

**MINUTES  
BOARD OF ZONING APPEALS  
SEPTEMBER 25, 2017**

The Warsaw Board of Zoning Appeals met for regular session on Monday, September 25, 2017 at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

Present: Tom Allen, Rick Keeven, Jeff Johnson, Dan Smith, Justin Taylor (Assistant City Planner), Kim Arnold (Recording Secretary),

Absent: Tammy Dalton, Mike Valentine (City Attorney)

**CALL TO ORDER**

Allen called the meeting to order.

The August 28, 2017 meeting minutes were reviewed and presented for approval. Smith made a motion to approve the August 28, 2017 meeting minutes as presented. Keeven seconded the motion. The motion carried unanimously.

**ORAL OR WRITTEN COMMENTS OR REPORTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**2017-09-01-Variance from Development Standards – 111 E. Ft. Wayne St. – Jaime Davila-**

Assistant Planner Taylor gave a brief explanation of the request. The petitioner is requesting a Variance from Development Standards to allow for a 5' rear yard setback instead of the existing 15' setback, as well as a variance to permit greater than 65% impervious lot coverage. The petitioner would like to construct a two car wide carport behind the house. The proposed addition would bring the impervious surface to approximately 70% of the lot.

Lots in this neighborhood are generally small. These size constraints can often create unintended limitations especially in areas where density is desirable. Additions to homes in this area should be encouraged to maintain value in a competitive market.

Zoning District	RR-1	R-1	R-2	R-3
Maximum Lot Coverage	45%	45%	50%	65%
Minimum Rear Yard	25'	25'	*20'	*15'

12.0.3. - R-3 residential district.

12.0.3.1.

Description of district. This [R-3] district provides for high density residential areas within the community. The intent of this district is to create a predominantly residential environment for all types of residential structures, in addition to schools, parks, public facilities and other uses which serve the residents of the [R-3] district. Professional offices and some commercial uses, serving the neighborhood, will be permitted. This [R-3] district should relate to the central business district and to primary thoroughfares providing access to site and to other areas of the community.

12.0.3.2.

Development standards. See Tables 3 and 4 for the development standards for this [R-3] district.

**Recommendation:**

Based on the information provided, it is the opinion of the Planning Department that this case could be viewed favorably, when measured by the criteria delineated within the Findings of Fact.

**Attachments:**

- 1) Aerial Photo
- 2) Survey
- 3) Proposed Plan
- 4) Findings of Fact
- 5)

Allen opened the meeting to any person wishing to speak in favor of the petition. Jaime Davila, the petitioner, was present to explain the request and answer any questions. Allen closed the meeting to any person wishing to speak in favor of the petition and opened it to any person wishing to speak against it. There was no person present to speak against the petition. Allen closed the meeting to the public.

Motion was made by Smith to approve *2017-09-01-Variance from Development Standards – 111 E. Ft. Wayne St. – Jaime Davila*. Johnson seconded the motion. The motion passed unanimously.

*2017-09-02-Variance from Development Standards-1421 E. Center St.-Keith and Cristina Ousley* Assistant Planner Taylor gave a brief explanation of the request. The petitioner is requesting a Variance from Development Standards to allow a 3’x 5’ sign in an R-2 Zoning District. R-2 Zoning Districts typically do not allow signs of this kind; however, the Center Street corridor has an overlay district that describes restrictions in the physical appearance of

home conversions. The intent is clear that properties along Center Street should be allowed to serve as minimally intensive office and retail, if they retain their residential character.

Historically this property has served as an office and signage has been a part of that use. Numerous properties along the Center Street overlay district have applied for and have been granted variances to permit signage by this Board. This request seems to be in line with past approved requests.

13.4.3.3.

#### R-2 Residential Districts

A. One monument sign is permitted at each primary entrance to a subdivision, apartment complex, or other residential development.

- a. The sign shall not exceed 16 square feet in area and 4 feet in height.
- b. The sign may be externally lit.
- c. The sign shall incorporate at least one of the following decorative features:
  - i. Landscaping around the base of the sign equal to  $\frac{1}{2}$  the area of the sign face
  - ii. Decorative brick embellishments around two sides of the sign
  - iii. An alternative design feature if approved by the Warsaw Planning Department

#### **Recommendation:**

Based on the information provided, it is the opinion of the Planning Department that this case could be viewed favorably, when measured by the criteria delineated within the Findings of Fact.

#### **Attachments:**

- 1) Aerial Photo
- 2) Proposed Sign
- 3) Findings of Fact

Allen opened the meeting to any person wishing to speak in favor of the petition. Keith and Cristina Ousley, the petitioners, were present to explain the request and answer any questions. As no other person was present to speak in favor of the request Allen closed the meeting to any person in favor and opened it to any person wishing to speak in opposition of the petition. No person was present to speak in opposition of the petition. Allen closed the meeting to the public.

Discussion followed among the Board members. Motion was made by Keeven to approve ***2017-09-02-Variance from Development Standards-1421 E. Center St.-Keith and Cristina Ousley.*** Smith seconded the motion. The motion passed unanimously.

## **OTHER MATTERS THAT MAY COME BEFORE THE BOARD**

- Next meeting will be Monday, October 23, 2017

Keeven made a motion to adjourn the meeting; Johnson seconded the motion. The motion carried unanimously. The meeting was adjourned.

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Tom Allen, President

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Kim Arnold, Recording Secretary