

MINUTES
COLUMBIA CITY BOARD OF ZONING APPEALS
REGULAR MEETING
JUNE 6, 2023
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Stacey Dumbacher (E)
Cathy Gardner
Jon Kissinger, Chairman
Anthony Romano, Vice Chair
Dennis Warnick

MEMBERS ABSENT

None

STAFF

Nathan Bilger
Brent Bockelman

ATTORNEY

Dawn Boyd

(E)lectronic participant

AUDIENCE MEMBERS

Twenty-four visitors signed the Guest List at the meeting. There were no attendees on the webcast. A Guest List is included with the minutes of this meeting.

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Mr. Kissinger called the meeting to order at 7:00 P.M. Mr. Bockelman read the roll with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The Board considered minutes from previous meetings. Mr. Warnick made a motion to approve the July 5, 2022, minutes. Mr. Romano gave the second. Motion passed 4-0-1, by roll call vote, with Ms. Gardner in abstention due to her absence from the July meeting. Ms. Gardner motioned to approve the September 6, 2022, minutes. Mr. Romano gave the second. Motion passed 4-0-1, by roll call vote. Ms. Dumbacher abstained since she was not present at the September meeting. Mr. Warnick made a motion to approve the December 6, 2022, minutes. Ms. Gardner gave the second. Motion passed 4-0-1, by roll call vote; Ms. Dumbacher abstained. Ms. Gardner made a motion to approve the February 7, 2023, minutes. Mr. Romano gave the second; motion passed 5-0, by roll call vote.

ADMINISTRATION OF OATH

Ms. Boyd administered the Oath to visitors planning to speak at the meeting.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 23-C-VAR-1

Dana and Vicki Robinson requested approval of a Variance of the front setback and Building Line to allow for the construction of a front covered porch. Mr. Bilger summarized the Staff Report. He described the request for a 5' x 37' front porch at 962 W. Ryan Road, being a lot in Brookwood Estates; the proposed porch encroached past the platted Building Line as well as the required front yard setback for the Single-Family Residential Zoning District. Mr. Bilger noted that the existing stoop also was an encroachment, but stoops are exempt from setback requirements. He displayed aerial images and the site plan and then summarized the Review Criteria. There were no questions for Mr. Bilger.

Mr. Kissinger requested to hear from the petitioner. Vicki Robinson approached the podium and explained that one of the reasons they would like a porch is to shield the house from the sun's heat. She added that the porch would be an aesthetic addition to their Cape Cod style house. Ms. Robinson confirmed that the existing stoop is 5' x 7', so the porch would cover a very similar area. Mr. Warnick asked if the porch would be enclosed. Ms. Robinson replied that it would only have a railing around it, no walls. Mr. Gardner asked if Brookwood Estates had a Homeowner's Association. Ms. Robinson replied that there was none.

Mr. Kissinger asked the audience if anyone else wished to speak with regard to the petition. Hearing none, he closed the public portion of the meeting. Mr. Romano made a motion to approve the petition as presented. Ms. Gardner gave the second. By roll call vote, the motion passed, 5-0.

2. 23-C-SE-4

Mission 25 requested approval of a Special Exception to operate a multi-family, certified recovery residence at 615/623 N. Opportunity Drive. Mr. Bilger explained that the use approved for Mission 25's current location was "halfway house," and the proposal for the new site was described as a "multi-family, short-term dwelling that is a certified recovery residence," so an "apartment" use could also be appropriate for the Board's consideration. Mr. Bilger described the site and discussed the floor plan. Two site plans were submitted when the petition was filed, and Mr. Bilger summarized his notations on both plans, as described in the written Staff Report. He suggested five conditions of approval, also listed in the Staff Report. There were no questions for Mr. Bilger, and Mr. Kissinger asked to hear from the petitioner.

Matt Shipman, Board President for Mission 25, and Shawn Ellis, CEO, addressed the Board. Mr. Shipman considered the Review Criteria in the Staff Report and discussed that Mission 25 is a unique use that is not explicitly covered in the Zoning Ordinance. He agreed that "apartment" could be an acceptable term but stated that Mission 25 is not a halfway house. He added that Mission 25 is not assisting incarcerated individuals. Mr. Shipman noted that the Board had received a packet of information that included letters supporting Mission 25 as a good neighbor from surrounding property owners at the group's current location. He stated that the design for the new building was such that it would blend in with the existing properties in the area. Mr. Shipman discussed the preferred orientation of the building, being off Opportunity Drive, mainly because the alternate plan may encourage through traffic as a shorter route to nearby businesses. Mr. Shipman concluded his statements saying that Mission 25 felt their project would preserve the purpose of the Ordinance.

Ms. Ellis described the organization's mission. She stated that Mission 25 is not a halfway house, not a treatment facility, and not technically a homeless shelter. Ms. Ellis said there is a focus on trauma-informed care, and they work with individuals who have previously been incarcerated, people who have gone through a treatment facility, victims of domestic violence, individuals who have gone through a mental health facility, and people who are housing displaced. Ms. Ellis said many people helped by Mission 25 are burdened by 2-3 of these barriers. She stated that Mission 25 has been at its current location for 21 years and had outgrown it long ago. Ms. Ellis was moved while considering the increased positive impact a new building will have on Whitley County lives. As an example, she stated that at the current building they can help 4 adult men, but in the new building, they could provide assistance for up to 12 men while also having additional space for single fathers with children. She stated there is a large need in this area for assistance for fathers with children. Ms. Ellis described that single women often have faced hardships that cause them distress when they are placed in shared spaces with mothers caring for children; the new building seeks to minimize this concern by providing a separate space for single women. She added that currently they have multiple office buildings for staff members, and the new building will be able to accommodate all the staff while now also allowing space for other professionals who may be invited to provide assistance. Ms. Ellis said some people have asked why this location was chosen, and she stated that this location provides access to multiple supports and services that are critical to Mission 25's clients. In conclusion, she shared several stories that marked the positive impact that Mission 25 has on the people they help.

Mr. Warnick asked what Mission 25's plan would be for their current location. Ms. Ellis said they do not intend to retain it, and there is a person who has expressed interest in the property. Ms. Gardner sincerely thanked Ms. Ellis for her detailed presentation, and she inquired as to how Mission 25 is funded. Ms. Ellis deferred to the organization's treasurer, Cassie Bumbaugh. Ms. Bumbaugh additionally introduced herself as the owner and Chief Financial Officer of Scientific and Regulatory Consultants, Inc., and a Mission 25 Board member for 6 years. She stated that Mission 25 receives funding from grants as well as from individual donations. Ms. Bumbaugh explained that the new building would be funded by grants from the Community Foundation and via a capital campaign. She stated that the project would be primarily grant funded.

Mr. Romano asked how green space would be developed, considering the likelihood of there being children on site. Ms. Ellis said they do intend to have a playground area, as they do with their current location, but their experience has been that children do not use the area much because there is so much that happens inside the building and because most of the children are at school.

Ms. Gardner said she understood the concerns described regarding the parking lot layout, but she expressed an aesthetic preference for the eastern-facing building footprint and landscaping (Site Plan A). Ms. Gardner offered that she didn't feel the second entrance would be necessary, and she encouraged Mission 25 to install sidewalks. Ms. Ellis said they are considering sidewalks and have discussed the subject with their contractor. Mr. Bilger asked if Mission 25 had considered eliminating one of the two proposed entrances. Mr. Shipman stated that, considering traffic flow, he would suggest removing the Connexion Way access. The Board members nodded in agreement. Mr. Warnick expressed support for Site Plan B and having only one entrance. Ms. Dumbacher thanked Mission 25 for their

service to the community. She also voiced support for a single entrance and stated that it seemed safer for children, who may be less mindful of traffic coming through a site with two entrances. Ms. Dumbacher additionally asked if children were included in the number counts provided in the description of maximum residents. Ms. Ellis confirmed that was the case. Ms. Dumbacher asked what professions might be invited into the building to provide additional resources. Ms. Ellis replied that visitors include Child Services caseworkers and therapists who already have an established relationship with a resident. She stated that “unexpected guests” have never been permitted, and Mission 25 will continue to enforce this rule at the new location. There were no further questions for Ms. Ellis, and Mr. Kissinger asked if anyone else wished to speak.

Wes Mullet, Mission 25 Board member and an employee of Whitley County Consolidated School Corp. (WCCS), spoke in favor of the petition and shared some benefits he has personally seen because of Mission 25. He described that the mother of one of his former foster children had been a resident at Mission 25 and was greatly helped. Mr. Mullet said he had hired several former Mission 25 residents at WCCS and appreciated being able to connect the school with skilled individuals. He added having seen that many children in the school system benefit from the resources Mission 25 provides.

Lindsey Grossnickle, deputy prosecutor for Whitley County and a Mission 25 Board member, told the Board that Mission 25 was helping children as part of their Miami Village project, a project funded by the Community Foundation, through donations from the community, and a Circuit Court Grant Program. Ms. Grossnickle said the school system had contacted Mission 25 and asked for support for Miami Village children. She described that Mission 25 held a soccer camp last year and will again this year, also including children housed at Mission 25. She stated that the United Way provided snacks during the camp, the high school soccer team players have come out to help coach and participate, and multiple City and County employees supported the campers by coming out to watch their big game. Ms. Grossnickle shared that the children learned how to play an organized sport and enjoyed being part of a team. She was honored to have been involved in this program that so greatly supported the children and the community.

Doug Fahl told the Board he can see the subject property from his house. He said he has been involved with Mission 25’s Board for 5-6 years. Mr. Fahl provided a description of a halfway house and explained that Mission 25 is not a halfway house because they help people with many different needs. He said the most vulnerable individuals in our community are those with mental health issues. Mr. Fahl described that Mission 25 seeks to support people by identifying root problems and providing comprehensive assistance in a safe and caring environment. He spoke highly of Ms. Ellis and praised the details and safety protocols she has put in place to maximize the positive impact Mission 25 has on the individuals it supports and the community as a whole.

September McConnell, CEO of Whitley County Community Foundation, told the Board that in 2018, the Foundation found that 94% of prescriptions written in Whitley County were for opioids. She said the organization started identifying puzzle pieces and began creating a plan to provide assistance to the community. Ms. McConnell stated that the Foundation partnered with Work Release, Mission 25, and the Whitko Career Academy to connect individuals in need with education that would help them to obtain better jobs and improve their quality of life. Ms. McConnell considered her experiences working alongside Mission 25 and stated

that “after 21 years of partnering with Mission 25, nobody does it better.” She expressed her support for Mission 25’s cause and voiced that the Community Foundation would continue to support and to organize funding for Mission 25 for years to come.

Andy More concurred with the previous comments regarding the quality of help and support that Mission 25 offers. He spoke highly of Ms. Ellis and Ms. McConnell and the work they and their organizations provide to the community. Mr. More stated that his business is located near the subject property, and he had no concerns about there being any negative impact from Mission 25’s proposed use. He added that, over the years, he has been affiliated with both Mission 25 and the Community Foundation. Mr. More said that he has never seen any misconduct at Mission 25’s current location, and the property has always appeared well maintained. He praised the work being done at Miami Village. Mr. More described Mission 25 as Whitley County’s most valuable resource for educating parents on how to care for children, teaching about nutrition, and helping to resolve financial concerns. Mr. More listed the surrounding businesses and felt Mission 25 would be a good fit in the area.

Melinda Woll, financial advisor with Edward Jones and Mission 25 Board member, told the Board that Mission 25 desperately needs a new location because maintaining the current structure is too costly. She said that if the proposed location is not accepted, they will find another because the organization cannot stay where it is now.

Nicki Venable, Mission 25 Board member, expressed that the people Mission 25 helps are this community, and there is no community without the people that are everyone’s parents, brothers, daughters, and neighbors. She referenced that anyone can find themselves in need, at any time, even those in attendance at the meeting. The Board thanked Ms. Venable for her heartfelt comments.

Kim Patterson told the Board that she has heard many good things about what Mission 25 does and how they operate their organization and facility. She supported their cause, but she did not feel that there should be children living in and near business and light-industrial districts. Ms. Patterson felt the comments others provided at the meeting seemed to be directed more towards seeking donations than towards proving this location as a suitable place for their residents. She said she would be less concerned if the residents were all adults. Ms. Patterson stated that a rehab facility, being for drugs, alcohol, psychological and behavioral issues, etc., is across the street from the proposed site, and there is also a new jail under construction nearby. She cited having read in Mission 25’s Good Neighbor Policy that children would be using bicycles, so she felt there was a strong possibility that they would be riding them through business parking lots. She emphasized her concern for the children’s safety and said the City and County should be able to find a location that would be more appropriate for a residential use.

No one else wished to speak with regard to the petition, and Mr. Kissinger closed the public hearing. Mr. Warnick made a motion to approve 23-C-SE-4 with the conditions suggested in the Staff Report. Ms. Gardner took a moment to thank Ms. Patterson for her comments and stated that she appreciated and understood her perspective. She offered that Mission 25 has been operating for 21 years and has demonstrated that they are able to secure their business. Ms. Gardner referenced Ms. Ellis’ statement that the work Mission 25 does is inside the building. She recalled there were several individuals who spoke at this meeting and expressed that safety is one of the organization’s core focuses. For these reasons, Ms.

Gardner felt she could not deny the petition with respect to Ms. Patterson's comments. Mr. Kissinger concurred with Ms. Gardner. Ms. Gardner seconded the motion. By roll call vote, the motion passed 5-0.

OTHER BUSINESS

3. 22-C-SE-4

Mr. Bilger provided a status update regarding the conditions of approval for the Special Exception previously granted to S & K Stuff, LLC, for additional outdoor storage at 205 E. Swihart Street. He stated that the conditions were required to be satisfied by May 1, 2023. Mr. Bilger reported that the driveway was in place, and the fence enclosure had been completed. He stated that he had verified at various times that the lighting was satisfactory, and he said this would be an ongoing duty. Mr. Bilger described having received no comments or complaints regarding on-street parking. He described that there was a neighbor who called to provide an update based on their perspective from the north side of the property; although a few items were still outstanding at that time, during a later conversation, the neighbor agreed the situation had improved. Mr. Bilger stated that he expected the neighbors would inform the department if the hours of operation exceeded their limitation. Mr. Bilger displayed recent photos of the site and pointed out the areas of improvement and compliance. He stated that the property tenant was planning to request to amend the special exception to allow for a second office trailer. Mr. Bilger said the property owner instructed the tenant to manage the amendment. He requested to know if the Board considered these conditions satisfied, and they conceded their agreement of such.

Mr. Warnick mentioned Mr. Bilger had emailed another item of interest. Mr. Bilger stated that the Mayor had requested he forward to the members an invitation to the upcoming Indiana Department of Transportation (INDOT) US 30 meeting. He said the project planning is slightly more than halfway completed so INDOT is transitioning from the information gathering stage towards identifying a purpose/intent to determine what improvements are needed, if any, to the existing conditions; the next stage will be analysis of the information they've obtained. Mr. Bilger explained other stages to come and listed people he knew would be attending the meeting.

ADJOURNMENT

There being no further business, Mr. Kissinger made a motion to adjourn. Ms. Gardner gave the second, and the meeting was adjourned at 8:27 P.M.

GUEST LIST

1. Don Armstrong 671 N. Armstrong Drive, Columbia City
2. Vicki Robinson 962 W. Ryan Road, Columbia City
3. Scott Allison 343 N. Chauncey Street, Columbia City
4. Dana Robinson 962 W. Ryan Road, Columbia City
5. David Jost 2559 E. Beech Avenue, Columbia City
6. Kelly Jost 2559 E. Beech Avenue, Columbia City
7. Todd Jones 960 S. 900 West -92, Pierceton
8. Cassie Bumbaugh 501 N. 850 West -92, Pierceton
9. Melinda Woll 235 N. 300 West, Columbia City
10. Kathy Heuer 973 E. Gatesworth Drive, Columbia City
11. Wesley N. Mullett 380 W. Gates Road, Columbia City
12. Don Langeloh 660 W. Park Street Ext, Columbia City
13. Andy More 5715 N. Ashford Drive, Columbia City
14. Sara St. Clair 8124 W. 100 South, Larwill
15. Matt Shipman 119 S. Main Street, Columbia City
16. Shawn Ellis 315 S. Chauncey Street, Columbia City
17. September McConnell 4125 E. Old Trail Road, Columbia City
18. Lindsey Grossnickle 10 EMS T7 Lane, Leesburg
19. Jacie Worrick 1220 S. Raber Road, Columbia City
20. Doug Fahl 210 N. Rosalind Court, Columbia City
21. Kennedy St. George-Saggars 7824 W. 200 North, Larwill
22. Nicki Venable 253 W. 150 North, Columbia City
23. Kim Patterson (*Did not sign in*) 4880 W. 500 North, Columbia City

GUEST LIST (WEBCAST)

24. None.