

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
February 1, 2023**

The Board of Zoning Appeals met on Wednesday, February 1, 2023. 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	✓	—	—
Julie Dutchess	—	—	✓
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 January 4, 2023, regular meeting were reviewed. Josh Gunselman made a motion to approve the minutes. Dan Buck seconded it. Motion carried 3-0.

RANDY MEHRINGER RETIREMENT

Mayor Dean Vonderheide recognized Randy Mehringer for 18 years of service to the City of Jasper while serving on the Board of Zoning Appeals. Mayor Vonderheide noted that Mr. Mehringer had decided to retire his position on the Board and presented him with a years of service certificate.

STATEMENT

Acting 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 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 Todd Sermersheim, as petitioner, for a variance from 16.04.07.A aka Chapter 4 Districts, Medium Density Residential (R3), (Permitted Uses), of the City of Jasper's Unified Development Ordinance to allow a contractor's warehouse in a PUD/R3 zone. Petition of Todd Sermersheim, as petitioner, for a variance from 16.07.10.A.4 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure not subordinate in height to the primary structure, and a variance from 16.07.10.A.5 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure not subordinate in area to the primary structure, and a variance from 16.07.10.A.8 aka Chapter 7 Development Standards, Accessory Uses and Structures, (Allowance), of the City of Jasper's Unified Development Ordinance to allow an accessory structure not compatible in style and materials with the principal structure

Todd Sermersheim introduced himself and noted he was requesting a variance to build a storage building on Lot 1 in Badendorff VII Subdivision. He reported that he re-platted the vacant proposed lot with the adjoining lot to the north on June 10, 2022.

Mr. Sermersheim noted that the proposed building would be 54 feet by 80 feet and 23.6 feet tall. He stated that the plans for materials included a masonry base with metal siding and roof.

After further discussion, Acting Chairman Seng asked if there were remonstrators present. As there were none, Dan Buck made a motion to close the public hearing. Josh Gunselman seconded it. The motion carried 3-0. Dan Buck made a motion to approve the variance to allow a contractor's warehouse in a PUD/R3 zone. Josh Gunselman seconded it. The motion carried 3-0. Dan Buck made a motion to approve the variance to allow an accessory structure not subordinate in height to the primary structure. Josh Gunselman seconded it. The motion carried 3-0. Dan Buck made a motion to allow an accessory structure not subordinate in area to the primary structure. Josh Gunselman seconded it. The motion carried 3-0. Dan Buck then made a motion to allow an accessory structure not compatible in style and materials with the principal structure. The motion was seconded by Josh Gunselman. The motion carried 3-0.

William M. and Kathleen M. Rowekamp for a variance from 16.04.2.C aka Chapter 4 Districts, Agricultural General (A1), District Standards, (Minimum Lot Frontage) of the City of Jasper's Unified Development Ordinance for a variance to allow a lot with less frontage/width than the minimum 180 feet requirement, and a variance from 16.04.2.C aka Chapter 4 Districts, Agricultural General (A1), District Standards, (Minimum Side Setbacks) of the City of Jasper's Unified Development Ordinance for a variance to allow a variance from the required yard setbacks

Phil Buehler, Brosmer Land Surveying & Engineering was present on behalf of William and Kathleen Rowekamp. Mr. Buehler noted that Mr. & Mrs. Rowekamp own property at 1015 W 400 N which is zoned A-1. As there is a 180-foot width requirement and a 50-foot minimum side yard setback for new lot development, two variances are requested as the proposed lot sits at 144 feet wide with a proposed side setback variance of 20 feet.

Mr. Buehler noted that if the requested variances were approved, the two-acre tract would be platted as a single lot subdivision for future home site based on the variances granted.

Acting Chairman Seng asked if there were remonstrators present. As there were none, Josh Gunselman made a motion to close the public hearing. Dan Buck seconded it. The motion carried 3-0. Dan Buck made a motion to approve the variance to allow a lot with 144 feet frontage/width. Josh Gunselman seconded it. The

motion carried 3-0. Dan Buck then made a motion to approve the variance to allow the 20-foot yard setbacks. Josh Gunselman seconded it. The motion carried 3-0.

Next Step Recovery Home, Inc., for a special exception from 16.04.07.B aka Chapter 4 Districts, Medium Density Residential (R3), B (Special Exception Uses) of the City's Unified Development Ordinance to allow transitional housing for a men's recovery home

Bill Kaiser was present on behalf of Next Step Recovery Home as petitioner, and Jasmine Hernandez-Bezarez as owner, to request a Special Exception use in an R-3 zone to allow transitional housing at 2603 Brosmer Street. Mr. Kaiser noted that all appropriate requirements were met; the application was filed, the fee submitted, provided proof of Notice of Public Hearing sent to surrounding property owners as well as publication in The Herald, and provided Findings of Fact.

Mr. Kaiser explained that the purpose of the transitional housing is to provide a safe place for men working a 12-step program, who seek a clean and sober life. The men must actively work the 12-step program, have a sponsor, be clean and sober and adhere to all house rules. Craig Greulich, Vice President of Next Step Recovery Home, introduced himself and noted the goal of the proposed home is to provide a supervised home where all are accountable. This is not a court ordered program, and the residents are nonviolent offenders suffering from addiction and are committed to a 12-step recovery program. Mr. Kaiser reported that the local need far exceeds what is available in our community and our citizens are going elsewhere for help.

Acting Chairman Seng asked if there were remonstrators present. Emily Ricker, 2526 Alois Court was present and noted that as she is raising three boys and allowing a minimally supervised transitional housing in the neighborhood creates a safety concern. Darla Blazey read a letter from Sylvia Murphy, 203 E 26th Street, stating her objection to allowing the proposed men's transitional housing in her neighborhood. Dave Curtis, 402 E 26th Street, presented a petition signed by neighbors in opposition of allowing the men's transitional home in the proposed neighborhood. Mr. Curtis noted that recovery was important but felt this location was not suitable as its proximity to nearby grocery store, liquor store, and tavern. Jessica Dauby, 2924 Brosmer Street, was present and stressed her concern for the safety of her family. Brittney Hall, 2920 Brosmer Street, was present and stressed her opposition to the proposed location of recovery home.

Dr. Erin Wiseman, LifeSpring Health Systems, was in attendance and noted that she treats 150-200 substance abuse patients in the area. She noted that our community is currently dealing with an opioid and alcohol crisis, and the best thing we can do is offer a safe place for those seeking treatment to live. Amy Summers, 2610 Brosmer Street, was in attendance and asked how relapses will be prevented. Craig Greulich stated that the goal is to give individuals the opportunity to be re-integrated into society. Megan Durlaf and Dana Wood, Clinical Managers, Dove Recovery Home, introduced themselves and discussed the current successes of the Dove Recovery House. It was noted that 1 in 8 children are growing up with parents in recovery, isolation is not the answer, and rules will be established.

Paul Lorey, Jasper City Council member, introduced himself and noted his support of allowing the proposed transitional housing to be allowed at the requested location. He reported that he had contacted Police Chief Nathan Schmitt to inquire about calls to the Dove Recovery House and to date, none were reported. He stated that addiction and substance abuse is already in the proposed neighborhood and shared his cell phone number and stated that he would be available to discuss further if anyone had concerns.

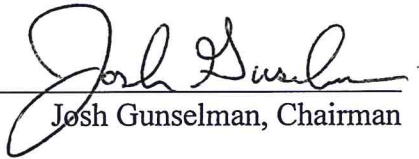
Clayton Boyles, Executive Director of the Dubois County Community Foundation, introduced himself and noted that the Foundation had received great community support for the Dove Recovery House and wanted to be able to offer the same to area men. The Foundation received a \$4.4 Million dollar grant in 2020 to support Next Step Recovery Home and other programs to support substance abuse treatment.

Dan Buck noted the Board's appreciation of public feedback and asked if someone from the proposed neighborhood could be added to the screening committee for potential residents of the transitional home.

Josh Gunselman made a motion to close the public hearing. Dan Buck seconded it. The motion carried 3-0. Dan Buck made a motion to approve the special exception as requested to allow the residence to allow transitional housing in an R-3 zone at 2603 Brosmer Street. Anthony Seng seconded it. The motion carried 3-0.

ADJOURNMENT

With no further discussion, Dan Buck made a motion to adjourn the meeting, seconded by Anthony Seng. Motion carried 3-0, and the meeting adjourned at 8:05 p.m.


Josh Gunselman, Chairman

Attest:

Dan Buck, Secretary

Recording Secretary, Becki Moorman