

PLYMOUTH BOARD OF ZONING APPEALS
MAY 6, 2019

The Plymouth Board of Zoning Appeals met in regular session at 124 N Michigan Street, Plymouth, Indiana on May 6, 2019 at 7:30 p.m. Board President Art Jacobs called the meeting to order for Board Members John Yadon, Keith Wickens, and Greg Compton. Board Members Mark Gidley and Alan Selge were absent.

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

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

**NOTICE OF
PUBLIC HEARING**

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on May 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 2019-11: Craig Cultice, Tripod Investments, 18761 17th RD, Culver, IN 46511: A Variance of Use to allow a single-family home at 505 North Walnut ST, Plymouth, IN, parcel 503293101139000019, zoned C-2, Downtown Commercial District.

BZA 2019-12: Ramon Moran, 5625 Michigan RD., Plymouth, IN 46553: A Special Use Request to build a two-family residential (Duplex) at 414 W. LaPorte St., on parcel 503293103032000019, zoned R-3, Traditional Residential District.

BZA 2019-13: Ramon Moran, 5625 Michigan RD., Plymouth, IN 46553: A Variance of Development Standards to reduce the front setback to five (5) feet from the required twenty (20) feet and rear setback to five (5) feet from the required fifteen (15) feet, located at 414 W LaPorte St., parcel 503293103032000019, zoned R-3, Traditional Residential District.

BZA 2019-14: Mike Umbaugh, F&K, Inc., 19700 12th RD, Plymouth, IN 46553: A Variance of Use to allow a single-family home or duplex located at 309 W. Jefferson St., parcel 503293101139000019, zoned C-2, Downtown Commercial District.

BZA 2019-15: CTE Solutions - Wade Berger, 1901 Walter Glaub Dr., Plymouth, IN 46553: A Variance of Development Standards to create a parking lot within four (4) feet of a southern property line located at 2121 Walter Glaub DR, parcel 504231201071000019, zoned I, Industrial 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 574-935-2948.

Abby Collins, Recording Secretary, Board of Zoning Appeals, April 25, 2019

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BZA 2019-11: Craig Cultice, Tripod Investments, 18761 17th RD, Culver, IN 46511: A Variance of Use to allow a single-family home at 505 North Walnut ST, Plymouth, IN, parcel 503293101139000019, zoned C-2, Downtown Commercial District.

Plan Consultant Ralph Booker reviewed the findings of fact and the request from the applicant.

Craig Cultice was present to discuss request and answer questions.

Jacobs offered the privilege of the floor to the board members and the public. There were no comments or questions.

Motion: Approve application as presented,

Moved by Greg Compton, **Seconded by** Keith Wickens.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Art Jacobs, Greg Compton, John Yadon, Keith Wickens.

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BZA 2019-12: Ramon Moran, 5625 Michigan RD., Plymouth, IN 46563: A Special Use Request to build a two-family residential (Duplex) at 414 W. LaPorte ST. on parcel 503293103032000019, zoned R-3, Traditional Residential District.

Booker said that the applicant first came in for a variance from development standards. Upon review of that application, he then realized that the applicant needed a variance of use. Booker reviewed findings of fact and letter of intent.

Alexis Moran, 5625 Michigan Rd., the applicant's son, was present to answer questions and discuss the request. Wickens asked how long Mr. Moran has owned that property. Alexis said they have owned it for about 2 years. There was discussion regarding some scrap metal that the railroad owns that is sitting on the Moran property. City Attorney Surrisi said he will track down the contact information for the railroad so they can move their scrap metals.

Yadon asked if there are any rules or restrictions regarding offsets, right-of-way issues, etc. in relation to the railroad's property. Booker said he did not check into that. City Attorney Surrisi said he is not aware of any restrictions.

Jacobs offered the privilege of the floor to the board members and the public.

Mike Delp, 1707 S Michigan Rd, said he does not have any problems with the property owner putting a structure here, but he thinks that it is important for the property owners to contact the railroad.

Motion: Approve application as presented,

Moved by Keith Wickens, **Seconded by** John Yadon.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Art Jacobs, Greg Compton, John Yadon, Keith Wickens.

BZA 2019-13: Ramon Moran, 5625 Michigan RD., Plymouth, IN 46563: A Variance of Development Standards to reduce the front setback to five (5) feet from the required twenty (20) feet and rear setback to five (5) feet from the required fifteen (15) feet, located at 414 W LaPorte St, parcel 503293103032000019, zoned R-3, Traditional Residential District.

Booker reviewed the findings of fact.

Wickens voiced concern regarding parking spaces. Booker stated that the ordinance requires that two off-street parking spaces be available per unit, so four spaces that are not along the street would need to be available for residents.

Yadon asked if they would be cutting into the curb in the front of the house for a driveway. Surrisi said that process is through a curb cut permit with the Street Department.

Jacobs offered the privilege of the floor to the board members and the public. There were no additional comments.

Motion: Approve application as presented,

Moved by John Yadon, **Seconded by** Greg Compton.

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Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).
Yes: Art Jacobs, Greg Compton, John Yadon, Keith Wickens.

BZA 2019-14: Mike Umbaugh, FMK, Inc., 19700 12th RD, Plymouth, IN 46563: A Variance of Use to allow a single-family home or duplex located at 309 W. Jefferson ST., parcel 503293101159000019, zoned C-2, Downtown Commercial District.

Booker said the findings of fact are a mirror image of the first case that was reviewed tonight. He reviewed the letter of intent from Mr. Umbaugh.

Applicant, Mike Umbaugh of 19700 12th Road, said Building Commissioner Keith Hammonds told him it did not matter whether it was single family residence or a two-family residence, it would still require the variance since it is currently zoned as commercial. Umbaugh said that the property used to be a commercial bakery. Since renovating the kitchen area, the structure is currently designed to be a single-family residence.

There was additional discussion regarding the conversion from a single-family home to a duplex. The building commissioner would handle the building permit and ensuring that code is met if the conversion were to happen. Umbaugh has had interested buyers for both types of homes.

There was additional discussion regarding whether the board can approve this as a single-family or duplex property and how that can be enforced. City Attorney Surrisi said that building permits would go through the Building Commissioners office, which would enforce that the building meet code as required for that application. He said if something other than a single-family residence or duplex was created, it is challenging to enforce, however the fact that this is in a high-density area that many people see daily, he thinks enforcement would be easier.

Jacobs offered the privilege of the floor to the board members and the public. There were no additional comments.

Motion: Approve application as presented with the addition that the structure must meet city code.
Moved by John Yadon **Seconded by** Keith Wickens

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).
Yes: Art Jacobs, Greg Compton, John Yadon, Keith Wickens.

BZA 2019-15: CTE Solutions – Wade Berger, 1901 Walter Glaub Dr., Plymouth, IN 46563: A Variance of Developmental Standards to create a parking lot within four (4) feet of a southern property line located at 2121 Walter Glaub DR. parcel 504231201071000019, zoned I, Industrial District.

Plan Consultant Ralph Booker read letter of intent and discussed findings of fact for the variance of development standards. The Technical Review Committee discussed drainage and how that will be handled. If a new building is built, the applicant must have an approved drainage plan in place.

Yadon asked if this was in a utility right of way. Booker said no.

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Applicant Wade Berger, 7800 Jarrah Rd, Plymouth, and representative from Territorial Engineering, Daniel Sellers, 921 Wilson Circle, Plymouth, were present to discuss the request. Berger said they will be creating a 20,000 square foot addition.

Jacobs asked about the plan for utility lines that they are proposing to pave over. Berger said that they will be retiring both lines and starting new lines. There was additional discussion regarding the wetlands and the flood plain area. Sellers said they are in the process of getting the map amended and have been in contact with the Department of Natural Resources, but they do not have final documentation at this time.

Sellers explained that the pond was the detention area for the old Aker building. It is part of their geothermal system. Flood fringe incorporated that pond when the building was remodeled in 2011. Sellers was told that CTE could modify the pond without a permit, and that may be an option to consider, but right now they are planning on separate detention basins to save time. Berger said there are several options to take regarding the drainage, but it all comes down to timing. The company desperately needs to expand. Berger explained that the company had 134 employees in May 2018, 153 employees at the end of 2018, and they currently have 176 employees.

Compton asked if Farm Innovators, the neighboring company, has shown any concern regarding their plan. Berger said no, and their property is actually at a higher elevation.

Jacobs offered the privilege of the floor to the board members and the public. There were no additional comments.

Motion: Approve application as presented.

Moved by John Yadon, **Seconded by** Keith Wickens.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Art Jacobs, Greg Compton, John Yadon, Keith Wickens.

Commissioners Compton and Wickens moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:16 p.m.



Abby Collins – Recording Secretary