

MINUTES
BOARD OF ZONING APPEALS
October 28, 2024

The Warsaw Board of Zoning Appeals met for regular session on Monday, October 28, 2024, at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

Present: Tammy Dalton, Dave Baumgartner, Jeff Johnson, Dan Smith, Jackson Longenbaugh (Assistant City Planner), Shawn Holder (Recording Secretary)

Absent: Rick Keeven

CALL TO ORDER

Dalton called the meeting to order.

APPROVAL OF MINUTES

September 23, 2024, meeting minutes were reviewed and presented for approval. Dalton asked for a motion to approve meeting minutes. Smith made the motion and Baumgartner seconded the motion. The motion carried unanimously.

ORAL OR WRITTEN COMMENTS OR REPORTS

None

OLD BUSINESS

2024-09-01– Development Standards – 3015 Hemlock Ln - To Allow a 5’x7’ Sign in a R-1 Zoning District

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request. The petitioner has requested a variance from development standards to allow a bigger sign than allowed in a R-1 zoning district. Longenbaugh recommended the board approve a 5x7 sign.

The petitioner is requesting a sign that is 5’x7’. Patrick Martin, Granite Ridge Builders, 1020 Woodland Plaza Run, Ft. Wayne, IN, stated that when the sign was ordered there was a discrepancy in the paperwork, so the sign was larger than expected.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public, with no other questions from the board, Baumgartner set a motion to approve the variance, Johnson seconded the motion, approved unanimously.

NEW BUSINESS

2024-10-01 – Special Exception – 701 S Buffalo St – To Allow a Single-Family Residence in a C-2 Zoning District

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request. The petitioner is requesting a special exception to allow a single-family residence in a C-2 zoning district. A variance is necessary to maintain this use if anything were to happen to this home. The lender is requesting the current homeowner to pursue this variance as a stipulation of selling the property. Longenbaugh recommended the board approve to allow a single-family residence.

Patricia Morrison, 701 S Buffalo, stated that she was close to selling her home a couple of months ago and when the appraiser came in at the end of the loan process, he noted C-2 zoning does not permit a single-family resident. Per the petitioner the home did not sell because of the unpermitted use.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public. With no other questions from the board. Baumgartner made a motion to approve the variance, Johnson seconded the motion, approved unanimously.

2024-10-02 – Use Variance – Frontage Rd, Parcel #004-069-027 – To Allow Group Housing in a R-2 Zoning District

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request. The petitioner is requesting a use variance to allow group housing in a R-2 district, this will include 3 group homes, 12 residents plus full-time staff. There will be 2 apartment buildings with 5 individual apartments in each building, with care from 8am-8pm as needed. This development is to focus on specialized transitional housing. Longenbaugh recommended the board approve the group housing in a R-2 zoning district.

Jerry Nix, MKM Architecture & Design 435 E Brackin Ridge, Ft. Wayne, IN, recapped variance #1 request. The property sits on 4.14 acres of land located on Frontage Road, parcel #004-069-027. The property will include 3 homes that will house 12 transitional living residents in each home, the homes will be staffed 24hrs a day, 7 days a week. Each household is a single-story residential style building. Each building will be approximately 4100 sq. ft. in area, there will be 2 apartment complexes with 5 1-bedroom units that will be approximately 650 sq. feet. These apartments will be specialized in allowing residents to transition through the process into independent living.

Marci Wicks, Bowen Center, shared that there are currently 2 homes in Warsaw, 1 in Plymouth. The goal is to help those that are struggling, just coming out of inpatient treatment and struggling to live on their own in the community, so we help with that transition. We try and help people from all walks of life, this is a new type of individualized program. Our goal is for the residents to go from inpatient to group, to individual to on their own in the community.

Nicholas Irak, current resident at 2216 North Pointe Drive, Warsaw, The Harbours Group Home, spoke in favor of the petitioner and how the Harbours Group Home has helped him personally.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public. With no other questions from the board. Smith made a motion to approve the variance, Baumgartner seconded the motion, approved unanimously.

2024-10-03 – Use Variance – Frontage Rd, Parcel #004-069-027 – To Allow Professional Offices in a R-2 Zoning District

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request. The petitioner is requesting a use variance to allow office space at this parcel. Longenbaugh recommended the board approve the request for professional office space in a R2 zoning district.

Jerry Nix, MKM Architecture & Design 435 E Brackin Ridge, Ft. Wayne, IN recapped variance #2 request. The property under consideration is the 4.14 acres of land located at 3090 Frontage Road which is in a R-2 district. The property will include 6 total buildings in a phase construction approach. One of the proposed buildings is a 2400 sq. ft. professional office building that will support the residents and staff that are living in the homes or apartments. The community building will have 1 to 2 staff members. This space will also be an ancillary building. Marci Wicks, Bowen, shared that this space will be utilized for different types of functions, i.e. employment assistance, get-togethers, a place to decompress, etc. Smith inquired where the building would be located on the property.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public. With no other questions from the board. Johnson made a motion to approve the variance, Smith seconded the motion, approved unanimously.

***2024-10-04 – Development Standards – 1015 Country Club Ln –
To Allow a Side Yard Setback Of 6’-4” for a Building Addition in a R-1 Zoning District***

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request a 6’4” setback in a R-1 zone district. The petitioner is requesting a variance from development standards to turn their existing deck into a home addition that barely encroaches on the 7’ setback for a R-1 zoning district. Longenbaugh recommended the board approve the 6’4” setback. Doug Brumfield, contractor, went on to note that his team built the current deck in 2018, and they would like to add more living space. Dalton asked if there were any questions from the board. Johnson noted there was very little difference in the proposed footprint and asked what the point of the variance was. The contractor added that the footprint for the new addition is smaller than the current deck and will follow the line of the current home. Longenbaugh explained the reasoning for the request is due to the visual obstructions that is created from the addition which the previous variance did not allow. Johnson asked Longenbaugh if the neighbor was okay with it, and he stated they signed off with approval.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public. With no other questions from the board. Johnson made a motion to approve the variance, Smith seconded the motion, approved unanimously.

2024-10-05 – Use Variance – 1403 E Winona Ave – To Allow a Residential Use in a C-2 Zoning District

Dalton turned the meeting to Assistant City Planner Longenbaugh for a brief explanation of the request. The petitioner is requesting a use variance to allow a residential space above the restaurant at this address, which is currently zoned C-2. Longenbaugh recommended the board approve the residential use. They expect to rent the space to employees with a maximum of 4 residents. The living quarters would need to be built.

The board noted that there is plenty of parking to accommodate the residential space. Bomy Singh, petitioner, came forward to present his request and clarified that there is a separate entrance to the back of the restaurant. There is a 25x25 space above the restaurant that is not in use. He stated that he often has issues with the need to hire workers from out-of-state. He said that he is often asked about a living space and with the variance, the answer could be yes, and he could house them if it works for both parties. Johnson asked if the apartments would have separate bathrooms. The petitioner added that the plan was to utilize the plumbing that is already present and will be contacting a contractor to see what all can be done. Baumgartner asked if the apartment would have its own address and Longenbaugh answered yes due to legal purposes. It was clarified that there will be one 2-bedroom apartment in the space.

Dalton invited any person to come forward to speak for or against the petition. No others were present to speak for or against the petition. Dalton closed the meeting to the public. With no other questions from the board. Johnson made a motion to approve the variance, Smith seconded the motion, approved unanimously.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- Next meeting will be November 25, 2024

Smith made a motion to adjourn the meeting. Johnson seconded the motion. The motion carried unanimously.

Tammy Dalton, President

Shawn Holder, Recording Secretary