

Overlay

Chris Kelley <cmcakelley@gmail.com>

Wed 7/3/2024 8:25 AM

To:jcoker <jcoker@tiptoncounty.in.gov>

I prefer to remain in the overlay district.

Sent from my iPhone

Written comments regarding the public hearing on the proposed overlay district on July 3rd, 2024. Please distribute to all members well in advance of the meeting and enter into the record. Thank you.

1. My main concern is that the proposed overlay district with 39 prohibited uses, is too large and unnecessary if the rationale is for controlled “growth”, especially when there is no guaranteed ‘growth’, and since the land is owned by private landowners who may not be interested in selling their land for other purposes. Approximately 96% of the land in this proposed overlay is currently zoned Agricultural.
2. If the intent for this huge overlay is to stop ‘solar’, then why not simply beef up the solar ordinance and make it more restrictive? That is what we did with the wind ordinance.
3. Of the 39 prohibited uses, I do not understand the harm in the following that are prohibited (even with “growth”):
 - *Auction Barn. We currently have an auction barn right on east state road 28 that is well kept and no one is complaining about. . . and there are homes in very near proximity to this establishment.
 - *Commercial Fish, Worm, Fur, and Other ‘Specialty Farms’. What is a ‘Specialty Farm’? What is so offensive about fish, worm, and fur businesses contained within the thousands of acres of **AG** land in the overlay? Ironically, these businesses are a *permitted use* in **every other zoning district in the entire county** except RR. Now, you are prohibiting it in thousands of acres of AG land.
 - *Fish Hatcheries. What is wrong with that use in a 96% AG area?
 - *Saw Mill. What is so bad about that in a district that is 96% agricultural?
 - *Raising of Non-Farm Fowl and Animals, Commercially. What exactly are ‘non-farm fowl and animals’? Do you mean zoo animals? There is no definition in the ordinance.
 - *Shoot Range. Do you mean ‘Shooting Range’? This is not defined anywhere in the zoning ordinance. Does this mean the kind of ‘shoot range’ that is out on 300 South by the old dump that law enforcement uses? Does it mean the kind of ‘shoot range’ that the Tebbe family has on

- St. Rd 19 that the family members use occasionally? This term needs a clear definition.
4. What is most alarming to me is 'Confined Feeding' being prohibited in more than 7,200 acres of primarily agricultural land. Article 2 of the Tipton County Zoning Ordinance defines 'Confined Feeding' as: "*The confined feeding of animals for food, fur, or pleasure purposes in lots, pens, ponds, sheds, or buildings where food is supplied to the animals only by means other than grazing.*" **THAT** is the definition. This means that 4-H animals raised in a pen would not be allowed. Family chicken coops would not be allowed. 'Feeder calves' would not be allowed. Family horses that may graze some, but are confined and grain and hay fed in the winter, would not be allowed. Horse breeding establishments like what Alderson's do and what Dennis and Beth Stewart do, would not be allowed. There needs to be a very clear definition of what you are prohibiting in many thousands of acres of AG zoned land.
 5. As a member of the Cicero Township Advisory Board, I have been asked by the Trustee, Amber McLearn, to address the prohibition of 'Cemetery' in the list of 39 items. Currently, Cicero Township maintains 7 cemeteries. There are NO plots available in any of those cemeteries. The former Trustee, Korey Henderson, also recognized this dilemma and attempted to secure land, but was unsuccessful in obtaining any. Recently, an elderly woman approached the Trustee, offering to donate some land in the near future for a new cemetery. If this prohibition is passed, then the Board would have to reject her offer. I do not understand the reasoning for disallowing this use in the first place, but ask that you remove 'Cemetery' from the prohibited list.

Respectfully Submitted,

Jane Harper

285 W 100 N

Tipton, IN 46072

Jeff & Danielle Hale
1388 S 400 W
Tipton, IN 46072
jeffhale68@gmail.com

June 25, 2024

Dear County Commissioners,

We are writing to express our strong support for the proposed overlay area that seeks to restrict certain industrial and commercial activities in our community. This initiative is crucial to protect property values and preserve the residential character of our neighborhoods. Tipton County has already made a significant investment in this area of the county and we want to be part of that upcoming success.

As a homeowner located in the proposed overlay area, we have invested in this community with the expectation of living in a safe, clean, and aesthetically pleasing environment. The proposed overlay area, which aims to limit activities such as mobile home manufacturing, seasonal farm worker housing, landfill operations, sawmills, junkyards, scrap metal processing, trash incineration, and solar farms, addresses legitimate concerns about potential negative impacts on property values and quality of life. The placement of large-scale solar installations alone in the area would make a huge impact on residents.

Allowing such activities in close proximity to residential areas can significantly diminish property values and undermine the appeal of our neighborhoods. The presence of industrial operations, excessive noise, traffic, and visual blight can deter potential homebuyers and detract from the overall desirability of our community.

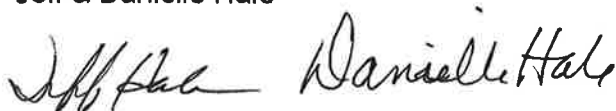
Furthermore, a well-defined overlay area with clear restrictions will provide certainty for current homeowners and potential buyers alike, ensuring that our residential neighborhoods remain attractive and stable over the long term. By preserving our community's residential character, we can sustain property values and promote sustainable growth that benefits all residents.

We urge you to carefully consider and approve the proposed overlay area to protect our community from the potential adverse effects of incompatible industrial and commercial activities. Your decision will play a crucial role in maintaining the integrity and value of our homes and neighborhoods.

Thank you for your attention to this important matter. We look forward to seeing positive steps toward enhancing the quality of life for all residents of Tipton County.

Sincerely,

Jeff & Danielle Hale

Handwritten signatures of Jeff and Danielle Hale in cursive script.

Overlay district

Michael T Smith <mtsmithdds@mac.com>

Mon 7/1/2024 3:39 PM

To:planning <planning@tiptoncounty.in.gov>

Dear Members of the committee and respected Commissioners ,

I would like to voice my opposition to the proposed overlay district as it is written.

Although I do understand the concern for orderly development in the county , I do not agree with your plans to try to predict and control future uses for our farm land. Current zoning laws should suffice.

Sincerely,

Michael T Smith

M.G. Smith Family Ltd Partnership

Sent from my iPad

Proposed Overlay

Shay Lohrmann <shaylohr95@protonmail.com>

Mon 7/1/2024 6:31 PM

To:planning <planning@tiptoncounty.in.gov>

Ms. Coker:

I am writing to express my opinion about the Proposed Overlay District Amendment to the Tipton County Zoning Ordinance (CO-ZO-11-24). This proposal is a broad stroke that negatively impacts the very livelihood of farmers and their families that have lived on and worked this land for generations. It appears to be a blueprint for development in an area that is predominantly rural. This amendment completely disregards the rights of the landowners and is an egregious over-reach by a government agency. I urge the commission to listen to the people who elected them and stop this plan from moving forward.

Sharon Lohrmann
Eco-Terre, LLC

Overlay

Scott Campbell <scott@totalseedproduction.com>

Tue 7/2/2024 9:11 AM

To:planning <planning@tiptoncounty.in.gov>

Planning Committee and Commissioners,

I would like this email read at the meeting and by all of you before you vote tomorrow.

A number of farm owners think the overlay district is unnecessary and a waste of taxpayers money, especially after it's already gone to court once and the judge said it is unfair.

Our family and many others have owned this land for over 150 years and have done an excellent job of deciding what it should be used for without an overlay district!

I want to point out our family and farms are made up of a number of old Tipton County family names, not just Campbell, that have done a great job.

Scott Campbell

Sent from my iPhone

Overlay

stan jones <stan6542@yahoo.com>

Tue 7/2/2024 9:33 AM

To:planning <planning@tiptoncounty.in.gov>

To the Members of the Tipton County Planning Commission:

I vote NO to the proposed overlay district.

I live on one acre within the proposed area and the way I read it, if my metal pole barn was damaged by a storm, I would not be able to repair it with metal siding. Or if I wanted to increase the size, I could not

This is a bad idea for Tipton County. It is nothing but governmental control and overreach.

These restrictions will discourage growth in the county rather than encourage.

When googling "overlay districts", the most common uses for overlay districts are used in zoning codes to protect sensitive environmental features, preserve historic buildings, prevent development on unstable or vulnerable land features, NOT to prevent using your own property.

Again, I vote NO to the proposed overlay

Stan Jones
2192 S 500 West
Tipton, IN.

Proposed Overlay District

Phil Overdorf <philoverdorf@gmail.com>

Tue 7/2/2024 11:12 AM

To:planning <planning@tiptoncounty.in.gov>

📎 1 attachments (1 MB)

Land Use Plan Map.png;

Dear Planning Commission,

I would like to begin by saying that I am not against zoning and planning as it is necessary for growth and compatibility purposes. That being said, the proposed overlay goes too far. Much of the area being considered is primarily agricultural and is not likely to be developed in the future.

I am opposed to the proposed overlay for the following reasons:

1. The area being considered is too large. Much of this area is rural and agricultural use. I do not believe the restriction of use, on this many acres, is justified. 7500 acres is too large of an area.
2. Prohibitions and restrictions being put on this land are burdensome to current and future landowners; both residential and agricultural.
3. The list of prohibited uses and design standards is too broad and lacks definition. This will cause confusion to property owners both now and in the future.
4. The proposed overlay is in direct conflict with our comprehensive plan that was developed in conjunction with community input. A plan that we are supposed to be following and implementing.
5. Tipton County's Comprehensive plan reads that most of this land is to remain for agricultural use. (See attached map)

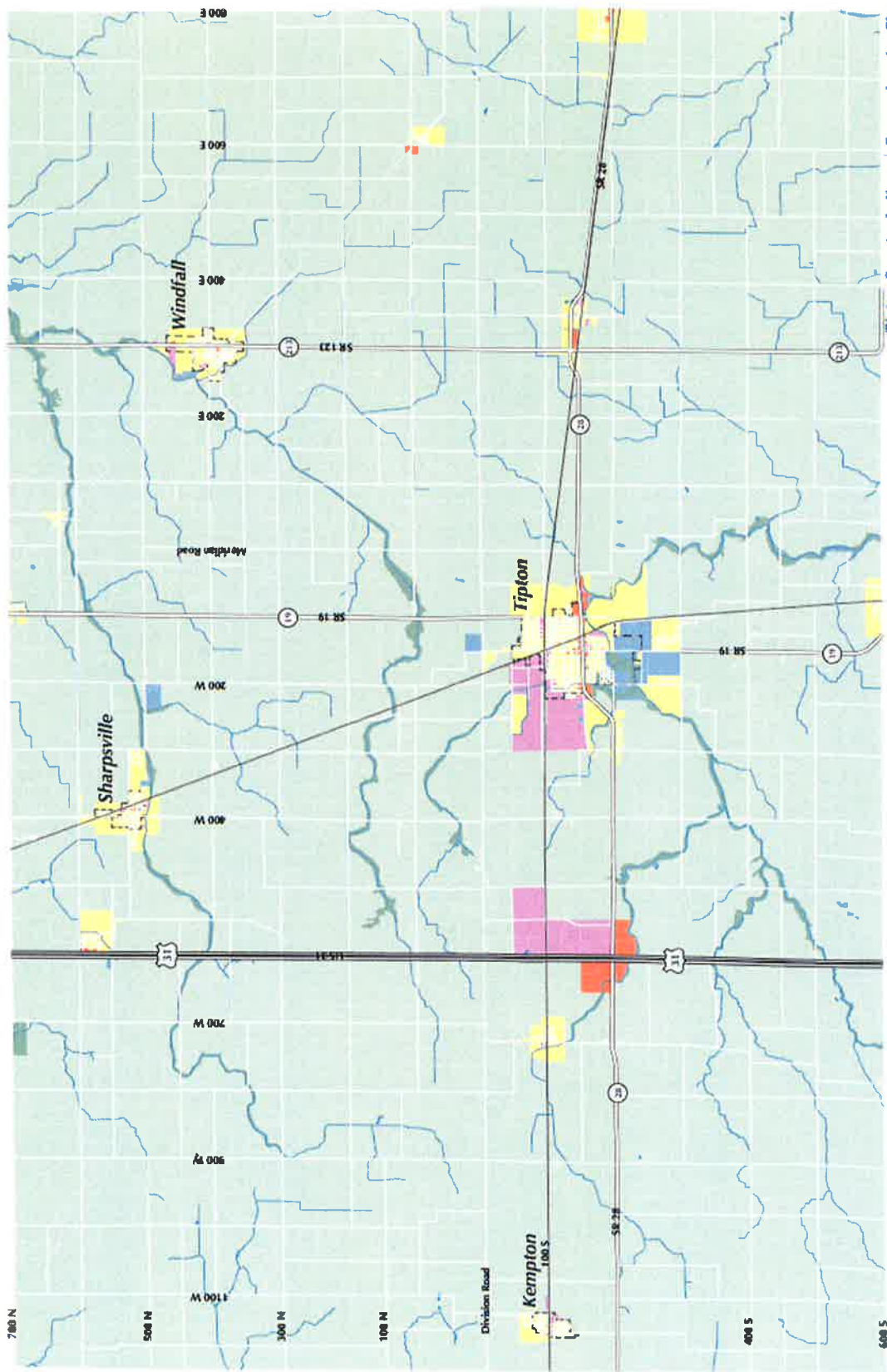
In conclusion, I ask that you consider these reasons as a part of this decision; it affects many current and future landowners' property rights. I am asking the Planning Commission members to vote "no" on such a large overlay district encompassing 7500 acres of farmland and residences.

Thank you for serving and for your consideration in this most important matter for our county.

Sincerely,

Phil Overdorf

Land Use Plan



Tipton County, Indiana | Comprehensive Plan
 Prepared by Houshal Lavigne Associates

Vote No on the US 31/SR 28 Overlay District!

Christine Franz <cfranz120@yahoo.com>

Tue 7/2/2024 11:16 AM

To:planning <planning@tiptoncounty.in.gov>;Wayne Franz <wfranz@oakmotors.com>

As a homeowner in the proposed overlay district, I believe that the proposed restrictions are an overreach of government. We did not purchase a home in a rural community to have HOA type rules laid upon us. We live on 550N, just off 31 and have invested a significant amount of money in our home to modernize the exterior and increase curb appeal. We moved from Indianapolis where we paid dues to live in a subdivision and had rules such as your proposed landscaping and building materials rules. We agreed to abide by those rules when we purchased the property. In exchange for paying our dues and abiding by the rules, we received such things as snow removal, trash removal, a community pool, etc. You propose similar rules with no benefit to the homeowner. The most bothersome of the proposed rules specifically is the statement about metal walls being prohibited on exterior buildings. I know I am not alone in that I have an existing metal barn on my property. We also just experienced a hailstorm that caused significant damage in the area. You propose that metal walls will not be allowed on buildings **repaired**; meaning I would need to re-side my barn with another material if I wanted to repair it? That's preposterous! At the very least, existing properties (and current and future owners of these properties) need to be grandfathered and not subject to these new restrictions. It will negatively impact the value of our properties at resale if future owners of existing properties are not protected. I will be in attendance at the meeting on July 3rd and respectfully request that you vote no on this important issue.

Thank you,

David & Christine Franz
5852 W 550 N
Sharpsville, IN 46280
317-529-5377

Fwd: Overlay

Tracy Powell <tpowell@tiptoncounty.in.gov>

Wed 6/26/2024 7:15 PM

To: jcoker <jcoker@tiptoncounty.in.gov>

Sent via the Samsung Galaxy S24 Ultra, an AT&T 5G smartphone

Get [Outlook for Android](#)

From: Scott Leffler <leffs4thepackers@yahoo.com>

Sent: Wednesday, June 26, 2024 4:46:42 PM

To: Tracy Powell <tpowell@tiptoncounty.in.gov>

Subject: Overlay

Dear Tracy Powell,

My name is Scott Leffler and I live at 1076 South 400 West in Tipton. I have lived in Tipton almost 35 years. My wife and I are both teachers at Tipton and we love pouring into our community that we are very proud to claim as ours.

I am emailing you with my concerns about the rezoning of the overlay. Approximately a year ago the board passed an overlay that would protect the area from 350 West to US 31. This plan was approved by the planning commission and the county commissioners. It would protect an area that would be ideal for residential growth and also was an area where numerous Tipton taxpayers live and were against any industrial solar. Numerous residents in this area signed a petition to stop this from becoming solar. When I took this petition to neighbors on my road (400 West between SR28 and Division Rd) I didn't meet a single neighbor that wasn't immediately wanting to sign the petition to stop solar from being put up in our area.

In addition, my neighbors and I are very concerned about how putting up solar is going to effect our property values. We would like solar to be added to the list of things NOT permitted within the Overlay District which should include 400 West.

Industrial Solar is **not** meant for residential areas like 400 West. In all my readings about solar, I have found a lot of benefits for having solar but one thing always comes up and that is that the placement of solar panels needs to be in an area with ample available land, such as unused or low-value agricultural land (**This is not Tipton soil**), desert areas, or brownfield sites. Many articles go on to say that industrial solar is meant for large vacant areas or in industrial areas.

I know the argument has been presented that farm land shouldn't be being told what they can and can't put on their property. This is quite a ridiculous statement, I live in an area where we have covenants that protect our property values. I needed to have a concrete driveway poured within the first year of my house being built, we can not have more than one out building on our property, we can not burn trash in a barrel, we can not have an above ground pool, and our lawn had to be planted within the first year of living in our house. I could go on but all of these restrictions on what I can or can't do on my property are to protect the property value of my house and of the property in my area. This is why it is so important that we keep the overlay intact and include solar to the list of restrictions.

Another argument that I have heard is that the sub station on SR28 is the only suitable place to connect solar. This is also another ridiculous statement. The solar company stated that solar can work anywhere in our county. Would this substation make for an easy hookup? Yes. Unfortunately easy and right typically don't always line up. This is the case here as well! I was personally told by the county surveyor that any area can be used to hookup solar.

Is industrial solar right for Tipton? Maybe. Is industrial solar right for areas like 400 West? ABSOLUTELY NOT. If Tipton truly wants solar then it needs to be in areas where it doesn't impact residential properties. I hope as representatives of the Tipton Community you will keep the overlay in place and add solar to the list of ideas that are NOT allowed in the Overlay district which includes 400 West.

Thank you for reading this and I appreciate everything you do to keep Tipton residents proud of where they live,

Scott Leffler

Vote No on the US 31/SR 28 Overlay District!

Christine Franz <cfranz120@yahoo.com>

Tue 7/2/2024 11:16 AM

To:planning <planning@tiptoncounty.in.gov>;Wayne Franz <wfranz@oakmotors.com>

As a homeowner in the proposed overlay district, I believe that the proposed restrictions are an overreach of government. We did not purchase a home in a rural community to have HOA type rules laid upon us. We live on 550N, just off 31 and have invested a significant amount of money in our home to modernize the exterior and increase curb appeal. We moved from Indianapolis where we paid dues to live in a subdivision and had rules such as your proposed landscaping and building materials rules. We agreed to abide by those rules when we purchased the property. In exchange for paying our dues and abiding by the rules, we received such things as snow removal, trash removal, a community pool, etc. You propose similar rules with no benefit to the homeowner. The most bothersome of the proposed rules specifically is the statement about metal walls being prohibited on exterior buildings. I know I am not alone in that I have an existing metal barn on my property. We also just experienced a hailstorm that caused significant damage in the area. You propose that metal walls will not be allowed on buildings **repaired**; meaning I would need to re-side my barn with another material if I wanted to repair it? That's preposterous! At the very least, existing properties (and current and future owners of these properties) need to be grandfathered and not subject to these new restrictions. It will negatively impact the value of our properties at resale if future owners of existing properties are not protected. I will be in attendance at the meeting on July 3rd and respectfully request that you vote no on this important issue.

Thank you,

David & Christine Franz
5852 W 550 N
Sharpsville, IN 46280
317-529-5377

Briana Carter
107 Castle Ct
Tipton, IN 46072
765-438-0856
carbriana@gmail.com

July 2, 2024

To: The Tipton County Planning Commission

I have lived in Tipton County for over 40 years. Since I was a child, I remember hearing about how Hamilton County was coming to Tipton. Having also lived in Hamilton County, I think it's extremely important for Tipton to plan for this inevitable wave of growth that is headed our way. Therefore, I support an increase in the number of acres in the overlay for Tipton County.

The proposed overlay that was recommended by the planning commission is acceptable but, in my opinion, not large enough. Though, I understand the need for a compromise. With a compromise in mind, I support the overlay as proposed.

Growth is certain to happen. We want to maintain our main corridors or our county for growth that makes sense to most of the citizens of this county and the future of our children, not just a select few families. Industrial development or industrial "farming" like solar panels surrounding already established residential homes and neighborhoods in our county make zero sense. It will have a negative impact on wildlife, home values, and the aesthetics of our county.

Anyone who has a direct or indirect interest or holds any options whether held outright or hidden in a trust for the solar farm industry, should excuse themselves from voting on this matter as a matter of ethical principle.

Please, vote "yes" for expanding the overlay district as proposed and vote to keep industrial solar energy in strategic, limited spots in our county. Thanks for your time and your service to Tipton County.

Kind Regards,

A handwritten signature in cursive script that reads "Briana Carter". The signature is written in black ink and is positioned above the printed name.

Briana Carter

VOTE NO on the District Overlay

Jeff & Tammy Smith <jtsmith1983@bluemarble.net>

Tue 7/2/2024 3:59 PM

To:planning <planning@tiptoncounty.in.gov>

Jeff & Tammy Smith