

MINUTES
COLUMBIA CITY BOARD OF ZONING APPEALS
REGULAR MEETING
TUESDAY, SEPTEMBER 4, 2018
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER

MEMBERS PRESENT

Marquis Jones
Jon Kissinger
Anthony Romano
Dennis Warnick

STAFF

Nathan Bilger
Amanda Thompson

ATTORNEY

Dawn Boyd

MEMBERS ABSENT

Dwayne Knott

VISITORS

8 of the 10 visitors signed the guest list at the September 4, 2018, Columbia City Board of Zoning Appeals meeting. A guest list is included with the minutes of this meeting.

CALL TO ORDER

Mr. Kissinger called the meeting to order at 7:00 P.M.

ROLL CALL

Ms. Thompson read the roll call with members present and absent listed above.

CONSIDERATION AND ADOPTION OF THE AUGUST 7, 2018, REGULAR MEETING MINUTES

Mr. Warnick made the motion to approve the August 7, 2018, meeting minutes as presented. Mr. Romano gave the second, and the motion carried with a unanimous vote.

ADMINISTRATION OF THE OATH TO WITNESSES

Four guests were sworn in by Ms. Boyd.

OLD BUSINESS

There was no old business. Mr. Bilger informed the Board that the rezoning request for the salvage yard special exception that they heard during their August meeting was approved by the Council. The approval is contingent upon recordation of the commitments presented at the meeting.

NEW BUSINESS

1. 18-C-SE-6

Joseph and Lauren Urschel requested a Special Exception for an apartment at 210 S. Chauncey Street, Columbia City. Mr. Bilger summarized the Staff Report. He described the property and explained the petitioners' request to convert the detached garage into a 2-story apartment. Mr. Bilger suggested one condition of approval, which was to require at least 750 square feet of living space. He noted that the Urschel's proposal exceeds this measurement but because this is the Ordinance's requirement, it may be beneficial to state in the event that there are changes to the planned layout.

Mr. Kissinger invited the petitioner to describe the case. Joe Urschel introduced himself and told the Board the details of his plan. He explained that the roof and trusses need redone, and the apartment's floor plan may change slightly depending on the results of that construction. Mr. Bilger asked if the apartment would be for a relative. Mr. Urschel replied that it would be for anyone at this time, but it could be for a relative in the future. He clarified that the apartment would provide a source of income for his family. The Board members briefly discussed the parking plan with Mr. Urschel.

There were no further questions for Mr. Urschel. No one else was present who wished to speak with regard to the petition except that Charles Persons pointed out an error in the locational description on the meeting agenda. The property is located approximately 200 feet south of Market Street, not Van Buren Street. The public portion of the meeting was then closed for Board discussion, and Mr. Warnick made the motion to approve 18-C-SE-6 with the condition that the total living space must be 750 square feet and also, the raising of the roof must be discussed with the power company. Mr. Romano gave the second, and the Board voted unanimously in approval.

2. 18-C-SE-7 and

3. 18-C-VAR-4

Before item 18-C-SE-7 was introduced, Mr. Bilger asked Mr. Kissinger if item 2 and 3 could be heard at the same time because they were regarding the same project. Mr. Kissinger gave his consent. The petitions were filed by West Ellsworth Development, LLC, who requested a Special Exception for outdoor storage at approximately 619 W. Ellsworth Street, Columbia City. They also requested a Variance of the Parking Code to allow for a gravel parking lot on the same parcel. Mr. Bilger gave the Staff Report and explained that the Novae company intended to create a gravel parking lot, and they planned to use this parking lot for the outdoor storage of their products in addition to employee parking. 3 suggested conditions of approval were listed in the Staff Report.

Mr. Kissinger asked if the petitioner was present. Steve Bermes addressed the Board and introduced himself as president and CEO of Novae Corp., the sole member of West Ellsworth Development. He explained that the company needs more room to store their completed products as well as some trailers that need to go outside between the finishing process and final assembly. Mr. Bermes stressed that the parking area nearest to the building is most ideal for their product storage, and so, the employee parking is planned to be relocated to the proposed parking lot. On the site plan, Phase I would be developed first and for employee parking. Phase II would be completed at a later time and would be for product storage. Mr. Warnick asked if the items currently stored on the north side of the building would be moved to the Phase II area. Mr. Bermes replied that they intend to keep the existing product storage areas and that Phase II would be for additional storage, if needed. Mr. Romano asked if the proposal would affect the open drain. Mr. Bermes was confident that there would be plenty of distance between the parking lot and the drain. He added that they want to leave much of the vegetation for screening. Lighting was also discussed. Mr. Bermes stated that only downcast LED lights would be used. Mr. Jones asked if the lot would be paved in the future. He said that the regulation was established because gravel lots produce a great amount of dust. Mr. Bermes requested to be allowed to keep the lot gravel because of the cost and also because heavy equipment quickly degrades pavement. He would be happy to apply calcium chloride or some other treatment to control the dust.

When all the Board's questions had been satisfied, Mr. Kissinger asked if anyone else was present who wished to speak. Charles Persons came forward and explained that he had a building close to the property line bordering Novae Corp. He wanted the Board and the petitioner to know that he believed there was a tile system put into this parcel by a previous owner.

John Burkett introduced himself to the Board and stated that he wants the ditch respected. He was not too bothered by the proposed lighting and was happy to hear that the trees would remain intact. He questioned whether or not there would be additional truck traffic on Ellsworth Street. Mr. Bermes replied that the proposal should have no impact on traffic flow.

There were no further comments from the public, so Mr. Kissinger closed the public portion of the meeting. Mr. Warnick made the motion to approve 18-C-SE-7 with the following conditions:

1. A dust control product must be applied in the spring and summer.
2. Any lighting must be LED down lighting.
3. The County Drainage Board must approve any encroachment into the 75' legal drain easement of Phillips.
4. Vegetation along the west bank of the ditch will be left undisturbed so as to provide screening.

Mr. Romano gave the second. The Board voted unanimously to carry the motion. Mr. Warnick then made the motion to approve 18-C-VAR-4 with the same conditions. Mr. Romano gave the second, and the Board voted unanimously in approval.

4. 18-C-VAR-5

Columbia City Consultants, LLC, requested a Front Yard Setback Variance to allow for the construction of a single-family attached structure at 216/218 E. Ellsworth Street, Columbia City. Mr. Bilger summarized the Staff Report. He explained that one single-family attached structure was already under construction on the west side of the parcel which will eventually be divided so that each structure is on its own lot. The structure proposed on the east side of the parcel meets the setback requirement on the north side of the property, but since it is a corner lot, the proposed 11' setback along Whitley Street would not be compliant, and a 14' variance is requested.

Brooks Langeloh, representative of Columbia City Consultants, LLC., provided information on the proposed building. He stated that the new dwelling would match the one already being constructed on the other half of the property. He felt that the 25' front setback along Whitley Street would be a hardship, especially considering the wide right-of-way of the street and the surrounding historic context.

Mr. Warnick questioned how the building would be sold, if it would be a villa or be leased. Mr. Langeloh explained that the lots would be divided along the common wall, and each property owner would own both their part of the structure and the land. This would create a total of four individual parcels in the end.

Mr. Kissinger asked if anyone else was present who wished to speak. There being none, the public hearing was closed. The Board had no further questions.

Mr. Jones made the motion to approve 18-C-VAR-5 as presented. Mr. Warnick gave the second. The Board voted unanimously to approve the motion.

OTHER BUSINESS

There was no other business. Mr. Romano requested that meeting packets be received sooner. He suggested calling or emailing members to pick them up from the office instead of having them mailed.

ADJOURNMENT

There being no further discussion, Mr. Kissinger made a motion to adjourn the meeting. Mr. Jones gave the second, and the members voted unanimously in favor. The meeting was adjourned at 7:56 P.M.

GUEST LIST

1. Steve Bermes ----- 1 Novae Parkway, Markle, IN
2. Roger Groves ----- 209 S. Whitley Street, Columbia City, IN
3. Pat Groves ----- 209 S. Whitley Street, Columbia City, IN
4. Steven Wyland ----- 215 E. Ellsworth Street, Columbia City, IN
5. Charles D. Persons ----- 516 W. Spencer Street, Columbia City, IN
6. Mrs. Charles D. Persons ----- 516 W. Spencer Street, Columbia City, IN
7. Joe Urschel ----- 210 S. Chauncey Street, Columbia City, IN
8. Brooks Langeloh ----- 818 N. Newport Run, Columbia City, IN