

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF ZONING APPEALS  
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING  
June 6, 2018**

Chairman Josh Gunselman called to the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Roll call was taken as follows:

Josh Gunselman, Chairman	-Present	Anthony Seng	-Present
Dan Buck, Vice Chairman	-Absent	Darla Blazey, Director of C.D./Planning	-Present
Matt Schaick, Secretary	-Absent	Renee Kabrick, City Attorney	-Present
Randy Mehringer	-Present		

Paul Lorey was appointed by Mayor Terry Seitz to serve as proxy for Dan Buck at tonight's meeting.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OF THE MINUTES**

Minutes of the May 2, 2018 regular meeting were reviewed. Randy Mehringer 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."

**OLD BUSINESS**

**Petition of Shiloh UMC, Inc. of Jasper, Indiana for a variance from the City of Jasper's Unified Development Ordinance 2017-25 Section 8.6, Standards for Agricultural and Residential Districts D. (Institutional Signs) to allow a 104 square-foot electronic sign.**

Paul Alvey was present on behalf of Shiloh United Methodist Church, 1971 W. State Road 56, to request a variance to replace the existing sign with a new electronic sign. The public hearing was tabled last month when the board shared concerns about the size of the proposed sign. Mr. Alvey displayed a revised sketch showing the same design but a smaller rendition. Instead of 13 feet in height, the proposed sign would be nine feet high with a total area of 64 square feet.

Following discussion, the board was in favor of the revised measurements. With no remonstrators present, Paul Lorey made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance as presented on tonight's proposal. Anthony Seng seconded it. Motion carried 4-0.

## **NEW BUSINESS**

### **Petition of Craig Schwenk for a variance from the City of Jasper's Unified Development Ordinance Chapter 7 Section 7.10 (Accessory Uses and Structures) Subsection A.(4) Allowance of the City of Jasper's Unified Development Ordinance 2016-30 to allow an accessory structure that is not subordinate in height to the primary structure.**

Craig Schwenk appeared before the board to request a variance to construct a detached garage at his residence, 1828 E. Greener Road, with a height not to exceed 21 feet. The height of Mr. Schwenk's house is 17 feet; therefore, a variance is required since the accessory structure (garage) would not be subordinate to the primary structure (house). Plans are to store a camper in the garage, along with a truck and personal storage.

There were no remonstrators present. Following some discussion, Anthony Seng made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance to construct a garage as presented, not to exceed 21 feet in height. Randy Mehringer seconded it. Motion carried 4-0.

### **Petition of Patrick R. Flannagan for a variance from Chapter 7 Section 7.10 (Accessory Uses and Structures) Subsection A.(5) Allowance of the City of Jasper's Unified Development Ordinance 2016-30 to allow an accessory structure that is not subordinate in area to the primary structure.**

Pat Flannagan, of 1969 W. Division Road, was present to request a variance to construct a 30' x 40' detached garage with an 8' x 40' porch attached. The proposed accessory structure (garage) measures larger in area than that of Mr. Flannagan's primary structure (house); therefore a variance is required since the accessory structure would not be subordinate in area to the primary structure.

There were no remonstrators present. Following some 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 grant a variance to allow the structure as presented. Anthony Seng seconded it. Motion carried 4-0.

### **Petition of Deb Boyles, as owner, and Clayton Boyles, as petitioner, for a variance from Chapter 4 Section 4.4 Rural Residential (RR) Subsection C. RR District Standards (Minimum Side Setback) of the City of Jasper's Unified Development Ordinance 2016-30 to build within 11.6 feet of the side yard setback.**

Clayton Boyles, on behalf of his mother, Deb Boyles, appeared before the board to request a variance to construct an addition to their home within 11.6 feet on the east property line. The Boyles reside at 4522 W. Ladino Lane. A variance is required since the City's ordinance requires a 15-foot side yard setback in an RR zone. The purpose of the addition is to allow a private living space for Clayton's mother. A site plan was displayed showing the proposed addition.

Discussion followed. With no remonstrators present, Randy Mehringer made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a variance as presented, to construct an addition within 11.6 feet of the side yard setback. Paul Lorey seconded it. Motion carried 4-0.

**Petition of Klub Haus 61 for a variance from Chapter 8 Section 8.7 Standards for Business (Except B2), Industrial, and Conservation Park Districts, Subsection D. (2) Free-Standing Signs (Monument Signs) to allow an addition of an electronic sign.**

Alan Hanselman was present on behalf of Klub Haus 61 to request a variance for a 7 square-foot electronic reader board to be added to the existing sign located at the entrance of 2031 Newton Street. Mr. Hanselman displayed a sketch of the sign and said the reader board would advertise the facility's Sunday brunch and scheduled events. There would be no scrolling on the sign. A variance is required since the total square-footage of the reader board and existing monument sign exceed the maximum square-footage allowed.

There were no remonstrators present. Following some discussion, Randy Mehringer made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0.

Randy Mehringer made a motion to grant a variance as presented. Paul Lorey seconded it. Motion carried 4-0.

**Petition of Randy J. Boehm for a variance from Chapter 7 Section 7.10 (Accessory Uses and Structures) Subsection A. (2) of the City of Jasper's Unified Development Ordinance 2016-30 to allow an accessory structure on a lot without a principal structure.**

**AND**

**Petition of Randy J. Boehm for a variance from Chapter 4 Section 4.6 Single Family Residential (R2) Subsection C. R2 District Standards (Minimum Lot Frontage) of the City of Jasper's Unified Development Ordinance 2016-30 to allow a 35-foot lot frontage.**

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Randy Boehm, also present, to request two variances; 1) to allow an accessory structure on a lot without a primary structure and 2) to allow one of the proposed lots to have a 35-foot frontage instead of the required 40 feet. The property is located at 1021 Third Avenue. There is currently a house and an accessory building on the property. Plans are to split the property into two lots, sell the front portion with the house and keep the lot with the existing accessory building. Mr. Boehm said the accessory building has been utilized for several years to store old cars and he would like to keep the building in the family.

There were no remonstrators present. Following some discussion, Paul Lorey made a motion to close the public hearing regarding the accessory structure. Anthony Seng seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance from Chapter 7 Section 7.10 of the Unified Development Ordinance 2016-30 to allow an accessory structure on a lot without a primary structure, contingent upon obtaining a new 911 address on Church Avenue. Anthony Seng seconded it. Motion carried 4-0.

Paul Lorey made a motion to close the public hearing regarding the lot frontage. Anthony Seng seconded it. Motion carried 4-0.

Paul Lorey made a motion to grant a variance from Chapter 4 Section 4.6 of the Unified Development Ordinance 2016-30 to allow a 35-foot lot frontage, contingent upon obtaining a new 911 address on Church Avenue. Anthony Seng seconded it. Motion carried 4-0.

**Petition of Canterbury Green IV, LLC for a variance from Chapter 4 Section 4.7 (c) (R3 District Standards) of the City of Jasper's Unified Development Ordinance 2016-30 to deviate from the side setback requirement on Lots 2, 5, 6, 8, 11, and 13 of Canterbury Green III.**

Phil Buehler, of Brosmer Land Surveying, was present on behalf of Chris Ewing to request a variance to deviate from the side setback requirement on six lots in Canterbury Green III subdivision. A site plan displayed the Planned Unit Development highlighting Lots 2, 5, 6, 8, 11, and 13. The R3 zoned lots require a 7.5 foot side yard setback; however, in order to position the proposed structures out of the 10-foot public utility and drainage easements on either the north or south sides of the said lots, a 2.75-foot variance is necessary.

Some discussion followed. With no remonstrators present, Anthony Seng made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0.

Anthony Seng made a motion to grant a variance as presented. Randy Mehringer seconded it. Motion carried 4-0.

**Comprehensive Plan Update**

Director of Community Development and Planning Darla Blazey shared that the kickoff meeting for the steering committee will take place 3:30 p.m.-5:00 p.m. on Tuesday, June 19<sup>th</sup>.

**ADJOURNMENT**

With no further discussion, Anthony Seng made a motion to adjourn the meeting, seconded by Paul Lorey. Motion carried 4-0, and the meeting was adjourned at 7:35 p.m.

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Josh Gunselman, Chairman

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Matt Schaick, Secretary

Recording Secretary, Kathy Pfister