

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
October 4, 2023**

The Board of Zoning Appeals met on Wednesday, October 4, 2023. Notice was given in compliance with Indiana's Open Meeting Law.

CALL TO ORDER

Chairman Anthony Seng called the meeting to order at 6:30 p.m.

ROLL CALL

	In person	By Zoom	Absent
Chairman Anthony Seng	✓	—	—
Secretary Dan Buck	✓	—	—
Julie Dutchess	✓	—	—
Blake Krueger	✓	—	—
City Attorney Renee Kabrick	✓	—	—
Director of C.D./Planning Josh Gunselman	✓	—	—

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF THE MINUTES

Minutes of the September 6, 2023, regular meeting were reviewed. Blake Krueger made a motion to approve the minutes. Julie Dutchess seconded it. Motion carried 5-0.

STATEMENT

Chairman Anthony Seng 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

Jayme Schutz, as owner, and petitioner, 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 duplex in a B3 zone.

Brian Wahl, New View Construction, was present on behalf of a variance petition filed by Jayme Schutz to allow a duplex in a B-3 zone at 586 Truman Road. Mr. Wahl stated that construction plans would allow R-2 side and rear setbacks to be met. City Attorney Renee Kabrick explained that as the homes directly across the street are zoned R-2, however the property in question would need to follow B-3 guidelines as it is zoned B-3.

After further discussion, Chairman Seng asked if there were remonstrators present. As there were none, Dan Buck made a motion to close the public hearing. Dennis Tedrow seconded it. The motion carried 5-0. Dan Buck then made a motion to approve the variance allowing a duplex to be built on a lot zoned B-3, provided B-3 front, side, and rear setbacks could be met. Blake Krueger seconded it. The motion carried 5 -0.

City of Jasper, as owner, and Custom Sign & Engineering, Inc. (on behalf of Hemang Shah), as petitioner, for a variance from 16.8.7.D aka Chapter 8 Signage, Section 8.7 Standards for Business (Except B2), Industrial, and Conservation Park Districts, Pole/Pylon Sign, of the City of Jasper's Unified Development Ordinance to allow a pole/pylon sign to exceed the maximum surface area and maximum height.

Scott Elpers, Custom Sign & Engineering, Inc. was present on behalf of Hemang Shah, requesting a variance that would allow a Clarion Pointe Hotel pole/pylon sign. Mr. Elpers noted that the current Days Inn sign is 8' 10" tall, 17' 2" wide, 31' 10" from base to the ground. The proposed Clarion Pointe sign will be 7' 2" tall and 21' wide, and 31' 10" from base to the ground.

Chairman Seng asked if there were remonstrators present. As there were none, Dan Buck made a motion to close the public hearing. Dennis Tedrow seconded it. The motion carried 5-0. After further discussion, Dan Buck then made a motion to approve the variance to allow the pole/pylon sign but not to exceed 39.6' in height. Blake Krueger seconded it. The motion carried 5-0.

Zach Burke, as owner and petitioner, for a variance from 16.07.10.A.1 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure on a lot without a primary structure, and 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 constructed of metal vertical materials

Zach Burke was in attendance requesting two variances permitting him to build a detached garage on his adjacent lot, constructed of vertical metal siding. Mr. Burke explained that a recent storm destroyed his previous detached garage, and he would like to re-build on a parcel adjacent to his primary structure. City Attorney Renee Kabrick explained that if he filed for a commitment or combined his parcels, a variance would not be needed. Mr. Burke noted that his plans included using white metal siding to match his home.

After further discussion, Chairman Seng asked if there were remonstrators present. As there were none, Dan Buck made a motion to close the public hearing. Blake Krueger seconded it. The motion carried 5-0. Dennis Tedrow made a motion to approve the variance allowing him to build on the adjacent lot, provided he files for either a commitment of his parcels or combine his lots into one parcel. Blake Krueger seconded it. Motion carried 5-0. Blake Krueger then made a motion to allow the materials variance. Dennis Tedrow seconded it. Motion carried 5-0.

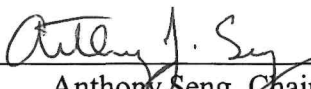
Alan Hanselman, as owner and petitioner, for a variance from 16.04.10.C aka Chapter 4 Districts, Neighborhood Business (B1), District Standards (Allowance), of the City of Jasper's Unified Development Ordinance to allow a minimum front setback less than the required 35 feet.

Brad Eckerle, Brosmer Land Surveying and Engineering was present on behalf of Alan Hanselman, to request a variance allowing a minimum front setback of 26 feet. Mr. Eckerle explained that the former canopy at the Schnitzelbank was removed 12-18 months ago and is being relocated to the side of the restaurant.

Chairman Seng asked if there were remonstrators present. As there were none, Dan Buck made a motion to close the public hearing. Julie Dutchess seconded it. The motion carried 5-0. After further discussion, Blake Krueger made a motion to allow the variance as requested. Dennis Tedrow seconded it. Motion carried 5-0.

ADJOURNMENT

With no further discussion, Julie Dutchess made a motion to adjourn the meeting, seconded by Blake Krueger. Motion carried 5-0, and the meeting adjourned at 7:10 p.m.



Anthony Seng, Chairman

Attest:



Dan Buck, Secretary

Recording Secretary, Becki Moorman