

**BOARD OF ZONING APPEALS
MINUTES
OCTOBER 27, 2025**

The Warsaw Board of Zoning Appeals met for a regular session on Monday, **October 27, 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: Leah Parker (Assistant City Planner), Duane Huffer, Scott Reust, Zach Tucker, Amber Utter (Recording Secretary). Tammy Dalton

ABSENT: Rick Keeven, Dave Baumgartner

CALL TO ORDER: Tammy Dalton called the meeting to order.

APPROVAL OF MINUTES

The minutes of the regular session held on September 22, 2025 , were presented for approval. A motion was made by Dalton , seconded by Tucker , the minutes were approved unanimously.

ORAL OR WRITTEN COMMENT OR REPORTS

NONE

OLD BUSINESS

NONE

NEW BUSINESS

**2025-10-01 – 985 N Lake St – Development Standard
TO ALLOW A GRAVEL LOT IN A C-2 DISTRICT**

The petitioner is seeking a Variance from Development Standards to allow a gravel lot in a C-2 zoning district. Pursuant to the Warsaw, Indiana 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.

While the properties across the street are out of our jurisdiction, some of those businesses have gravel lots; and none of the adjacent properties have voiced any opposition.

Additionally, the petitioner will install concrete access to the lot in effort to prevent gravel getting onto the main road.

Based on the information provided and the Findings of Fact it is the opinion of the Planning Department to grant permission to the petitioner to allow a variance from development standards and allow a gravel lot in a C-2 zoning district, given the petitioner install a concrete access to mitigate gravel getting on the road.

No questions are presented for Parker..

Petitioner Harvey Hayes takes the stand.

Hayes explains that concrete and asphalt are too expensive and would prevent future building plans.

Hayes mentions that gravel provides better drainage and is more suitable for his needs.

Hayes clarifies that he is in favor of installing a concrete drive in the front but wants to use gravel and describes Duraberm to be a better product than gravel in the back.

Hayes describes the elevation and runoff improvements made to the property according to state regulations.

Huffer questions whether the board has the authority to grant a variance solely based on economic hardship.

Justin Taylor takes the stand and discusses the practical difficulties of developing the site with a building due to its location in a floodplain.

Reust clarifies that the board must determine if the strict application of the zoning ordinance constitutes an unnecessary hardship.

The board decides to table the petition until next month to gather more evidence and ensure a full board is present.

**2025-10-02 – 1002 E Winona Ave – Use Variance .
TO ALLOW A USED AUTOMOBILE DEALERSHIP IN A C-2 ZONING DISTRICT**

The petitioner is seeking a Use Variance to allow a used automobile dealership in a C-2 zoning district. In congruence with the Warsaw Municipal Code and the Comprehensive Plan, a C-2 zoning district is intended “to provide areas to be used for certain types of retailing uses, certain service uses along with wholesale and warehousing uses.” Any deviation from this ordinance needs approval from this Board.

In its past, this property has been used as a dealership. I would ask the Board to consider whether they believe this usage fits in with the Comprehensive Plan as described in the attachment, especially for Winona Avenue.

I would also like to state for purposes of the Petitioner that approval of this variance is separate and apart from any building permit or permits required.

Additionally, the Planning Department recommends that the Petitioner include a screen on the east end of the property. This is in consideration of the residential home located there, as we want to ensure that neither floodlights nor foot traffic disrupt the residents' quality of life.

No questions presented to Parker from the board.

Richard Reynolds takes the stand. Reynolds is the owner and explains his desire to switch the property from a roofing business to a car lot, since it used to be one.

The board discusses the need for screening and whether or not there will be exterior lights. Reynolds states he hasn't gotten that far with the plans. Can we recommend screening on the east side and on the south side as well. Will you have any exterior lighting? Hasn't gotten there yet.

No questions from the board.

No one had opposing remarks.

Closed to the public.

Tucker is curious, futuristically, has there been any ordinances placed against it (having a car lot) on Winona Ave?

Parker mentions they did a comprehensive plan in 2015 for this corridor.

As noted on the last page, it fits within the scope.

Motion carried to approve by Dalton, second by Tucker.

**2025-10-03 – 607 Oldfather Rd – Development Standard
TO ALLOW A 2' SETBACK IN A R-2 ZONING DISTRICT**

Analysis: The petitioner is seeking a variance from development standards to allow a 2' setback in a R-2 zoning district. According to Warsaw, Indiana's municipal code, there is a 3' setback requirement for an accessory structure adjacent to a lot. Any deviation from this ordinance needs approval from this Board.

Based on the information provided and the Findings of Fact, it is the opinion of the Planning Department to grant permission to the petitioner a variance from development standard to allow a 2' setback in a R-2 zoning district.

Mailings went out with no opposition.

There is a utility easement on the north side.

No further questions for Parker

Open up to the petitioner.

My name is Kim Obacz and I want to put up a shed. The space is limited and I can't get the lawn mower back and forth between the deck and the shed.

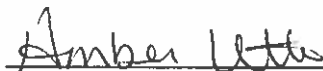
Just woods in the back. Very tight and very small property.

No one spoke in opposition
Closed to public
All in favor
Motion Tucker has approved and Huffer second
All approved.
Dalton adjourned the meeting

NEXT MEETING: November 24, 2025



Chair



Amber Utter, Recording Secretary