

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
August 3, 2022**

The Board of Zoning Appeals met on Wednesday, August 3, 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 July 6, 2022, regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Paul Lorey seconded it. Motion carried 5-0.

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 Steve Fleck, as petitioner, for a variance from 16.07.10.A.3 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow a third accessory structure; and for a variance from 16.07.10.A.8 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure not compatible in style and materials with the principal use or structure

Steve Fleck, of 245 E SR 164, appeared before the board to request a variance to build a 14' x 22' garage which would be the third accessory structure in his yard. Mr. Fleck also reported that he was seeking an additional variance which would allow the garage to be built with materials not compatible to his primary structure. Mr. Fleck noted that the proposed garage would be identical to the existing garage.

Dan Buck asked if there would be any setback issues. Mr. Fleck reported there would be none as the garage would sit 27 feet off the property line on the east side and 95 feet off the property line to the south. Randy Mehringer asked about the roof height. Mr. Fleck confirmed the roof would be 13-14 inches in height. Mr. Fleck also noted the exterior walls and roof of the structure would be metal to match the existing garage.

Chairman Gunselman asked if there were remonstrators present and as there were none, Paul Lorey made a motion to close the public hearing. Dan Buck seconded it. Motion carried 5-0. After further discussion, Dan Buck made a motion to grant the variances as presented. Anthony Seng seconded it. The motion carried 5-0.

Petition of Lucy Estabrook for a variance from 16.04.07 aka Chapter 4 Districts, Medium Density Residential (R3), District Standards (minimum rear setback) of the City's Unified Development Ordinance to allow an addition on a primary structure to be built within 5 feet of the side yard setback line

Lucy Estabrook, 314 W 13th Street, appeared before the board to request a variance to replace the roof above her porch. Ms. Estabrook reported that she had a roof above her porch that was 12 feet wide and 18 feet long in size removed as it was not structurally secure. Ms. Estabrook applied for a building permit to replace the roof and learned she would need to apply for a variance.

Steve Dills, Planning Tech, explained that due to the way the home is positioned on the lot, the plans for the improved roof did not meet the minimum seven-foot setback. Ms. Estabrook noted that the proposed roof plans will not extend any wider than the original roof, at five feet on the east, but will be deeper by about nine extra feet.

There were no remonstrators present. Paul Lorey made a motion to close the public hearing. Dan Buck seconded it. Motion carried 5-0. Dan Buck then made a motion to grant the variance as presented. Paul Lorey seconded it. Motion carried 5-0.

Petition of Singh Basra, LLC for a variance from 16.04.12.A aka Chapter 4 Districts, General Business (B3), (Permitted Uses) of the City of Jasper's Unified Development Ordinance to allow a second primary residence in a B3 zone; for a variance from 16.04.12.C aka Chapter 4 Districts, General Business (B3), (District Standards) of the City of Jasper's Unified Development Ordinance to allow a second primary residence in a B3 zone that will not meet the minimum 2,000 square foot of occupied area

Doug Mitchell, Cash Waggner, appeared on behalf of Gagan Basra, to request a variance to allow a second primary residence in a B-3 Zone that will not meet the minimum 2,000 square feet of occupied area. Mr. Mitchell explained that Mr. Basra purchased the Tiny Home from Jasper High School's Building Trades class and is seeking a variance to allow the structure to be set up on his property at 1163 Wernsing Road.

Mr. Mitchell confirmed the structure would not encroach on any setbacks and the intended tenants would be Mr. Basra's family members. Randy Mehringer questioned if allowing this structure within city limits would be setting a precedent. Mr. Basra introduced himself and noted that he was not aware of potential issues in placement of the Tiny Home when it was purchased through the school's auction.

After further discussion, Board members agreed that they needed further information before making a decision as there are no Tiny Home standards established in the City of Jasper's Unified Development Ordinance. Paul Lorey made a motion to table the hearing in order to gather more information. Dan Buck seconded it. Motion carried 5-0.

ADJOURNMENT

With no further discussion, Dan Buck made a motion to adjourn the meeting, seconded by Paul Lorey. Motion carried 5-0, and the meeting adjourned at 7:05 p.m.


Josh Gunselman, Chairman

Attest:


Dan Buck, Secretary

Recording Secretary, Becki Moorman