

MINUTES
BOARD OF ZONING APPEALS
February 28, 2022

The Warsaw Board of Zoning Appeals met for regular session on Monday, February 28, 2022 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, Dan Smith, Jeff Johnson, Jack Wilhite, Bekah Schrag (Assistant City Planner), Whitney Shilling (Recording Secretary)

Absent: Rick Keeven, Tammy Dalton, Scott Reust (City Attorney),

CALL TO ORDER

Allen called the meeting to order.

APPROVAL OF MINUTES

The January 24, 2022 meeting minutes were reviewed and presented for approval. Smith made a motion to approve the January 24, 2022 meeting minutes as presented. Johnson seconded the motion. The motion carried unanimously.

ORAL OR WRITTEN COMMENTS OR REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

2022-02-01- Corridor Drive- Variance from Development Standards- Allen turned the meeting over to the Assistant City Planner, Bekah Schrag for a brief explanation of the request. The petitioner has requested a variance from development standards to allow for a greater sign area allotment than permitted in an I-2 zone. The petitioner is requesting a sign allowance of up to 2000 square feet for multiple signs, some of which will be attached to storage containers along US 30. The property is located between Corridor Drive and US 30 and is one of the first properties within city limits along westbound 30. The surrounding context includes other businesses having a mix of freestanding, wall, and temporary signs. One business nearby in an I-2 has a sign height of 24 feet. There are also two billboards along US 30, one to the southeast of the parcel, and one near the middle of the parcel's southern frontage, which are typically 672

square feet in area. The nature of the US 30 corridor lends itself to an environment where taller and larger signs are necessary to communicate businesses and their products. The Planning Department has approved a few signs that are larger than permitted, one being the sign split between Parkview and the YMCA, which totals 468 square feet, and another being for the Aegis Dental Group at 210 square feet. Based on the Findings of Fact, the information provided, and the surrounding context, the Planning Department believes the board could approve this request, however, we recommend that some conditions be added to the approval. Based on the location and existence of the billboard on the parcel, the Planning Department proposes to allow for one monument or freestanding sign along US 30 that is about half the size of a typical billboard. This would allow for a sign that is 340 square feet and 24 feet in height as calculated per the sign ordinance. To clarify the Planning Departments recommendations, we suggest:

- To allow for one monument or freestanding sign at 340 square feet along US 30
- To allow for one monument or freestanding sign at 120 square feet along Corridor Dr
- To allow for the freestanding sign to be 24 feet in height along US 30
- Temporary signs are allowed up to 230 square feet and must comply with the temporary sign regulations
- **In total this suggestion offers 460 square feet of permanent signs and 230 square feet of temporary signs**

Dale Custer, property owner passed out a handout to the board members for clarification of the variance he is requesting. Custer did ask for clarification on the 340 square feet sign along US 30. He wondered if the 340 square feet are total square feet or 340 square feet per side of the sign. Bekah Schrag stated that as long as you can't see both sides from one point of view then it is 340 square feet per side. Next Custer asked if the sign square footage could be measured by the actual sign not what it is mounted on. Allen said that if it is a freestanding sign then the sign can only be held up by a post and if the sign is a monument sign then there can't be any room between the sign and the ground. Custer stated his idea was to use a storage unit and put the sign on the storage unit. Schrag answered that if the storage unit is not fixed to the ground then the sign would be considered a temporary sign and have to follow the temporary sign guidelines. She stated if they paint the sign on the unit and fix it to the ground, then it would be considered a permanent sign. Custer stated he would like to use one container as the base for the sign. Schrag told him if it was less than 200 square feet then you don't need a foundation. Reust wanted to clarify what makes a structure permanent. If a sign is on a temporary structure then it is a temporary sign. Smith questioned if there is a limit on the temporary part of it. Schrag explained that a temporary sign could be up to 230 square feet and could not exceed 180 days of use per business in a calendar year. Custer Agreed. Allen closed the meeting to the public. Motion was made by Smith to approve *2022-02-01 Variance from Development Standards- Allow a Greater Sign Area than Permitted in an I-2*. Johnson seconded the motion with the restrictions from the planning department. The motion carried unanimously.

2022-02-02- Corridor Drive- Use Variance- Allen turned the meeting over to the Assistant City Planner Bekah Schrag for a brief explanation of the request. The petitioner has requested a Use Variance to allow the sales of automobiles and construction equipment in an I-2 zoned lot. The petitioner wishes to use the property for sales of a variety of products including excavating

equipment, trucks, and automobiles along with other permitted sales for an I-2 district. The property is located between Corridor Drive and US 30 and is one of the first parcels in City limits along Westbound US 30. The surrounding context also includes properties that sell trailers, sporting goods, tools and hardware, restaurant supplies, and electrical supplies. It is important to note that the Eastern adjacent property is an unincorporated mobile home park (Timber Creek Estates). The Planning Department believes that this request could be viewed favorably when measured by the criteria defined within the findings of fact. Dale Custer stated he just wanted to be clear that he wants to sell these items. Allen closed the meeting to the public. Motion was made by Johnson to approve *2022-02-02 Use Variance- Allow for Automobile Sales and Construction Equipment*. Smith seconded the motion. The motion carried unanimously.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- Next meeting will be March 28, 2021

Johnson made a motion to adjourn the meeting. Smith seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:29 p.m.

Tom Allen, President

Whitney Shilling, Recording Secretary