

PLYMOUTH BOARD OF ZONING APPEALS

November 4, 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 November 4, 2025, at 7:43 p.m.

Board President Art Jacobs called the meeting to order for Board members Jack Garner, Mark Gidley, and Paul Wendel. Board member Brandon Richie was absent. Alternate Linda Secor was in attendance but not needed. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, and Plan Director Ty Adley. The public was able to see and hear the meeting through Zoom and streamed live at <https://www.youtube.com/@CityofPlymouth>.

Board members Wendel and Gidley moved and seconded to approve the minutes of the regular session of October 7, 2025, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on October 23, 2025:

	116 Legals	116 Legals
NOTICE OF PUBLIC HEARING The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on November 4th, 2025, at 7:30 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following 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. BZA 2025-20: Lawrence Katz & HDJ Investments LLC, 207 E Market Street, Nappanee, IN 46550: A Variance of Development Standard to allow for a pole sign in the R-1 District at a new proposed property located at 7794 Queen Road Plymouth, IN 46563. Identified as parcels 50-41-26-000-026.000-017 and 50-41-26-000-055.000-017, zoned R-1, Rural Residential District. Information on these matters may be obtained at the office of	the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN, and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary. 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, October 23rd, 2025. October 23, 2025 PN368925 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.

Plan Director Adley 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.

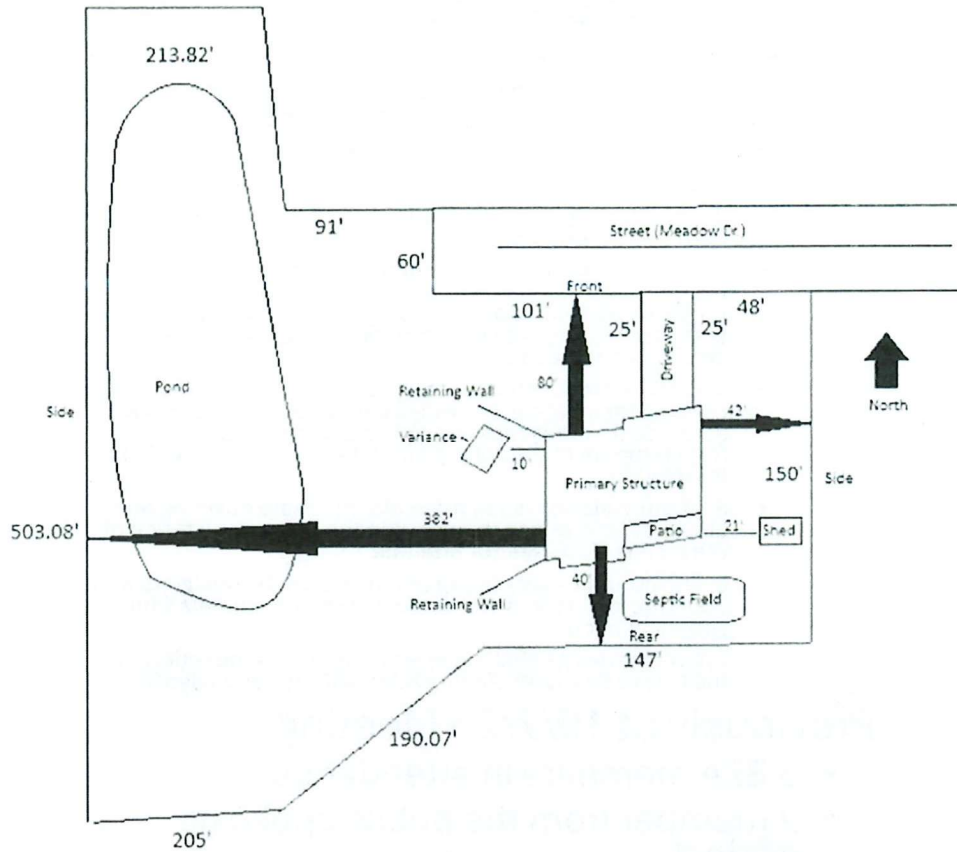
I am available to discuss my plans further and provide any additional information required.

Thank you for your consideration.

Sincerely,

[Your Signature] 
Gary Johnson

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Recommendation

- Based on the information provided and review by staff, staff recommends approval of backyard chickens but up to only 6 hens on the 3 acre parcel with the following conditions:
 - 1. The use is limited to female chickens only, no roosters.
 - 2. The keeping of the chickens shall be limited to non-commercial purposes.
 - 3. Chickens shall remain confined by either a coop or run. Coops shall maintain a minimum of 2-3 square feet per chicken and runs shall maintain a minimum of 5-7 square feet per chicken or as best practices suggest for both structures in the industry.
 - 4. Confinements are recommended to be set in a permanent location, but may be mobile provided in any instance that they meet the minimum setback requirements of the zoning district and not permitted in front yard.
 - 5. Manure storage shall maintain adequate covering and shall not be any less than double the setback distance of the zoning district requirements.
 - 6. The confinements (coop and run) shall be designed and constructed in a way the works to prevent animals from getting in or out.
 - 7. Confinements shall be open to periodic inspection by the City of Plymouth Zoning Administrator or designee.

Previously at 10/7/25 Meeting

- 3 BZA members in attendance
- 2 member from the public spoke up against.
 - Concerns of Coyotes, maintenance of property, and animal disposal.
- 4 letters were read into record against the proposal.
 - Concerns of maintenance of property, proper waste disposal, wildlife impact and property value impact.
- Final vote during the October meeting was 2-1 to deny, but failed due be unanimous of the three members in attendance.
 - In order to make official action a decision must be made by a majority of the entire Board of Zoning Appeals membership, not just those in attendance.

Adley added that the applicant had since removed the chickens from the property.

Garner asked if the vote on this was 2-2 tonight, that we'd be back in December for it again.

Adley stated they could continue to vote until they have three or they could table it.

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Houin added that this was his mistake last month and that this required a majority of the total membership, not just a majority present. He stated the mistake he made was that you are required to take an action either approving or denying. He stated what happened last month was that it was not a majority of the total membership, so the motion to approve failed and that was what was not allowed.

Adley stated they were within their 30-day window of having the public hearing as it was held on October 7th, therefore you do not have to call for an additional public hearing. He did say they were able to talk amongst themselves, there are other individuals here from the neighborhood, and the applicant here to answer any questions if necessary. He recommended having the applicant come up and have that conversation. He stated that additionally tonight we had our county extension agent here to be able to provide any additional information or clarification.

Jacobs believed it would be best to go through the whole process to have a clear mind on what they were doing. All agreed. Jacobs wished to thank the applicant for removing the chickens and following through with what we talked about. He stated he did appreciate that.

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

Johnson stated it was their understanding that they were in the county and were not told anything about a 2 mile zone for the city. She stated since they found that out, they wanted to do the right thing and try to correct the situation.

Gidley stated from what the recommendation was, were they comfortable not freeranging those chickens and keeping them pinned. Johnson agreed. Gidley asked if the pen was big enough to meet the five square feet per bird.

Johnson replied in agreement and stated they were fine keeping them in the coup to keep them safe.

Gidley stated he wasn't able to get a good look at the coup and asked if it was on wheels. Johnson replied that it was not on wheels. Gidley asked if it can be moved. Johnson replied that they could not unless they took it apart and moved it.

Board members Garner and Gidley moved and seconded to open the public hearing. The motion carried.

Timothy and Tisha Pletcher (14888 Meadow Drive, Plymouth, IN 46563)

Mr. Pletcher stated they live caddy corner, across from the property. He stated that they were not even aware that they had chickens, so they were never an issue. He stated he was strongly in favor of people being able to raise their own eggs, raise their own food on their own property, especially if they have three acres. He stated he did not see a reason on why to limit to six chickens as they had eight. He stated he did not know the difference of what two chickens could make. He stated they were in favor of them having chickens.

Brianna Slonaker (10789 State Road 17, Plymouth, IN 46563)

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Slonaker stated she was the agriculture and natural resources extension educator from Marshall County. She stated she works for Purdue Extension. She stated she could be either for or against but she was mainly here to present some facts for this case. She stated when considering chickens within city/town limits, there were many towns across Indiana, the Midwest, and the Country that do have ordinances to allow chickens in backyards. She stated as long as chickens were properly maintained, there shouldn't be any issues with chickens getting out of their homes or odor issues. She stated she believed that it was recommended by Adley that there was a 3 ft by 3 ft space per chicken for this proposal and that space would be more than adequate for a chicken to live. She stated as far as it being freerange, they're not caged or anything like that, so technically they are considered freerange. She stated it does meet animal welfare standards for those chickens.

Gidley asked if a pen on the ground was still considered free range.

Slonaker agreed as long as it was not a cage and they're free to walk and spread their wings. She stated if they were in a cage, they would not be able to walk or spread their wings. She stated for waste management, in the recommendation it did say planning on keeping manure for the garden and for the winter, there would be waste so the question would be the storage plans for that. She stated as long as it was outside to the open air, not closed off, not super damp or anything like that, there shouldn't be any odor issues. She stated it was good to have a general idea of what that might look like, especially since there was a pond on the property.

Gidley asked if the recommendation would have some enclosed storage during the winter.

Slonaker replied not necessarily enclosed.

Gidley reclarified not covered so it doesn't get damp or moist.

Slonaker agreed and stated they did not want it to get damp, moist, and have no air flow.

Gidley asked what that would look like.

Slonaker replied it could have a tarp over it, be a lean-to off to the side of the chicken coop, or something that would keep it well maintained. She reinforced the idea to maintain adequate air flow and no moisture to help with odor issues, which there should not be with that little amount of chickens.

Jacobs stated there was a recommendation made for six chickens versus eight. He asked what the adequate amount of chickens would be for this case or for the amount of acres.

Slonaker replied number-wise, as long as there was adequate space it was 3 foot by 3 foot per chicken. She stated if they had the space to have 20 chickens within that space requirement then they should be able to go for it.

Jacobs asked if there were any nuisances that neighbors would have to worry about with chickens.

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Slonaker replied as long as they were properly contained and housed, which according to the recommendations for what was being proposed, that should be fine as far as any dogs or cats getting into it.

Wendel asked about coyotes.

Slonaker replied a dog or coyote were similar with instincts. She stated for the housing that was there, that would be the most suitable housing and that they stay within their enclosure.

Jacobs asked for clarification that another letter did go out to ensure that everyone was informed. Staff agreed.

Wendel asked if any new letters arrived. Staff replied that nothing new was received.

Garner asked what the plan was for winter waste disposal when the garden would not be active.

Johnson replied that they were planning on composting where some of that would be mixed in with dirt and grass clippings. She stated that it would be mixed, covered, and no moisture would be able to get into it.

Gidley asked if there was a dedicated spot for that already.

Johnson replied they wanted to figure out what was going to happen with this before they designated another spot toward it.

Board members Gidley and Garner moved and seconded to close the public hearing. The motion carried.

Jacobs asked how this was managed if chickens were in neighbors' yards.

Manuwal replied if a neighbor calls in and makes a complaint, then he would go out and do the inspection.

Jacobs asked for clarification that a report would be filled out, turned into him, and then he would inspect.

Manuwal replied in agreement and stated if he could not make it then he could delegate it to Adley.

Adley stated that in the recommendation it stated that the confinement shall be open to periodic inspection by the City of Plymouth Zoning Administrator or their designee. He stated if they do run into an issue for a code violation or anything along those lines, we're requesting the ability to go out and confirm or deny the complaint. He stated that variances are just like any other development standard that was associated with a project.

Jacobs asked why it was decided upon six chickens instead of eight.

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Adley replied if they were looking at eight and we were looking at a smaller number, that six would be a good compromise. He asked if they wanted to come back and ask for more later then they always could later.

Jacobs asked for clarity that they would not have to wait a year to come back if approved.

Adley replied if they came back with the same request then they would have to wait a year. He stated if they came back with an adjustment that it would be a different request that's coming in.

There was a discussion held about chickens in subdivisions. In short, chickens are permitted by the Agriculture Limited use in R-1, Rural Residential subdivisions. This case was not plated in a subdivision, and the zoning was R-2, Suburban Residential.

R-1

Rural Residential District

Permitted Uses	Special Uses
Residential Uses <ul style="list-style-type: none">• Single Family Residential• Modular Home• Manufactured Home - Type A• Manufactured Home - Type B• Child Day Care Services (in home)• Home Occupation• Accessory Structure	Residential Uses <ul style="list-style-type: none">• Home Based Business• Home Workshop
Agricultural Uses <ul style="list-style-type: none">• Crop Production• Forestry and Logging• Agriculture Limited• Horses and Other Equine Production• Nursery and Greenhouse• Sawmill (Portable)	Agricultural Uses <ul style="list-style-type: none">• Animal Production• Confined Livestock Feeding• Dangerous and Exotic Animals• Farm Implement Sales and Service• Livestock Auction• Livestock Composting (accessory use to livestock production or confined feeding)• Livestock Distribution• Livestock Incineration (accessory use to livestock production or confined feeding)

Agriculture Limited
The use of land for animal production is limited to 4-H projects and home consumption with sales limited to the sale of agricultural commodities grown on the same ranch or farm that provides such sale. Livestock shall be limited to one (1) horse, donkey, mule, cow, dairy stock, goat, hog, sheep, or other similar animal per five (5) acres of lot area. No large livestock or poultry are allowed in a major platted subdivision. Poultry must be kept in a fully enclosed secure pen of more than one hundred twenty-eight (128) square feet that includes an enclosed coop providing a minimum of two (2) square feet and an open run area providing a minimum of eight (8) square feet per bird.

Board members Garner and Gidley moved and seconded to approve BZA 2025-19 with staff's recommendations. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Wendel, Jacobs
Against:	None
Absent:	Richie

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Wendel stated that last month he did vote no but after listening to some of the additional information provided tonight that it changed his mind.

BZA 2025-20: Lawrence Katz & HDJ Investments LLC, 207 E Market Street, Nappanee, IN 46550: A Variance of Development Standard to allow for a pole sign in the R-1 District at a new proposed property located at 7794 Queen Road Plymouth, IN 46563. Identified as parcels 50-41-26-000-026.000-017 and 50-41-26-000-055.000-017, zoned R-1, Rural Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. See the applicant's letter of intent below.

October 13, 2025

Ty Adley
Planning Director
City of Plymouth
124 North Michigan Street
Plymouth, IN 46563

RE: Dollar General Store #31557
NEC Queen Road and Plymouth LaPorte Trail
Sign Variance Sidewalk Waiver

Mr. Adley:

The Overland Group is under contract with Lawrence Katz and HDJ Investments, LLC, to purchase property shown in the attached survey. On behalf of the current owner and per the terms of our purchase contract, we are providing this letter of intent.

The property will be developed as a 9,100 s.f. Dollar General retail store. The facility will include a 36' concrete access from Queen Road, 30 parking spaces, a water well, a septic system, and storm water detention per City requirements. Please refer to the site plan for more details.

This letter of intent is related to two items, 1) a Sign Variance to allow installation of a pole sign at the referenced development per the site plans and 2) a Waiver for construction of sidewalks along the frontage of the development.

Because of the rural nature of the area, a pole sign is needed to identify the proposed business and direct customers to the proposed access point.

Also in keeping with the rural area, there are no existing sidewalks nor are there plans for any future sidewalks. As a result, construction of new sidewalks for the proposed development seems unnecessary.

Please let me know if you have any questions or comments.

Sincerely,

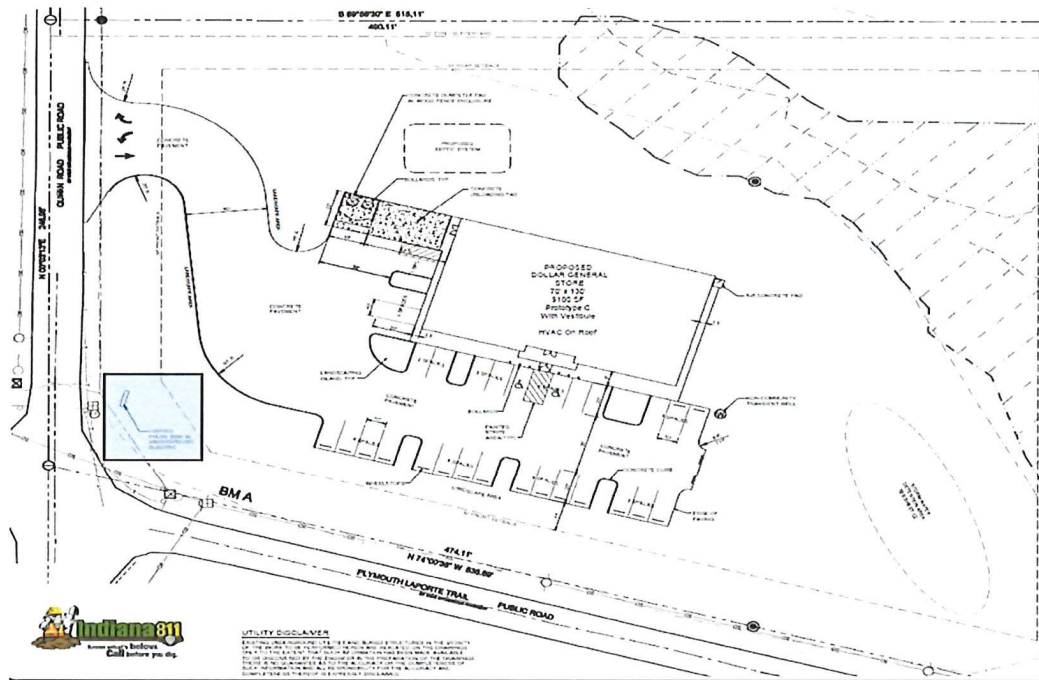
THE OVERLAND GROUP



Rusty Doss

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Jacobs asked for clarification if this was approved tonight that they still had to abide by our sign ordinance for size requirements. Adley agreed. Jacobs asked if they wanted anything different that they'd have to come back with a request.

Adley replied in agreement that they were requesting a pole sign and they would have to meet that square footage association.

Gidley stated his first thought was that they should have a monument sign instead but being along the road it could block visibility of traffic. He stated as much as he disliked pole signs, having it up in the air was better for traffic.

Dave Peters (4152 Progress Boulevard, Peru, IL 61354)

Peters stated with this development being off a divided highway, we're requesting a pole sign. He stated if this were a more urban setting, it would be a lighted monument sign. He stated for visibility off US 30, they felt a pole sign would be perfect for this location.

Gidley asked how the person from West Plains, Missouri was involved.

Peters replied that they are the developer and we are the surveyor on this project. He stated he was just representing them tonight as he was closer distance wise.

Gidley asked if the owner of the property would be the developer in West Plains. Peters agreed.

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

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Sheila Shepherd (16160 Lincoln Highway, Plymouth, IN 46563)

Shepherd stated she has had a permitted advertising property sign on this property for many years and most recently under lease to outfront media. She stated that unfortunately the structure was damaged during a recent storm but she wanted to make it clear that she intended to maintain the site's lawful use and active INDOT permit. She stated the property was zoned industrial and from what she understood, lies outside the city limits, and INDOT regulates outdoor advertising along Lincoln Highway and requires only 300 feet of separation between signs on the same side of the highway. She stated she was informed that the city may be considering placement of a new sign approximately 300 feet from the existing site and wished to make it clear that she had no objections to that as long as her site remains recognized as a lawful permitted location under INDOT rules. She stated her goal was to simply preserve the permit and allow for a future sign to be rebuilt or leased again in compliance with the state regulations.

Adley asked if she had a billboard.

Shepherd replied that she had a billboard but it was damaged from the storm currently.

Adley explained the reference to the 300 feet that was in the letter itself was notifying you that this project was within 300 feet or two properties from you. He stated it had nothing to do with the billboard sign that had been there. He stated it was required by state statute to notify those within said distance. He explained that her sign was entirely independent of this case.

Shepherd stated she just wanted to be sure as it seemed every year the law changed.

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

Jacobs stated some of the discussions had come about the roadway and what was going to happen out there. He realized that it did not concern them with their vote on that, but he was curious if they were going to put a highway interchange out there in the future.

Adley stated that knowing what INDOT was going to do or when they were going to do it was anybody's guess. The short answer is no but a discussion was held on possibilities.

Board members Gidley and Wendel moved and seconded to approve BZA 2025-20 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Wendel, Jacobs
Against:	None
Absent:	Richie

Other Business:

Adley stated the meeting dates and times were discussed in the Plan Commission and adjustments were made for May and November due to Primary Election and Election Day. He listed the other

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change was the time for the Plan Commission, so he recommended adjusting the proposed meeting time for the BZA to 6:30 PM.

Board members Wendel and Garner moved and seconded to approve the 2026 meeting dates and times as seen below. The motion carried.

2026 Calendar

- January 6th
- February 3rd
- March 3rd
- April 7th
- May 6th (Wednesday due to Primary Election)
- June 2nd
- July 7th
- August 4th
- September 1st
- October 6th
- November 4th (Wednesday due to Election Day)
- December 1st

- Current Meeting time 7:30pm
- Proposed Meeting Time 6:30pm

There being no other business, Board members Gidley and Wendel moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 8:34 p.m.



Kyle Williams, Recording Secretary