

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

The Plymouth Board of Zoning Appeals met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on November 1, 2022, at 7:30 p.m. Board Vice President Mark Gidley called the meeting to order for Board Members Brandon Richie, Alan Selge and Paul Wendel. Alternative Fred Webster and Linda Secor were in attendance but not needed. Art Jacobs was absent. Others present were Building Commissioner Keith Hammonds, Plan Consultant Ralph Booker, City Attorney Sean Surrisi, and County Commissioner Stan Klotz.

Board Members Wendel and Richie moved and seconded to approve the minutes of October 4, 2022. The motion carried.

The following legal notice was advertised in the Pilot News on October 20, 2022:

<p>NOTICE OF PUBLIC HEARING</p> <p>The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on November 1, 2022 at 7:30 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:</p> <p>BZA 2022-25: Marcy Prochaska, 707 Lake Ave., Plymouth, IN 46563: A Special Use request to have a Montessori School for up to twenty (20) students, at 800 N. Center Street, on parcel 50-42-92-303-258.000-019 zoned R-3, Traditional Residential District.</p> <p>Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN, and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered</p>	<p>116 Legals</p> <p>and oral comments will be heard. The hearing may be continued from time to time as may be found necessary. If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948. Kyle Williams, Recording Secretary, Board of Zoning Appeals, October 20, 2022 October 20, 2022 PN340077 hspaxlp</p>
--	--

BZA 2022-25: Marcy Prochaska, 707 Lake Ave., Plymouth, IN 46563: A Special Use request to have a Montessori School for up to twenty (20) students, at 800 N. Center Street, on parcel 50-42-92-303-258.000-019, zoned R-3, Traditional Residential District.

Plan Consultant Booker reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud. See attached letter below.



Little Way Montessori School
PO Box 1232
Plymouth IN 46563
(574) 540-5466

Letter of Intent

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

10/15/2022

We intend to use the property at 800 N Center Street in order to operate our early childhood education program there. The full legal description of this property is POLK & SERING ADD LOT 224 S1/2.

Lille Way has been providing high fidelity Montessori education for children ages 2.5-6 since the 2019-2020 school year. I am the lead teacher of the program and hold a certificate from the Center for Guided Montessori Studies, a MAACTE-approved Montessori teacher education program. Prior to founding Lille Way, I interned at Marquette Montessori Academy, part of the South Bend public school system, and co-taught at Chesterton Montessori School. I also have a Master's in Teaching from Virginia Commonwealth University and earned undergraduate degrees in English and Linguistics from the College of William and Mary.

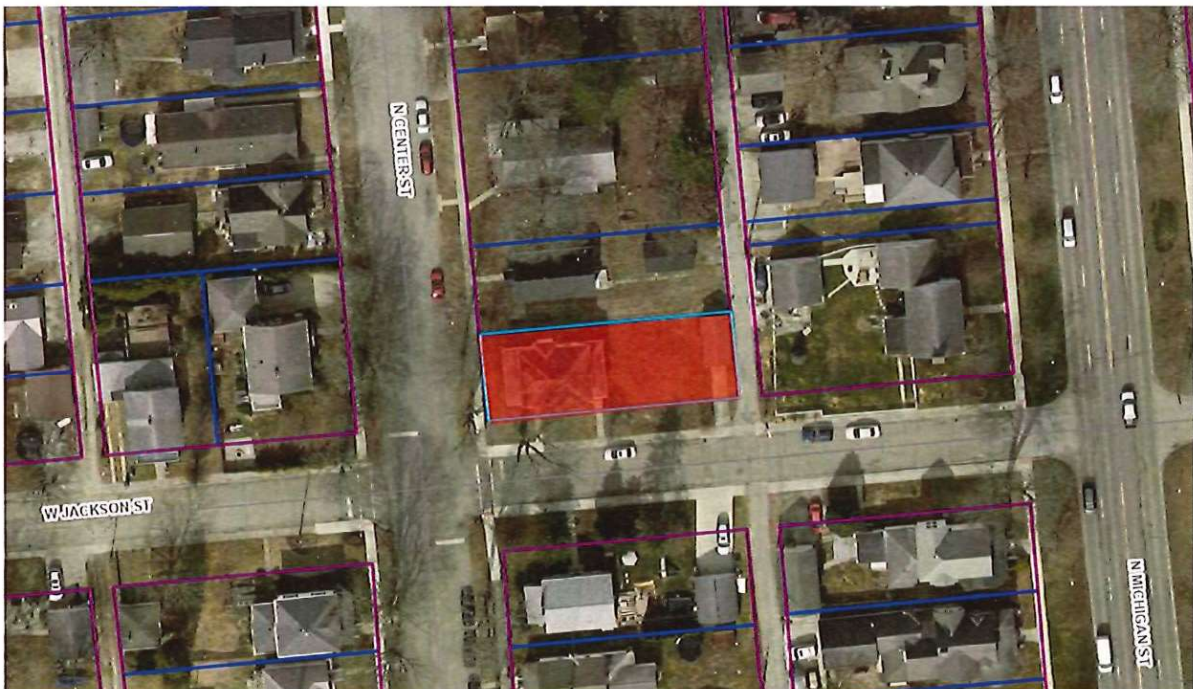
Montessori education is hands-on and holistic. Children work independently within the boundaries of grace and courtesy in a mixed-age group that fosters leadership and supports individual differences. Teaching staff offer individualized instruction and adjust the environment to meet the needs of each child. We spend some time outside every day except when the temperature with wind chill is below 20°.

Our maximum capacity with one classroom assistant is 20 children; we currently have 15 enrolled for the coming school year. Parents will drop off and pick up children at the property and may also attend occasional special events such as prospective family open houses or parent education evenings. The program hours are 8-11:30am, Monday through Friday, with another 15 minutes before and after for drop off and pick up. We follow the same calendar as Plymouth Community Schools. Because the program is less than 4 hours daily, we are a legally license exempt provider.

On behalf of our families and staff, thank you for your consideration.

Marcy Prochaska

Marcy Prochaska, Director



PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Marcy Prochaska (707 Lake Ave., Plymouth, IN 46563):

Prochaska states that the current location at Lake Avenue was just approved in August and it is a much smaller place on a much busier road. She states that when this opportunity arose, she jumped on it and she does not anticipate as much traffic so it is going to be a better fit for this school. She explains that it will also provide a home for her family so that she her family could live upstairs and have the school downstairs. She states that if this were to pass tonight that it would be both a win for the school and for her family.

Wendel asks if she is buying the home.

Prochaska responds by stating that she has a purchase agreement with the loan in the process and everything is moving forward there.

Richie explains that his wife used to own a state-licensed daycare for twenty years and he explains that they had to put fencing in. He asks if that is something that she will have to put in there.

Prochaska states that currently where she is at that she has vinyl push-in fencing at her current location and she is planning on moving that over.

Selge asks for clarification that she had put in fencing at the prior address. Prochaska agrees.

Wendel states that he had happened to drive by there and when he went to inspect behind the house, he noticed that the fencing had not been what was specifically asked for.

Prochaska states that there were no specifications when she was here before.

Wendel states that he asked for it to be six-foot high.

Prochaska responds by stating that was not in the notes.

Wendel explains that the fence had to be six-foot high.

Prochaska states what he said was not in the notes.

Listed are the minutes below. Booker explained the procedure well in these minutes.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

PLYMOUTH BOARD OF ZONING APPEALS

August 2, 2022

Gidley states that Prochaska has the right to use it, but it is on her property. He restates that it is one of those situations where people have got to agree to be neighborly. He states that the five people that sit on this board focus on being neighborly. He explains that a lot of disputes that they run into are from people who have not even spoke to one another yet and if they just would then it can probably be settled. He states that the police department is not the solution but if there is a problem with someone parking in the shared driveway then go next door and talk it out. He reiterates that you cannot rely upon the police department to solve every neighborly dispute. He explains that if they approve this that you have to self-police. He does add that he is deeply concerned about the kids getting out in front. He states that he does not want to see kids playing out on the sidewalk and they need to be in back.

Booker states that because this is a special use that the Board can put those stipulations in the motion.

Gidley states that it may be endless as there would be a lot to think of in one day.

Booker states that if they want it enforced that it must be in the motion and if it is not in the motion that it will not be enforced.

Hartsough asks what if she put a fence in the back.

Prochaska states that she had not planned on permanent fencing at this point, but she was planning on border edging as a visual cue for the children. She explains that it would be enforced as a line that they were not to cross. She adds that children this young need visual cues and respond well to them for the most part. She adds that she would entertain even if it were just across the side to prevent them from getting to the front but that is something to discuss with the other neighbor.

Gidley asks Hammonds if there were any fence problems.

Hammonds responds by stating that there is nothing that he sees.

Wendel adds that there is no size limit on the fence if it is big enough for the children.

Board Members Wendel and Selge moved and seconded to approve BZA 2022-19 with the stipulations that drop off time starts at 8:15, and to have an enclosed fenced in back yard play area within 60 days. The motion passed by roll call vote.

Yes:	Gidley, Selge, Wendel
No:	Jacobs
Absent:	Wickens

Wendel states that it will be in the request for this one and there has to be some type of play area for the children and that it will need to be fenced in. He states that her fence would not even come to his knee.

Prochaska understands and states that they have very small children. She adds that this is a safer neighborhood that they will be going to.

Wendel restates that he would still like to see a taller fence. He explains that earlier in the day he spoke to some people on Center Street and they stated that they did not have a problem especially if it is open from 8-11:30 am.

Richie asks if the only reason she is moving is because of the opportunity to move into a bigger location. He asks if everything was going well at Lake Avenue with the neighbor and the shared driveway.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Prochaska states that recently someone has been attacking a sapling on the property and she is not sure who that is. She explains that she wants to get away from whatever that might be. She states that her and her family are living in an apartment right now and her rent is exorbitant. She states that a mortgage payment is going to be less and more affordable for them as well. She states that the location as far as traffic is going to be better as well.

Richie asks if she said that someone is attacking a sapling.

Prochaska responds by stating that she has a little River Birch and the branches have been cut clean off and the rope around it has been cut. She states that it is definitely by scissors or shears and she understands that it is a weird situation. She states that she is unsure if it is kids pranking or something else.

Richie asks if that is in her fenced in property.

Prochaska agrees and states that it is right in the middle of the fenced in area.

Wendel asks if could be deer.

Prochaska responds by stating that she does not like believe it is deer as it is a very clean diagonal cut.

Board Members Selge and Wendel moved and seconded to open the public hearing. The motion carried.

Andrew Orr (801 N. Michigan St., Plymouth, IN 46563):

Orr states that he is the home directly east of the proposed property across from the alley. He states that his house is on the corner of Michigan and Jackson Street. He explains that he has lived there for three years and has been a lifelong Plymouth resident. He states that they enjoy the neighborhood and he believes the neighborhood is improving every year. He states that his concern with this case is a couple things. He states that in the photos that he is uncertain around what time these were taken but he did a quick count of the cars on Center Street before driving over here. He states that there are five cars parked on Center Street between Jackson and Harrison Street. He states that the next block to the south, towards St. Michael's, that there were nine cars parked on both sides. He adds five on one and four on the other side and that is about 75% of those blocks. He states that if you drive down Jackson Street during the time that she is talking about that you would typically see 3-5 cars parked between Michigan Street and Center Street along Jackson Street. He states that in the evenings there is more. He explains that his first major concern is the traffic flow through there and also the parking.

Orr states that his parents live at 723 Lake Avenue three to four houses down from the current Little Way Montessori School. He states that the current pick-up line extends out past his parent's driveway. He states that he is aware that is with their current number of students that they have so he is aware that can be a problem. He states that there are a lot of people that will point towards the Blueberry Cottage that is on the corner of Center and Harrison Streets as well as St. Michael's School. He states that if you look at both of those properties that he believes them to be

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

grandfathered in decades ago. He believes that by adding another commercialized property to the middle of a neighborhood that is already doing well and has limited space would not allow for parking. He explains that their driveway is about 20-feet long, single-car wide with a single-car garage. He states that there is not a lot of parking on property but if you were looking at any other commercial business in town you would expect them to have parking on their property that would support their needs. He states that even if it was proposed to add parking along there that you would run into problems as the property line is actually set back off Jackson Street by a considerable amount.

Orr states that the next issue is that there are already the 15 children enrolled with up to 20 children. He states that lot is not a large lot. He explains that his kids go to a private school and that they have gone to private academies as well when they were younger. He states that 20 kids take up a lot of room and they are looking at the first story of a single-family dwelling with a family living upstairs. He states that if he remembers correctly on Zillow, that the home is 2300/ 2400 square feet. He explains that is larger than their current location but still not large enough to be considered for what she intends to use it as.

Orr states that in the winter time, plowing in this area is bad. He explains that he does not even try to shovel his sidewalks along Jackson Street as majority of the snow gets plowed to one side of the street. He explains that it leaves less than a lane and a half of traffic and when cars park on both sides, which they do on Center Street and Jackson Street, you have one single lane of traffic. He states that adding in potentially 20 cars picking up 20 kids plus the other traffic that is provided by the other worker and for the family that this is possibly a strong recipe for disaster for this area. He restates that once again his house is on the back side of that and that he loves children as he has three of his own as well as a foster child that is a baby. He restates his concerns of traffic and the winter time. He understands that if they are not here in person that it does not carry a lot of water but explains that he did speak with his neighbor just to the south of it and they are opposed to this. He states that he works for the railroad and couldn't make it but that he would try to get his wife here. He states that his neighbors to the north of him are opposed to it as well due to the amount of traffic.

Orr states that this is his two cents and wished to end with stating that if this was coming to your neighborhood, would you want this rezoned. He states not just for now but for the future businesses that could be put into that. He asks if they do vote positive on this that it ends when they close the daycare facility. He adds that he is uncertain if that is called sunseting a zone or not. He states that it sounds like this daycare is very nice and very educated but he would just prefer it not in his backyard.

Booker wished to comment on some of Orr's statements. He states that this is not a rezoning. He states that this is a variance from what the zoning requires. He states that another facility could not go in there without having to go to another board. He states that the other issue that was talked about was parking. He states that in our ordinance it states daycare facility, which is very similar to this, is one space for every six children.

Gidley asks if that is for on street or off-street parking.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Booker responds by stating that he believes that would be off-street parking. He restates one spot for every six children. He explains that if the variance is granted that she may have to bring it up to developmental standard.

Surrisi asks if this would be different with them living on the property.

Booker responds by stating that a daycare can be in a residential facility. He states that he is not for or against this, he clarifies that is what the ordinance states.

Wendel states that would mean she needs 3 ½ spaces for parking.

Booker states that for just residential they need to provide at least two off street parking but this is built before the ordinance was established so you could call this one grandfathered. He states that he only really sees one space in front of the garage.

Hammonds states that it is not a variance and that this is a special use. Booker agrees. Hammond states that if that school is authorized in that district, then it is just a special use.

Gidley asks if it is still grandfathered if the use changes.

Booker responds by stating that for the special characteristics, parking could be one of those special characteristics.

Surrisi explains that Special Use is a type of use that is contemplated to appropriate for this zoning district but it is not automatically allowed. He states that they have to come before the Board of Zoning Appeals to get permission for it. He states that this is the type of thing that this zoning can foresee in a home. He states that he is uncertain on this last one but he is pretty sure that the blueberry yarn shop, even though it had long been a commercial property, that it had sat vacant for so long that they did have to come before the Board of Zoning Appeals for some variances so it was not grandfathered in.

Orr states that he was unsure and that is why he had deferred to them. He states that if you look at the width of Harrison Street, the fact that there are no stop signs, and you do not get street parking like you on Harrison Street like you do on Jackson Street. He states that the Blueberry Cottage does have their own on-site parking available behind and to the side of the building.

Gidley states that he did drive by there tonight as well and he did see the cars lined up on Jackson Street. He asks if those numbers change at 8:00 am and asks if those cars are gone by then. He asks if they come back at 5:00 pm.

Orr responds by stating that the city would have to check that out as he goes to work at 8:00 am.

Gidley states that this won't affect him then.

Orr states that he has a garage so he should be fine. He states that he agrees that the number of will probably fluctuate but at the same time he does not see it working. He states that you are talking 1 worker, 1 family car, and 20 cars picking up kids is 22 cars. He states that is a lot of traffic in that

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

area. He explains that they could provide the example that it is only two hours but he does not think he wants 22 cars going down the side of his house. He states that Michigan Street is a different story with four lanes in front of his house and he understands that. He states that when he bought his house there it was a quiet neighborhood and he wants to keep it a quiet neighborhood. He explains with that kind of use and traffic that he does not believe that property is well suited for that. He states that he would much rather see them get a commercial piece of property in Plymouth potentially downtown. He states that he does not know what properties are available currently but he believes that it should go into an area that is a little more directed for that use. He explains that his kids go to Grace Baptist and he believes in their elementary they have sixty kids. He states that you can see in the facility size for a total of 85-90 kids, the size they need at Grace Baptist. He states that you are talking about twenty kids and it may be two hours but that is a small area. He states that even with the number of students that they have now, he has seen cars back up at their current location picking up along Lake Avenue. He states that he would just prefer that not in his neighborhood. He adds that he could not even build playground equipment in his back yard with his four kids.

Greg Compton (713 N. Michigan St., Plymouth, IN 46563):

Compton wished to state that he agrees with most of the concerns that Mr. Orr had to say. He explains that he would like to protect the neighborhood as a residential neighborhood. He states that he believes everyone enjoys St. Michaels there and the playground there. He explains that St. Michaels does create a lot of traffic in their neighborhoods too and adding something else to that is going to cause a lot more chaos as far as traffic is concerned. He states that the only other thing that he would add to what he has said is the sheer fact of getting on and off Michigan Street can be burdensome on Jackson Street especially with the traffic coming on and off Monroe from St. Michael's as well. He states that they can't park on Michigan Street so there is a reason why there is quite a few cars there is because one of their neighbors does not have space in the back of their home. He states that they are fairly big homes on smaller lots. He adds that he is fortunate enough that he has an extra lot for extra space to park in. He states with the amount of traffic going onto Michigan Street would also cause a danger. He states that if you get two cars in front of you wanting to pull out onto Michigan Street that it takes a lot of time.

Richie adds that it does from the other side of the street as well.

Compton agrees and states that he knows the buyers very well and hopes they sell the home. He just does not want them to sell it commercially in this way.

Selge asks if there is just a stop sign at the end of Jackson Street.

Compton agrees and states that he does not want a traffic light there.

Board Members Selge and Wendel moved and seconded to close the public hearing. The motion carried.

Prochaska wished to state that it is not exactly a commercial use as it is a daycare. She clarifies that it is a special use. She explains that they have 15 minutes before and after for drop off and pick up so it is not that all twenty cars are going to be there at the same time. She states that she is willing

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

to consider what they may need to do to stagger pick up and drop off to reduce traffic or any other reasonable accommodations.

Richie asks where drop off is going to be at.

Prochaska responds by stating that kids are going to enter on the south porch.

Gidley states that the south porch is on Jackson Street. Hammonds agrees.

Prochaska asks if there is a city easement between this house and the one to the north and if that would be a reasonable use for them to have pick up and drop off go through there.

Selge asks if she is referring to going through the grass. Prochaska agrees.

Wendel states that it looks like they are using it as a driveway.

Orr states that there is nobody that drives through there.

Prochaska states that there are tracks.

Orr states that it can look like there is some kind of alley through there but he is not sure.

Wendel states that is the neighbor's yard though.

Surrisi states that there is an alley.

Booker states that there is an alley but he is unsure if it would be effective or not to drop the kids off in the alley.

Wendel adds that this is still not going to fix the parking as they need one spot for every six kids.

Selge states that it would also block off access to the garage if they park in the alley.

Prochaska states that it would not block the garage. She states that the garage entrance is on the other side.

Selge explains that he was talking about Orr's garage.

Wendel states that if you go one house north on Center Street that he spoke to those people before he got here tonight and they stated their problem with this is that the parking is already bad with the Blueberry Cottage as the people who go there park everywhere around there. He explains that it is two to three times a week they hold classes. He states that was their only complaint but they park all the way up and down on Center Street. He states that he was unsure if those classes happen during the day or not.

Selge asks where she would tell the parents the pickup spot would be.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Prochaska responds by stating that she would be open to suggestions on that on whether it would be better to use Center Street or Jackson Street.

Richie asks if both of the walkways lead to different doors.

Prochaska states that they do.

Richie asks if they would do Christmas programs and events of the like there on the facility because then she would have to look at parking for those things.

Prochaska states that she would definitely suggest that the families that live nearby could carpool to reduce the effect on the neighborhood. She states that they could also look into holding events like that at another location such as their church.

Compton states that they brought up the Blueberry Cottage there on Center and Harrison Streets. He states that even though that building had lost its grandfather clause of being a commercial building that it is structurally a commercial building. He states that there is an apartment on top and it has been there since he can remember and he was born here in 1953 so he has been around a while. He explains that you would have to make a substantial change to it to make it a residential to begin with.

Surrisi states that was part of the rationale why the Board of Zoning Appeals granted their variance.

Compton states that the point with this is that it is a residential home now and his point is to keep the integrity of the residential area.

Prochaska states that it is very typical for a daycare to be located in a home. She states that Maria Montessori's first schools were also located in homes so it would stick to their philosophy as well.

Gidley wished to ask Hammonds a question since he had this question the last time and he still has it. He asks if this needs a State Plan Release.

Hammonds responds by stating that it does not. He states that it is just a special use and that it is not changing the structure at all. He states that all they are doing is that they are going to have a school in there.

Richie asks because it is only four hours daily that she does not need a license.

Prochaska agrees and states that they comply with as many state requirements as they can but they are not legally required to.

Richie adds that it is not easy to comply with any of them there because they make you jump through hoops. He asks if they have said anything about whether or not the garage is going to need repainted. He states that they have rules about not having loose paint and so on.

Prochaska responds by stating that they really do make you jump through hoops and that eventually they may ask about the garage.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Gidley states that he is a little troubled by something. He asks her if she has already signed a purchase agreement on the property.

Prochaska responds by stating that she has.

Gidley asks if she made that purchase agreement contingent upon this approval.

Prochaska states that she did not and she realizes that she is taking a risk there. She states that she has been in a terrible financial spot since May when she lost her lease for the school and she was afraid of losing the property. She states that she has been trying really hard to get a place for months.

Gidley asks if the one that she is in now that has already got a variance is too small.

Prochaska responds by stating that there is too much traffic, it is too small, and she can't afford to keep paying the rent for an apartment.

Richie asks for clarification that she is not living where it currently is at.

Prochaska responds by stating that she had to move out of her home on Lake Avenue to accommodate the school.

Gidley asked for clarification that she lived in that home prior. Prochaska agrees. Bidley states that in order to find a place to put the school that she moved out of there and rented an apartment. He explains that he is just repeating what she had told them last time. He re-asks that she rented an apartment so she could put her school on Lake Avenue.

Prochaska responds in agreeance and states that it was so that she could continue the school. She states that she never intended that to be the permanent location.

Richie asks where the school was located at before that.

Prochaska responds by stating that it was at the United Church of Christ and their lease was not renewed.

Gidley states that he would entertain a motion.

Booker states that if they wished to put some stipulations in there that they need to do that. He states that if they make a motion that is negative then they have to put it in there why they believe it negative. He states that you can't just say no and that you have to state why it is no.

Wendel asks for clarification that if they take a vote on it, they have to explain their vote.

Booker responds by stating that the minutes are the only thing that is valid. He explains that if it were to ever go to circuit court then the only thing that they can be look at is that motion and the minutes. He states that if they were to turn it down because of traffic then you have to put that in your motion. He states that if you wanted to designate exactly where the kids are dropped off then

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

you make a place in which the kids were dropped off. He states that he believes he made them space the time in which the kids are dropped off last time. He states that if you want a 6-foot fence then you need to designate in the motion that she needs to build a 6-foot fence. He states that if you want to put some controls that you have to put it into the motion.

Selge asks if there is a curb on Jackson Street.

Gidley responds by stating that you can't just hop the curb. He states that he believes the city would require a curb cut in order to access more parking spots because you can't just park in the grass.

Prochaska states that you could drive into the driveway and then park in the grass.

Booker states that the city has had a lot of discussion about parking in the grass. Compton agrees.

Wendel adds that it never got approved.

Richie states that he and his wife operated a state-licensed daycare for twenty years and he understands what the neighbors are saying because his neighbors were saying the same thing. He explains that they were very fortunate that they had gracious neighbors that displayed grace for them when there was a function there and people had to park and they were on Bailey Street. He states that Bailey Street is very short and they took up the whole street sometimes so understands the concern with that because it does get consuming and can block traffic there.

Gidley states that if the drop off point is there on Jackson Street, then this traffic could spill over into Michigan Street.

Prochaska states that it could start on Jackson Street and turn the corner onto Center Street.

Gidley states that if they are going to use that back door for drop off then kids are going to want to drop off on that sidewalk.

Prochaska states that they could drop off on Center Street. She explains if that is the difference between whether or not this passes then that is an easy change to make to go to the other door.

Board Member Wendel moved to deny BZA 2022-25 based on the parking regulations until such time she could come back and tell them how she can get more cars either in her yard or somewhere so that they have to keep the neighborhood the same as it has always been. The motion died without a second.

Wendel states that he used to live across from the Junior High and it was a nightmare. He states that she has to find more parking that is not on city streets.

Booker reminds the Board that if it is denied that they can not consider the case for a year.

Surrisi adds that if there is consensus for that motion then maybe it would be worth tabling for a month or two if they wanted her to come back with something.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Booker states that he would say they need to table it at that point so she comes back in thirty days with a better plan.

Gidley asks what the timeframe is that she has on the purchase of the house.

Prochaska responds by stating that she is supposed to close on the Lake Avenue house tomorrow. She states that they are waiting on the property owner's home to be finished before she closes on this property.

Gidley states that this is what troubles him is that they are being asked to approve something at the last minute. He states that she signed the purchase agreement on a piece of property that very well may not qualify and he is sorry about that.

Prochaska states that she could accept the consequences of that if this gets denied.

Wendel states that he believes it may be best to put it off until next meeting if that is going to help them come to a more solid conclusion.

Selge states that would give her time to come up with another plan.

Richie states that the neighborhood is more concerned about this rather than just a parking situation. He states that it seems more like a traffic concern so would 30 days give her enough time to find out how to reroute traffic.

Wendel states that he thinks if it is up to whether or not they take the residential area and make it a little less residential compared to allowing it being opened up to more traffic that he would sooner keep the residential area.

Hammonds states that it would stay residential even with the special use. He clarifies that the zoning is not being changed at all. He restates that it is still a residential but this would just be a special exception from the rule.

Gidley agrees with Hammonds but states that it is still going to change the dynamic in the neighborhood.

Booker states that's what you will have to consider because one of the factors is if it would be injurious to the community. He restates that if they make a motion that way that he would like to see the justification in the motion for the denial.

Hammonds states that the parking issue could be addressed easily by using the existing driveway that is there now and pour concrete in.

Wendel asks where he is talking about pouring the concrete.

Hammonds responds by stating if you use the existing driveway and pour in another spot to the west that the issue would be solved.

PLYMOUTH BOARD OF ZONING APPEALS
November 1, 2022

Wendel asks for clarification on the side of the garage. Hammonds agrees. Wendel asks if this would give her the three parking spots required.

Hammonds responds by stating that it would and you see it done all the time.

Wendel asks if they need to make accommodations for employees as well.

Booker states that one more spot is all she needs. He states that he doesn't believe she could include inside the garage due to its size.

Selge asks if they make the parking on the inside of the yard next to the garage that would double the parking spots.

Hammonds responds by stating that you wouldn't have to double it but instead you could come in and angle it off.

Gidley adds that you could fan it off as you get in.

Orr asks if anyone is aware of the square footage of the grassy space. He explains that they are trying to fit a lot things into that grassy space there. He states that even if you are using the existing concrete driveway that he is unsure on how wide the parking spaces have to be. He states that with three parking spaces, do they have to be 10-feet wide by 12-feet long. He states that would be 120 square feet per each space so that is 360 square feet right there and that is not even including all the other things. He adds that if you add in a playground and a six-foot fence.

Gidley asks in regards to the playground. He asks Prochaska for clarification that she did not have a playground at St. Thomas and she did not have one at UCC. Prochaska agrees. Gidley asks in the Montessori scheme, is there playground equipment.

Prochaska responds by stating that there is some equipment at 707 Lake Avenue.

Gidley states that he was unaware as he had not been back there.

Prochaska states that there is a slide and swings, a teeter-totter, etc. She states that it is not commercial size playground with fancy equipment. She explains that it is like when a homeowner buys playground equipment.

Gidley asks if that equipment that she just had at her home.

Prochaska responds by stating that they purchased it for the school.

Wendel states that he believes parking is its own separate issue and that he thinks that they could find a better place in town for it.

Prochaska states that she has been trying.

PLYMOUTH BOARD OF ZONING APPEALS

November 1, 2022

Wendel states that he has listened to everything and that he knows how things are going to go and there are going to be 20 cars sitting down there at 7:30 in the morning. He explains that there are five cars that sit across from the Junior High at 2:30 pm in the afternoon even though school gets out at 3:10 pm so he is familiar with the way it goes.

Board Members Wendel and Richie moved and seconded to deny BZA 2022-25 based on traffic patterns as it is going to disrupt the tranquility of the neighborhood. The motion passed by roll call vote.

Yes:	Gidley, Richie, Selge and Wendel
No:	None
Absent:	Jacobs

There being no other business, Board Members Selge and Richie moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:21 p.m.

Kyle L. Williams
Kyle Williams— Recording Secretary