

**MINUTES**  
**BOARD OF ZONING APPEALS**  
**April 25, 2022**

Present: Tom Allen, Rick Keeven, Tammy Dalton, Dan Smith, Jeff Johnson, Jack Wilhite, Bekah Schrag (Assistant City Planner), Whitney Shilling (Recording Secretary),

Absent: Scott Reust (City Attorney),

**CALL TO ORDER**

Allen called the meeting to order.

**APPROVAL OF MINUTES**

The April 25, 2022 meeting minutes were reviewed and presented for approval. Keeven made a motion to approve the April 25, 2022 meeting minutes as presented. Smith seconded the motion. The motion carried unanimously.

**OLD BUSINESS**

None

**NEW BUSINESS**

**2022-04-01- 3690 Commerce Drive- Variance from Development Standards- Allow a Gravel Parking Area-** 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 use gravel as a parking surface, and Article 13 states that parking areas shall be a finished hard surface. The property is located at 3690 Commerce Drive and is located within the C-5 Commercial District. It is surrounded by commercial and residential uses including large retailers and a Mobile Home Park. The parcel is tucked behind other commercial businesses and is not visible from main arterial roads. This property is unique in that it contains steep slopes that grade into wetlands. If this request is approved, the petitioner will need to contact the State of Indiana to comply with any guidelines if the wetland is regulated by the State. After checking with Warsaw Stormwater, there are no other concerns regarding a gravel parking area near these wetlands. Due to the parcel being tucked behind other commercial uses, the Planning Department suggests that the board look favorably upon this request when delineated with the Findings of Facts. Allen opened the meeting to any person wishing to speak in favor of the petition. Steve Snyder, on behalf of the petitioner explained the paperwork he handed out to the board members. He stated that the yellow highlighted section in his handout would be the only area that would be gravel on this parcel. He went on to explain that the drive and parking near the office would be paved. Snyder stated that all the drainage is addressed with a retention area located in the southeast corner of the parcel. The whole project would be more than 200 feet from the wetlands. Snyder did note that the wetlands have been delineated. Allen opened the meeting to any person wishing to speak against the petition. Since no one came

forward Allen closed to the meeting to the public. Motion was made by Dalton to approve 2022-04-01- 3690 Commerce Drive- Variance from Development Standards- Allow a Gravel Parking Area. Johnson seconded the motion. The motion carried unanimously.

**2022-04-02- 3690 Commerce Drive- Allow Rental Storage Warehouse in a C-5 District-**

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 rental storage warehouses within a C-5 Commercial District. The petitioner plans to build seven separate buildings for indoor rental storage on the parcel located at 3690 Commerce Drive. This parcel is mostly surrounded by C-3 and C-5 Commercial Districts, as well as the Village Mobile Home Park and some county residences. Large retailers like Dollar Tree, RP Home & Harvest, and McDonald's border the property. The parcel is tucked behind other commercial businesses and if allowed, the warehousing will be hidden from main arterial roads. Because the property is mostly hidden from large roads, the Planning Department suggests the Board view this request favorably when delineated with the Findings of Fact. Allen opened the meeting to any person wishing to speak in favor of the petition. Steve Snyder, on behalf of the petitioner stated there will be seven storage buildings surrounded by a fence. The current access to the parcel is right along what is currently the Dollar Tree store. The petitioner is working with the owners of Dollar Tree to move the access away from the store to protect customers walking into the store. Snyder stated the entrance will be gated. Allen opened the meeting to any person wishing to speak against the petition. Since no one came forward Allen closed the meeting to the public. Motion was made by Dalton to approve 2022-04-02- 3690 Commerce Drive- Allow Rental Storage Warehouse in a C-5 District. Smith seconded the motion. The motion carried unanimously.

**The following cases were presented and voted on together:**

**\*2022-04-03- 1205 Provident Drive- Variance from Development Standards-** Allow three signs on a single parcel in a M-1 district with a maximum height of 9 Feet and 49.5 square feet area

**\*2022-04-04- 2229 DuBois Drive- Variance from Development Standards-** Allow a sign in a M-1 district with a maximum height of 13.6 feet and 87.75 square feet in area

**\* 2022-04-06-2101 Dubois Drive- Variance from Development Standards-** Allow four signs on a single parcel in a M-1 district with a maximum height of 13.6 feet and 87.75 square feet in area

**\*2022-04-07-1540 Provident Drive- Variance from Development Standards-** Allow two signs on a single parcel in an M-1 district with a maximum height of 13.6 feet and 84.375 square feet in area

**\*2022-04-08-1500 Provident Drive- Variance from Development Standards-** Allow a sign in a M-1 district with a maximum height of 9 feet and 49.5 square feet in area

Allen turned the meeting over to the Assistant City Planner Bekah Schrag for a brief explanation of the request. Case 2022-04-03 the petitioner has requested a Variance from Development standards to allow a total of three signs with a maximum height of 9.3 feet with 74 feet in display area. Case 2022-04-04 the petitioner has requested a Variance from Development standards to allow a sign with an increase in height and sign display area. The proposed sign is 13.6 feet in height and contains 87.75 square feet in display area. Case 2022-04-06 the petitioner has requested a Variance from Development standards to allow a total of four signs on a single

parcel with a maximum height of 13.5 feet with 87.75 square feet of display area. Case 2022-04-07 the petitioner has requested a Variance from Development standards to allow a total of two signs with a maximum height of 13.5 feet with 84.38 square feet of display area. Case 2022-04-08 the petitioner has requested a Variance from Development standards to allow one sign that will be 9 feet tall and display 49.5 square feet of signage. Based on the nature of the hospital campus and the information provided it is the opinion of the Planning Department that the board view these requests favorably. Allen opened the meeting to any person wishing to speak in favor of the petition. Tom Trent, Rothberg Law Firm Fort Wayne Indiana, stated that Kosciusko Hospital wants to bring all their directional signs up to date. Wilhite agreed that the signs need updated and suggested that maybe the lines on the street be touched up as well. Allen opened the meeting to any person wishing to speak against the petition. Since no one came forward Allen closed to the meeting to the public. Motion was made by Smith to approve cases 2022-04-03, 2022-04-04, 2022-04-06, 2022-04-07, and 2022-04-08. Keeven seconded the motion. The motion carried unanimously.

**2022-04-05- 1210 Provident Drive and 2101 DuBois Drive- Variance from Development Standards- Allow Four Directional Signs in an M-1 District to not Exceed 5 Feet in Height and 15 Square Feet in Area-** 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 larger than permitted directional signs on two parcels of their campus. The parcels are located at 1210 Provident Dr and 2101 DuBois Dr. The directional signs are 5 feet tall with 15 square feet of display area. These parcels are part of the campus for Kosciusko County Hospital and are surrounded on most sides by other M-1 medical zoning and US 30. Due to the nature of medical campuses, larger signs are typically necessary to help with way finding and directions. Based on the nature of the hospital campus and the information provided it is the opinion of the Planning Department that the board view this request favorably. Allen opened the meeting to any person wishing to speak in favor of the petition. Tom Trent, Rothberg Law Firm Fort Wayne Indiana stated he was here if the board had any questions. No one had any questions for Tom. Allen opened the meeting to any person wishing to speak against the petition. Since no one came forward Allen closed to the meeting to the public. Motion was made by Johnson to approve 2022-04-05- 2022-04-05- 1210 Provident Drive and 2101 DuBois Drive- Variance from Development Standards- Allow Four Directional Signs in an M-1 District to not Exceed 5 Feet in Height and 15 Square Feet in Area. Smith seconded the motion. The motion carried unanimously.

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

- Next meeting will be May 23, 2022

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

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Tom Allen, President

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Whitney Shilling, Recording Secretary

