

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

The Board of Zoning Appeals met on Wednesday, November 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	✓	—	✓
Blake Krueger	✓	—	—
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 November 2, 2022, regular meeting were reviewed. Anthony Seng made a motion to approve the minutes. Blake Krueger seconded it. Motion carried 3-0.

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."

NEW BUSINESS

Petition of Thomas and Julie Buechler, as owner, 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

Tom Buechler, 755 Logan Street, introduced himself and stated he was in attendance to request a variance to build a two-car garage on what is considered the front yard. Mr. Buechler

noted that he owns a seven-acre lot north of Deer Creek and he does not consider the proposed location to be the front yard of his property. The proposed structure would meet all accessory structure requirements by being constructed of compatible materials and meeting setbacks.

After further discussion, Chairman Gunselman asked if there were remonstrators present. As there were none, Anthony Seng made a motion to close the public hearing. Blake Krueger seconded it. The motion carried 3-0. Anthony Seng made a motion to approve the variance as requested. Blake Krueger seconded it. The motion carried 3-0.

Petition of Steve G. Lukemeyer, D&A Rentals, as owner, and Spaulding & Associates, as petitioner, for a variance from 16.08.08.C aka Chapter 8 Signage, the Central Business District, (Development Standards) of the City of Jasper's Unified Development Ordinance to allow a free-standing monument sign

Joann Spaulding, owner of Spaulding and Associates, appeared before the board to request a variance to build a free-standing monument sign located at 314 W 6th Street. Ms. Spaulding noted she was requesting the same variance as was granted to the immediate neighbor on the same block. The sign will be placed 9 feet from the sidewalk.

Chairman Gunselman asked Steve Dills, Planning Tech, if he had visited the property. Mr. Dills stated he had and that the proposed sign was in line with Carpenter Realty's sign. Mr. Dills noted that the overall monument sign can be no larger than 50 square feet. The proposed sign is seven foot four inches by five foot four inches which totals 38.7 square feet.

After further discussion, Chairman Gunselman asked if there were remonstrators present. As there were none, Anthony Seng made a motion to close the public hearing. Blake Krueger seconded it. The motion carried 3-0. Josh Gunselman made a motion to approve the variance with the stipulation that the location of the sign complies with the sight visibility triangle. Anthony Seng seconded it. The motion carried 3-0.

Petition of Jillincole Properties, LLC, as owner and petitioner, for a variance from 16.04.17.D.15 aka Chapter 4 Districts, Lot Standards (I1), (Primary Structures per lot) of the City of Jasper's Unified Development Ordinance to allow two principal structures on a single lot in an I1 zone

Phil Buehler, Brosmer Land Surveying & Engineering, Inc. was present and requested that the Board table this petition. Chairman Gunselman made a motion to table the Jillincole Properties, LLC petition. The motion was seconded by Anthony Seng. The motion carried 3-0.

Petition of Jilincole Properties, LLC, as owner and petitioner, for a special exception from 16.04.13.B aka Chapter 4 Districts, Light Industrial (I1), (B. Special Exception Uses) of the City's Unified Development Ordinance to allow a contractor's warehouse/storage facility in an I1 Zone

Phil Buehler, Brosmer Land Surveying & Engineering, Inc. was present and requested that the Board table this petition. Chairman Gunselman made a motion to table the Jillincole Properties, LLC petition. The motion was seconded by Anthony Seng. The motion carried 3-0.

Petition of Henke Properties, LLC & MWM Design Properties, LLC for a variance from 16.04.17.C(2)(d) aka Chapter 4 Districts, Lot Standards, General Lot Standards, (Setback Standards) of the City of Jasper's Unified Development Ordinance to allow the depth of the front yard to not match the existing setback average within the block

Phil Buehler, Brosmer Land Surveying & Engineering was present on behalf of Henke Properties and MWM Design Properties and introduced Cole Henke and Matt Murray. Mr. Buehler noted the petition proposes a single-family dwelling on the lot at the corner of Beckman and Kundeck Streets. In an R-3 Zone, per Ordinance, the front yard setback is 25 feet, and the proposed plans include their request of a 3.5-foot variance from the setback requirements facing Kundeck Street. Mr. Buehler noted that the plans include a 24 x 25-foot parking area.

Chairman Gunselman asked if there were remonstrators present. Theresa Kendall, 1433 Park Street, introduced herself and distributed photos of a Google map to demonstrate parking congestion. Ms. Kendall requested the Board to table the petition and ask for more information from the developers. Mike Burke introduced himself and stated he lives north of where the proposed structure would be built and noted his concern that the proposed property would decrease surrounding property values. Lucas Gutgsell, 1409 Kundeck street introduced himself and noted his concerns about the proposed parking area being ten feet away from the fire hydrant and also noted concerns of the parking area blocking the view of on-coming traffic. Reen Gutgsell who resides on Beckman Street noted congested traffic concerns on Kundeck Street. Renee Nord, 1434 Park Street, noted her safety concerns with congested parking issues on Kundeck Street. She also noted her concerns about the aesthetics of the proposed structure. Laura Ross, resides on Park Street, noted her concerns about the aesthetics of the proposed structure and addition of traffic to an already congested area.

Chairman Gunselman noted that the petition relates to setback requirements, not style or possible traffic issues. Linda Burke, 1433 Kundeck Street noted her concern about the location of the fire hydrant as well as the aesthetics of the proposed structure. Renee Nord addressed the Board again and asked why there were setback standards. Art Ross of 1426 Park Street noted his concern and asked the Board to not approve the variance as requested due to previously stated concerns. Cole Henke, Henke Contracting, introduced himself and noted the proposed parking area would set at the appropriate distance from the fire hydrant in question.

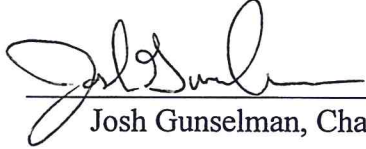
After further discussion, Anthony Seng made a motion to close the public hearing. Blake Krueger seconded it. The motion carried 3-0. Anthony Seng made a motion to approve the variance as requested with the condition that sight visibility triangle setbacks are met. Blake Krueger seconded it. The motion carried 3-0.

Paul Lorey Resignation

It was announced that Paul Lorey resigned his position on the Board of Zoning Appeals effective December 1, 2022. Members may not hold an elective office and Paul is a member of Jasper Common Council. Blake Krueger, member of Jasper Plan Commission, was appointed as a board member to bring the board to a quorum for this meeting.

ADJOURNMENT

With no further discussion, Blake Krueger made a motion to adjourn the meeting, seconded by Josh Gunselman. Motion carried 3-0, and the meeting adjourned at 7:49 p.m.


Josh Gunselman, Chairman

Attest:


Dan Buck, Secretary

Recording Secretary, Becki Moorman