

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
MARCH 6, 2013**

Vice Chairman Brad Schnarr called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Secretary Josh Gunselman took roll call as follows:

Jerry Uebelhor, Chairman	-Absent	Randy Mehringer	-Present
Brad Schnarr, Vice Chairman	-Present	Bob Cook	-Present
Josh Gunselman, Secretary	-Present	Darla Blazey, <small>Director of Community Development / Planning</small>	-Present
		Renee Kabrick, City Attorney	-Present

PLEDGE OF ALLEGIANCE

Vice Chairman Schnarr led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the February 6, 2013 Regular Meeting were reviewed. Secretary Gunselman made a motion to approve the minutes as mailed. Randy Mehringer seconded it. Motion carried 4-0.

STATEMENT

Vice Chairman Schnarr 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

New Business was heard before Old Business due to petitioner arriving late.

Petition of Empire Enterprises, LLC for a variance to allow a two-family dwelling in an Industrial zone.

Paul Voegerl was present to request a variance allowing him to convert the old office building of the former Jasper Wood Products property into a duplex. A site map and photographs were displayed showing the property, which is located at 500 E. 13th Street. Mr. Voegerl also owns the former factory; however, his plans at this time entail renovating the office building.

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

Bob Cook made a motion to grant a variance to allow a two-family dwelling in an Industrial zone, to be located in the former Jasper Wood Products office building at 500 E. 13th Street. Randy Mehringer seconded it. Motion carried 4-0.

Public Workshop – Downtown and Riverfront Master Plan

Director of Community Development/Planning Darla Blazey shared with the Board that the public workshop in relationship to the Downtown and Riverfront Master Plan has been rescheduled to April 2, 2013. It will be held at the corner of 3rd Avenue and Mill Street, in the former Obermeyer Yamaha location. The doors will open at 5:30 pm, and the program will end at 8:00 pm Ms. Blazey encouraged all members to attend.

OLD BUSINESS

Petition of Kroger Limited Partnership I (as petitioner) and Jasper Lumber company (as owner) for a variance to build within 35 feet of the front yard and a variance to reduce the landscape buffer to within six feet of the front yard and a variance from the off-street parking requirements.

Dan Trexler, of Kroger Company and Brett Stenftenagel, of Jasper Lumber Company, were present to continue the public hearing that was tabled at last month's meeting. The Board initially heard three variance requests; 1) to build within 35 feet of 30th Street 2) to reduce the landscape buffer from 10 feet to six feet of 30th Street and 3) from the off-street parking requirements. The variances are being sought due to the size of the lot and the limited placement possibilities of the building. Ruler Food Store is a new concept of the Kroger Company that operates with an approximate foot print of 18,000 square feet to 20,000 square feet with a concentration of keeping expenses low and providing customers a quality product at a value cost. The proposed building would consist of 19,260 square feet. The company is in negotiations with Jasper Lumber to purchase the property at 3068 30th Street.

The first two variances were non-issues compared to the request from the off-street parking requirements. Regarding the off-street parking, Kroger's initial site plan displayed 11 parking spaces short of the city ordinance's requirement of 77 spaces. The company has been in conversation with the Dubois County Museum board in regards to an agreement allowing Kroger to 'share' some of the Museum parking. The public hearing was tabled last month to allow the three entities, Kroger Company, Jasper Lumber Company and the Dubois County Museum, to resolve the parking issues. While the three entities are still in negotiations, Mr. Trexler presented a revised plan to the Board, which would allow 68 parking spaces, nine short of the ordinance requirement and require the off-street parking variance. A slight variation would be made with the new plan in order to facilitate an existing easement agreement between Forest Products and Dubois County Museum. Mr. Trexler explained that the existing easement would continue and allow Forest Products and the Museum to access the southwest corner of the property.

After some discussion from the Board, Joe Seng, of Forest Products, and Bernie Vogler, representing the Museum, it was agreed upon that the revised plan would be the best option for all parties involved.

Bob Cook made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 4-0.

Bob Cook made a motion to grant a variance to allow a 35-foot setback off of 30th Street. It was seconded by Randy Mehringer. Motion carried 4-0.

Bob Cook made a motion to grant a variance to reduce the landscape buffer from 10 feet to six feet of 30th Street. It was seconded by Randy Mehringer. Motion carried 4-0.

Bob Cook made a motion to grant a variance to allow 68 parking spaces instead of the required 77, contingent upon site plan approval by the City Engineer. It was seconded by Randy Mehringer. Motion carried 4-0.

ADJOURNMENT

With no further discussion, Randy Mehringer made a motion to adjourn the meeting, seconded by Bob Cook. Motion carried 4-0, and the meeting was adjourned at 7:35 p.m.

Jerry Uebelhor, Chairman

Josh Gunselman, Secretary

Kathy M. Pfister, Recording Secretary