

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA, AND PUBLIC HEARING
October 2, 2024**

The Board of Zoning Appeals met on Wednesday, October 2, 2024. Notice was given in compliance with Indiana’s Open Meeting Law.

CALL TO ORDER

Vice Chairman Dennis Tedrow called the meeting to order at 6:30 p.m.

ROLL CALL

	In person	By Zoom	Absent
Chairman Anthony Seng	—	—	✓
Gerry Miller	✓	—	—
Julie Dutchess	✓	—	—
Secretary Blake Krueger	✓	—	—
Dennis Tedrow	✓	—	—
City Attorney Renee Kabrick	✓	—	—
Director of C.D./Planning Josh Gunselman	✓	—	—

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF THE MINUTES

Minutes of the September 4, 2024, regular meeting were reviewed. Julie Dutchess made a motion to approve the minutes. Blake Krueger seconded it. Motion carried 4-0.

STATEMENT

Vice Chairman Dennis Tedrow read the following statement. “We are now ready to begin the public hearing scheduled for this evening. With respect to tonight’s meeting and public hearings, we are hereby incorporating by reference into the record of tonight’s meeting and public hearings, City of Jasper Ordinance Number 2016-30, entitled “Unified Development Ordinance of the City of Jasper, Indiana and its jurisdictional area” and any and all amendments there to, and the City of Jasper Comprehensive Plan. Pursuant to Article V, Sections 2, 3 and 4 of the BZA rules of procedure, presentation by a Petitioner shall be limited to 15 minutes. The Call for remonstrators shall be limited to 20 minutes; with individuals limited to no more than 5 minutes at the Chairman’s discretion. Such time limits may be increased by a majority vote of the board members present.”

NEW BUSINESS

John Merder, as owner petitioner, for a special exception pursuant to 16.04.04.B aka Chapter 4 Districts, Rural Residential (RR), Special Exception Uses, of the City's Unified Development Ordinance to allow two home occupations in an RR Zone

John Merder was present on behalf of his Special Exception petition filed to allow two home occupations in an RR Zone at 4650 W 300 N Jasper, Indiana. Mr. Merder explained that his position with his previous employer was downsized in December of 2023 which prompted him to start a business at his home. Mr. Merder noted that he performs automotive seat repairs and also does contract coatings for Crane Naval Base.

Mr. Merder stated that his home occupations will not create increased traffic as he performs mostly commercial jobs. His hours of business are Monday through Friday, 8 AM – 5 PM. Dennis Tedrow asked if there were remonstrators present. As there were none, Blake Krueger made a motion to close the public hearing. Gerry Miller seconded it. Motion carried 4-0. After further discussion, Julie Dutchess made a motion to approve the Special Exception allowing two home occupations in an RR zone. Blake Krueger seconded it. Motion carried 4-0.

Roger Messmer, as owner, and Brandi Hoffman, as petitioner for a variance from 16.04.06.A aka Chapter 4 Districts, Single Family Residential (R-2), Permitted Uses, of the City of Jaspers's Unified Development Ordinance to allow a digital marketing business in an R-2 zone

Brandi Hoffman was present on behalf of her petition filed to allow a digital marketing business in an R-2 Zone at a property she is interested in purchasing located at 415 Giesler Road. Ms. Hoffman reported that her business "Be-Digital", employs two to four people working Monday through Friday. As the majority of the business is conducted via Zoom and Teams, operating this type of business at this location would not increase traffic or be a nuisance to surrounding property owners.

Ms. Hoffman noted that the property has a carport and driveway to accommodate employee parking needs. Josh Gunselman, Director of Community Development and Planning noted that business signage would be permitted as long as signage was mounted to the home and under 4 square feet in size.

Dennis Tedrow asked if there were remonstrators present. As there were none, Gerry Miller made a motion to close the public hearing, seconded by Julie Dutchess. Motion carried 4-0. After further discussion, Blake Krueger made a motion to approve the variance to allow a digital marketing business in an R-2 zone at 415 Giesler Road. Julie Dutchess seconded the motion. Motion carried 4-0.

KFAM Partners LLC, as owner, and Galena Development LLC, as petitioner, for a special exception pursuant to 16.04.10.B aka Chapter 4 Districts, Neighborhood Business (B1), Special Exception Uses, of the City's Unified Development Ordinance to allow a drive-thru only business in a B1 zone. KFAM Partners LLC, as owner, and Galena Development LLC, as petitioner for a variance from 16.07.18.C.3.d.1 aka Chapter 7 Development Standards, Design Standards, Nonresidential, Vehicular Access, Permitted Uses, of the City of Jaspers's Unified Development Ordinance to allow a curb cut within one hundred fifty (150) feet of an intersection of a collector street or one hundred (100) feet of an intersection of a local street, and a variance from 16.07.13.A.3.d. 1 aka Chapter 7 Development Standards, Outdoor Sales, Displays and Storage, Trash Receptacles, Setbacks, of the City of Jaspers's Unified Development Ordinance to allow a dumpster enclosure to not meet the setback requirements in subsection 7.4.A. Lot Standards, and shall not be placed within a front or side yard

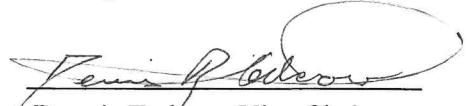
Doug Mitchell with Cash Waggoner & Associates, PC was present on behalf Galena Development LLC. Mr. Mitchell reported that Galena Development LLC has submitted plans to open a Ziggi's drive-thru only coffee shop at the northeast corner of Third Avenue and Meridian Road. Mr. Mitchell noted that a TAC Review meeting was held and based on City of Jasper department head recommendations, the plans changed to a right hand turn only onto Meridian Road.

Vice Chairman Tedrow asked if there were remonstrators present. Cynthia Franklin, 1111 S Meridian Road introduced herself and expressed her concerns regarding an already congested intersection. Patricia Hochgesang, 1339 Miller Lane introduced herself and expressed her concern of adding another business to a busy intersection. Ms. Hochgesang reported that traffic accidents are frequent to the intersection. Josh Gunselman noted that the vacant property which is zoned B-1, is zoned for business and the petitioner requires a Special Exception as a drive-thru only businesses is not a permitted use. As there were no other remonstrators, Gerry Miller made a motion to close the public hearing. Julie Dutchess seconded it. Motion carried 4-0.

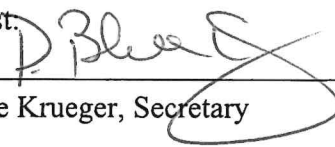
After further discussion, Gerry Miller made a motion to allow the Special Exception to allow a drive-thru only business in a B-1 zone. Blake Krueger seconded the motion. Motion carried 4-0. Gerry Miller then made a motion to grant a variance to allow a curb cut within one hundred fifty (150) feet of an intersection of a collector street or one hundred (100) feet of an intersection of a local street. Blake Krueger seconded the motion. Motion carried 4-0. Gerry Miller made a motion to allow a dumpster enclosure to not meet the setback requirements. Blake Krueger seconded it. Motion carried 4-0.

ADJOURNMENT

With no further discussion, Julie Dutchess made a motion to adjourn the meeting, seconded by Blake Krueger. Motion carried 4-0, and the meeting adjourned at 7:02 p.m.



Dennis Tedrow, Vice Chairman

Attest. 

Blake Krueger, Secretary

Recording Secretary, Becki Moorman