

BOARD OF ZONING APPEALS
MINUTES
June 22, 2026

The Warsaw Board of Zoning Appeals met for a regular session on Monday, June 22, 2026 at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

PRESENT: Leah Parker (Assistant City Planner) Rick Keeven, Duane Huffer, Scott Reust, Zach Tucker, Tammy Dalton, Max Maile, Amber Utter (Recording Secretary).

ABSENT: Scott Reust, Zach Tucker

CALL TO ORDER: Dalton called the meeting to order.

APPROVAL OF MINUTES

The minutes of the regular session held on April 27, 2026 , were presented for approval. A motion was made by Keeven seconded by Huffer, the minutes were approved unanimously.

ORAL OR WRITTEN COMMENT OR REPORTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

216 W. Fort Wayne St.- Dwight Carter: To Allow a Pilates Studio in an R-3 Zoning District

Parker presented the analysis to the Board stating the Petitioner is requesting a Special Exception to allow a Pilates studio in an R-3 zoning district. Because the City's ordinance does not specifically mention Pilates studios, the Planning Department has categorized them as indoor recreational facilities for purposes of special exception and parking requirements review.

The Warsaw Municipal Code states that a special exception shall be granted if, and only if, the request meets the requirements established for the type of special exception requested. Our only concern relates to line-item (b), which states that "off-street parking

shall not be located in the required front or side yards.” While the garage provides space for two vehicles and meets the minimum parking requirement of one (1) parking space per two (2) employees (§ Parking Table 16.1B), the Planning Department is still concerned about having enough room for parking- this is something the petitioner can address in his testimony. Additionally, neighboring property owners have expressed parking concerns to the petitioner, no such concerns have been submitted to the City.

The Board should make the following considerations after reading the requirements for a recreational facility or, in this case, a Pilates studio in an R-3 zoning district.

Requirements:

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Recreation facilities for indoor use shall be permitted in the R-3, C-2, C-3, C-4, C-5 and I-1 zone districts, provided that:

1. Such uses including, but not limited to, racquet clubs, ice skating rinks, roller skating rinks, health spas and other athletic-related facilities meet the following requirements:

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(a) Buildings or structures shall be located a minimum of 50 feet from an adjacent residential use.

(b) Off-street parking shall not be located in the required front or side yards.

Considerations:

- The special exception is consistent with the spirit, purpose and intent of the Warsaw Zoning Ordinance.
- The special exception will not substantially and permanently ensure the appropriate use of neighboring property.
- The special exception will substantially serve the public convenience and welfare.

The board discussed parking space requirements. Dwight Carter took the podium to take questions on parking issues and his plan to open a Pilates studio. Generally, the classes would be limited to 3 people.

Parker stated that should allow enough parking by limiting the classes to 3 people at a time. The Board discussed that public parking is available on the street. Carter confirms that he can park in the garage and encourages clients to park behind him to free up street parking.

Keeven asked about the maximum number of clients and employees, and Carter estimated four people during classes.

Dalton asked if there were any other questions.

Huffer asked if there is parking in the back. Carter stated no.

Dalton asked if there was anyone in the audience here to speak for or against the petition. No one came forward.

Huffer moved to approve the special exception, and Parker suggested that we define the facility as a Pilates Studio only to prevent future misuse.

Dalton clarified that the facility will only allow 3 clients at a time at the Pilates studio.

Keeven seconded the motion.

Motion approved unanimously.

420 Westcreek Dr.- Austin Head- To Allow a gravel driveway in an R-2 Zoning District.

Analysis: The petitioner filed for a variance from development standards to allow a gravel drive in an R-2 zoning district. Pursuant to the Warsaw municipal code, all areas for parking and maneuvering shall be graded for proper drainage...either paved or concrete. Any deviation from this ordinance needs approval from this Board.

The surrounding properties are comprised of both concrete and gravel driveways. While some gravel driveways were grandfathered in as legally nonconforming, other properties comply with the current ordinance. The purpose of the ordinance is to encourage improvement and establish consistent development standards. Therefore, the Planning Department recommends that the petitioner comply with the ordinance unless he can demonstrate that strict application of its requirements would result in practical difficulties in the use of the property.

In its deliberation, I ask the Board to consider whether this petition meets the following criteria:

- The approval will not be injurious to public health, safety, morals, and general welfare of the community.
- The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
- The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Austin Head took the podium and explained his plan to build a barndominium and mentioned the high cost of concrete, making gravel a more affordable option. Head describes the driveway dimensions to be 16' to 20' wide and 80' from the roadway to the front of the porch. Head also mentions the existing gravel driveways in the area that were grandfathered in.

Keeven and Huffer discussed the high cost of concrete and the practical difficulties of strict application of the ordinance.

Dalton stated that expense is not an acceptable reason for a variance.

Dalton asked the public if there is anyone for or against this petition.

No one came forward.

Keeven asked Justin Taylor, City Planner, if we can take a second look at the ordinance. Taylor suggested starting a discussion with the Plan Commission and then taking it to council. Potentially modifying the gravel ordinance. Road safety was a main concern when the ordinance was adopted.

Keeven and Huffer express concerns about the safety of gravel driveways and the need for consistent development standards. Taylor explained the process of changing the ordinance and the potential conditions that could be considered, such as road safety and cost.

Cara Head spoke up from the audience asking what the variance requirements are.

Keeven responded to get with Mr. Taylor about any future ordinance.

Keeven motioned to deny the variance. Maile second motion to deny.

Motion for variance is denied.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

The next regularly scheduled meeting will be July 27, 2026

ADJOURN

Keeven moved to adjourn and Seconded by Huffer

Motion carried to adjourn.



Tammy Dalton, Chair



Amber Utter, Recording Secretary