

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
September 7, 2022**

The Board of Zoning Appeals met on Wednesday, September 7, 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 August 3, 2022, regular meeting were reviewed. Paul Lorey 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. 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."

OLD BUSINESS

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 (1163 Wernsing Road)

Nathan Waggner, of Cash Waggner & Associates, appeared before the board 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. The public hearing was tabled since the August 3, 2022 meeting to allow the Board to research Tiny Home zoning ordinances.

Mr. Waggner distributed photos to the Board with the intent to present views from different directions of what the Tiny Home might look like from the street and noted that it would barely be visible from the rear of the property, and the adjoining property to the south.

Mr. Waggner reported that if it weren't for the livability of the Tiny Home, it could be used as a storage unit on the property. Dan Buck noted that the requirements for the B-3 zone is designed to encourage well planned commercial uses and a Tiny Home in a B-3 zone would not be a well-planned commercial use. Chairman Gunselman stated that the current ordinances do not allow container materials be used to build a home in any zone within the city of Jasper.

Singh Basra, petitioner, introduced himself and asked the Board to consider allowing the Tiny Home on his property at 1163 Wernsing Road. Mr. Basra stated that allowing this might encourage people to experiment with their living style. Mr. Basra also noted that had he known he would not have been able to place the Tiny Home on his property, he would not have made the financial investment. City Attorney Renee Kabrick noted that the City of Jasper does not currently have standards for Tiny Homes but will be reviewing guidelines later this year.

After further discussion, Dan Buck made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0. Dan Buck then made a motion to deny the variance as requested. Paul Lorey seconded it. Motion carried 4-0.

NEW BUSINESS

Petition of Streicher Construction, Inc., for a variance from 16.04.13.C aka Chapter 4 Districts, Light Industrial (LI), (I1 District Standards) of the City of Jasper's Unified Development Ordinance to allow a principal use structure less than 2,000 square feet (2330 Terry Lane)

Phil Buehler, Brosmer Land Surveying and Engineering, appeared on behalf of Streicher Construction to request a variance to allow a structure 900 square feet in size on their property at 2330 Terry Lane. Mr. Buehler further explained that the lot is currently used for lay down items, and there is a desire to construct a building in the front of the property to store these materials.

Mr. Buehler noted that as the property is zoned I-1, it is a requirement that a primary structure not be less than 2,000 square feet in size. City Attorney, Renee Kabrick explained that

the Petitioner could have sought a variance to build an accessory structure without a primary structure but chose this option instead.

Chairman Gunselman asked if there were remonstrators present and as there were none, Anthony Seng made a motion to close the public hearing. Paul Lorey seconded it. Motion carried 4-0. After further discussion, Anthony Seng made a motion to grant the variance to allow the structure as presented. Dan Buck seconded it. The motion carried 4-0.

Petition of Kunkel Insurance Agency, Inc., for a variance from 16.08.03.A12 aka Chapter 8 Signage, Exemptions, (Directional Signs) of the City of Jasper's Unified Development Ordinance to allow a directional sign in excess of four (4) square feet

Phil Buehler, Brosmer Land Surveying and Engineering, appeared on behalf of Kunkel Insurance Agency. Mr. Buehler noted that a sign permit was applied for and approved. The signs are now in place, and it was discovered after installation, that they were in violation of the ordinance which states directional signs cannot be in the excess of four-square feet.

Mr. Buehler displayed photos of the 5 ft. x 3 ft., as well as the 3 ft. x 2 ft. sign and seven 2 ft. x 1 ft. signs in place across the side of the building. Steve Dills, City of Jasper, Planning Tech, introduced himself and explained that he had issued the permit in error as free-standing signs are not permitted in a B-2 zone.

There were no remonstrators present. Dan Buck made a motion to close the public hearing. Anthony Seng seconded it. Motion carried 4-0. Dan Buck then made a motion to grant the variance as presented. Anthony Seng seconded it. Motion carried 4-0.

Petition of Snyder Rentals LLC for a variance from 16.07.5.A.1 aka Chapter 7 Development Standards, Parking Standards, (General Parking Standards) of the City of Jasper's Unified Development Ordinance to allow a variance in on-site parking spaces; and for a special exception from 16.04.10.B aka Chapter 4 Districts, Neighborhood Business (B2), (B1 Special Exception Uses) of the City's Unified Development Ordinance to allow a multi-family residential dwelling in a B1 Zone

Brad Eckerle, Brosmer Land Surveying and Engineering, appeared on behalf of Snyder Rentals, LLC, regarding property located at 1401 Main Street which is at the corner of 14th Street and Main Street. Mr. Brosmer further explained that as this property is zoned B-1, and a special exception is requested to allow a multifamily residential dwelling

Mr. Brosmer noted that plans include utilizing the existing footprint of the building to create; one 640 square foot one bedroom apartment, two 560 square feet one-bedroom apartments, as well as one 560 square foot general office space. As general office space is a permitted use in B-1, a special exception is required for the multi-family apartment portions of the building. Mr. Brosmer reported a variance is needed as the four available on-site parking spaces do not meet the Unified Development Ordinance requirement of eight spaces needed to accommodate three apartments and general office space.

Chairman Gunselman asked if there were remonstrators present. Jim Dalton introduced himself and stated he lives to the east of the property and wanted to voice his concern about limited parking. Mr. Dalton explained that he has lost the side mirror on his truck a number of times due to the street being too narrow and over-crowded parking. Ron Snyder introduced himself and

stated that his goal is to improve the property by completely renovating the exterior of the building. Mr. Snyder reported that his plans include preplacing the windows, adding stone around the bottom of the building, and adding concrete or blacktop to the back portion of the building to provide additional parking. Mr. Snyder noted that he will do all he can to respect the existing neighbors. Andrew Eckert, 112 W 14th Street, introduced himself. Mr. Eckert stated that he believes the proposed renovations would be an asset but has concerns about limited parking

After further discussion, Paul Lorey made a motion to close the public hearing. Dan Buck seconded it. Motion carried 4-0. Paul Lorey made a motion to grant the parking variance as requested. Anthony Seng seconded it. The motion carried 4-0. Paul Lorey then made a motion to grant the special exception to allow a multi-family dwelling in a B-1 zone. Dan Buck seconded it. The motion carried 4-0.

ADJOURNMENT

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



Josh Gunselman, Chairman

Attest:



Dan Buck, Secretary

Recording Secretary, Becki Moorman