

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
December 3, 2014**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Bob Cook took roll call as follows:

Jerry Uebelhor, Chairman	-Present	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey Director of Community Development/Planning	-Present
Dan Buck, Secretary	-Absent	Renee Kabrick, City Attorney	-Present
Bob Cook	-Present		

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the November 5, 2014 regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Bob Cook **seconded it**. Motion carried 4-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Memorial Hospital & Health Care Center for a special exception to allow a parking garage in an R-3 (Residential) zone

Gerald Miller, Construction Manager for Memorial Hospital & Health Care Center, was present to request a special exception to allow a parking garage to be constructed on the hospital property at 800 W. 9th Street. Also present were Rick Berger, Contract Engineer, Facilities Manager, Ed Roelle and **Vice President/CFO** Randy Russell.

A site plan was displayed showing the current parking garage connecting to the new one. Mr. Miller said Phase I of the project would include the ground level and surface parking lot with a targeted completion date of December 2015. The remaining construction on the six-level parking garage is yet to be determined. There will be 1,340 parking spaces upon completion.

Vice Chairman Gunselman inquired whether the hospital employees will be mandated to park in the garage. He explained that by doing so, on-street parking would be freed up to allow more parking for residents in the area. Vice President/CFO Randy Russell said the employees will be mandated to park in the garage when it is completed.

There were no remonstrators present. Following some discussion, Vice Chairman Gunselman made a motion to close the public hearing, seconded by Bob Cook. The motion carried 4-0.

Vice Chairman Gunselman made a motion to grant a special exception to allow a six-level parking garage in an R-3 (Residential) zone at 800 W. 9th Street. Bob Cook seconded it. Motion carried 4-0.

Petition of Memorial Hospital & Health Care Center for a variance from Section 16.02.140 (Height Regulations) regarding height of a parking garage

Gerald Miller, Construction Manager for Memorial Hospital & Health Care Center, was present to request a variance regarding the height of a six-level parking garage to be constructed on the hospital property located at 800 W. 9th Street. Also present were Rick Berger, Contract Engineer, Facilities Manager, Ed Roelle and Vice President/CFO Randy Russell.

Plans are to construct a six-level parking garage with a height of 70 feet. The proposed garage would be attached to the existing three-level garage already located at the facility. The garage parking will greatly alleviate the congested on-street parking in the area. Phase I of the project would include the ground level and surface parking lot with a targeted completion date of December 2015. The remaining construction on the six-level parking garage is yet to be determined. There will be 1,340 parking spaces upon completion.

With no remonstrators present, Vice Chairman Gunselman made a motion to close the public hearing. Bob Cook seconded it. Motion carried 4-0.

Vice Chairman Gunselman made a motion to grant a variance to construct a six-level parking garage with a height not to exceed 70 feet at 800 W. 9th Street. Bob Cook seconded it. Motion carried 4-0.

Petition of SALCO, LLC, as petitioner, and Ruth Wibbels, Rose Campbell, Patricia Haas & Dyer Family Trust, as owners – Variance from Section 16.035.00(7)(Outdoor Advertising Signs/Billboards) to install a billboard on a tract zoned Floodplain and a Variance from the sign standards, including Section 16.035.020(3)(Double-Faced Signs) for two sign faces exceeding two feet in separation, Section 16.035.060(7)(a) for a sign exceeding 300 square feet in area, Section 16.035.060(b) for a sign located within 250 feet from a road intersection and Section 16.035.060(7)(d) for a sign exceeding 24 square feet to be located closer than 500 feet to a residential use

Brad Eckerle, of Brosmer Land Surveying, was present on behalf of Steve Lukemeyer (also present) to request several variances in regards to erecting a billboard on agricultural land, which is located in the floodplain along Third Avenue, near the Hopf Avenue intersection. The variance request includes: placing a billboard in a floodplain; allowing a billboard sized more

than 300 square feet; placing a sign within 250 feet of an intersection and within 500 feet of a residence; and allowing two faces of the sign less than two feet apart from each other.

There was much discussion. Although Mr. Lukemeyer thought the billboard would fit well in the proposed location, the board disagreed, stating various concerns. The board was in agreement to not allow the proposed billboard in the city limits and said it could not in good conscience grant the request.

With no remonstrators present, Bob Cook made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 4-0.

Randy Mehringer made a motion to deny the variance requests. Bob Cook seconded it. Motion carried 4-0.

Petition of Gregory T. & M. Denise Luegers for a variance for a 180-foot required frontage variance from Section 16.02.120 (Lot & Yard Requirements)

Brad Eckerle, of Brosmer Land Surveying, was present on behalf of Greg and Denise Luegers (also present) to request a variance to allow a single-family dwelling on an 8.85 acre tract of land located east of the Luegers residence at 1001 N. Ryan Drive, southeast of Deer Creek Subdivision.

Mr. Eckerle gave a brief history of the property. When the Luegers built their home, they had positioned the house so that Ryan Drive would be able to connect to the north; however, that was before the Deer Creek Subdivision was built. Mr. Eckerle said he appeared before the Plan Commission last year to discuss viable options for the property and was advised to build a subdivision connecting Gregory Lane to Ryan Drive. After additional meetings and discussions, the petitioners opted to request a variance to allow for one single family dwelling to be built on the 8.85 acres. If approved, the Luegers will ask permission from the Plan Commission to allow a building permit on a lot of record.

Neighbors to the proposed property, Susan Kraft and Catherine DeWitt shared their concerns before the board. Ms. Kraft inquired about which road the driveway would access from. Mr. Eckerle said the desire is to access from Gregory Lane. Mr. Eckerle also explained the drainage plan after Ms. DeWitt voiced her concerns regarding the possibility of drainage issues.

Much discussion followed concerning access onto the proposed property. Randy Mehringer voiced his concern stating that, in his opinion, Gregory Lane should have a turn-around or a cul-de-sac. City Engineer Chad Hurm told the board that the right-of-way does not extend to the end of the property on Gregory Lane, which was the City's intent at the time; therefore, Engineer Hurm said the City cannot force the Luegers or new owners to extend Gregory Lane to the end of the property.

To avoid any confusion for future purchasers, Attorney Renee Kabrick advised the board to include, in the motion, a commitment to be recorded and attached to the deed to allow the extension of a private drive where Gregory Lane now ends.

Following more discussion, Bob Cook made a motion to close the public hearing. Vice Chairman Gunselman seconded it. Motion carried 4-0.

Bob Cook made a motion to grant a variance from Section 16.02.120 (Lot & Yard Requirements) to allow a 180-foot required road frontage, with the condition to include a recorded commitment on the deed with intent to use the property for one single-family dwelling and to allow a driveway to be connected to Gregory Lane. All in favor were Bob Cook, Chairman Jerry Uebelhor and Vice Chairman Josh Gunselman. Randy Mehringer voted Nay. Motion carried 3-1.

ADJOURNMENT

With no further discussion, Bob Cook made a motion to adjourn the meeting. It was seconded by Vice Chairman Gunselman. Motion carried 4-0, and the meeting was adjourned at 7:04 p.m.

Jerry Uebelhor, Chairman

Dan Buck, Secretary

Recording Secretary, Kathy Pfister