes. He stated the coyotes had left that area for some reason and the deer population had picked up, good or bad, with some people liking it or not liking it but he loves it. He stated he had approximately 67 acres back there and it was all wildlife, a 5 acre pond with a

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pontoon back there, and he likes the wildlife so he really did not want to see the coyotes come back. He stated the coyotes would take all the wildlife away and it is almost like it's own nature preserve back there. He believed putting the chickens back there would be a detriment and bring the coyotes back.

Wendel asked if this would be the case even if they are confined.

Birchmeier replied in agreement because even if they were confined they're going to find them.

Wendel stated without the coyotes currently getting the ducks running wild, why would they come looking for confined chickens.

Birchmeier stated they would come back because they smell them and would know they are there.

Wendel stated he just trying to decide how they were different than ducks, deer, and everything else.

Birchmeier replied that they were tame animals and chickens were desired by cats and coyotes.

Wendel asked if one of his cats went over and killed one of those chickens if they would have a problem.

Birchmeier replied that they probably would but his cats were outside and not confined.

Wendel stated if cats pose the same amount of danger as coyotes do.

Birchmeier interjected and asked how they knew that the chickens were going to be confined all the time.

Wendel replied that would be one of the stipulations. He stated he was just trying to play devil's advocate here.

Birchmeier stated he understood but he was opposed to this. He stated if they allow one chicken to come in or six chickens then the guy across the street would come in asking for chickens as well or a cow. He stated it was a nice residential community out there and he would like to keep it that way. He stated he had been a staple in that community for a long time.

Jacobs stated this was just a statement but it seemed like people were really adhering to chickens because every subdivision in Plymouth had a chicken in it now. He stated it was even the case inside the City of Plymouth.

Birchmeier replied that he was unaware until he got the letter in the mail.

Jacobs stated this was not the first and it was not totally illegal for them to do it, but they have to get approval for it. He stated he did not understand it but people liked chickens.

Birchmeier stated they served a purpose as they were good to eat and they lay eggs.

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Daniel Weidner (10643 Dennis Drive, Plymouth, IN 46563)

Weidner stated he had more questions than he did have comments regarding anything else. He agreed with Birchmeier on a number of things when it deals with the coyotes. He stated that racoons should be added to the issue there too. He stated the questions he posed dealt with indicated manure disposal. He assumed with it being spread on a garden that it would be tilled in and not slate on the top so we wouldn't have an odor control problem. He asked what they would do in the winter time with the manure. He stated that chickens normally had a production period of 18 months and what would happen to the chickens once the production period was done. He asked if they were going to butcher the chickens, let the chicken population grow, etc.

Jacobs asked if these questions were posed to the board.

Weidner replied that he was asking these questions here to consider. He provided the example of the question about what was going to happen to the chickens and if the population was going to grow beyond the six that are recommended. He asked if they were going to hear chickens being slaughtered in the back yard and being disposed of by being buried in the back yard. He asked if they were not buried deep enough that the coyotes and other critters would go and try to dig these up so they start seeing carcasses laying around. He asked what the restrictions were on that.

Jacobs asked if they were aware that people hunt back in that area.

Weidner asked if the chickens were going to be buried or just thrown in the trash. He asked if they were going to have the odor from that laying around. He stated that was one of the concerns that we have. He stated with controlling the noise, it was indicated there was some type of screen that would be put in to control the noise. He asked if the chickens would be running wild. He stated if you see the property there that you would see that the property was not well kept as it had not been mowed on a regular basis. He stated if they were not maintaining the property well, how did they know if they were going to maintain the chicken coop. He stated it seemed somewhere along the line neighbors are concerned. He stated they're saying if he doesn't have the respect to maintain his property, how he was going to have the respect to follow the ordinances, maintain the chicken coops, and follow the rules the way it should be. He stated those were questions being asked and questions that he posed to the board here. He stated without further information he opposed.

Houin read the following letters aloud.

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Tammela Sherk (10638 Kimberly Court, Plymouth, IN 46563)

I am sending this in regards to the letter I received from the city about my neighbors petitioning to raise chickens. My problem with this is that they have only mowed their yard about 5 times this year. There are weeds growing by the house, things are not being kept up. They haven't made any efforts to be friendly. I worry with the way they take care of the property that we will have more animals, Coyotes and such coming up closer to our houses, especially if you add chickens to the mix. The former owners always kept everything mowed all the way to the pond and around the pond and that kept most animals out. Except for the geese and deer. I guess my main concern is, if they are not taking care of the property now, are they going to properly take care of chickens? I know chicken poop smells bad, I grew up on a farm. I don't want that smell when I walk out into my yard. Where will they put the chickens when or if they do clean the cages? I don't even know these people, but judging by the way they haven't kept up the property, I would have to say NO on the chickens. Thank you for listening.

Bruce and Melissa Shanks (10444 Cheryl Court, Plymouth, IN 46563)

This email to the Board of Zoning Appeals is in reference to a variance of use requested by Gary and Heather Johnson. Their request is to permit backyard chickens on their property located at 12515 Meadow Dr. in Oakcrest subdivision.

We are neighbors to Johnson's backyard. We have two points to make. The first is that we do not mind 6 chickens up by the Johnson home. The second is that we do object to having the chicken manure disposed of in their backyard right next to ours. If this is the plan, it is unacceptable to us.

Bruce and Melissa Shanks

Debra Dunning (10440 Cheryl Court, Plymouth, IN 46563)

Subject: Variance of Use Request - 12515 Meadow Dr. (backyard chickens)

Dear Members of the Board of Zoning Appeals,

I am writing regarding the variance of use requested by Gary and Heather Johnson to allow backyard chickens at their property located at 12515 Meadow Dr. in the Oakcrest subdivision.

As a resident of Oakcrest for nearly 40 years, I take great pride in the care and appearance of our neighborhood. Our community is known for its well-maintained homes, manicured, lawns, and welcoming environment for families.

While the idea of backyard hens raise some concerns – such as potential noise, odor, pests, and possible impacts on property values – I understand that many of these issues can be mitigated through

responsible ownership. The absence of roosters would help reduce noise and a clean well maintained coupe should minimize odor. My primary concern involves the attraction of predators. We already have coyotes, raccoons, and foxes in the area, and the presence of chickens could increase their activity. This could pose a risk, not only to pets and chickens, but also to local wildlife, such as the deer and fawns we regularly see in our backyards.

If this variance would be approved, then how many more residence in this subdivision would also make this request for chickens? I would recommend the board voting against this request to maintain the residential use of Oakcrest subdivision.

Thank you for your consideration.

Sincerely,

Debbie Dunning

10440 Cheryl Court, Plymouth, IN

Oakcrest subdivision resident

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Amy Gerard (10641 Cheryl Court, Plymouth, IN 46563)

To: Board of Works and Mr. Adley

Subject: Chickens in Residential Neighborhood – Oakcrest

Dear Board Members and Mr. Adley,

I am writing to express my concerns regarding the possibility of allowing chickens in our residential neighborhood of Oakcrest.

1. Chickens are traditionally considered farm animals and are not suited for residential subdivisions like ours.
2. Oakcrest has a long-standing reputation as a well-maintained and desirable residential area. Many of us take pride in our homes, landscaping, and overall property appearance, investing significant time and resources into maintaining this standard.
3. If one household is permitted to keep chickens, it may open the door for many others to follow, potentially altering the character of our neighborhood.
4. I do not support the presence of chickens in our residential neighborhood.
5. Property values may be negatively affected. Personally, I would hesitate to purchase a home next to a property that keeps chickens.
6. Should the board choose to allow chickens, I strongly urge the implementation of strict guidelines, including:
 - No free-range roaming
 - No roosters
 - No waste deposits near neighboring property lines
 - No odors or smells that impact nearby homes

Thank you for your time and consideration on this matter.

Sincerely,
Amy Gerard
10641 Cheryl Court
Plymouth

Wendel asked the applicant to address some of the concerns that they have about the disposal of the carcasses, manure, what was done when their life came to an end, etc.

Johnson replied that his plan for when they stopped laying eggs was to have his family members that raise chickens up in Michigan take care of them for him and we would eat the meat and ideally start over with fresh chicks. He stated regarding the manure, he planned on composting it. He mentioned that he wanted to start the garden, and they did soil tests earlier this year and there's no nitrogen in the ground so this chicken manure would help to remedy that. He stated that was also why he let the grass grow because when you constantly mow it, you are pulling those nutrients out and dumping them. He stated if they wanted animals, having more grass there would attract animals. He stated if they wanted the deer that grass was going to bring the deer. He stated with the chickens confined, he has watched cats just watching them and they cannot get inside. He stated it was right next to his house, and he has a couple dogs, so he did not see coyotes being an issue. He stated he had yet to see a coyote in the year he had lived here.

Board members Wendel and Secor moved and seconded to close the public hearing. The motion carried.

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Jacobs asked Houin, with only three board members present, did they need to have all three of them vote one way or another for it to be an official action.

Houin replied that he believed with a quorum present that the majority vote of those present was sufficient. He believed it was different from the Plan Commission where they must have a majority of the members, not just those present.

Jacobs stated that Houin would be the one defending it, so he just wanted to be sure he understood.

Wendel believed they had denied all other chickens but one, and this was in a subdivision, but technically this was not in a subdivision.

Jacobs stated that wasn't a true statement, but he was okay with his opinion.

Wendel stated the neighbors and people in the subdivision have given them a good hint of what their concerns were, and he thought they were validated with property values.

Board members Wendel and Secor moved and seconded to deny BZA 2025-19 based on the concerns of the neighbors. The motion failed to be unanimous.

In Favor:	Secor & Wendel
Against:	Jacobs
Absent:	Garner, Gidley & Richie

It was agreed upon at the time that the motion passed to get rid of the chickens. The applicant was called and notified to be back at the next meeting by Plan Director Ty Adley.

Other Business:

There was no other business at that time.

There being no other business, Board members Wendel and Secor moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 8:23 p.m.



Kyle Williams, Recording Secretary