

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF ZONING APPEALS  
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING  
June 1, 2022**

The Board of Zoning Appeals met on Wednesday, June 1, 2022. Notice was given in compliance with Indiana's Open Meeting Law.

**CALL TO ORDER**

Chairman Josh Gunselman called the meeting to order at 6:30 p.m.

**ROLL CALL**

	In person	By Zoom	Absent
Chairman Josh Gunselman	✓	—	—
Vice Chairman Anthony Seng	✓	—	—
Secretary Dan Buck	—	—	✓
Randy Mehringer	✓	—	—
Paul Lorey	✓	—	—
Director of C.D./Planning Darla Blazey	✓	—	—
City Attorney Renee Kabrick	✓	—	—

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF THE MINUTES**

Minutes of the May 4, 2022, regular meeting were reviewed. Paul Lorey made a motion to approve the minutes as mailed. Anthony Seng seconded it. Motion carried 4-0.

**STATEMENT**

Chairman Josh Gunselman read the following statement. "We are now ready to begin the public hearing 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 2016-30, entitled "Unified Development Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Pursuant to Article V, Sections 2, 3 and 4 of the BZA rules of procedure, presentation by a Petitioner shall be limited to 15 minutes. The Call for remonstrators shall be limited to 20 minutes; with individuals limited to no more than 5 minutes at the Chairman's discretion. Such time limits may be increased by a majority vote of the board members present."

**NEW BUSINESS**

**Petition of Daniel Buechlein for a variance from 16.07.10 aka Chapter 7 Section 7.10 (Accessory Uses and Structures) A.8 (Compatible in style and materials with the principal use or structure) of the City of Jasper's Unified Development Ordinance regarding an accessory structure**

Daniel Buechlein, of 1607 W. State Road 56, appeared before the board to request a variance to build a 24 'x 60 'pole barn structure in his back yard. Mr. Buechlein noted that several of his neighbors have barns similar to what he plans to build. Mr. Buechlein shared site plans and renderings and reported receiving no objections from surrounding neighbors when he notified them of his plan.

Anthony Seng asked if there would be any setback issues. Mr. Buechlein reported there would be none as the barn would sit 25 feet off the property line. Randy Mehringer asked about the roof overhang. Mr. Buechlein confirmed it would be 6-12 inches. Mr. Buechlein also noted that as the barn would not match the home in materials, the color would match and compliment the primary structure.

Chairman Gunselman asked if there were remonstrators present and as there were none. Paul Lorey made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 4-0. After further discussion, Paul Lorey made a motion to grant the variance as presented. Anthony Seng seconded it. The motion carried 4-0.

**Petition of Young Rental & Realty, as owner, and Visit Dubois County Inc., as petitioner, for a variance from 16.08.08 aka Chapter 8 Section 8.8 Standards for the Central Business District C.1 Building Signs of the City of Jasper's Unified Development Ordinance to allow signage to exceed the maximum square footage**

Whitney Lubbers, Executive Director of Visit Dubois County, Inc., 248 E 3<sup>rd</sup> Street, appeared before the board to request a variance to allow signage to exceed the allowable maximum square footage. Ms. Lubbers reported that Visit Dubois County, Inc. recently moved to the Young Rental & Realty's property to be in the downtown with increased foot traffic.

Ms. Lubbers explained they plan to use an additional 20 square feet, vertical sign that would hang along the corner of the building which is needed as the business is not visible to traffic coming from the south, on Third Avenue. Mrs. Lubbers noted that this vertical sign as well as a 7' x 6.5' lighted sign that would be mounted above the front door on the building.

There were no remonstrators present. Paul Lorey made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0. Anthony Seng then made a motion to grant a variance to allow signage that would exceed the maximum allowable square footage as presented. Randy Mehringer seconded it. Motion carried 4-0.

**Petition of Camelot Inn Apartments LLC for a variance from 16.04.13 aka Chapter 4 Section 4.13 Light Industrial (I1) of the City of Jasper's Unified Development Ordinance to allow a multi-family dwelling in an I1 zone**

Phil Buehler, Brosmer Land Surveying and Engineering, appeared on behalf of Ruger Kerstiens, Camelot Inn Apartments, LLC to request a use variance to allow a multi-family dwelling LLC in an I1 Zone. Mr. Buehler explained that the current facility sits on a 4.71-acre tract on the east side of Mill Street and there would be no change to right of way access.

Mr. Buehler reported that the proposal is to re-furbish the nine blighted structures to operate as apartments rather than a hotel as well as renovating a home on the property to use as a rental. The goal would be to have 16-18 units on the property. Chairman Gunselman asked if the units



would meet the minimum square footage requirements. Mr. Buehler stated that he could not confirm as he did not have the current floor plans.

Chairman Gunselman asked if there were remonstrators present. Larry Lillipop introduced himself as the surrounding property owner of Calumet Lake Events Plaza. Mr. Lillipop reported that he has invested a significant amount of money in his property and is disappointed in the number of mattresses, un-cut grass, trash, waste, and debris piled at the entrance of his property. City Attorney, Renee Kabrick noted that these issues would need to be addressed through the City of Jasper's Code Enforcement official.

After further discussion, Paul Lorey made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0. Paul Lorey then made a motion to grant a variance to allow multi-family apartments in an I1 zone, provided all minimum size specifications are met. Anthony Seng seconded it. Motion carried 4-0.

**Petition of Hulsman Properties LLC for a variance from 16.04.04.A aka Chapter 4 Section 4 Rural Residential (RR) of the City of Jasper's Unified Development Ordinance to allow a commercial business in an RR zone, petition of Hulsman Properties, LLC for a variance from 16.40.04.C aka Chapter 4 Section 4 Rural Residential (RR) to allow an accessory structure with a maximum height greater than 22 feet, and petition of Hulsman Properties LLC for a variance from 16.07.10 aka Chapter 7 Section 10 Accessory Uses and Structures to allow an accessory structure not subordinate in height to the primary structure, not subordinate in area of the primary structure, and with varying materials to the primary structure**

Phil Buehler, Brosmer Land Surveying and Engineering, and Brandon Hulsman, Hulsman Properties, LLC, were present to request a use variance to allow a commercial business in a Rural Residential zone, to allow a structure not subordinate in height and area and varying materials to the primary structure. Mr. Buehler noted the property is owned by Hulsman Electric LLC on the east side of Highway 56 which includes lots 13, 14, and 15 of Andrew Hopf's subdivision, with the existing Hulsman Electric business currently located on Lot 5.

Mr. Buehler reported that the intent would be to plat lots 5, 13, 14, and 15 into a single lot. Required setbacks would be met with the proposed structures. Mr. Buehler shared renderings of three proposed building additions that would serve as accessory structures to the existing building. Mr. Buehler noted the plans to include aluminum two-toned siding. Mr. Buehler shared photos from recent rainfall and discussed the need for drainage calculations to ensure the proposed construction would not adversely affect the current situation. Mr. Buehler stated that Dubois County recently replaced a deteriorating 30-inch concrete drainpipe with a plastic drainpipe to remedy drainage issues and Hulsman Electric LLC is aware that more will need to be done to resolve the situation.

Mr. Buehler presented the Findings of Fact that were submitted. He noted that in an RR zone, the maximum height allowed is 22 feet, and Hulsman Electric is requesting a height variance of 24.6 foot for the needed 14-foot doors to accommodate trucks and equipment. Mr. Buehler also addressed the standards variance related to size with the plans for the proposed structure being 5,000 square feet. Mr. Hulsman confirmed the plans include one entrance and exit from the property, and he is willing to plant trees along the property line.



Chairman Gunselman asked if anyone was present to remonstrate. Doris Hulsman introduced herself and noted her property is within 200 feet of Hulsman Electric LLC's current business. She shared that her mother-in-law and father in-law were the original owners of Hulsman Electric. Mrs. Hulsman commented that she and her husband purchased their property 48 years ago because it was zoned Single-Family Residential. Mrs. Hulsman noted that she felt the value of her property would be decreased if the variances being requested are granted. She noted that she submitted a letter stating her concerns and it included the signatures of surrounding property owners. City Attorney, Renee Kabrick read the variance opposition letter submitted by Doris Hulsman. Director of Community Development and Planning Director, Darla Blazey shared photos of drainage issues that were submitted by surrounding property owners.

Camilla Allen introduced herself and stated that she backs the letter submitted by Doris and Ronnie Hulsman. Mrs. Allen stated that she wishes Hulsman Electric success but wanted to express her opposition to the addition of two large metal buildings that would be over 100 feet in length and 37 feet wide on three residential lots. Mrs. Allen noted concerns of water and drainage issues as well as increased traffic.

Chase Rudolph introduced himself. Mr. Rudolph noted he is an adjacent property owner to Hulsman Electric LLC. He noted that he was not in favor, nor against the variances being requested but wanted to express his concern of issues he might face in the future when he begins to sell and develop his families' land. Mr. Rudolph also noted his concern of what might be built if Hulsman Electric LLC sells the land and does not build on the lots being discussed.

After further discussion, Paul Lorey made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0. Paul Lorey then made a motion to approve the requested variance to allow a commercial business in an RR zone. Randy Mehringer seconded it. The motion carried 3-1 with board members Lorey, Seng and Mehringer voting in favor, and Chairman Gunselman voting against. Paul Lorey then made a motion to approve the requested variance to allow an accessory structure greater than the allowed 22 feet. The motion carried 3-1 with board members Lorey, Seng and Mehringer voting in favor, and Chairman Gunselman voting against. Paul Lorey then made a motion to approve the requested variance to allow an accessory structure not subordinate in area to the primary structure with the condition of trees and shrubs being planted on the North and East sides of the building. Randy Mehringer seconded it. The motion carried 3-1 with board members Lorey, Seng and Mehringer voting in favor, and Chairman Gunselman voting against.

**Petition of Henke Properties, LLC and MWM Design Properties, LLC, for a variance from 16.04.17 aka Chapter 4 Section 17 Lot Standards, subsection C(2)(d) of the City of Jasper's Unified Development Ordinance to allow the depth of the front yard to exceed 10 percent of the existing setback average within the block, and from subsection D(15) to allow two principal structures on a single lot**

Phil Buehler, Brosmer Land Surveying and Engineering, appeared on behalf of Henke Properties, LLC and MWM Design Properties LLC to request a variance to build two duplexes on a single lot and also a variance to exceed 10 percent of the existing setback.

Matt Murray, MWM Design Properties, LLC and Cole Henke, Henke Properties, LLC introduced themselves. Mr. Murray noted the plans include two buildings, each with two-bedroom units. Mr. Henke stated that they are trying their to best utilize the size of the lot and plan to include parking spaces in the front of the buildings to allow for safe entry and exit.

Chairman Gunselman asked if anyone was present for remonstrations. Patrick O'Keefe, 319 E 14<sup>th</sup> Street, introduced himself and noted that he owns the property across the street from the proposed lot. Mr. O'Keefe stated that he does not want to look at a parking lot containing 15-16 cars. Mr. O'Keefe also noted that traffic on the South part of 14<sup>th</sup> Street is very busy. Mr. Buehler stated that the plans include eight parking spaces with the required ingress and egress. Betty Kreilein, 312 E 14<sup>th</sup> Street, introduced herself and stated she lives west of the proposed lot and asked for clarification of how the duplexes would be laid out and how close they would be to her property. Mr. Buehler noted the requirement of seven and a half feet setbacks, and the duplexes would sit at eight and a half feet from the property.

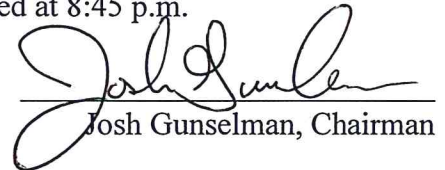
After a brief discussion, Paul Lorey made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0. Paul Lorey made a motion to approve the depth of the front yard to exceed 10 percent of the existing setback. Randy Mehringer seconded it. The motion carried 4-0. Paul Lorey then made a motion to allow two primary structures on a single lot. Randy Mehringer seconded it. The motion carried 4-0.

### **Introduction of Summer Intern**

Darla Blazey introduced Will Messmer as Community Development and Planning's summer intern. Will is a sophomore at Purdue University studying Marketing.

### **ADJOURNMENT**

With no further discussion, Paul Lorey made a motion to adjourn the meeting, seconded by Anthony Seng. Motion carried 5-0, and the meeting adjourned at 8:45 p.m.

  
Josh Gunselman, Chairman

Attest:  
  
Dan Buck, Secretary

Recording Secretary, Becki Moorman