

PLYMOUTH BOARD OF ZONING APPEALS

July 2, 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 July 2, 2024, at 7:30 p.m. Board President Art Jacobs called the meeting to order for Board Members Mark Gidley, Brandon Richie, and Alternate Linda Secor. Board members Alan Selge and Paul Wendel were absent. Alternate Fred Webster 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 Richie and Gidley moved and seconded to approve the minutes of June 4, 2024. The motion carried.

The following legal notice was advertised in the Pilot News on June 20, 2024:

116 Legals

IN 46563, zoned R-2, Suburban Residential District.

PC 2024-10: Indiana Tool & Manufacturing Company, PO Box 399, Plymouth, IN 46563: A Minor Subdivision of 6.89 acres on parcel 50-42-21-000-002.000-009, at 6417 Lilac RD, Plymouth, IN 46563, zoned R-1, Rural Residential District.

PC 2024-11: Garden Court c/o Bradley Company, 112 W. Jefferson ST., Plymouth, IN 46563: A rezoning of parcel 50-32-93-201-236.000-019 to R-4 Multi-Family Residential District, located at East Jefferson St. Street, Plymouth, IN 46563, zoned C-1, General 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.

Kyle Williams, Recording Secretary, Plan Commission, June 20, 2024

116 Legals

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on July 2, 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 2024-09: Norfolk Properties, LLC, 2303 N. Oak Drive, Plymouth, IN 46563: A Variance of Development Standards to have 73.46 square foot double sided monument sign structure with illumination on parcel

50-41-36-000-006.000-020, located at 2923 VanVactor Drive, Plymouth, IN 46563, zoned I, Industrial District.

BZA 2024-10: Arthur Jacobs, 13268 Nutmeg TRL, Plymouth, IN 46563: A Variance of Development Standards to build an accessory building before a primary building on parcel 50-32-08-000-039.000-018, located at 1221 Elm Street, 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.

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Kyle Williams, Recording Secretary, Board of Zoning Appeals, June 20, 2024

June 20, 2024 PN357313 hspalp

BZA 2024-09: Norfolk Properties, LLC, 2303 N. Oak Drive, Plymouth, IN 46563: A Variance of Development Standards to have 73.46 square foot double sided monument sign structure with illumination on parcel 50-41-36-000-006.000-020, located at 2923 VanVactor Drive, Plymouth, IN 46563, zoned I, Industrial 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).

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LETTER OF INTENT FOR CITY OF PLYMOUTH, IN / BZA

ATTN: City of Plymouth
Date: JUNE 3, 2024

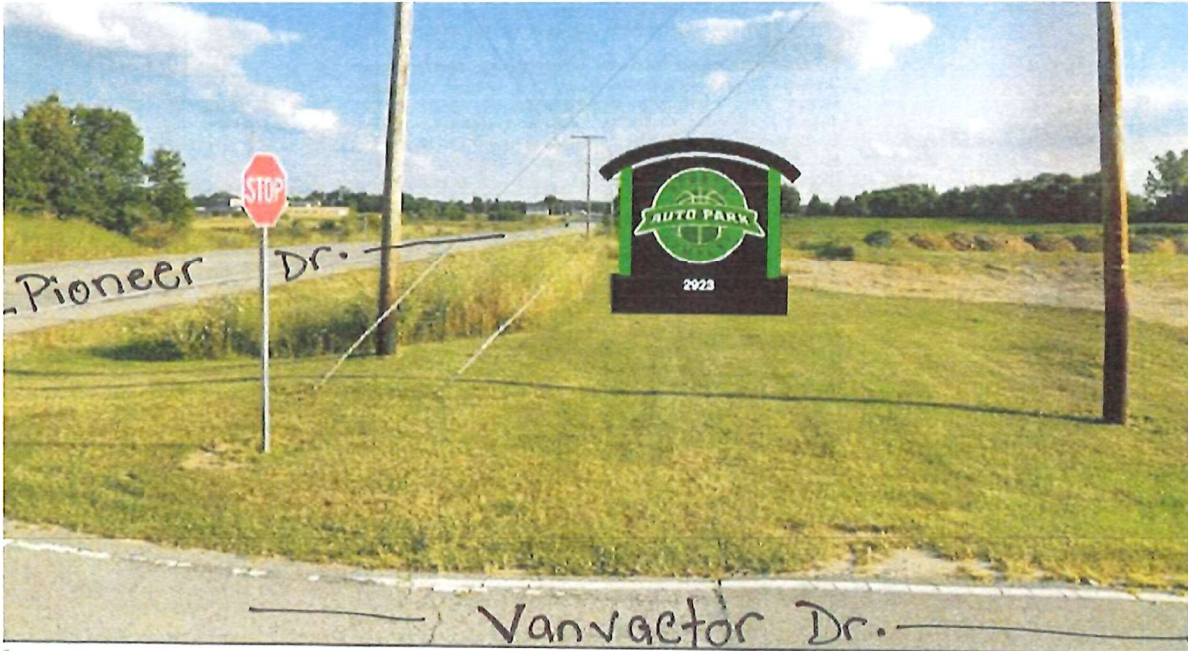
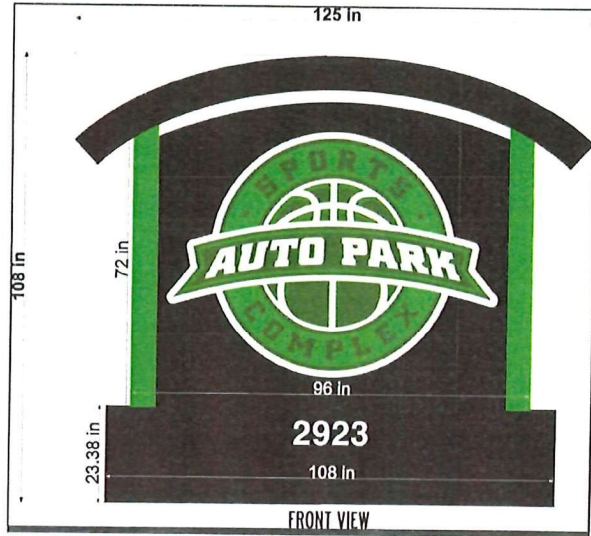
To whom it may concern:

AUTO PARK SPORTS COMPLEX is requesting to install a new 10.42' W X 7.05' H (73.46 SQ FT) DOUBLE SIDED ILLUMINATED MONUMENT STYLE ROAD SIGN AT THE RIGHT OF WAY LOCATED AT 2923 VANVACTOR DR PLYMOUTH, IN.
These changes are necessary to display beneficial information to the public.

Sincerely,

 Owner signature
Dan Kark Owner printed name

NORFALK PROPERTIES LLC
2303 N OAK DR
PLYMOUTH, IN 46563
and
Signtech Sign Services
PO Box 835
Goshen, IN 46527



Jacobs asked what the reason was for the variance, as the county had a sign on that road.

Booker replied that the sign was larger than what was required. He believed that the signage could not be larger than 32 square feet.

Gidley asked how large the sign proposed was.

Booker replied by 73.46 square feet.

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Jacobs asked how large the other signs were on that road.

Booker replied that he had not measured them as this sign would be fairly isolated.

Gidley asked if they were certain this was not on a utility easement.

Booker replied they could not place it on a utility easement.

Houin explained that would not change whether they approve the variance or not. He stated if they were to build a sign that would not require a variance, they would still not be able to place it on a utility easement.

Gidley asked how that would be enforced.

Houin replied that they would still have to apply for a sign permit.

Manuwal stated he had many documents already for the sign, but the permit had not been issued as they still needed a variance from the Board of Zoning Appeals (BZA).

Todd Lehman (1508 Bashor Rd., Goshen, IN 46528)

Lehman stated he was from Signtech Sign Services, and for perspective purposes, the ordinance asked for 32 square feet, and that was a 4 x 8 sheet of plywood. He added that was the smallest they would ever want to do for any identification sign, but it was the ordinance, so that is why they wanted to appeal for a variance. He stated the design of the sign that they presented was something Dan Falk from Norfolk Properties pointed out from a project that Signtech Sign Services did in Goshen, and Falk liked it. He explained they discussed having a sign a little more elevated because of the US 30 traffic and they would like it to be seen when one turned onto Pioneer Drive, but the height restrictions fell into play as well. He stated it was exceeding the height by one foot, which included the topper. He stated the 73.46 square foot sign was just the sign and did not include the base as the rest was more ornamental structure.

Gidley asked if there would be any changes to the design of the sign presented that night.

Lehman agreed the sign was the accepted sign.

Board members Richie and Secor moved and seconded to open the public hearing. The motion carried.

There were no comments at the time.

Board members Richie and Secor moved and seconded to close the public hearing. The motion carried.

Richie explained that from seeing the Zone when it started to where it is now, there had been so much loss potential for what it could bring to Plymouth. He stated part of that came from what he

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had heard from people out of town who said it was hard to locate the Zone as it was not really visible for where the location was. He stated he would support any sign that they would put up as it really would open up our community from people outside the community for events and said it was a great sign.

Lehman commented that he had met Falk there for an event for Veterans, and he was very impressed by the community center.

Richie stated it could be utilized for so much, but it seemed like so much wasted potential of what the building could have been utilized for. He stated, as there was not much out there, that the sign could spur more to be out there.

Board Members Richie and Secor moved and seconded to approve BZA 2024-09 as presented. The motion passed by roll call vote.

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

Vice President Mark Gidley took over the meeting for President Arthur Jacobs.

BZA 2024-10: Arthur Jacobs, 13268 Nutmeg TRL, Plymouth, IN 46563: A Variance of Development Standards to build an accessory building before a primary building on parcel 50-32-08-000-039.000-018, located at 1221 Elm Street, Plymouth, IN 46563, zoned R-2, Suburban 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).

Ralph,

You left me a message about my pole barn. Here is my plans. We plan to have the home and pole barn basically started at the same time. We are in the process of getting the building site to grade that encompasses the house and pole barn. The pole barn will go up way quicker than the house as you can imagine. Once the pole barn is up we will use it to house equipment and materials for the house while it is being built. We are not selling our current residents until the full project is complete in year or so.

Art Jacobs

Principal

ajacobs@thegibsonedge.com

O 574.245.3573 | C 574.780.0220

Gibson | thegibsonedge.com

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Arthur Jacobs (13268 Nutmeg Trl., Plymouth, IN 46563)

Jacobs stated they would be building both a home and a pole barn at the same time. He explained that they still had to do the site grade before pouring the cement for the driveway, the house, and the pole barn, but stated the pole barn would likely go up quicker, and the plan was to house equipment and materials in it that they did not want stolen off the property.

Gidley asked if it would be the same developer for the house and pole barn.

Jacobs replied that Contemporary Construction would be the general contractor on the project, and they would be using the same crew building the house to build the pole barn. He stated they were out of Napanee, Indiana. He stated the plan would also be to annex the home into the city once all the setback boundaries were right.

Board Members Richie and Secor moved and seconded to open the public hearing. The motion carried.

There were no comments at the time.

Board Members Secor and Richie moved and seconded to close the public hearing. The motion carried.

Board Members Richie and Secor moved and seconded to approve BZA 2024-10 as presented. The motion passed by roll call vote.

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Yes: Gidley, Richie, and Secor
No: None
Absent: Selge and Wendel

Other Business:

Richie mentioned the IMI project on the corner of King and 11th Road and asked who was responsible for holding who accountable out there. He said he kept hearing about a lot of motion and activity out there as people were getting concerned.

Manuwal replied that everything was in order, and explained that they were putting fencing up around it to keep people out. He stated they do plan on putting berms in, which they were working on, and they planned on planting some type of foliage. He stated he had people contact him and ask about it. He stated in talks with them that they did not plan on planting six-foot shrubs, as they would take time to grow, but they were looking at something that grew in a fast manner.

Gidley shared that he went by there multiple times a month, but said from the looks of the berm that they put up and the fact that they hydroseeded it and put the grass mat down, he was satisfied with the results. He explained that one of the concerns, when people were fighting the project, was the sand that was blowing off of the other gravel pit. He believed they had indicated they would try to get better control of the sand blowing off the pile.

Manuwal explained that the huge pile of sand that butts up to the subdivision was apparently there when they purchased the property. He stated there was unfortunately so much of it there, they were even trucking it to some of their southern locations.

Richie brought up the concerns about the hazardous materials by their admission on their own website.

Manuwal explained that what he was mentioning was the silica and said that silica was in any stone project. He stated if one smashed a rock, there would be silica.

Gidley mentioned they were trying to lower the height of it so it did not blow into the neighboring subdivision. He stated the pile was noticeably higher than the tree line, and from what Manuwal told him, they were aware they had a problem with the pile being that high.

There being no other business, Board members Richie and Gidley moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 7:59 p.m.



Kyle Williams— Recording Secretary