

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
August 7, 2024**

The Board of Zoning Appeals met on Wednesday, August 7, 2024. 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	✓	—	—
Gerry Miller	✓	—	—
Julie Dutchess	✓	—	—
Secretary Blake Krueger	✓	—	—
Dennis Tedrow	✓	—	—
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 July 3, 2024, regular meeting were reviewed. Gerry Miller made a motion to approve the minutes. Dennis Tedrow 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 there to, 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

Election of Vice Chairman

Blake Krueger made a motion to appoint Dennis Tedrow as Vice Chairman to the Board of Zoning Appeals. Gerry Miller seconded it. Motion carried 5-0.

Jasper Engine Exchange Inc., as owner and petitioner, for a variance from 16.8.7.C.1.b. aka Chapter 8 Signage, Section 7 Standards for Business (Except B2), Building Signs, Wall Signs, of the City of Jasper's Unified Development Ordinance to allow two (2) building signs greater than 200 square feet

Chairman Anthony Seng recused himself from the review and vote for the Jasper Engine Exchange, Inc. petition.

Doug Bawel, CEO, Jasper Holdings introduced himself and reported that Jasper Innovative Solutions recently relocated a Crawford County facility to Jasper. Mr. Bawel explained that the request for the variance is represented by two companies: Jasper Engines and Transmissions as well as Jasper Innovative Solutions. As both companies are federal government suppliers, they are required to have signage on the building. Mr. Bawel asked to board to consider granting the petition and reported that the proposed signage would be located on the southeast corner where the current Stens sign is located. One sign totals 279 square feet as the other sign is 354 square feet. Mr. Bawel reported that a representative from Custom Sign & Engineering was present to answer any further questions.

Vice Chairman Tedrow asked if there were remonstrators present. As there were none, Blake Krueger made a motion to close the public hearing. Julie Dutchess seconded it. Motion carried 4-0. After further discussion, Gerry Miller made a motion to approve the requested variance allowing signage to exceed the allowed 200 square feet. Julie Dutchess seconded it. Motion carried 4-0.

Noah Jacobs, as owner and petitioner, for a variance from 16.07.14.D.2 aka Chapter 7 Development Standards, Fence and Wall Standards, of the City of Jasper's Unified Development Ordinance to allow a privacy fence to exceed the maximum height of 4 feet in the front yard

Noah Jacobs introduced himself and explained his fence application was denied as his property is located on a corner lot at the intersection of 5th Avenue and Mulberry Street, and as fences are required to be a certain distance from the property line as well as a lower height. Mr. Jacobs explained that if the variance was denied, the fence would cut off a large portion of his yard. He also expressed concern that installing the fence without the variance, his property value might decrease. Mr. Jacobs also noted that the fence would not cause sight visibility issues as there are stop signs and drivers have vast visibility from both directions.

Chairman Seng asked if there were remonstrators present. As there were none, Dennis Tedrow made a motion to close the public hearing. Blake Krueger seconded it. Motion carried 5-0. After further discussion, Dennis Tedrow made a motion to exceed the maximum height of four feet in the required front yard. Blake Krueger seconded the motion. Motion carried 5-0.

Silver Willow LLC, as owner and Rice N Spice Punjabi Cuisine as petitioner, for a variance from 16.8.8.B.1 aka Chapter 8 Signage, Section 8 Standards for the Central Business District (B2), of the City of Jasper's Unified Development Ordinance to allow a wall sign to exceed the maximum allowable square footage of 56 square feet

Amand Basra introduced himself and explained that he opened his business, Rice N Spice Punjabi Cuisine four months ago and apologized for installing signs without first obtaining an approved sign permit. Chairman Seng noted that 70 Square feet of signage is allowable, and Mr. Basra's signs total 75.21 square feet.

Chairman Seng asked if there were remonstrators present. As there were none, Blake Krueger made a motion to close the public hearing. Julie Dutchess seconded it. Motion carried 5-0. Blake Krueger noted that he would like to see this business succeed as there had been multiple turnovers at this location. After further discussion, Blake Krueger made a motion to allow a wall sign to secede the maximum allowable square footage, contingent to allowing only the current installed signs only. Julie Dutchess seconded the motion. Motion carried 5-0.

A & A Estates LLC, as owner and petitioner, for a variance from 16.7.14.B.4 aka Chapter 7 Development Standards, Fence and Wall Standards, General Standards, Fences Setback from Property Lines, of the City of Jasper's Unified Development Ordinance to allow a privacy fence to not meet the required two feet minimum setback from the property line

Phil Buehler, Brosmer Land Surveying and Engineering was present on behalf of A&A Estates LLC regarding their property located 415 Clay Street. Mr. Buehler noted that the property is zoned B2 with a property to the west zoned R3. A 13-inch variance on the north end, and an 8-inch variance on the south end is requested from the two-foot setback to allow a privacy fence to be installed at the west property line centered on a retaining wall.

Chairman Seng asked for clarification on the proposed height of the fence being installed on the retaining wall. Mr. Buehler reported that the fence would be limited to six feet. Josh Gunselman noted that a six-foot fence would not be permitted as the entire fence would not be positioned in what would be considered their rear yard. Mr. Buehler acknowledged that he understood the petitioner would have to appear again before the board to request permission to install a 6-foot fence at this location.

Chairman Seng asked if there were remonstrators present. As there were none, Blake Krueger made a motion to close the public hearing. Dennis Tedrow seconded it. Motion carried

5-0. After further discussion, Dennis Tedrow made a motion to allow a fence to not meet the required two feet minimum setback. Gerry Miller seconded the motion. Motion carried 5-0.

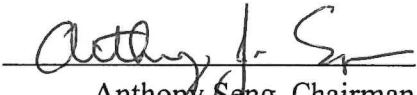
Neil Hurst, as owner and petitioner, for a variance from 16.4.7.C aka Chapter 4 Districts, Medium Density Residential (R3), District Standards, of the City of Jasper's Unified Development Ordinance to allow an accessory structure to not meet the required minimum side setback, and a variance from 16.7.10.A.8.a aka Development Standards, Accessory Uses and Structures, Allowance, of the City of Jasper's Unified Development Ordinance to allow an accessory structure to not be compatible in style and materials to the primary structure

Neil Hurst was present on behalf of his petition to allow a metal building in the backyard of his property located at 1767 Mill Street. Mr. Hurst explained that his Improvement Location Permit was denied as he was not aware of the side setback requirement or materials compatibility requirement. Mr. Hurst reported that he is working with Graber Post to select a building color that would match his home. He also stated that he can accommodate the 7.5-foot setback to meet the requirement.


Chairman Seng confirmed that as Mr. Hurst could meet the setback requirement, this variance would be withdrawn. Chairman Seng asked if there were remonstrators present. As there were no remonstrators present, Dennis Tedrow made a motion to close the public hearing. Julie Dutchess seconded it. Motion carried 5-0. After further discussion Julie Dutchess made a motion to allow an accessory structure to not be compatible in style and materials to the primary structure. Gerry Miller seconded the motion. The 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 7:15 p.m.


Anthony Seng, Chairman

Attest:


Blake Krueger, Secretary

Recording Secretary, Becki Moorman