PLYMOUTH BOARD OF ZONING APPEALS
April 7, 2026

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 April 7, 2026, at 6:30 p.m.

Board President Art Jacobs called the meeting to order for Board members Jack Garner, Mark Gidley, Brandon Richie, and Paul Wendel. Alternate Mark Record was in attendance but not needed. Alternate Linda Secor was absent 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.

Deputy Clerk-Treasurer Kyle Williams administered the Oath of Office to Art Jacobs.

Board members Richie and Garner moved and seconded to approve the minutes of the regular session of March 3, 2026, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on March 26, 2026:

116 Legals

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a meeting on April 7th, 2026, at 6:30 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:

BZA 2026-04: Candace Hunter, 1006 N Walnut Street, Plymouth, IN 46563: A Variance of Development Standards to increase lot coverage and reduce setbacks to 5' off the alley located at 1006 N Walnut Street, Plymouth, IN 46563. Identified as parcel 50-42-92-303-169.000-019, zoned R-3, Traditional Residential District.

BZA 2026-05: Michael Fuentes, 1216 N Center Street: A Special Use Exception to allow for a home based business for a Type 07 FFL business at 1216 N Center Street, Plymouth, IN 46563. Identified as parcel 50-42-92-301-110.000-019, zoned R-3, Traditional Residential District.

BZA 2026-06: James & Deanne Quissell, 11905 Sunset Court, Plymouth, IN 46563: An Administrative Appeal to stop moving a yard shed at 11862 Redbud Drive, Plymouth, IN 46563 owned by Dennis Emmons Sr and Margaret Emmons. Identified as parcel 50-32-95-000-406.000-018, zoned R-2, Suburban 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, March 26th, 2026.

March 26, 2026 PN372171

Board members Richie and Garner moved and seconded to suspend the rules to move the Southpointe Shed Memo to the start of the meeting. The motion passed by roll call vote with all in favor.

Adley presented the following memo:

Shed Violations Sidebar

- Summary
  - In early/mid March 2026 a violation discussion occurred and subsequently lead to multiple homes receiving notice for non-compliant sheds. There are a number of comments or questions that have come up and can be clarified below.

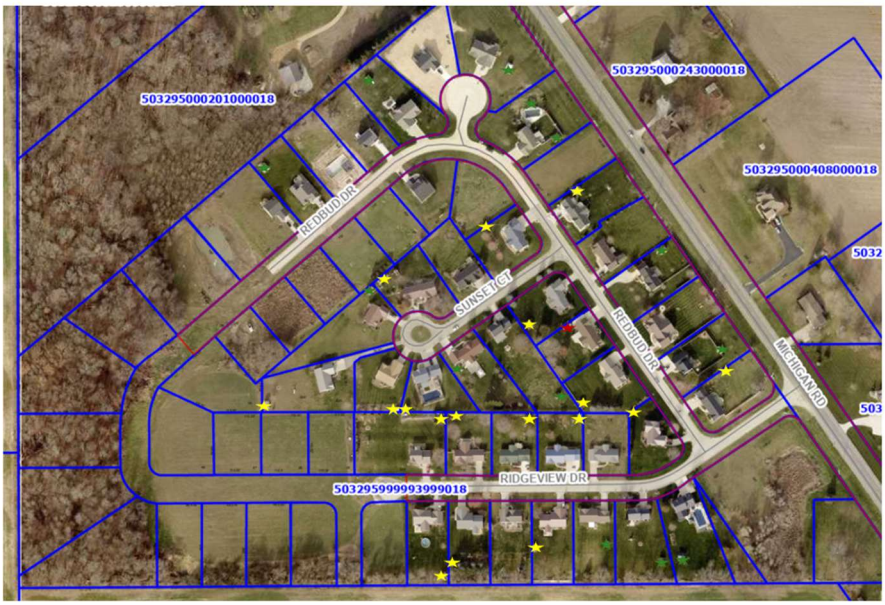


PLYMOUTH BOARD OF ZONING APPEALS
April 7, 2026

31 Sheds

13 meeting setbacks or received variance

18 in too close positions



Analysis (1 of 3)

- The South Pointe Subdivision began in 1996 and has continued through 4 phases with construction continuing to take place. Phase 1 was approved in 1996, Phase 2 in 2000, Phase 3 in 2023, and Phase 4 in 2011. The subdivision is set to reach over 60 lots upon full buildout. Over the course of time new lots have been added and as traditional with suburban development there is a desire/need to store items in a separate structure (an accessory structure, typically a shed). Accessory structures do not require a permit when under 120 square feet, and whether above or below the cutoff for a permit, all structures shall meet required setbacks or receive applicable variances.
- The subdivision including all of its lots are zoned R-2 Suburban Residential. For historical purposes though in 2007/2008 the Zoning Ordinance for the City was rewritten and replaced in its entirety. The subject lots as referenced in previous cases for the members of the subdivision were SU Suburban district. The setbacks for pre 2008 under the SU designation and current R-2 the setback is the similar for side yard setback and rear yard setback (10' and 20/25') respectively. The current setback setbacks are 10' side and 20' rear.
- There have been more than a dozen administrative appeals that have been filed through the City Clerk's Office and the majority of the requests are to: "stop moving a yard shed", the shed was there when we moved in, request additional time and clarity to resolve the issue.

Analysis Cont. (2 of 3)

- There have been discussions around what if the shed was built pre 2008 and whether or not the regulation would apply to their shed vs a neighbor that has a shed that was installed post 2008. The concept is typically referenced as Grandfathered(ing) but the proper reference would be a legal/illegal nonconforming structure/use. A structure that met the standards of the time and when the standards changed no longer met the new standards is considered a legal nonconforming structure (grandfathered). There are items that are not constructed to standards of the time (past or present) and if its still not meeting the standards, would be considered a violation of the ordinance. A violation may exist for days, months or even years before it is addressed. Chapter 8 of the Zoning Ordinance discusses the regulation around Legal/Illegal Nonconforming Structures, Lots and Uses.
  - *Nonconforming Structures*

A. Definition

a. Any structure, lawfully established prior to the effective date of this Ordinance, or its subsequent amendments, that no longer meets the developmental standards shall be deemed a Legal Nonconforming Structure.

B. Continuation of Legal nonconforming structure

a. A legal nonconforming structure may continue provided that it remains the same or fits within the below described tolerances:

i. 1. Any legal nonconforming structure shall not be enlarged or altered in a manner that increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

ii. 2. Any legal nonconforming structure which is intentionally altered to conform to the requirements of this Ordinance shall thereafter conform to the regulations of the district in which it is located, and the legal nonconforming features may not be resumed.

iii. 3. If a building or structure is moved for any reason, for any distance, it shall thereafter conform to the provisions of this Ordinance."

Analysis Cont. (3 of 3)

- There have been a few variance requests from the Subdivision that have a variety of success over the last couple of decades. A case in the mid 2000's sought to reduce the setback for both the side and the rear setbacks which brought up the concern of the setbacks from the septic system (tank and field) being meet which significantly reduces the options of where an accessory structure can be sited on the property. A portion of the conversation revolved around this being a new subdivision and that the owner and building should be planning what to do with the property before constructing the home and inadvertently creating a future issue. This case was ultimately denied the reduction in a vote of 3-1 to reduce the side yard down to 2'. A separate case later in the 2000's requested to reduce the side yard setback to 8' and was approved 3-0. A third case in the mid 2010's was approved to reduce the side yard setback of 10' and rear setback of 5' on a vote of 4-0.

Conclusion

- As we can see within the ordinance even if a shed was constructed or placed prior to 2008 even if it was done by a previous owner the shed either has to meet the regulations of the time it was constructed or placed.
- Any shed that does not meet the regulations 10' side yard and/or 25' or 20' rear yard setback (pre and post 2008 respectively), will need to pursue a Variance of Development Standard to reduce the applicable setback from the requirement to the desired distance.
- The reason that the request before the Board of Zoning Appeals should be a Variance of Development Standard and not an Administrative Appeal is that the basic violation is that "an accessory structure is too close to the property line" and the appeal would be whether or not it is too close to the line, not how long has the shed been there. A Variance of Development Standard is a request to the Board of Zoning Appeals to typically to reduce or exceed the limits set in that zoning district such as setback, impervious coverage, etc.

Adley stated we were closing in on the mark of about 15 administrative appeals, and people have called us out to look at their shed in association with the setbacks. He stated they had people applying for a variance from the development standard instead of administrative appeals. He stated we had provided 15 copies up here at the front for individuals who are seeking to keep their shed where it was by reducing the setbacks. He went into detail on what was required for a successful application.

Garner asked for clarification that each of these had to be handled on a case-by-case basis for each property.

Adley replied that each case was its own. He stated they may be similar in certain instances, but they were each different.

Garner asked, as we were looking at redoing some of our zoning ordinances, if there was any idea that some of this might be changed in the future.

Adley stated that it was part of the discussion that he was having with the Building Commissioner contemplating what it would look like to begin reducing certain setbacks for accessory structures. He stated it came down to what the building code required when you are talking about safety from the structure to the property line. He stated they had not been able to complete that process as we were in the middle of a land use update for our entire classification for the city itself, but it would be one of the many setbacks and development standards that we're looking to address. He stated that, in his time as a Planner, we've always looked to make sure that all structures were maintainable from all sides without having to go onto adjacent properties. He stated it hadn't been uncommon to look at a 5-foot setback to those spaces, as you never

wanted to count on your neighbor allowing you to come onto their property to maintain your own property itself.

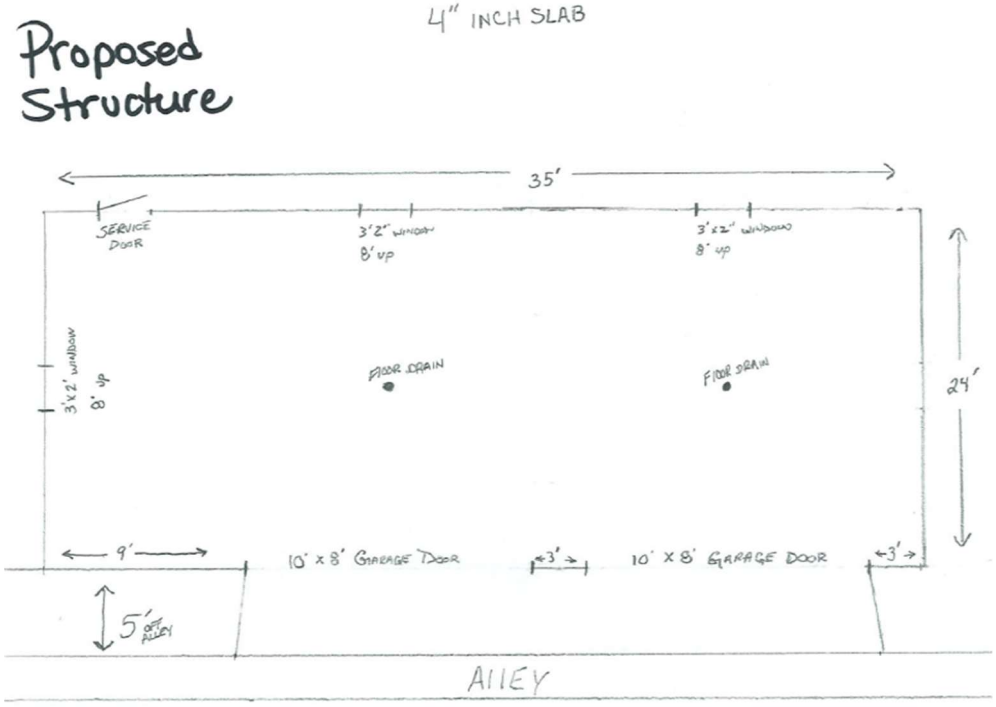
Jacobs asked if this came about because the Building Inspector had learned of some of these sheds being out of compliance or did something else trigger all of this.

Adley replied there was a conversation about violations and a disagreement between property owners that led to several letters.

BZA 2026-04: Candace Hunter, 1006 N Walnut Street, Plymouth, IN 46563: A Variance of Development Standards to increase lot coverage and reduce setbacks to 5' off the alley located at 1006 N Walnut Street, Plymouth, IN 46563. Identified as parcel 50-42-92-303-169.000-019, zoned R-3, Traditional Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:





Adley stated they were in the middle of pouring their concrete pad when they were stop-work ordered. He provided the following recommendation:

Recommendation

- In review of the application and supporting materials along with review of available site data, staff would recommend approval of the reduction of setback to 5' and the request to increase impervious coverage is not needed, but does not object to the increase from 42.6% to 51.4% that is under the 65% regulation.

Board Determination

- Staff recommendation of Approval to 5'.

Gidley asked if there was a building permit issued to start with. Manuwal disagreed. Gidley stated this work was done without a building permit. He asked if he was notified of it and if that was why he did a stop work order.

Manuwal replied he was in the alley meeting another homeowner and noticed the concrete crew pouring concrete. He stated he went over and issued the stop work order as there was not a building permit.

Wendel asked if it was a local contractor. Manuwal agreed. Wendel asked if they were unaware that they needed a building permit.

Manuwal replied there was some miscommunication between the property owner and the contractor about who was pulling the permit.

Candace Hunter (1006 N. Walnut Street, Plymouth, IN 46563)

Hunter stated it was her fault that she didn't get a permit prior. She stated that she went in a couple of weeks before to go meet with the Building Commissioner, but he was on vacation. She stated she thought they only needed a permit before the structure went up, but she didn't know that she had to have it before the concrete was poured. She stated she had every intention of getting one, but because her husband was going to build the structure, we weren't going to do that until the concrete was poured, and we knew that the concrete had to settle for a certain amount of time before we could ever start building.

Gidley asked if a corner of the concrete was removed, as there was a corner that had some loose concrete.

Hunter replied that was where they stopped.

Jacobs asked if the five feet was from the middle of the alley or five feet from the property line.

Hunter replied that it was further back than the old garage, as it was right on the alley.

Jacobs stated that once it was torn down, it became a whole new project. He stated he wanted to ensure it was in the right spot. He asked Manuwal if he was fine with the location.

Manuwal replied that it would be tough to get a car in there, but if you grant the five feet, then it was their problem getting the cars in. He stated that, per building code, if it was closer than five feet to a property line, then the wall had to be fire-rated.

Jacobs asked how wide the door was. Hunter replied that it was 10 feet wide.

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

Hunter stated she did go around to all those houses surrounding her and did get their signatures. She stated she gave them a letter and talked to them personally.

Letter given to neighbors

March 11, 2026

Dear Neighbor,

I hope this letter finds you well. I am writing to inform you of a variance request I have submitted regarding my property located at 1006 N Walnut St., Plymouth, IN 46563.

The existing garage on my property was recently removed due to its age and condition. I am requesting approval from the zoning board to construct a new, larger garage that will replace the previous structure with a safer, more modern building that better meets the needs of the property.

The proposed garage is intended to enhance the safety, appearance, and overall value of the property, while maintaining the character and integrity of the surrounding neighborhood. The improvement will replace an outdated structure with a well-constructed building designed to be consistent with residential use in the area.

This project is not intended to create any negative impact on neighboring properties. Instead, it will improve the appearance and functionality of the property while supporting the general welfare, safety, and aesthetics of the community.

As part of the variance process, the Board of Zoning Appeals encourages applicants to communicate with nearby property owners. If you are comfortable supporting this request, your signature below simply indicates that you have been informed of the proposed variance and do not object to the construction of the new garage.

Your consideration and support are greatly appreciated. If you have any questions or would like additional information about the project, please feel free to contact me.

Thank you for your time.

Sincerely,

Candace Hunter

1006 N Walnut St

Plymouth, IN 46563

574-952-0063

Neighbor Acknowledgment of Variance Request

I have been informed of the variance request submitted for the property located at 1006 N Walnut St., Plymouth, IN 46563 regarding the construction of a new garage. I understand the nature of the request and do not object to the proposed variance.

Neighbor Name: Ryan Rinkowski
Address: 1014 N Walnut St
Signature:
Date: 3/11/26

Neighbor Name: Fernanda Reyes
Address: 1010 N. Walnut St.
Signature: Fernanda Reyes
Date: 3/11/26

Neighbor Name: Kevin Reyes
Address: 1010 N walnut st
Signature: Kevin Reyes
Date: 3/11/26

Neighbor Name: Jose M Baca
Address: 926 N. Walnut St.
Signature:
Date: 3/11/26

Neighbor Name: Brenda Conley
Address: 1002 Walnut St
Signature: Brenda Conley
Date: 3-11-2026

Neighbor Name: Tracy Hovin
Address: 1001 N. Center St.
Signature:
Date: 3-11-26

Neighbor Name: Alan Selge
Address: 1005 North Center St.
Signature: Alan Selge
Date: 3/11/26

Neighbor Name: Rebecca Morales
Address: 1009 N. Center St.
Signature:
Date: 3-11-26

Neighbor Name: Angel Rivera
Address: 1011 N. Center St
Signature: Angel Rivera
Date: 3-11-26

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

Board members Richie and Garner moved and seconded to approve BZA 2026-04 with staff's recommendation as seen above. The motion passed by roll call vote.

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

BZA 2026-05: Michael Fuentes, 1216 N Center Street, Plymouth, IN 46563: A Special Use Exception to allow for a home based business for a Type 07 FFL business at 1216 N Center Street, Plymouth, IN 46563. Identified as parcel 50-42-92-301-110.000-019, zoned R-3, Traditional Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Michael Fuentes (1216 N. Center Street, Plymouth, IN 46563)

Fuentes stated this was just to buy and sell guns online and build them at his home. He stated it was not going to be a storefront. He added that it said it was going to be by appointment only, but that was only to meet the ATF qualifications, as he had to have a certain number of times that he had to be considered open so they may come through and check anything and everything to ensure he was up to their standards. He stated nobody would be coming and going or anything like that. He stated there may be more Amazon deliveries or delivery trucks, but that was about it. He stated that he spoke to several of his neighbors in the area and there was a daycare right across the street. He stated she had some concerns, as there was a big window in front of her daycare, and she was worried about the kids seeing guns. He explained to her that everything would be going in boxes and nobody would be picking anything up. He stated he would take packages to the post office, or if it was local, then he would just deliver it to their house. He said nothing would be visible and there would be no yard sales, so there would be no way to tell from the outside.

Richie asked if he had any experience in this business prior.

Fuentes replied that he had experience building but not in the selling part of it. He stated this was the first step in achieving that. He stated that to get a Federal Firearms License (FFL), he had to get approval from the city for zoning.

Richie asked if he was doing engraving as well.

Fuentes replied that the goal was to get to that point. He stated he would like to buy and sell for now but slowly grow with the engraving, cerakoting, etc. He stated that every business wanted to thrive and grow, so it would be nice to eventually move to a storefront, but he had to start somewhere.

Gidley asked if this would be in the house or shed.

Fuentes replied that it would be in the house, as according to ATF, if it was in the home, he had to have a room that was dedicated to that, which he does. He stated that was another point he discussed with the neighbors, as he had children and grandchildren. He stated that the room had to be locked up, and inside that room, he also had to have safes holding the guns, and they had to have locks on them as well.

Wendel asked what the process was for making these. He asked if he would be gunsmithing.

Fuentes replied that you can customize anything else. He was basically putting parts together.

Wendel asked if there was any type of gunpowder or projectiles on site.

Fuentes replied that there would not be any.

Jacobs replied that we didn’t control that anyway. He stated that he would just be ordering parts and putting them together.

Fuentes wished to clarify that there would be no ammunition, as that would be a whole different kind of permit. He stated he had personal guns and ammunition, but that was about it. He stated he wouldn't be selling ammunition in bulk, making bullets or ammunition, etc. He stated it could be something down the line but not at that location.

Gidley asked for clarification that you had to meet the ATF's requirements before you even open up for business.

Fuentes replied that he had to do this before he could even apply for a permit.

Gidley asked if he had to build out this room before you could even apply for the permit.

Fuentes replied in agreement and stated to him that he would have to change out his whole door, doorframe, locks, etc., so it was better to do everything. He stated the house was 120-some years old, so it definitely needed an update. He stated there were strict guidelines for the ATF that he had to meet, and this was a step to do so.

Gidley asked for clarification that they did the homework to know that you needed to do that first.

Fuentes replied in agreement, and everyone he spoke to shared similar concerns. He listed safety for the children, safety for any onlookers, traffic coming and going, etc.

Gidley asked if the gutter trailer in front of the house was his business.

Fuentes replied that he worked for that business. He stated it was usually parked in his neighbor's yard as they had a little lot behind their house, but they're now selling their house. He stated they asked him if he could move it, but it would go off the street soon.

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

Cathy Sellers (1211 N. Center Street, Plymouth, IN 46563)

Sellers stated that, due to the safety of the Fuentes family and the multiple families, children, and residents in this area, she was against and opposed to the use of this type of business in this area. She stated she was all for the right for people to have the right to bear arms for protection and hunting for food, but there may be a better place than a home-based business for guns in a residential area. She was worried about the case of disgruntled customers having firearms and then, if it was going to be by appointment, that it would not stick to appointments, and they would just show up. She believed once this address was known for having a place where you could get firearms, there was going to be an increase in traffic coming to this area. She stated she was also concerned about whether he did answer, saying there wasn't going to be gunpowder or anything. She stated she was wondering if people want to purchase it and test it, where that would happen, but that may be for the future. She believed it was a dangerous hazard to be happening in a residential area and that the city and federal guidelines are going to come in and out unannounced, so that would be more traffic. She stated multiple families have lived in this area for decades, peaceful and safe, and she wanted

it to be nice so it would continue to be peaceful and safe. She stated the Fuentes family was very respected in the neighborhood, as all of them are, and that she has nothing to do with them. She stated she was concerned about their safety, their kids, and everybody too.

Georgia Shez (1212 N. Center Street, Plymouth, IN 46563)

Shez provided pictures of the property and read the following aloud:

Mr. Jacobs, President, and esteemed Board Members, I appreciate the opportunity to present my concerns regarding the 07 FFL special exception application submitted by Mr. Fuentes.

My name is Georgia Shez, and I reside at 1212 N Center Street, Plymouth, Indiana. My property is adjacent to the Fuentes residence. I have lived in this home for 57 years, during which I have raised my children and now grandchildren and great-grandchildren visit regularly. It is my sincere hope that our neighborhood remains a safe and secure environment for all residents.

As a former business owner of a family enterprise that operated locally for over 60 years, I am supportive of small businesses. Upon receiving notice of Mr. Fuentes' intent to establish a home-based firearms business, I proactively contacted the Planning Director to clarify the nature of his proposed operations. Following this, I conducted extensive research, including multiple inquiries to relevant authorities such as the ATF office in Merrillville, discussions with local firearms businesses, and consultation with a retired law enforcement officer. I dedicated numerous hours to understanding the requirements associated with an 07 FFL license, best practices for operating such a business from home, and the specific handling and safety protocols for Cerakote firearm coatings.

My primary concern centers on the potential risks and responsibilities associated with establishing a firearms business in very close proximity to my residence. I am compelled to highlight ongoing issues with Mr. Fuentes' property, which reflect a pattern of neglect and disregard for community standards. Photographs I have provided illustrate the proximity of our properties and depict the accumulation of trash, vehicle parts, and miscellaneous debris on his property, some of which encroach onto my land. This situation has persisted for years, with numerous vehicles remaining stationary for extended periods, many lacking valid registration or inoperable condition. Such neglect raises questions about Mr. Fuentes' capacity to responsibly manage a business that involves firearms, which inherently carry safety and security concerns.

There is a legitimate concern regarding whether Mr. Fuentes will adhere to safety protocols, secure firearms properly, and comply with all relevant laws and regulations. His history of property neglect suggests a potential lack of responsibility, which could translate into inadequate management of a firearm-related enterprise. Critical questions include: Will he ensure firearms are securely stored? Will he follow all legal requirements for chemical handling, disposal, and safety? Does he possess the necessary training and expertise to apply Cerakote coatings safely and effectively? Given his past behavior, it is reasonable to question his willingness and ability to operate this business responsibly.

Regarding the Cerakote process, I have learned that it requires a dedicated, well-ventilated workspace due to the release of potentially offensive odors and hazardous fumes. The chemicals involved are classified as hazardous materials, with specific handling, storage, and disposal requirements outlined in Material Safety Data Sheets (MSDS). Improper disposal or accidental release could pose environmental and health risks, especially in a residential setting. The proximity of multiple properties to Mr. Fuentes' residence makes it highly probable that odors and chemical vapors will permeate the neighborhood, adversely affecting residents' quality of life. Furthermore, the flammable nature of Cerakote coatings necessitates strict safety measures that are difficult to guarantee in a home environment.

Insurance considerations further complicate the matter. A local insurance agent has indicated that homeowners' policies typically do not cover in-home firearm businesses, and few underwriters are willing to insure an 07 FFL operation. If insurance providers are reluctant to assume the risk, it raises questions about the viability and safety of such a business operating within a residential neighborhood. Additionally, I have researched existing licensed 07 FFL businesses in our area and found that all are located in commercial, industrial, or rural settings, not within residential zones. This suggests that the established practice is to situate such businesses outside of residential neighborhoods to mitigate safety and community impact.

Another concern pertains to the potential for firearms to be carried openly by customers, as observed during my visit to Michiana Firearms. Many customers were visibly armed, which raises safety issues, especially considering the possibility of visitors arriving already armed. This situation could increase the risk of firearm-related incidents within the neighborhood, particularly given the presence of children and a nearby daycare facility. The safety implications of allowing a firearm business in a residential area are significant and warrant careful consideration.

From an economic perspective, the presence of a firearms business in our neighborhood could negatively influence property values and the overall character of the community. The visual appearance of Mr. Fuentes' property, characterized by accumulated debris and neglected vehicles, does not project a professional or inviting image for a business. Such conditions could deter prospective buyers and diminish neighborhood desirability. An individual with experience in firearms commented that the current state of the property would dissuade potential customers, further emphasizing the importance of maintaining a professional and well-kept environment for such enterprises.

Community safety is also a paramount concern. The regular influx of visitors to the proposed business could lead to increased foot traffic and unfamiliar individuals in the neighborhood, raising security risks. I am particularly concerned about the safety of children, including my own daughter with special needs, who frequently walks around the neighborhood. The possibility of individuals arriving with firearms or carrying weapons already on their person poses a tangible threat to residents' safety.

I would like to quote a section from Schaefers Guns that I found online because I believe it reflects the importance of the responsibility of a 07 FFL business.

> *Starting a small firearm business from home isn't just about selling guns.*
>
> *It's about compliance, record keeping, responsibility, and doing everything by the book.*
>
> *Some people think it is easy.*
>
> *But the truth is every entry in that bound book matters. Every serial number has to be right. Every form has to be complete.*
>
> *Because when you hold a federal firearms license, you're not just running a business.*
>
> *You're carrying a responsibility that follows you every day.*

Given these considerations, I respectfully urge the Board of Zoning to deny the special exception application submitted by Michael Fuentes. The potential risks to safety, property values, and community character outweigh the benefits of establishing a home-based firearms business in this residential area. It is essential to prioritize the safety and well-being of all residents and to adhere to established zoning practices that position such businesses in appropriate commercial or industrial zones. Thank you for your careful consideration of this matter.

Georgia S Shez
4/7/2026

Shez added that she also printed out all the firearms businesses in our area that are registered with the ATF. She stated that four of them are in Plymouth and they're all storefronts. She listed the others in Argos, Bourbon, and Bremen as being located either in the country or in an industrial area.

Bruce Hollett (11359 Manor Drive, Plymouth, IN 46563)

Hollett stated his sister was the one who just finished speaking here. He stated his biggest concern with what he wanted to do was the Cerakote, as it was nasty with the fumes that you spray. He stated all the chemicals are highly flammable.

Jacobs stated that Cerakote was not sprayed.

Hollett stated that it was put on; whether it was rubbed on, you still had all the fumes coming off it. He stated you must have a well-ventilated location with a filtration unit, and the material was hazmat that you had to dispose of. He stated that the condition of his property, the way he has noticed over the years, was not striking him as being truly responsible for taking care of that stuff in the proper manner.

Wendel asked Jacobs if it was hazardous material. Jacobs replied that it was a Class B hazardous material.

Shez stated she was not aware of who said Cerakote was not sprayed, but when she was at Michiana Firearms, they said they wear a mask, it was ventilated, sprayed on, and they bake it.

Jacobs stated it was dipped, and he went to Michiana Firearms all the time.

Shez also wished to point out that Hollett was part owner of 1204 N. Center Street.

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

Fuentes stated that, for now, all he would be doing was buying and selling, and that the Cerakote was part of the laundry list of items moving forward that he would like to do in the future. He explained there would be more permits that would go along with the rest of the items. He stated that, as far as the condition of his property is concerned, his property needed a lot of work, but he was the only one there. He explained his mother was elderly, so he was trying to help take care of her; he was a single father, and he worked full time. He stated he wasn't making excuses, but there were only so many hours in the day, and he did not mind helping, which he had done before, any of his neighbors in the area. He stated some ask for help and others do not ask for help. He stated others just send letters to you guys about their concerns. He questioned the idea that because his yard was a mess, he was not responsible enough to have a business. He stated this was the first step to getting the FFL with the ATF. He stated he was fully aware that along the way there would be more classes and learning that he would have to do. He emphasized the safety aspect addressed earlier and said he had kids and grandkids that he loved dearly, so he wouldn't want anything to happen to them. He stated he kept his personal guns locked up and they had no access to them at all. He stated he was guilty of having a messy yard and apologized for that and did not mind cleaning

it up. He stated there were probably plenty of files submitted to you guys throughout the years and some people would just never be happy.

Jacobs wished to clarify that Cerakote can be sprayed on, but it was just not typical.

Richie stated that he was 100% for entrepreneurship, small businesses, and guns. He explained that growing up in Stake County, there are only two seasons: hunting season and yard sale season. He added that during yard sale season, you were often looking for hunting stuff. He stated that you mentioned the Cerakoting was going to come later, along with ammunition. He asked if it would be possible to put a proposal forth that doesn't necessarily approve or deny at this point, but that he could come back with a multi-year plan like a business plan. He stated that we also wish to respect the neighbors, as those are genuine, legitimate concerns that they're having, and he thought that we need to respect that as well. He believed a timeline may help ease their concerns.

Adley stated they could approve something with modifications or conditions. He provided an example that they could approve with a condition that he could not Cerakote, laser engrave, or sell ammunition under this application. He stated that they could then come forward in the future if he wanted to expand some of his services at that given location before going to a commercial or retail location.

Jacobs asked Manuwal if he would have to get approval from him before doing any of that as it was a home-based business.

Manuwal replied that it was a home-based business, and for the Cerakote he would have to come in because he would be putting in exhaust fans and other items in a building permit aspect. He stated as for the rest of it, we do not have a business registry.

Richie asked Fuentes if he had no plans to do the Cerakoting at his house.

Fuentes replied that everything he put on the application was just everything because he wasn't sure what you guys needed. He stated he put everything that he would like to do in the future. He stated he was fine with limitations and if he needed to pursue a new location for those additional items, he would be fine with that as well. He stated those extra items do not need to happen now, but currently he would just be looking for permission to have the home-based FFL.

Wendel asked for clarification that he was only asking to start a business at his home. Adley agreed.

Richie stated it was difficult to have neighbors with such a differing degree of opinion. He stated he had a home-based business for 20 years. He asked Shez if not having the Cerakoting and fumes would ease her concerns.

Shez replied that it did not ease her concerns. She stated he had not lived in this home for the past four months. She stated she had trouble with what he was telling you and not telling you. She stated his application states that he would be Cerakoting.

Richie stated that we could make it so that can't happen there.

Shez stated she was struggling with the clientele that would be going there, as it could be gun-carrying people. She stated she was still struggling with the fact that he's not responsible. She stated she was struggling with the fact that he hasn't disclosed to you that he hasn't even been living on this property for the past four months. She stated that she worked full time and raised four children on her own.

Jacobs added that she also helped raise him.

Shez agreed and stated she also maintained her home and to say he doesn't have time, everyone has time or they could hire someone.

Wendel stated he was not in favor of home-based businesses in a residential district at all as it disrupts everyone's tranquility having people come and go. He stated even if it was a thing where absolutely nobody came to his door and it was all through the mail, he did not like home-based businesses. He stated he had one, and you would never know it, as he was on the phone all day long.

Board members Wendel and Gidley moved and seconded to deny BZA 2026-05 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, and Wendel
Against:	Jacobs

They took an intermission to use the restroom before starting the last case.

BZA 2026-06: James & Deanne Quissell, 11905 Sunset Court, Plymouth, IN 46563: An Administrative Appeal to stop moving a yard shed at 11862 Redbud Drive, Plymouth, IN 46563, owned by Dennis Emmons Sr. and Margaret Emmons. Identified as parcel 50-32-95-000-406.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the appeal from the applicant. He shared the images below:





Adley then provided an analysis and prior history of requests as seen below:

Analysis

- A violation letter was sent to Mr. and Mrs. Emmons which included that the shed was constructed/placed too close to the property line. There was reference to BZA case 2004-32 of which the setback reduction was denied.
- The applicant has sought to represent the owners due to the stress of the situation and work necessary to file the request. As indicated within the representation document, the owners have intended to be present for the meeting while the Quissell's represent during the meeting itself. The supplemental information indicates "Emmons shed has been in place for over 15 yrs., has never been an issue, no neighbors prior to the new neighbor, have had any issue with shed and where it is. Del Wentzel was aware of placement of shed and had no problems with it being placed where it is."
- The notice indicated that the shed was too close to the property line and the applicant is appealing that they would like to keep the structure where it is. The appeal would not satisfy the desire as it does not seek proper relief and clarity, it is more appropriate to have filed under a variance of development standard. An appeal of the decision can not reduce the setbacks. An appeal of the decision would be more associated with a debate on whether or not the shed was too close to the line when relating to the setbacks.
- For additional information a memo has been drafted for the proposal and included within the presentation of the April 2026 BZA meeting.

- Prior Requests
  - October 5th, 2004 BZA Minutes
    - BZA-2004-32 (Reduce side yard setback to 2' and rear yard setback to 6') for 11862 Redbud Drive represented by Developer Del Wenzel.
      - Request Denied 3-1
  - March 6th, 2007 BZA Minutes
    - BZA-2007-04 (Reduce side yard setback to 8' for carport) for 11862 Redbud Drive represented by Dennis Emmons Sr.
      - Request Approved 3-0



Decision Criteria

- The Board shall only grant an appeal of such an administrative decision based on a finding, in writing, that the decision of the administrative person or board was inconsistent with the provision of this Ordinance.
  - The decision in question is whether or not the shed is too close to the side property line.
  - The request is to stop from moving the shed.

Board Determination

- The Board shall only grant an appeal of such an administrative decision based on a finding, in writing, that the decision of the administrative person or board was inconsistent with the provision of this Ordinance.
  - The decision in question is whether or not the shed is too close to the side property line.

Adley stated that an administrative appeal was different, as it did not have a public hearing portion.

Gidley asked for a definition of a shed and stated that some of these sheds on skids can be moved. He asked if this one was permanent and if it was attached to the concrete that's under it.

Adley replied that he did not know the construction style of the shed. He stated the applicant could speak to that.

Gidley asked if there were any permitting differences for one that's attached to the ground versus one on skids.

Manuwal replied to the first question asked by stating that it was an accessory structure. He explained that our code required anything 120 square feet or larger to have a permit. He stated the Indiana Residential Building Code required any structure 200 square or larger to be placed on a foundation.

Houin stated that he did not believe the requirement for a building permit, or not really answered the question. He also reiterated that it was an accessory structure.

Gidley understood that but stated that we were using the word shed on all of this.

Houin stated a shed was an accessory structure. He read aloud the definition of an accessory structure as seen below:

Accessory Structure

A use, building, or structure, the permanent or temporary use of which is customarily incidental and subordinate to the use of the primary building or primary use of the land on which the accessory use, building, or structure is located. By way of example only, some typical accessory uses, buildings, and structures include: garages, carports, porches, decks, awnings, canopies, mini-barns, storage sheds, outdoor fireplaces, outdoor furnaces, children's playhouses, swings, game courts, swimming pools, hot tubs, grain bins, grain dryers, and storage buildings. Some uses that shall not be considered accessory uses, buildings, or structures and therefore are not permitted include mobile homes, manufactured homes, construction trailers, recreational vehicles, box trucks, semi-trailers, and any other structure or equipment used for a use in which it was not designed.

Houin stated this was the case whether it was on a permanent foundation or skids, whether it was under the size requiring a building permit or not; it doesn't have any bearing on whether it was an accessory structure.

Wendel asked what the size was of this accessory structure.

Manuwal replied that he had no idea as there was no permit.

Jacobs asked for clarification if by saying yes to this that we would be saying it could stay.

Adley disagreed. He stated the decision was whether it was too close to the property line or not. He stated the setback requirement for a side yard setback was 10 feet.

Houin stated the question before them was whether or not Manuwal made a correct determination that this accessory structure exists within the setback without a variance. He stated whether they

choose to permit that or not was not the question. He stated that it required an application for a variance of development standards. He stated the appeal was simply an appeal of Manuwal's interpretation of the zoning ordinance. He stated he determined that it currently existed within the setback.

Wendel asked if this had been here for 15 years.

Adley replied that was what was shared within the application itself.

Gidley asked Manuwal how he was made aware of this.

Manuwal replied that a resident in that area called and was complaining about property lines and people driving through other people's property. He stated he went out there and looked at it, informed them that he was not aware of where the property lines were. He stated they had a survey done, had it staked, and he drove back out there, and now we are here.

Deanne Quissell (11905 Sunset Court, Plymouth, IN 46563)

Quissell stated that they live around the corner from Dennis and Maggie Emmons, whom we are representing. She stated that Mr. Emmons has had several health issues in the last two years, cardiac especially. She stated she cares about them as all the neighbors in here do and the stress that one neighbor has caused on him, he was now having some issues again. He stated that, aside from their daughter, her husband and she receive the phone calls for assistance. She stated they were original residents in the neighborhood and there are several new people in the neighborhood, but there's also a lot of old residents. She stated they take care of each other and do not complain about each other. She stated they received a phone call that his new neighbor, as of last year, was upset that he was mowing around his shed in their yard. She stated the complainant was also saying a neighbor behind him was dying of cancer, and people were parking in Emmon's driveway and walking through their yard to go to a dying man's house. She stated we were all dealing with that complainant. She agreed the shed was too close and that they filed the wrong appeal, but she was not aware of what she was doing. She stated she also approached the neighbors before they got their letter, saying, "We need to support the Emmons family to not have to move their shed that's been there for 15 years or longer." She added that it was not on a slab.

Jacobs asked Manuwal if they agreed with him that it was too close and that they could go back and file a variance. Manuwal agreed.

Quissell stated that was what she did not know. She stated she was a nurse and this wasn't her forum. She stated that they also received a letter for their shed, as many in this room did get letters about their sheds. She stated they all probably filled out the wrong form because we didn't know what we needed to do. She stated that now that we do, we would all fill those out if that's what was necessary to appear for the May meeting. She assumed the first Tuesday in May, to come before you again to hopefully not have to move our sheds that have been there. She stated their shed had been there for 20 years and Emmons had been there for 15 years. She stated they could all speak for how long their sheds have been there, but we've just had the one neighbor who moved in that has caused this uproar in the neighborhood.

Garner asked if there were fines associated with this.

Manuwal stated that all the wrong forms were probably on him because he told them to just file an appeal because once an appeal had been filed, it stopped any violation fines. He stated it was the quickest way to stop everything and wait until you all make your decision. He replied that there could be fines. He stated he spoke to the Emmons when they first got their letter; he informed them that he was willing to work with them, and they talked about moving the shed. He stated he was fine if he had a contract from a contractor that said they would be moving it, and he would work with them on the timeframe. He stated he would try to work with anybody as much as he could. He stated that once progress was stopped, that's when fines are implemented.

Garner asked if the plans were to move it or file a variance.

Manuwal replied that he did not know what their plans were.

Quissell replied that they would be filing a variance.

Deputy Clerk-Treasurer Williams wished to clarify that the May meeting would actually be the first **Wednesday** in May, which would be May 6th due to Primary Election Day.

Jacobs asked if the next step was to open it up to the public.

Adley replied that it didn't have to be, as an administrative appeal did not require a public hearing.

Houin stated that they asked good questions that were completely irrelevant to the decision tonight. He stated he understood the curiosity, but most of the questions asked are relevant to the discussion of a variance application and not relevant to the discussion of an administrative appeal. He stated the question tonight was if Manuwal measured correctly that the shed was less than the required setback from the property line. He stated if their answer to that question was yes, then you should deny the appeal with the understanding that a variance application would be filed. He stated it was a confusing process and nobody should be critical that they did not understand the correct form to file.

Jacobs asked if filing a variance would stop any fines.

Houin replied that it does and wished to add that fines are discretionary. He stated that, despite what some people say, Manuwal was a reasonable guy, and he had made it clear that he was willing to work with any of these property owners to understand the process and what they need to do.

Adley wished to clarify that if there were any additional questions, he would be happy to stay here and answer whatever it may be until the last one has received guidance.

Leah Richer (11906 Sunset Court, Plymouth, IN 46563)

Richer asked if every person in our subdivision had to file an individual variance and then there would be an individual hearing for each case at the next meeting.

Gidley replied in agreement and said that each case stood alone.

Manuwal wished to add that if anyone who had received a letter believed that their accessory structure meets the setbacks, he would be more than willing to make an appointment to come out and measure it, as he had already done it a couple of times.

Richie asked if there was any way we could make this process any harder.

Adley replied that there are some improvements we could do internally in relation to letters or anything along those lines.

Houin clarified that none of that could be done before next month's meeting.

Board members Gidley and Wendel moved and seconded to deny BZA 2026-06 as presented. The motion passed by roll call vote.

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

Other Business:

There was plenty more discussion held regarding the process for applicants. There were applications present at the meeting and down in the Clerk's office. The application deadline for the May meeting was April 15th. It was confirmed that if you were not able to get your application in by next Wednesday, the 15th, then you would have another month to get your application in by next month, May 15th, so that you could be on the June meeting.

Manuwal wished to state that if you purchase a pre-built shed, it needs to meet setbacks, and it may need to be put on a foundation and anchored down.

There being no other business, Board members Richie and Garner moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 8:08 p.m.

/s/ Kyle Williams
Recording Secretary