

Franklin County Board of Zoning Appeals' Meeting – May 13th, 2026

Attendance

Paula Keller, Terry Duffy, Robert Braun, Daryl Kramer, ~~Tom Wodtke~~, Geoff Wesling, Paul Noble

Minutes

Paula Keller performed rollcall. Tom Wodtke was absent.

Paula Keller asked the board if there were any additions or corrections to the minutes.

Terry Duffy requested the addition of Paula Keller reentering the meeting and presiding over the meeting in the minutes from April 8th.

Daryl Kramer made a motion to approve the minutes with Terry Duffy's addition.

Robert Braun seconded. All in favor; motion carried.

Hearings

03102026-CU-01 – Joseph Singer

Parcel: 24-10-14-400-001.002-003, Located on Holland Rd

Petition for Variance for 1.6 acre parcel for Conditional Use (requirement 5 acres), Petition for Variance for reduced setbacks from residences for Conditional Use (300 ft. required), Petition for Variance for reduced yard space around all sides (300 ft. required for Conditional Use), and Petition for Variance for a 10-ft rear setback (15 required in agriculture.)

Paula Keller recused herself. Vice Chair Terry Duffy presided.

Terry Duffy asked the board if they had any opening comments on the continuance of the conditional use to permit a slaughterhouse.

Terry Duffy informed the board and audience that, with the two recused/absent board members, it would be a bare quorum and would require that all 3, present board members' vote in unanimous agreement on the conditional use to permit a slaughterhouse application. Duffy informed the applicants that they do have the option to continue this application to the next BZA meeting when all 5 BZA board members will be present.

Bret Bradley said they would move forward with the application with the present board members.

Geoff Wesling explained to Joseph Singer and Bret Bradley that they would require a unanimous vote of approval from the three present board members for their conditional use to be granted. Wesling informed Singer and Bradley, should they think the application is not going where they would like it to go, they have the option to continue their application to the next BZA meeting.

Wesling said, "...If you just have one [BZA member] against you, ... I would hate for you to lose on that component."

Bret Bradley asked Wesling, if, at any time, they could stop and ask to table their application.

Terry Duffy said, "Basically, yes. Continuances are granted at the consent of the board, but I don't think there would be an issue."

Duffy asked Daryl Kramer and Robert Braun if they had any questions.

Duffy told Joseph Singer and Bret Bradley he was pleased with the revisions with the site and development plans and said it clarified lacking areas from the last meeting. Duffy expressed concern over the scale of the original proposal compared to the revised proposal, which appeared to be a local agricultural operation than an open-ended operation. Duffy explained to Singer and Bradley, "We have to certify three or four certain categories of impact on the community, and, without knowing all the information, we're not really in a position to make that decision." Duffy said it was really good that all that information is in the record.

Bret Bradley replied to Duffy, stating, he and Joseph Singer decided to keep labor down and overhead low to ensure high-quality operations.

Terry Duffy asked Bradley if they would be a USDA-inspected establishment and not customs exempt.

Bradley said they would do both custom-exempt and USDA-inspected. Bradley added, should a customer want to sell their processed meat, it would only require some paperwork. Bret Bradley stated that the determining factor for whether a customer can sell their processed meat is if they want to sell it directly to the consumer, in which case, it would have to be USDA inspected to legally sell it. Bradley said, should a customer want the meat USDA inspected, that would be an additional charge.

Terry Duffy replied to Joseph Singer and Bret Bradley, saying, "...The word 'plan' has a number of different meanings in the real world, but it has one specific meaning in zoning. And in zoning, it means that it's a formal, agreed-upon set of things that are going to be done within an operation." Duffy stated, when a development plan is put together, it is binding, and everything in that is in that development plan is binding on both parties. Duffy said, "So, we can't go back and change your setback [or] the number of cattle you're going to do every day..." Terry Duffy stressed to Singer and Bradley, that this plan would be a binding agreement. Duffy expressed some concern over the number of items in the operations' plan and believed incorporating those items or facts into the development plan would ease his concerns and make him comfortable with the proposed slaughterhouse. Duffy said to Joseph Singer and Bret Bradley that, if this information is put into the application as stipulations, then the actions and operations that they are saying they will do will become binding for both Singer and Bradley. Duffy asked if these items could be put into the development plan and then proposals, so that they become binding.

Duffy informed Singer and Bradley, once all that is agreed upon, and the conditional use is granted, these stipulations and development plan are binding on both parties. Duffy added, "...If there are serious enough violations, you can actually lose your conditional use." Terry Duffy stressed that there can be no drastic deviation from the development plan presented to the board. Duffy added, "[If] you go to Paul, and say, 'We need to do this instead of that,' and if Paul says, 'That's not a big deal; go ahead and do it,' I'll make a note on that plan. And if Paul says, 'I can't do that,' we got to go back to the board." Duffy said, in that case, Paul would bring the application back to the board. Terry Duffy asked Joseph Singer and Bret Bradley if they would be willing to add what is in their operations' plan into the development plan as their formal operational procedures.

Singer and Bradley responded yes.

Daryl Kramer ask if there were any other subjects they would need to address besides the operations' plan. Kramer said, "I do not think the variances, in this case, will be injurious to the health, safety, morals, and welfare of the community." Kramer added, "We had two adjacent land owners come forward and say they have no problem with [the proposed slaughterhouse], so they're taking the risk of lowering their value or raising their value maybe." Daryl agreed with Duffy that incorporating the operations' plan into the development plan and thought it would be a good plan. Kramer asked Terry Duffy if he would go along with a motion to incorporate the operations' plan into the development plan and grant approval for the requested variances.

Terry Duffy replied to Kramer, "I think we should do it as is."

Kramer asked Robert Braun if that would be something he would want to do.

Robert Braun made a motion to incorporate the operations' plan into the development plan.

Daryl Kramer seconded. All in favor; motion carried.

Daryl Kramer made a motion to grant the conditional use along with the requested variances.

Robert Braun seconded. All in favor; motion carried.

Paula Keller resumed leadership and presided over the board.

02182026-V-01 – Don Simmermeyer on behalf of St. Peter's Catholic Church

Parcel: 24-16-31-100-008.000-008

Petition for variance for a 26' x 72' Shelter/Storage 6' off the property line (15' required for agriculture zone.)

Don Simmermeyer approached the podium.

Paula Keller asked Paul Noble if all notifications were in order.

Paul Noble responded yes.

Don Simmermeyer explained that the shelter would be for St. Peter's church as a chicken frying station and would replace an existing shelter with rotting posts on the parish property.

Simmermeyer said that the church wants to build a new shelter with concreted posts, so the church does not have to replace the shelter in the future. Simmermeyer explained that the current issue facing the shelter is the 6-foot setback off of a neighboring property owner, Carl Bohman. Simmermeyer stated that the neighbor, Carl Bauman, had no issues with the proposed shelter's setback from his property.

Robert Braun asked Simmermeyer if the existing structure with the failing posts was also 6 feet from the property line.

Don Simmermeyer responded yes.

Paula Keller replied to Simmermeyer, "...We're basically just replacing one structure with a new one?"

Simmermeyer said that the failing structure would be torn down, and the new shelter would be built in a slightly different location. Simmermeyer added that the structure, although in a different location, would still be 6 feet off of the property line.

Paula Keller asked the board if they had any questions.

Daryl Kramer asked, "It's my understanding that the DNR gave permission to be within 10 feet of the cemetery?"

Paul Noble responded yes.

Kramer added that the issue concerning the DNR setbacks had been addressed and resolved.

Paula Keller asked the audience if they had any questions.

Robert Braun made a motion to grant the variance for the shelter to be 6 feet from the property line.

Daryl Kramer seconded. All in favor; motion carried.

04222026-V-01 – Gary Marmouze

Parcel: 24-10-20-327-009.000-004

Petition for Variance for reduced north side setback for garage addition (25 ft. required in R-3) & Petition for Variance for increased lot coverage over 30% (30% max for R-3.)

Gary Marmouze approached the podium. Marmouze explained to the board that he wants to add a 20' x 40' addition to his existing garage. Marmouze stated that the addition would not extend any closer to the alley than the existing garage. Marmouze explained that the current setback from the garage to alley is 22 feet, and the addition would extend to the west of the garage. Gary

Marmouze stated that the garage is 1-story, framed, and on footer that is attached to a block garage.

Marmouze asked the board if they had any questions.

Terry Duffy asked Marmouze what the white box was on the site plan.

Daryl Kramer explained to Duffy that he believed there used to be an above-ground swimming pool in that location.

Gary Marmouze said there used to be an above-ground swimming pool with a deck.

Duffy asked Marmouze if the swimming pool was gone from the property.

Marmouze responded that the pool and deck had been dismantled and removed from the property. Gary Marmouze stated that he believed Paul Noble visited the property and confirmed that the pool and deck were gone.

Paula Keller asked Paul Noble if all the notifications were in order.

Paul Noble responded yes. Noble explained to the board that there was a correction to the variances requested. Noble said, initially, he put the secondary variance for increased lot coverage out of uncertainty of whether Gary Marmouze would exceed his lot coverage. Paul Noble clarified and said that Marmouze's lot coverage, with the proposed garage addition, would only put his coverage at 28% with the max coverage, per zoning, being 30% for R-3, Multi-Family Residential. Noble said Marmouze would not need the variance for increased lot coverage, as he would not exceed 30% lot coverage with his proposed garage addition. Noble stated that Marmouze would only need a variance for the reduced setback from the alley.

Paula Keller asked if there were any questions from the public.

Daryl Kramer stated the findings of fact for Gary Marmouze. Kramer stated, "Approval [of the requested variance] won't be injurious to the health, safety, morals, [or] welfare of the community. The use value of the adjacent property, including the variance, will not be affected in the in an adverse manner. The strict application of the zoning code will result in practical difficulties." Daryl Kramer made a motion to grant the variance for a 20' x 40' garage addition with a reduced northside setback from the alley.

Adjournment

Terry Duffy seconded. All in favor; motion carried.

Daryl Kramer made a motion to adjourn.

Robert Braun seconded. All in favor; motion carried

Paula Keller
BZA Chair

Paul Noble
BZA Recording Secretary

