

**BOARD OF ZONING APPEALS
MINUTES
APRIL 28, 2025**

The Warsaw Board of Zoning Appeals met for a regular session on Monday, April 28, 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 March 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

Scott Reust, City Attorney, stated that only four of the six scheduled items would be addressed during this meeting. Per city regulations, all items on the agenda must be heard provided that adjacent property owners are notified in writing. However, the petitioners for items 2025-04-05 (Joe Nawrocki) and 2025-04-06 (Nicholas Feldman), at no fault of two petitioners, were unable to meet this notification requirement, despite sending the notices in a timely manner.

Historically, certified mailings to adjacent property owners have been sufficient for meeting this obligation. However, there has been a growing issue with these notices not reaching recipients, which has impacted compliance. As a result, the two cases will not be heard tonight.

Huffer inquired whether placing a placard on the property could serve as an alternative form of notification. Dalton responded that, given Warsaw's nature as a lake town with many out-of-state homeowners, this method may not resolve the issue.

Tucker asked whether a procedural change would require city council approval due to the significance of the mailing issue. Huffer proposed that the planning office handle the mailings and provide a certificate of service as proof of delivery. Attorney Reust confirmed this could be a viable option, emphasizing that while petitioners are sending notifications on time, the delivery failure remains a concern.

Justin Taylor, Planning Director, stated that the rules and procedures related to notification mailings may be amended by the board and will be reviewed by the next meeting.

OLD BUSINESS

None

NEW BUSINESS

2025-04-01 – Special Exception – 1812 N Detroit – To allow a lab in an I-2 zoning district

Dalton invited Assistant City Planner Jackson Longenbaugh, who provided a concise overview of the request. The petitioner seeks a special exception to allow a laboratory in an I-2 zoning district. This will be developed as a plasma donation center that will start with plasma collection and possibly expand to collect specialty blood products. I felt as though this definition worked well with the use of the property. The petitioner is anticipating 30 employees within the next 3-5 years, which can expand if donor numbers increase. The petitioner is pursuing this site due to high traffic along Detroit St., easy access to US 30, and proximity to businesses on the north side of Warsaw. This is a suitable site for this development and won't seem to have any impact on public safety, traffic or neighboring property values. It is the opinion of the Planning Department that this special exception to allow a laboratory to be approved at this location, further described as Parcel ID 004-020-004.A. Keeven asked for clarification on the process.

Pat McCleskey, Join Parachute, petitioner, explained in depth what plasma is and the process of separating whole blood from the plasma through the donation process.

Dalton invited any person to come forward to speak for or against the petition. No others were present. Dalton closed the meeting to the public. With no other questions from the board, Huffer made a motion to approve the petition, Tucker second, motion carried.

2025-04-02 - Development Standards – 375 E 200 N- Parcel 004-014-026 – To allow a larger than permitted monument sign in an I-2 zoning district

Dalton invited Assistant City Planner Longenbaugh, who provided a concise overview of the request. The petitioner has requested a variance from development standards to allow a monument sign to be 420 square feet in area and 31 feet tall. With Parkview expanding their services here in Warsaw, they are looking to maximize their messaging along US 30. Since the Board has a history of approving larger signs along US 30, and the impact to neighboring properties does not seem substantial, it is the opinion of the Planning Department that this variance to allow a larger than permitted sign be approved at 375 E. 200 N, Parcel ID: 004-014-026. Dalton asked about other signs for comparison.

Jack Bentz of Beers Mallers, LLC, located at 110 W. Berry Street, Suite 1100, Fort Wayne, IN, appeared as legal counsel for the petitioner. He presented plans for an approximately 17-acre medical campus, which will include a Parkview ambulatory surgery center, a physicians' group medical office, and an O&E medical office building. The petitioner requested approval for a sign larger than the size currently permitted by ordinance, to be placed along US 30 for identification purposes. The proposed Parkview sign will stand 31 feet 9 inches tall and encompass 420 square feet.

Dalton opened the floor for public comment; however, no members of the public were present. The public hearing was subsequently closed. With no further questions from the board, Tucker moved to approve the petition. The motion was seconded by Baumgartner and carried unanimously.

2025-04-03 - Development Standards – 375 E 200 N- Parcel 004-014-026 – To allow more monument signs than permitted in an I-2 zoning district

Dalton invited Assistant City Planner Longenbaugh, who provided a concise overview of the request. The petitioner has requested a variance from development standards to allow more monument signs than permitted. Per our ordinance, one monument sign is permitted per frontage on a public road. Since that requirement has already been met with the sign along US 30 and one along CR 200 N, a variance is required. These 3 additional monument signs will be used to identify each separate building on the property, helping provide clear identification for each building and entrance number. Since this can be compared to more of a medical campus that requires additional signage, and this is on one large parcel instead of multiple smaller ones, it is the opinion of the Planning Department that this variance to allow more monument signs than permitted be approved at 375 E. 200 N, Parcel ID: 004-014-026. Considering the size of the development, which is more like a medical campus, these signs seem adequate for directing traffic to the correct location on the property.

Jack Bentz of Beers Mallers, LLC, located at 110 W. Berry Street, Suite 1100, Fort Wayne, IN, appeared as legal counsel for the petitioner. He presented plans for an approximately 17-acre medical campus that will include a Parkview ambulatory surgery center, a physicians' group medical office, and an O&E medical office building. The petitioner is requesting approval for more monument signs than currently permitted by ordinance. The three proposed signs are intended to provide individual identification for each building within the medical complex.

Dalton opened the floor for public comment; no members of the public were present. The public hearing was then closed. With no further questions from the board, Huffer moved to approve the petition. The motion was seconded by Tucker and passed unanimously.

2025-04-04 – Use Variance – 004-020-149 – To allow a duplex in a R-1 zoning district

Dalton invited Assistant City Planner Longenbaugh, who provided a concise overview of the request. The petitioner has requested a use variance to allow a duplex in an R-1 zoning district. The petitioner owns this lot, which is across the street from their residence, and would like to

develop it. Residential double family is not permitted in an R-1 zoning district according to Table 16 of our Zoning Ordinance. For context, there is a 4-unit building up the street, and a few double-family units in the area. Although our City Code prohibits this use, the Comprehensive Plan states that two-family residences could be a permitted land use in Urban Residential areas when designed to fit into its surroundings. This request to allow a duplex could be viewed either favorably or not. The city understands the need for housing. However, the Planning Department remains uncertain whether this particular lot is more appropriately suited for a duplex rather than a single-family home, or whether it presents unique circumstances that would justify a two-family use as the most suitable option. Huffer asked about the other housing in this area, Longenbaugh reminded the board that those homes could be zoned differently and do not pertain to this request.

Otto Bonahoom, of 1624 Lilac Lane, the petitioner, presented architectural renderings to the board illustrating the proposed homes to be constructed on the lot behind his residence. The petitioners bring 25 years of experience in commercial and residential property management. They expressed concern that 3- to 4-bedroom homes configured for roommate-style living would not be a good fit for the neighborhood. Instead, they believe a duplex would be more appropriate for the area, noting that they intend to reside on-site. Each unit will be approximately 700 square feet, not including garage space, with rental rates projected between \$700 and \$800 per month.

Board member Keeven inquired about garage availability. The petitioner responded that garages are planned for inclusion, but if they cannot be accommodated, outdoor parking will be provided. Bonahoom emphasized that the project will be a high-quality build, aimed at serving individuals who cannot afford high-end new construction or prefer not to live in older homes.

Dalton opened the floor for public comment.

Amy Haack of 702 Ross Avenue, Warsaw, asked whether the homes would be stick-built or modular. The petitioner confirmed they would be stick-built. Haack also raised concerns about traffic flow, the orientation of the structures in relation to her mother's home, long-term ownership, and future maintenance of the property. Bonahoom assured her that, in other properties they manage, crime rates have decreased by 25% due to thorough applicant screening and ongoing property upkeep.

Haack also expressed concerns about the lot size. For informational purposes, Longenbaugh noted that the lot, accounting for required setbacks, has adequate space in the front for the proposed development.

Lois Quillen, owner of 702 Ross Avenue, submitted a written letter opposing the petition for various reasons.

Valerie Gardner of 1627 Lilac Lane, who lives adjacent to the property, stated her opposition to a two-story structure, noting that it would overlook her backyard and bedroom. It was clarified that the proposal is for a single-story duplex, not a two-story home. Upon that clarification, Gardner stated she would support the project.

Don Kraft, of 1622 Lilac Lane, expressed his support for the petition.

Dalton closed the public comment portion of the meeting. With no further questions from the board, Baumgartner moved to approve the petition with the condition that a single-story duplex be constructed on the property. The petitioner confirmed this commitment to building a duplex, noted that architectural plans have been completed, with each unit possibly including a 450-square-foot garage. Huffer seconded the motion. The motion carried unanimously.

2025-04-05 – Use Variance – 2695 Shelden – To allow a memory care facility in a C-3 zoning district

Continued to May 27, 2025 meeting

2025-04-06 – Development Standards – 414 N Columbia St. - To allow a decorative fence in front yard in a R-3 zoning district

Continued to May 27, 2025 meeting

OTHER MATTERS

The next regular meeting of the Board of Zoning Appeals is scheduled for Tuesday May 27, 2025 due to the Memorial Day Holiday.

ADJOURNMENT

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



Tammy Dalton, Chair



Shawn Holder, Recording Secretary