

PLYMOUTH BOARD OF ZONING APPEALS

May 8, 2024

The Plymouth Board of Zoning Appeals met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on May 8, 2024, at 7:49 p.m. Board Vice-President Mark Gidley called the meeting to order for Board Members Alan Selge, Paul Wendel, and Alternate Fred Webster. Board President Art Jacobs and Board Member Brandon Richie were absent. Alternate Linda Secor was absent. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, and Mayor Robert Listenberger. The public was able to see and hear the meeting through Microsoft Teams.

Board Members Webster and Selge moved and seconded to approve the minutes of March 5, 2024. The motion carried.

The following legal notice was advertised in the Pilot News on April 25, 2024:

<p>NOTICE OF PUBLIC HEARING</p> <p>The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on May 8, 2024 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:</p> <p>BZA 2024-03: Brett and Casey Berkeypile, 6091 Michigan Rd, Plymouth, IN 46563: A Variance of Use to have an auto repair business in the home garage on parcel 50-42-99-000-057.000-009, located at 6091 Michigan Rd, Plymouth, IN 46563, zoned R-1, Rural Residential District.</p>	<p>BZA 2024-04: David and Kandis Morwood, 11736 9th RD, Plymouth, IN 46563: A Variance of Use to have an auto repair business on parcel 50-42-34-000-034.000-018, located at 11736 9th RD, Plymouth, IN 46563, zoned R-2, Suburban Residential 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.</p> <p>Kyle Williams, Recording Secretary, Board of Zoning Appeals, April 25, 2024 <small>April 25, 2024 PN355628 hspaxip</small></p>
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Legals**

BZA 2024-03: Brett and Casey Berkeypile, 6091 Michigan Rd, Plymouth, IN 46563: A Variance of Use to have an auto repair business in the home garage on parcel 50-42-99-000-057.000-009, located at 6091 Michigan Rd, Plymouth, IN 46563, zoned R-1, Rural Residential District.

City Attorney Houin reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud. See attached letter below.

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April 9, 2024

City of Plymouth
Board of Zoning Appeals

To Whom It May Concern:

I am Brett Berkepile, a resident of Plymouth, and a current employee of the City of Plymouth Street Department. In my position I have the opportunity to work on many of the city vehicles as far as repair work or solving problems if there are issues.

As a result of my employment I have become aware of a situation that I feel I could remedy by starting a business in my home garage. Whenever a new police or emergency vehicle is purchased it comes without the lights, computers, wiring cages and other items that make it functional for the Department that purchases that vehicle. Formerly there was a business close to Marshall County that installed the lights and other additions that need to be made to those newly purchased vehicles. However, that business no longer exists and the closest place to facilitate installation of the necessary items in Piercecon and Michigan. Big problem there is the wait is three (3) or more months to be able to get the updates done to these new vehicles which obviously makes them unusable for long period of time.

I have done a lot of research with regard to installing the necessary equipment and with the extra space in my garage, feel that I could do this installation on nights and weekends, when I am not working for the City of Plymouth. I would be able to do this myself, no employees will be necessary. I will pick up the vehicle and when completed return it to the proper department. No one would be coming to my residence nor would be entering my garage. I will not have any signage on my property regarding this business it will just be by word of mouth.

I would like the opportunity to start a private business in my garage installing the necessary equipment into these newly purchased vehicles to supplement my income on nights and weekends and also make these vehicles available in much shorter time after purchase for the City.

Thanks for your consideration, I'd be glad to answer any questions.

Sincerely,
Brett Berkepile (signature)



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Brett Berkeypile (6091 Michigan Rd, Plymouth, IN 46563)

Berkeypile stated GB Customs closed a few years ago and they did some customization of vehicles. He stated he works for the City of Plymouth as a mechanic and he does maintenance vehicles, fire, police department, and all other city vehicles. He stated in discussion with prior Police Chief Bacon and the current Police Chief Weir that there is a need for upfitting the new police cars. He stated that the closest place they go to is around Pierceton and Columbia City but there is a three to four month wait so he is looking to get into that for not just Plymouth but surrounding counties as well. He stated that he has been a mechanic for five years at the Street Department and when they get a new vehicle in, it sits in their garage for three to four months before it can be put into service.

Wendel asked if he was referring to the police lights.

Berkeypile responded by stating the lights, the cage, the video cameras, etc.

Wendel asked if that is specifically all he will be doing.

Berkeypile responded by stating that something had come up with the County that does preventative maintenance, they no longer have that specific department and instead have to go out of town for it.

Wendel asked if people off the street will be taking their cars to him.

Berkeypile responded by stating not necessarily as he will not have any signs.

Selge asked about expansion.

Berkeypile responded by stating that he does not plan to expand in the foreseeable future.

Gidley asked about automobile pieces and parts laying around outside.

Berkeypile responded by stating if he can avoid it at all then no.

Gidley provided the example of a car going out of service. He asked if he would take those same parts he put on, back off.

Berkeypile responded by stating sometimes. He stated since he has been at the Street Department, they have been doing it there. He said they do not upfit vehicles there but they do strip them before they are traded in.

Gidley asked if he was at his house doing that, what would he do with the materials.

Berkeypile responded by stating if they can be used on the next vehicle, a lot of times he will strip them and put everything back in the car that is going to be taken out. He stated that the departments

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will take the parts to whomever is upfitting the next car and if they can be used, they will be used, and if not then they will be disposed of.

Wendel asked if it will be the barn that he is using and asked what size it is.

Berkeypile responded by stating he would be using the barn attached to his house and that it is 40' x 40'.

Gidley stated in Booker's recommendation, he suggested that they only allow Berkeypile to have one vehicle there at a time.

Berkeypile stated that is his plan.

Gidley asked for clarification that he would not want three to four vehicles waiting and sitting in his driveway.

Berkeypile responded by stating he would not want that either.

Webster asked what he would do if the City were to receive three police cars.

Berkeypile responded by stating the City would keep two and take one in at a time. He stated he has talked with the Police Chief and he is hoping to save him some time and a little money as it is expensive.

Webster asked if he will be doing this for only Plymouth.

Berkeypile responded by stating he will, just starting out, but will be available for other counties later.

Webster asked if this was basically only for emergency vehicles.

Berkeypile responded in agreeance and stated he would also be available for volunteer firemen if they wanted blue lights or something like that. He stated if someone hears about his business, he would also install yellow lights for construction vehicles.

Wendel asked for clarification that this will not be his full time job.

Berkeypile responded in agreeance that this will not be his full time job as this is something he plans on doing during nights and weekends.

Webster asked if he would be putting in the radios as well as lights.

Berkeypile responded in agreeance and explained that Weir recently acquired an F-150 for the Assistant Chief and he is currently working on that through the city.

Board Members Selge and Webster moved and seconded to open the public hearing. The motion carried.

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There were no comments at this time.

Board Members Selge and Wendel moved and seconded to close the public hearing. The motion carried.

Board Members Selge and Webster moved and seconded to approve BZA 2024-03 with the stipulation of no signage and limited to one car at a time. The motion passed by roll call vote.

Yes: Gidley, Selge, Webster, and Wendel

No: None

Absent: Richie and Jacobs

BZA 2024-04: David and Kandis Morwood, 11736 9th Rd, Plymouth, IN 46563: A Variance of Use to have an auto repair business on parcel 50-42-34-000-034.000-018, located at 11736 9th Rd, Plymouth, IN 46563, zoned R-2, Suburban Residential District.

City Attorney Houin reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud. See attached letter below.

April 12, 2024

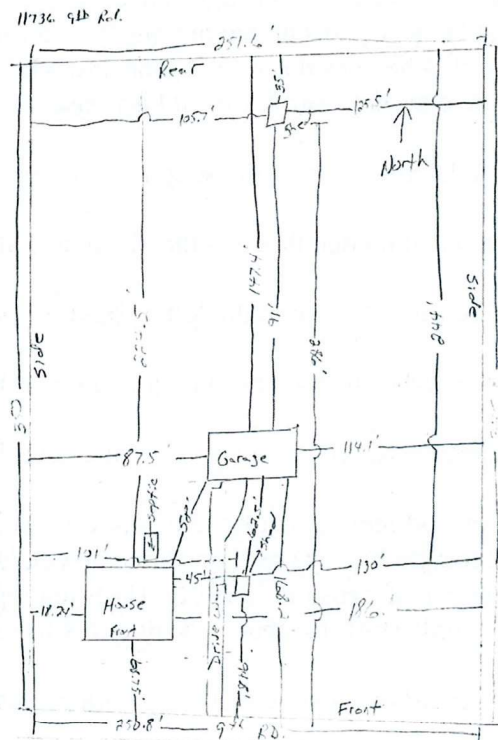
To Whom It May Concern:

We are wanting to have a mechanic shop to work on automobiles and motorcycles. We do not plan on working on more than two vehicles at a time. We will do general repairs, tire changes, etc. This will be done during normal business hours. We are applying for application of variance of use because we are in the two-mile zoning radius.

Thank you,



David Morwood



David Morwood (11736 9th Rd, Plymouth, IN 46563)

Morwood stated that his son went to the Arizona Automotive Institute (AAI) and Motorcycle Mechanic School (MMI) in Phoenix, Arizona. He explained that they want to provide an affordable auto repair service to the community because the current shop rates being charged are insane. He

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said that he personally has worked on vehicles his whole life with his father and grand-father who are both mechanics. He explained he is not necessarily looking to keep the business at his house forever but it is a starting point. He stated he looked at other buildings in the city, but \$3,500/month is too much when trying to start up a business.

Gidley shared that Booker walks this route regularly and saw the sign and asked if they are already working on vehicles.

Morwood explained that he has been doing work for friends and family the whole time he has lived there which is 22 years.

Gidley asked how long he has had the sign up as that must have been what caught his attention.

Morwood responded by stating that the sign had just gone up.

Webster asked if this was his full time job. Morwood agreed. Webster asked if this was his son's full time job. Morwood agreed. Webster asked for clarification that this will be a father and son business.

Morwood responded in agreeance and stated that he had spoken to all of his neighbors. He explained that he only plans on having one to two cars there at a time. He said he takes pride in his property and that he does not want a junkyard. He explained that he usually goes out and picks up the cars as he does not want traffic at his house.

Wendel asked where the shop is in comparison to the home.

Morwood replied that it is the big garage at the end of the driveway.

Gidley asked if it was the left or right bay as he saw a motorcycle being worked on in the left bay.

Morwood responded by stating that it was his motorcycle up on the lift.

Webster asked if there is a lift in the other bay as well.

Morwood replied that he only has a lift for motorcycles in the left bay and does not have a car lift in the right bay. He explained that he would only like to do general repair as he does not plan to rip motors and transmissions out. He listed replacing shocks, brakes, sensors, etc. He stated it would be simple stuff like that as he does not have a lift.

Gidley asked what he would do with pieces and parts.

Morwood responded by stating when he usually replaces brakes and motors, he has a bin in his garage that he takes to the scrap yard.

Gidley asked for clarification that there was not any outside storage of old parts. Morwood agreed that there was no outside storage.

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Selge asked if he would only have two vehicles at a time. Morwood agreed. Selge asked if there will be any other signs aside from the one sign posted.

Morwood responded by stating that it would only be one sign.

Gidley asked Manuwal if the sign was in compliance with the ordinance.

Manuwal responded by stating that he did not measure the sign.

Morwood stated his wife ordered the sign so he is not sure of the dimensions.

Manuwal stated that the sign should not exceed four (4) square feet in area.

Morwood stated that he could make it smaller.

Gidley commented that it could not be lit. Morwood agreed.

Selge commented that all the letters of support look the same.

Morwood explained that when he went and spoke to his neighbors he had asked them to write a letter in support, but they all preferred the option of him writing one up that they could sign.

Selge asked if they were the ones marked with red dots in the report.

Morwood responded in agreeance and stated they are the homes directly in front of his.

Board Members Selge and Wendel moved and seconded to open the public hearing. The motion carried.

There were four letters of support submitted with the application as seen below.

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To Whom It May Concern:

I am writing in support of David and Isaac Morwood's plans for their residence at 11735 9th Road Plymouth, IN 46563. We are neighboring their residence and they have always been respectful neighbors and very supportive of Plymouth for the entire duration of their occupancy. I have no hesitation with their plans for their property. We were made aware of their desire to run an automotive/motorcycle mechanic shop on their residence. As mentioned, I have no reservations whatsoever about their plan.

Thank you,

Kevin Handrick 11735 9th Road

April 12, 2024

To Whom It May Concern:

I am writing in support of David and Isaac Morwood's plans for their residence at 11735 9th Road Plymouth, IN 46563. We are neighboring their residence and they have always been respectful neighbors and very supportive of Plymouth for the entire duration of their occupancy. I have no hesitation with their plans for their property. We were made aware of their desire to run an automotive/motorcycle mechanic shop on their residence. As mentioned, I have no reservations whatsoever about their plan.

Thank you,

M. Brown
11711 9th Rd
Plymouth, IN 46563

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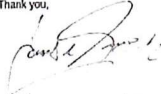
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April 12, 2024

To Whom It May Concern:

I am writing in support of David and Isaac Morwood's plans for their residence at 11736 9th Road Plymouth, IN 46563. We are neighboring their residence and they have always been respectful neighbors and very supportive of Plymouth for the entire duration of their occupancy. I have no hesitation with their plans for their property. We were made aware of their desire to run an automotive/motorcycle mechanic shop on their residence. As mentioned, I have no reservations whatsoever about their plan.

Thank you,



11745 9th Rd

April 12, 2024

To Whom It May Concern:

I am writing in support of David and Isaac Morwood's plans for their residence at 11736 9th Road Plymouth, IN 46563. We are neighboring their residence and they have always been respectful neighbors and very supportive of Plymouth for the entire duration of their occupancy. I have no hesitation with their plans for their property. We were made aware of their desire to run an automotive/motorcycle mechanic shop on their residence. As mentioned, I have no reservations whatsoever about their plan.

Thank you,


11725 9th Rd
Plymouth In 46563

Board Members Webster and Wendel moved and seconded to close the public hearing. The motion carried.

Board Members Webster and Selge moved and seconded to approve BZA 2024-04 with the stipulations that the number of vehicles must be two, excluding their own vehicles, and that the sign must be in compliance. The motion passed by roll call vote.

Yes: Gidley, Selge, Webster, and Wendel

No: None

Absent: Richie and Jacobs

Other Business:

There was no other business at this time.

There being no other business, Board Members Selge and Wendel moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:14 p.m.



Kyle Williams— Recording Secretary