

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF ZONING APPEALS  
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING  
September 4, 2024**

The Board of Zoning Appeals met on Wednesday, September 4, 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 August 7, 2024, regular meeting were reviewed. Julie Dutchess made a motion to approve the minutes. Blake Krueger 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**

**Nestor Sandoval Herrera, as owner petitioner, for a special exception pursuant to 16.04.05.B aka Chapter 4 Districts, Low Density Residential (R1), Special Exception Uses, of the City's Unified Development Ordinance to allow a home occupation in an R1 Zone, and a variance pursuant to 16.08.04.A.11 aka Chapter 8 Signage, Prohibitions, Vehicles Used as Signs, of the City's Unified Development Ordinance to allow a vehicle used as signs forward of the front line of a building**

Nestor Sandoval was present on behalf of his petition to allow a home occupation in an R1 zone and also to allow a vehicle to be used as a sign. Maria Sandoval was also present to assist with translation. Ms. Sandoval reported that Nestor uses the trailer with signage, for tool storage used for his construction business, as well as advertising his business which is located at his home at 3183 St. Charles Street. A two ft. by two ft. yard sign advertising his construction business has been removed after Mr. Sandoval was notified that this type of sign was not permitted in an R1 zone.

After further discussion, Chairman Seng asked if there were remonstrators present. Josh Gunselman, Director of Community Development and Planning, read a letter submitted by Schaefer Joint Trust located at 3227 St. Charles Street. The letter requested the Board consider not allowing a construction trailer to be permitted to park in the front of a home in an R1 zone.

As there were no other remonstrators present, Dennis Tedrow made a motion to close the public hearing. Gerry Miller seconded it. Motion carried 5-0. Chairman Seng asked if it would be possible to park the trailer on the side of Mr. Sandoval's home and Mr. Gunselman noted that the north side of the lot is occupied by utility easements. After further discussion, Dennis Tedrow made a motion to approve the Special Exception allowing a home occupation in an R1 zone, as well as allowing a vehicle to be used for signage forward of the front line of the building. Blake Krueger seconded it. Motion carried 5-0.

**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 third primary residence in a B3 zone; and 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 primary residence in a B3 zone that will not meet the minimum 2,000 square foot of occupied area, and a variance from 16.04.17.D.15 aka Chapter 4 Districts, Lot Standards & Matrix, Lot Standards Measurement, Primary Structures Per Lot, of the City of Jasper's Unified Development Ordinance to allow a third primary structure on a lot, and a variance from 16.07.13.A.1, Chapter 7 Development Standards, Outdoor Sales, Displays, and Storage, Containers, of the City of Jasper's Unified Development Ordinance to allow a shipping container to remain longer than 72 hours and to be used for residential living in lieu of storage**

Gagan Basra was present on behalf of his petitions allowing the use of a storage container as a tiny home at his property located at 1163 Wernsing Road. Mr. Basra reported that he purchased the tiny home from Jasper High School students at an auction and also noted he appeared before the Board of Zoning Appeals last year requesting permission to use the container for living quarters. As his request was denied, he explained that he was back again asking the Board to reconsider allowing him to use the tiny home.

Chairman Seng expressed his concern of other surrounding businesses requesting permission to place shipping containers or tiny homes on their properties if this request would be approved. Dennis Tedrow replied that he did not foresee surrounding business owners using shipping containers due to liability issues.

Chairman Seng asked if there were remonstrators present. As there were none, Blake Krueger made a motion to close the public hearing, seconded by Dennis Tedrow. Motion carried 5-0. After further discussion, Julie Dutchess made a motion to not allow a third primary residence in a B3 zone. As there was not a second, Dennis Tedrow made a motion to allow a third primary residence in a B3 zone. Anthony Seng seconded the motion. Motion carried 3-2 with Julie Dutchess and Gerry Miller voting against the motion. Dennis Tedrow then made a motion to allow a residence to not meet the required 2,000 square feet of occupied area. As there was not a second, Blake Krueger made a motion to deny the request, seconded by Julie Dutchess. Motion carried 4-1 with Dennis Tedrow voting against the motion. Dennis Tedrow then made a motion to allow a third primary structure on the lot, seconded by Blake Krueger. Motion carried 3-2 with Gerry Miller and Julie Dutchess voting against the motion. Dennis Tedrow made a motion to allow a shipping container to remain on a lot longer than the permitted 72 hours. As there was not a second to the motion, Julie Dutchess made a motion to deny the request. The motion was seconded by Gerry Miller. Motion carried 4-1 with Dennis Tedrow voting against.

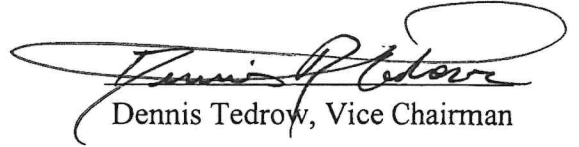
**Nathaniel Kern, as owner and petitioner, for a variance from 16.07.10.A.7 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure in the required front yard**

Nathaniel Kern introduced himself and noted he was present on behalf of his petition which would allow him to build a pool house on the side of his home located at 1765 Gregory Lane. As his home is located on a corner lot, at the corner of Gregory Lane and Brian Court, it is considered to have two front yards. Mr. Kern confirmed the pool house would be located behind the front façade of his home and built with materials similar to the primary structure.

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, Blake Krueger made a motion to allow grant the variance as requested. Gerry Miller seconded the motion. 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 7:17 p.m.

  
Dennis Tedrow, Vice Chairman

Attest:   
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Blake Krueger, Secretary

Recording Secretary, Becki Moorman