

PLYMOUTH BOARD OF ZONING APPEALS  
FEBRUARY 5, 2019

The Plymouth Board of Zoning Appeals met in regular session at 124 N Michigan Street, Plymouth, Indiana on February 5, 2019 at 7:30 p.m. Board President Art Jacobs called the meeting to order for Board Members Mark Gidley, Alan Selge, and Greg Compton. Board Members John Yadon and Keith Wickens were absent.

Board Members Gidley and Compton moved and seconded to approve the minutes of last regular meeting of January 2, 2019, as presented. The motion carried.

Board Members Gidley and Compton moved and seconded to approve the minutes of the training session of January 28, 2019, with the correction to add Greg Compton as one of the board members in attendance. The motion carried.

The following legal notice was advertised in the Pilot News on January 25, 2019:

**NOTICE OF  
PUBLIC HEARING**

The Board of Zoning Appeals of the City of Plymouth, Indiana, will hold a hearing on February 5, 2019 at 7:30 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:

**BZA 2019-02:** VanGilder Funeral Home, 300 W. Madison ST., Plymouth, IN 46563: A request for a Variance of Developmental Standards to replace an existing sign for a business in a residential district on parcel 50-32-93-101-111.000-019 at 300 W. Madison ST., zoned R-3, Traditional Residential District.

**BZA 2019-03:** Eriberto Chavez Arriaga, 1400 Kenwood, Plymouth, IN 46563: A Variance of Use to operate an automotive body and paint repair shop on a 1.64 acre parcel (50-32-06-000-019.000-018) at 14407 Lincoln HWY, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.

Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.

If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.

Abby Collins, Recording Secretary, Board of Zoning Appeals, January 25, 2019.

January 25, 2019 PN295380 hepaxlp

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**BZA 2019-02:** VanGilder Funeral Home, 300 W. Madison ST., Plymouth, IN 46563: A request for a Variance of Developmental Standards to replace an existing sign for a business in a residential district on parcel 50-32-93-101-111.000-019 at 300 W. Madison ST., zoned R-3, Traditional Residential District.

Ralph Booker reviewed the findings of fact.

Applicant, Terry Clemens, 300 W Madison Street, showed the board the most up-to-date version of the sign that the business would like to install. He said the sign will be slightly wider. The same posts will be used and the height of the sign will be the same.

Board President Jacobs opened the privilege of the floor to the public. There were no comments.

**Motion:** Approve application as presented

**Moved by** Alan Selge

**Seconded by** Greg Compton

Motion passed unanimously by roll call vote.

AYES: Compton, Gidley, Jacobs, Selge  
NAYS: None  
ABSENT: Wickens, Yadon

**BZA 2019-03:** Eriberto Chavez Arriaga, 1400 Kenwood, Plymouth, IN 46563: A Variance of Use to operate an automotive body and paint repair shop on a 1.64 acre parcel (50-32-06-000-019.000-018) at 14487 Lincoln HWY, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.

Ralph Booker reviewed the findings of fact. He discussed the city's comprehensive plan in association with this area of the city and the present use of the property.

Eriberto Arriaga, applicant, and Roy Roush, attorney for the applicant, were present to discuss the application. Roush explained the applicant's request is for a business of similar nature to those already present in the area. He noted that Mr. Arriaga will be using an EPA-approved booth in his paint shop. The applicant stated that he anticipates detailing/painting 2 or 3 vehicles per week, so the scale of work is small.

Jacobs asked if there is a fire suppression system in the booth. Arriaga said there is a fire extinguisher in the booth. Jacobs asked the age of the system. Arriaga said it is a Coleman brand and is new.

Gidley asked Building Commissioner Hammonds if there are additional approvals that the applicant needs to be able to move forward with his business. Hammonds said he would need a construction design release through the state. Roush said they will work on that step next.

Jacobs offered the privilege of the floor to the public.

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Jay Stone, 14501 Lincoln Hwy, asked how the building is going to be vented. He voiced concern regarding flammable liquids. Arriaga said the booth has filters, so by the time fumes hit the air outside, it is breathable air and will be vented upwards and located towards the front of the building. It was noted that this is a self-containing, EPA-approved booth.

Stone also voiced concern regarding proximity to property line. Mr. Stone has a large pole barn that is adjacent to that building and is concerned that if there is a fire, then his barn will catch on fire too. Roush said the front area is where Mr. Arriaga will be operating this business, which is not directly adjacent to the barn.

Gidley asked Building Commissioner Hammonds if there are fire breaks between each unit. Mr. Hammonds has not inspected this building at this point, so he is not sure.

James Stone, 14501 Lincoln Hwy, voiced his concern about where the dust from body shop go. Arriaga said the sanders have bags attached to them and does not think dust will be a concern. Stone asked about following IDEM regulations for a body shop, including the handling of hazardous materials/waste/trash/debris. Jacobs said that is not a consideration for this commission.

There were no additional comments.

Commissioners Gidley and Selge moved and seconded to approve BZA 2019-03 as presented. The motion carried by roll call vote.

**Motion:** Approve application as presented  
**Moved by** Mark Gidley  
**Seconded by** Alan Selge  
Motion passed by roll call vote.

AYES:       Gidley, Jacobs, Selge  
NAYS:       None  
ABSENT:     Wickens, Yadon  
ABSTAIN:    Compton

Gidley asked about the stability of the brick building by neighborhood center. Hammonds said it is now framed and considers it a stable structure.

Commissioners Selge and Compton moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:02 p.m.

  
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Abby Collins – Recording Secretary