

**BOARD OF ZONING APPEALS
MINUTES
MARCH 24, 2025**

The Warsaw Board of Zoning Appeals met for a regular session on Monday, March 24, 2025, 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, Rick Keeven, Dave Baumgartner, Zach Tucker, Duane Huffer, Jackson Longenbaugh (Assistant City Planner), Shawn Holder (Recording Secretary), Scott Reust (City Attorney)

ABSENT: None

CALL TO ORDER

Dalton called the meeting to order.

APPROVAL OF MINUTES

The minutes of the regular session held on February 24, 2025, were presented for approval. A motion was made by Huffer, seconded by Baumgartner, the minutes were approved unanimously.

ORAL OR WRITTEN COMMENTS OR REPORTS

None

OLD BUSINESS

2025-02-01 – Development Standards – Parcels 004-044-318 & 004-044-314 - To Allow Two Smaller than Permitted Lots in an R-2 Zoning District

Dalton noted that this variance request was carried over from February 24, 2025, meeting due to a lack of unanimous approval with only three board members present. The petition was subsequently tabled to the current meeting.

Assistant City Planner Jackson Longenbaugh presented the details of the request. The petitioner seeks a variance to permit two lots within an R-2 zoning district that do not meet the minimum required size of 7,200 square feet. The proposed lot sizes are 5,280 square feet and 5,520 square feet. Longenbaugh highlighted that these lots were platted over a century ago and are consistent in size with other properties in the vicinity. The variance is necessary to facilitate multi-family residential development. He presented the relevant ordinance table regarding lot coverage for the Board's consideration and conveyed the Warsaw Planning Department's recommendation for approval.

Scott Reust, City Attorney, clarified that due to the full composition of the Board being present, this hearing constitutes a de novo review of the case.

The petitioner, Daniel Schlatter, provided a detailed explanation of the proposed development, which includes duplex-style homes designed to aesthetically integrate with single-family residences. Each dwelling unit will offer approximately 578 square feet of living space, with a lot coverage of 39% for the front lot and 26% for the rear lot, both adhering to the required setbacks for the proposed lot dimensions. He assured the board of adequate off-street parking provisions and distributed photographs of previously constructed similar projects for their review.

Keeven inquired about the presence of comparable housing developments in the area. The petitioner referenced smaller developments in Winona Lake with lot sizes around 40x80 feet. He cited a recent sale of a 600 sq ft home in Winona Lake for approximately \$275,000, which resold quickly for \$299,000. The petitioner emphasized his objective to offer homes on smaller lots for under \$200,000, catering to the need for affordable 1-bedroom, 1-bathroom housing for single occupants, contrasting with higher-priced new constructions in Kosciusko County.

Huffer sought clarification on the intended ownership structure of the proposed units. The petitioner stated the rear dwelling could be an individual single-family home, while the front lot could be two separate dwellings and could be owned by the same person to use as possible income property or have family members live there.

Baumgartner questioned the suitability of the proposed units as starter homes for young couples. The petitioner affirmed their potential as such, particularly if priced under \$200,000, noting that their previous smaller homes in Winona Lake have typically been occupied by individuals, couples, and retirees.

Huffer inquired about access to the rear lot. The petitioner indicated that access would be provided via the alleyway at the corner, with an existing easement past a manhole, as indicated on the site plan.

Baumgartner asked about alternative potential uses for the land if the variance was not approved. Longenbaugh reiterated that the zoning designation is residential. He clarified that the petitioner could proceed with the construction of a single-family home on the front lot without requiring a variance. The current request is specifically necessitated by the proposed multi-family development. Longenbaugh referenced relevant sections of the city ordinance pertaining to lot size requirements for single-family and duplex/multi-family dwellings, distributing copies to the board members.

Huffer questioned the feasibility of constructing a single-family home on the lot given its size and perceived lack of direct road frontage. Longenbaugh clarified the interpretation of the ordinance, stating that a variance would not be required for a single-family dwelling on this property due to its assumed basic use as a single family residential.

The petitioner reiterated that maximizing the use of both lots is a key factor in achieving cost-effectiveness, allowing for a lower price point for the proposed homes compared to developing only a single, larger residence.

Keeven directed a question to City Planner Justin Taylor regarding street frontage. Taylor stated that this type of property configuration is not unique within the city, noting that ingress and egress are provided with access from Jefferson Street and the property will be addressed off Market Street. He characterized the property as non-conforming but deemed the rear lot developable.

Dalton opened the floor for public comment. Michael Kissinger, property owner, stated that the property does have frontage on Jefferson Street, although unimproved, and that the GIS mapping is inaccurate. Kissinger, a member of the affordable housing committees, expressed his support for the variance to increase affordable housing options.

Dalton closed the public comment period, confirming that notification mailings had been sent, and that no public opposition was voiced during the previous meeting. She then solicited final questions from the board.

Huffer expressed reservations regarding the reduction of the minimum lot size, citing potential conflicts with city planning guidelines. Reust referenced ordinance 3.14E, which stipulates that every lot shall abut a public street, clarifying that the original plat extends to the alley, which abuts Jefferson Street, fulfilling this requirement even if the street is unimproved.

Keeven inquired with Longenbaugh about the potential for improvement of Jefferson Street. Longenbaugh directed the question to Taylor, who explained that the unique circumstances of this property necessitate the Board of Zoning Appeals' consideration. He provided examples of similar situations within the city where alleys are designated as streets (e.g., Taylor Street and Poppy Street) and noted the existence of developments with diverse lot sizes and unit types, often adjacent to amenities like parks, aligning with the city's broader housing goals.

Keeven moved to approve the variance request. The motion was seconded by Tucker. The vote was taken, with Huffer opposing. The motion was carried by a vote of 4-1.

NEW BUSINESS

2025-03-01 - Development Standards - 436 W 250 N – Request to Allow a 36' Tall Sign in a C-3 Zoning District

Dalton invited Assistant City Planner Longenbaugh, who provided a concise overview of the request. The petitioner seeks a variance from development standards to permit a 36-foot-tall sign in a C-3 zoning district. The sign is being relocated from the Toyota dealership property to the adjacent Model-1 Ford property, both previously under common ownership. Model-1 Ford is proactively moving the sign back onto their property. Longenbaugh noted that a 36-foot sign does not comply with current code, and legal non-conforming signs are required to meet code if being significantly modified and/or moved. Furthermore, off-premises signs are prohibited city-wide. The Planning Department recommended approval of this variance.

Keeven and Tucker confirmed that the sign relocation is voluntary and initiated by Model-1 Ford to place the sign back on their property.

Gabe Douglas, representing Model-1 Ford, provided a brief historical context of the property and stated the intention to install the sign at the former location of the Lincoln dealership sign, approximately 220 feet north on Model-1 Ford property.

Dalton invited the public to comment. No members of the public were present. Dalton closed the meeting to the public. With no further questions from the board, Huffer moved to approve the petition, Tucker seconded the motion. The motion carried unanimously.

OTHER MATTERS

The next regular meeting of the Board of Zoning Appeals is scheduled for April 28, 2025.

ADJOURNMENT

Keeven moved to adjourn the meeting, seconded by Huffer, the meeting was adjourned unanimously.



Tammy Dalton, Chair



Shawn Holder, Recording Secretary