

PLYMOUTH BOARD OF ZONING APPEALS

June 4, 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 June 4, 2024, at 9:23 p.m. Board President Art Jacobs called the meeting to order for Board Members Mark Gidley, Alan Selge, Paul Wendel, and Alternate Fred Webster. Board member Brandon Richie was absent. Alternate Linda Secor was in attendance but not needed. Others present were Building Commissioner Dennis Manuwal, Jr., City Attorney Jeff Houin, Plan Consultant Ralph Booker, 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 May 8, 2024. The motion carried.

The following legal notice was advertised in the Pilot News on May 23, 2024:

116 Legals	116 Legals	116 Legals
<p>NOTICE OF PUBLIC HEARING The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on June 4, 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: BZA 2024-05: Lauren Overmyer, 10625 SR 10, Ply-</p>	<p>(8) feet on parcel 50-41-36-000-021.001-020, located at Miller Drive, Plymouth, IN 46563, zoned C-3, Corridor Commercial District. BZA 2024-07: St. Michael Church, 627 N. Walnut St., Plymouth, IN 46563: A Variance of Development Standards to have a forty-four (44) inch circle illuminated sign four (4) feet off the building on parcel 50-32-93-104-982.000-019, located at 113 E. Laporte St., Plymouth, IN 46563, zoned C-2, Downtown Commercial District. BZA 2024-06: The Baldus Company, 440 E. Brackenridge St., Fort Wayne, IN 46802: A Variance of Development Standards to have an Electronic Message Center free standing monument sign taller than eight-</p>	<p>50-32-93-101-101.000-019 at 627 N Walnut St., Plymouth, IN 46563, zoned R-3, Traditional 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. Kyle Williams, Recording Secretary, Board of Zoning Appeals, May 23, 2024 May 23, 2024 PN356628 hspaxlp</p>

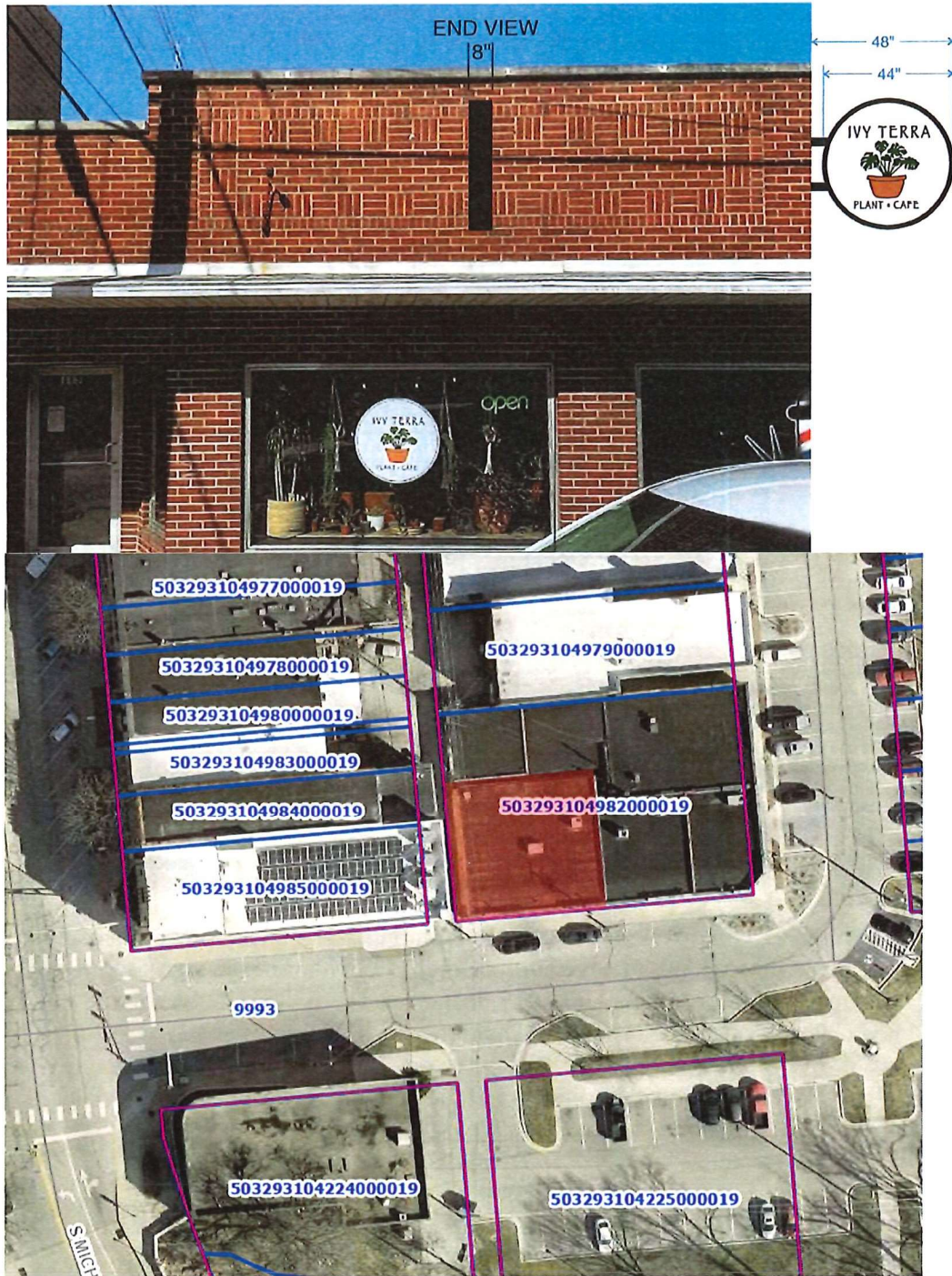
BZA 2024-05: Lauren Overmyer, 10625 SR 10, Plymouth, IN 46563: A Variance of Development Standards to have a forty-four (44) inch circle illuminated sign four (4) feet off the building on parcel 50-32-93-104-982.000-019, located at 113 E. Laporte St., Plymouth, IN 46563, zoned C-2, Downtown Commercial District.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below).

Letter of Intent

Ivy Terra Plant Café located at 113 E Laporte St would like to install an illuminated flag mounted sign above their storefront window. The sign would be a 44" circle and stand a total of 4' off the building. This sign should be large enough that traffic off of Michigan would see it. This sign would be an aesthetic upgrade to the area, displaying a thriving business in the downtown area.

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Gidley explained on Michigan Street he believed they granted a variance with a 3-2 vote for a sign just next to City Hall. Booker agreed. Gidley stated he noticed the other day that there was one for Dr. Shumacker and one for Ella & Ava Boutique. He stated he does not want to say they have set a precedent, but they had granted signs similar to this in the past.

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Wendel asked if there were any ordinances or anything referencing these types of signs.

Booker replied that projection signs are not addressed in the zoning ordinance. He added that he was not saying that it was good or bad, and explained that the reason they were there was because they were asking for a variance for something that was not addressed in the ordinance.

Lauren Overmyer (10625 SR 10, Plymouth, IN 46563)

Overmyer explained that the sign needed to be a little larger as it sits off of Michigan Street.

Gidley asked what the requirement was to have a sign visible from Michigan Street. He asked why it couldn't just be visible from LaPorte Street.

Overmyer replied that it was because they were trying to direct traffic for people coming into downtown. She stated the sign works as a great marker for people coming into downtown looking for a coffee shop they have heard so much about.

Gidley asked why it would be difficult to miss, as everyone uses GPS now.

Overmyer asked why it would be a concern to have a nice sign. She stated a nice sign is a sign of a good business.

Gidley commented that Overmyer was just like her father.

Overmyer replied that she was certain people could say the same about Gidley.

Gidley asked about the sign in the window.

Overmyer replied that there was a sticker on the window.

Selge asked if the sign would be the same size as the one on the window.

Overmyer replied that she was unsure, but it should be 44". She commented that 44" looks much different up in the air as well.

Webster stated he knew where the business was located and there were about 4-5 businesses to the east of them on the same side of the street. He asked what they were supposed to do when they all came in asking for signs and now nobody could see the signs.

Overmyer stated that she was unsure if those businesses would want to pay the money that Ivy Terra wants to pay and that is, they were allowed to deny or grant the request.

Webster stated he was just asking as this would just open the door for everyone else. He stated the reason that they wanted to have the sign there may be defeated as everyone else jumps in.

Overmyer explained she believed it would be great for Plymouth if everyone wanted to update their storefronts.

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Jacobs asked if it would go up on the parapet wall.

Overmyer replied that it would go up above the awning and that the awning was about 3 feet.

Wendel asked if it would come out past the edge of the awning.

Overmyer replied that it would come out just a little bit.

Gidley asked if she was aware of how far it would extend out past the awning.

Overmyer replied that it would probably be another foot. She stated they would also be able to take the sign down if they ever had to move storefronts. She stated in discussions with Building Commissioner Manuwal that she found they would have to get a different variance if they were to move to a different storefront. She stated that it is something Ivy Terra is willing to do as they really want the sign.

Webster asked if Vanadco would be putting up the sign.

Overmyer replied that she personally would not be, but Vanadco would be.

Wendel asked if the sign had already been made, as the one on Michigan Street had already been made.

Overmyer answered that the sign was not made, but also added that she did not believe the sign on Michigan Street was purchased from a professional sign company. She explained that they were trying to get a permit before they build anything for those reasons.

Wendel asked if it could be kept from going over the edge of the awning.

Overmyer asked if there was a reason why that would be necessary. She stated it would be great if the awning were to go away, but that was just her opinion.

Wendel asked if she owned the building.

Overmyer replied that she wished she did, as she would take the awning down and allow the sign to be put up.

Board members Gidley and Selge moved and seconded to open the public hearing. The motion carried.

There were no comments at the time.

Board members Webster and Selge moved and seconded to close the public hearing. The motion carried.

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Board Members Selge and Webster moved and seconded to approve BZA 2024-05 as presented. The motion passed by roll call vote.

Yes: Selge, Webster, and Jacobs
No: Gidley and Wendel
Absent: Richie

BZA 2024-06: The Baldus Company, 440 E. Brackenridge St., Fort Wayne, IN 46802: A Variance of Development Standards to have an Electronic Message Center free standing monument sign taller than eight (8) feet on parcel 50-41-36-000-021.001-020, located at Miller Drive, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below). He expressed with the terrain from the property up to US 30 that there was a slope. He stated it may not be seen due to the slope, but he would let the applicant discuss it.



440 East Brackenridge Street
Fort Wayne, Indiana 46802
Tel 260/424.2366 Fax 260/424.2368

15 May, 2024

City of Plymouth
Plymouth, Indiana Plan Commission
124 North Michigan Street
Plymouth, IN 46563

To Whom it May Concern:

We are requesting on behalf of The Bowen Center an Electronic Message Center, a freestanding monument sign taller than 8', square footage on each of the 2-sided sign exceeding 32 square feet, all of which are outside the Sign Ordinance standards for their C-3 zoning district.

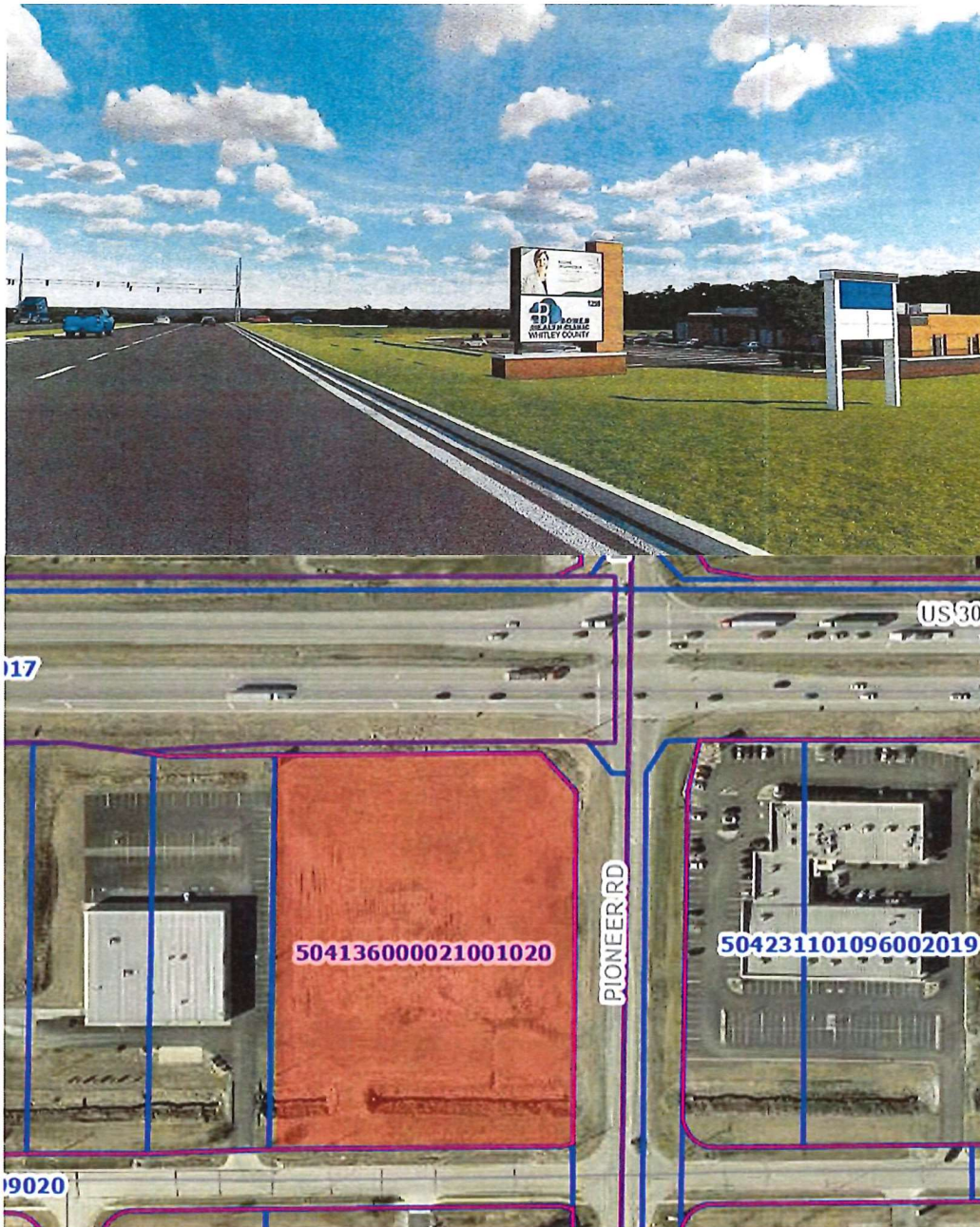
The general design specification request includes an overall size of 36'-0" wide x 35'-0" tall brick base, a 24' wide x 12' tall light box, a 24' wide x 12' tall Electronic Message Center, all mounted on a masonry base.

The overall size of the sign requested makes the messages visible from a significant distance, allowing for more effective communication of the Bowen Center's available services.

Thank you for your consideration.

George Baldus
The Baldus Company
440 E. Brackenridge Street
Fort Wayne, IN 46802
260-424-2366

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Hugh Baldus (440 E. Brackenridge St., Fort Wayne, IN 46802)

Baldus stated he was there representing the Bowen Center and the request to allow them to have an electronic message center freestanding monument sign installed. He explained if anyone had been to Columbia City, they could see on the south side of the road, an identical sign that had been constructed there. He stated it was an attempt by the Bowen Center to raise their profile to locate closer to arterial traffic and to communicate a broad set of programs they offer to the public. He stated many of them were underrepresented folks who need help from the Bowen Center. He explained it is certainly a challenge to get someone's attention when they are on US 30. He

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expressed the size of the sign was to reckon with the challenge. He stated one obstacle that the build addresses is the speed of traffic and the ability to communicate with passersby effectively in the midst of traffic lane changing. He stated there are also a wide number of services that the Bowen Center wants to provide, so people driving by understand that the Bowen Center could be a resource for them for a variety of programs. He listed physical health, emotional health, addiction recovery, life skills coaching, autism services, employee assistance, crisis hospitalization, transitional living, and school-based services. He added those are just the broad categories as there are a lot of programs underneath that would benefit from the awareness that this kind of sign does a great job at presenting.

Jacobs asked if he believed it was a good idea for high speed traffic to look over at a sign and try to read it.

Baldus stated that they had sold over 300 digital signs, and he had heard that question quite often. He expressed his belief that there are a lot more distractions going on, usually in the right hand, of someone driving down the road than one of the signs has ever presented. He stated his hope, based on the nature of this organization, that people are able to gather this message. He stated it would not be a rapid fire set of messages, as there is a 5-second hold time in the Plymouth Zoning Ordinance that the Bowen Center intends to comply with. He stated it complicates the readability of a sign when attempting to put up a set of messages as a lot can happen within 5 seconds at 60-70 mph. He stated they are attempting to allow the customer to spread their awareness effectively using a sign that moves and changes that draws a glance more readily compared to a sign that is static in nature. He stated it would also serve to effectively locate, for people, the location of this organization.

Jacobs asked how the brightness was controlled at nighttime.

Baldus replied that most ordinances have a limit on brightness control, but the sign is programmed by a zip code where it resides. He stated it does a 100-step dim down from dawn to dusk and a 100-step dim up from dusk to dawn to meet the standards that multiple communities have mandated for this type of dimming. He explained it is set to 7% daytime brightness at night.

Webster asked where the sign would be controlled at. He asked if it would be controlled in the Bowen Center building or if someone from Hawaii would be controlling it online. He stated the problem would be when it would either need to be turned up or turned down.

Baldus asked for clarification if the question was about the sign going rogue.

Webster rephrased his question and asked if the sign went rogue or if it were to get hacked, would it be able to be controlled locally.

Baldus replied that the answer would be affected by the policy that the Bowen Center has for controlling signs. He explained that there are multiple points of control, both within the facility where the sign is, in Danville, IL, where the signs are made, and there is a technical support desk at the manufacturer who control it via broadband so it can be controlled by those with authorization.

Webster asked how close the sign would be to the property line.

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Baldus answered that it would be greater than 10 feet due to the physical limitations touched upon with the slope, and that it would be significantly further than that.

Gidley asked if the physical face of the sign would be larger than the one in Columbia City.

Baldus responded that the physical dimensions of the actual face are to be identical with that of Columbia City.

Gidley asked if the sign would be perpendicular to US 30 or Pioneer Drive.

Baldus replied that it would be perpendicular to US 30 so it would have views and exposure to both directions east and west.

Webster stated that he also sits on the Technical Review Committee (TRC) and they have questions that arise regarding underground infrastructure. He asked what runs between the road and the property.

Baldus responded that he is not aware but is certain that his general contractor does. He asked if Webster was asking for any reason in particular.

Webster explained that people keep placing infrastructure in the ground all the time, and he wanted to ensure there was access to whatever runs down there, be it internet, water, sewer, etc. and he wanted to ensure there was enough room so they were not packing everything on top. He stated if it breaks, they would have to figure out what was in the way, and it could be nasty.

Baldus replied that it was a valid concern and explained that as far as the sign is concerned, there would be a 2" conduit that delivers electricity back to the building. He stated everything else would be done within the cloud.

Selge asked what the other sign was in the example.

Booker replied that it was not their sign but rather the sign for the license branch.

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

Lindie Leary (9881 Pine Rd, Plymouth, IN 46563)

Leary introduced herself as the Director of the Bowen Center. She stated if they had been by the Bowen Center, they would have seen that they have been tucked away in the middle of a subdivision for the last 20 years with patients that cannot find them. She stated they have not been able to advertise their services well, so in picking the new location, they were looking for the ability to advertise their services better. She explained the ability to have the sign would allow them to show what doctors and therapists they have, the success of their patients, and the services they have and said she would appreciate a vote in favor of the sign.

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

Board Members Gidley and Webster moved and seconded to approve BZA 2024-06 as presented. The motion passed by roll call vote.

Yes: Gidley, Selge, Webster, Wendel and Jacobs
No: None
Absent: Richie

BZA 2024-07: St. Michael Church, 627 N. Walnut St., Plymouth, IN 46563: A Variance of Development Standards to have a seven (7) foot wide and four (4) and one-half foot tall sign located within the fifty (50) by fifty (50) foot triangle on the corner on parcel 50-32-93-101-114.000-019 at 612 N Walnut St., Plymouth, IN 46563, zoned R-3, Traditional Residential District.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below). There was discussion of a sign at this location already. Gidley explained it was a banner.

St Michael Catholic Church

627 N Walnut St
Plymouth IN 46563
574-936-4935

Members of the Board of Zoning Appeals
124 N Michigan St
Plymouth IN 46563

On behalf of St. Michael Church, I respectfully request the granting of variances to place signs at the church and new church office.

We started submission of building permits to the building commissioner's office and were told that we needed variances. The church sign needs a size and setback variance. On the original estimate for the sign, we were quoted a sign measuring 9' x 6', the face of the sign is actually only 7' wide by 4.5' tall.

Additionally, our proposed placement falls within the 50" x 50" triangle from the corner. I believe this area is prohibited to allow vehicles to be able to see around the corner, but the area we are looking at is behind the city sidewalk and terrace.

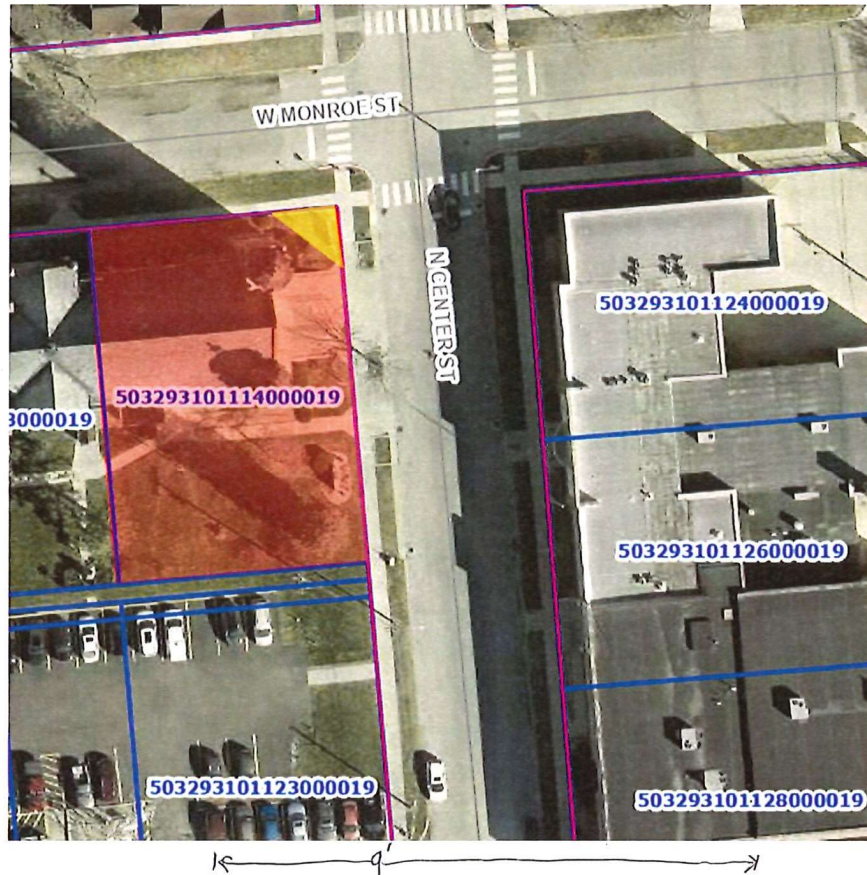
The proposed sign for the office exceeds the allowed square footage. It is being made to match the sign for the church. We originally thought that we would not need a sign at this office, but a lot of our visitors have gone to the neighbors' house, thinking it was the parish office. A sign would help eliminate that problem.

The sign is also supposed to be flush with the building, which would entail pulling out established landscaping. We would like to place the sign in front of the landscaping.

Sincerely,

Rev. Fernando Jiménez,
Pastor

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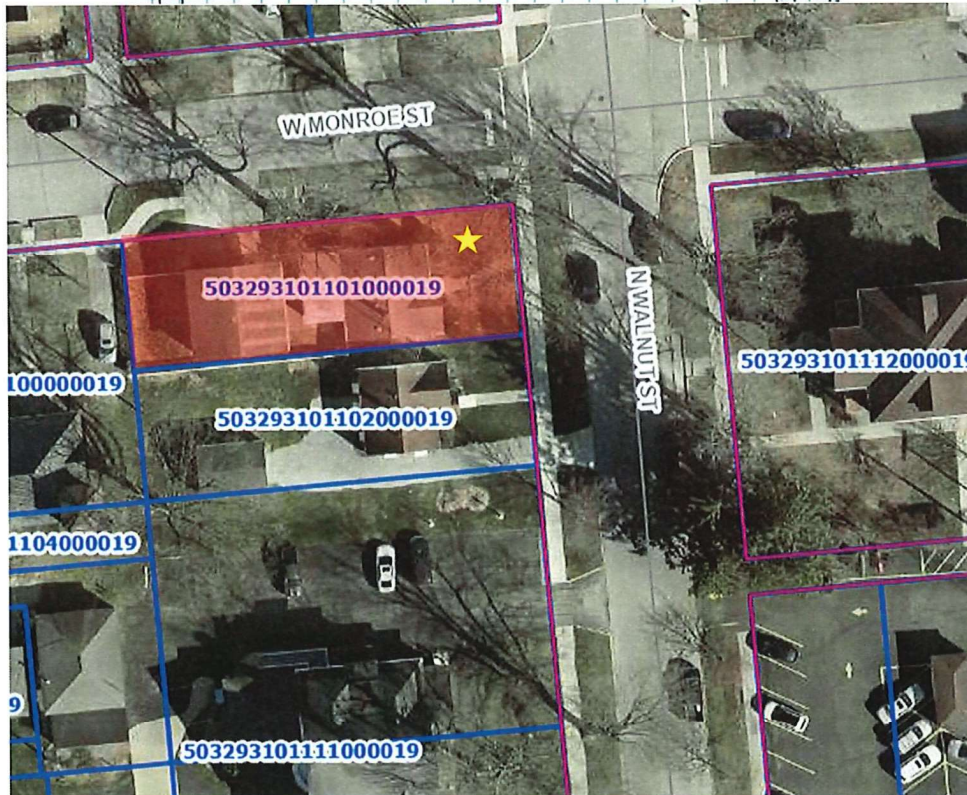
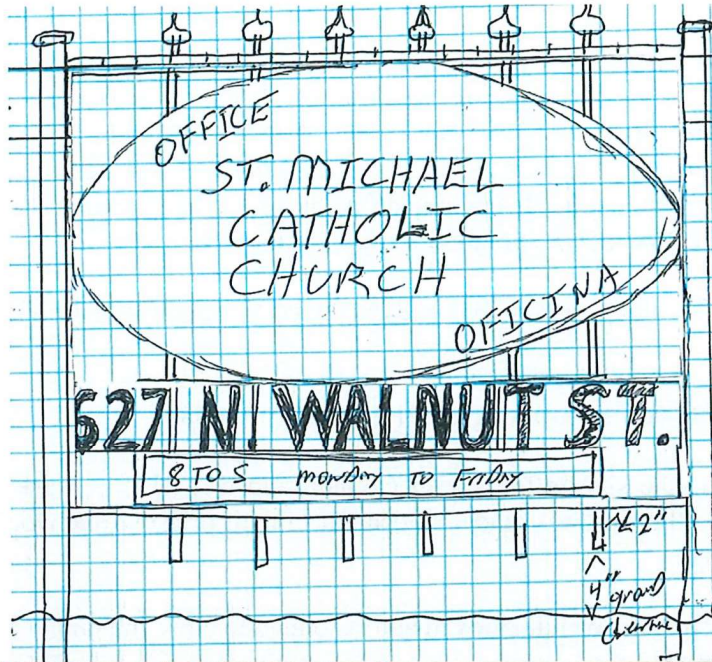


BZA 2024-08: St. Michael Church, 627 N. Walnut St., Plymouth, IN 46563: A Variance of Development Standards to have a flush mounted office sign located on parcel 50-32-93-101-101.000-019 at 627 N Walnut St., Plymouth, IN 46563, zoned R-3, Traditional Residential District.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. The applicant submitted the same letter for BZA 2024-07 (see attached letter above).

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Webster stated he had run into a few people at the grocery store who live in the area and asked them what they thought of the request. He stated he had known the neighbors for years and didn't know if he would be sitting in on the meeting. He stated they believed the signs would be fine.

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Edelmiro Rodriguez (11746 Lawndale Ave., Plymouth, IN 46563)

Rodriguez believed Booker said it all. He stated there used to be a banner there and one of the problems that caused the need to place the sign for BZA 2024-07 in that corner was because they were just fence posts that held the banner up, causing it to sag. He expressed that it looked terrible and explained that the signs would be aesthetically pleasing and welcoming for the community at large and not just the parishioners. He explained that they have had people walk into the neighbor's house looking for the office and the neighbors were not pleased.

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

Norma Rodriguez (11746 Lawndale Ave., Plymouth, IN 46563)

Mrs. Rodriguez stated she sits on the Parish Council and this had been asked for a number of months. She expressed the sign was made by a parent of their priest so she would really appreciate the approval of the sign.

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

Board Members Webster and Wendel moved and seconded to approve BZA 2024-07 as presented. The motion passed by roll call vote.

Yes: Gidley, Selge, Webster, Wendel and Jacobs
No: None
Absent: Richie

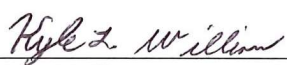
Board Members Selge and Wendel moved and seconded to approve BZA 2024-08 as presented. The motion passed by roll call vote.

Yes: Gidley, Selge, Webster, Wendel and Jacobs
No: None
Absent: Richie

Other Business:

There was no other business at the time.

There being no other business, Board members Selge and Webster moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 10:08 p.m.



Kyle Williams – Recording Secretary