

PLYMOUTH BOARD OF ZONING APPEALS

June 3, 2025

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 June 3, 2025, at 8:29 p.m.

Board President Art Jacobs called the meeting to order for Board members Jack Garner, Mark Gidley, Brandon Richie, and Paul Wendel. Alternate Linda Secor was in attendance but not needed. Alternate Megan Rogers was absent. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, Plan Director Ty Adley, and Mayor Robert Listenberger. The public was able to see and hear the meeting through Microsoft Teams.

Board members Richie and Garner moved and seconded to approve the minutes of the regular session of May 6, 2025, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on May 23, 2025:

<p style="text-align: center;">NOTICE OF PUBLIC HEARING</p> <p>The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on June 3rd, 2025, 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 2025-08: ZENON ORTIZ BACA, 233 E. Lake Ave, Plymouth, IN 46563: A Variance of Development Standard to permit an accessory structure before a primary structure, on parcel 50-42-27-000-019.000-018, located on Plymouth Goshen Trail, Plymouth, IN 46563, zoned R-1, Rural Residential District.</p>	<p>BZA 2025-09: SHREE NARAYAN LLC, 4192 S. 150 W. LaPorte, IN 46350: A Special Exception request to permit a restaurant, on parcel 50-42-92-101-274.000-019, located at 2124 N. Michigan Street, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.</p> <p>BZA 2025-10: RELOS MICHAEL T & JOYCE D, 11772 Olive Trail, Plymouth, IN 46563: A Variance of Use to permit a carwash, on parcel 50-32-05-102-196.000-019, located at 1200 W. Jefferson Street, Plymouth, IN 46563, zoned C-1, General Commercial District.</p> <p>BZA 2025-11: BIRCHMEIER RENTALS LLC, 11100 Shady Lane Drive, Plymouth, IN 46563: A Variance of Use to permit a duplex, on parcel 50-32-05-103-081.000-019, located at 1431 W. Jefferson Street, Plymouth, IN 46563, zoned C-3, Corridor Commercial 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 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, May 22nd, 2025.</p> <p style="text-align: right; font-size: small;">May 23, 2025 PNC65463 hspaxip</p>
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**116
Legals**

BZA 2025-08: ZENON ORTIZ BACA, 233 E. Lake Ave, Plymouth, IN 46563: A Variance of Development Standard to permit an accessory structure before a primary structure, on parcel 50-42-27-000-019.000-018, located on Plymouth Goshen Trail, Plymouth, IN 46563, zoned R-1, Rural Residential District.

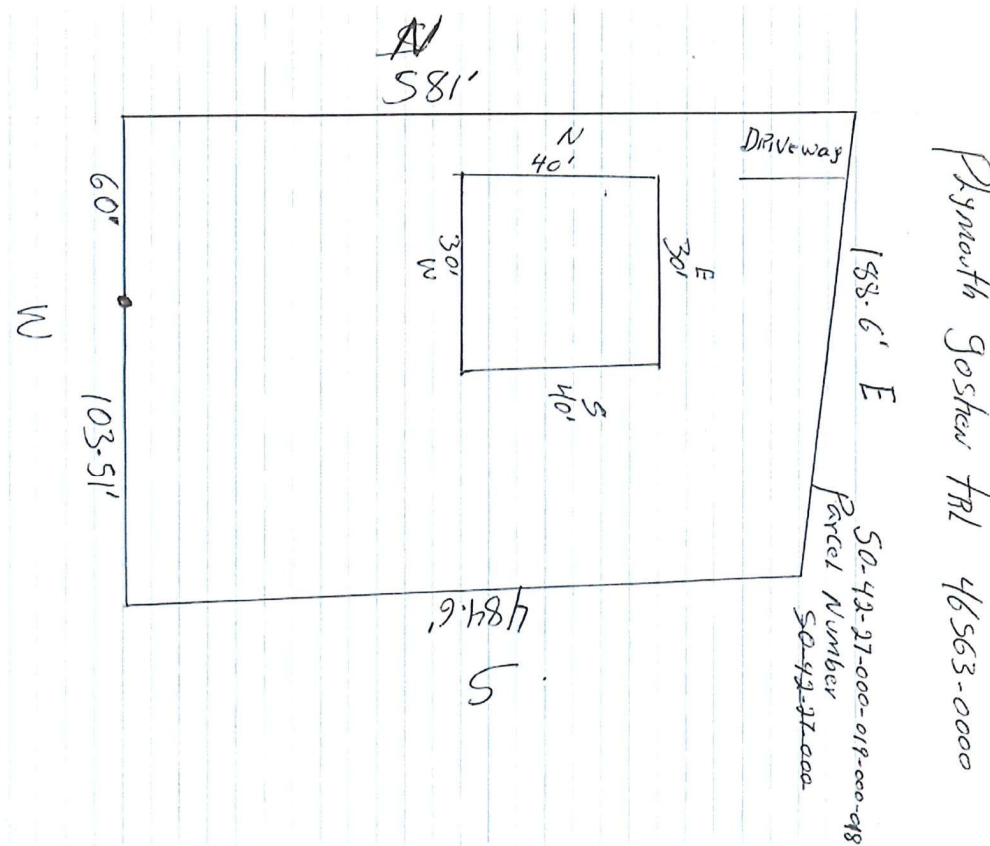
Plan Director Adley reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below).

I Zenon Ortiz, the owner of this property plan to use this building as storage.

Sevin Ortiz 04-14-25

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Zenon Ortiz Baca (233 Lake Avenue, Plymouth, IN 46563)

Ortiz stated he had lived in Plymouth for 45 years and the reason he needed this building was for personal belongings.

Gidley asked for clarification that he planned on building nothing else there aside from this storage building.

Ortiz replied that as far as he knew that he would not.

Gidley asked if he would have water and septic at that building.

Ortiz replied that he did not plan to at this time.

Gidley asked if he had applied for a septic permit.

Ortiz replied that he had not but if it was something that he needed to do then he would do it.

Gidley stated he wanted to know if there was even a location available for a septic tank on that property as it was a wetland.

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Ortiz replied that it was like a triangle so he believed there was enough room right in the back. He believed there was plenty of room if he needed to but he did not believe he would need one.

Board members Gidley and Wendel moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

Board members Wendel and Richie moved and seconded to close the public hearing. The motion carried.

Board members Richie and Wendel moved and seconded to approve BZA 2025-08 as presented. The motion passed by roll call vote.

Yes: Garner, Richie, Wendel & Jacobs

No: Gidley

BZA 2025-09: SHREE NARAYAN LLC, 4192 S. 150 W. LaPorte, IN 46350: A Special Exception request to permit a restaurant, on parcel 50-42-92-101-274.000-019, located at 2124 N. Michigan Street, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below).

Letter of Intent

We are proposing to build a Dunkin Donuts at
2124 N. Michigan St. Plymouth, IN, 46563.
The business is a fast food / bakery chain
providing donuts and coffee.

- Vatsal S Patel
219-575-8292
5/13/2025

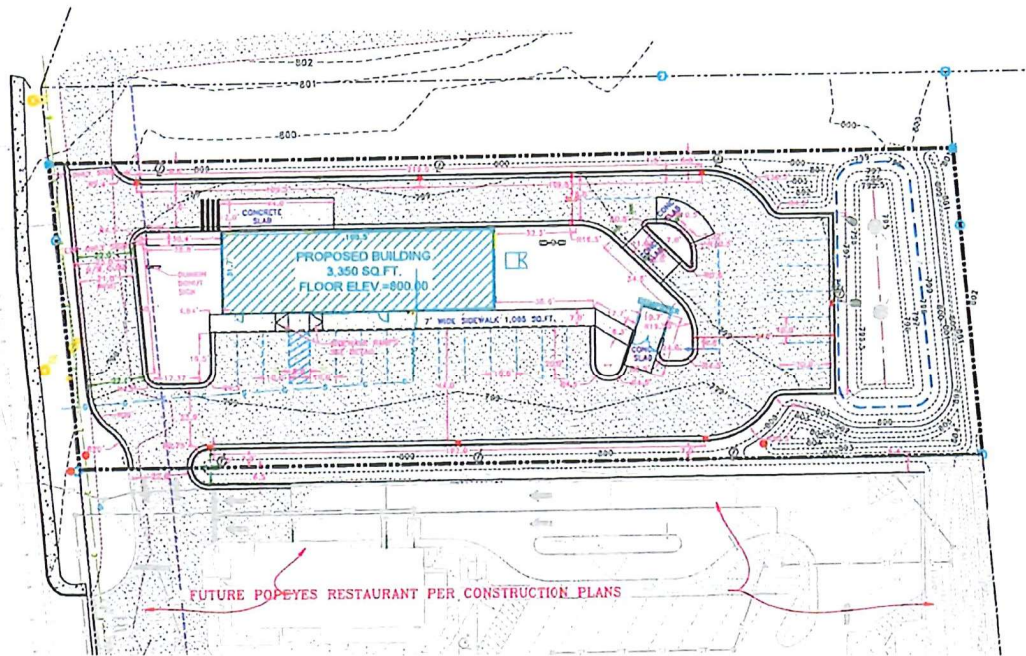
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PLYMOUTH DUNKIN DONUTS

SITE PLAN

0.96-ACRE TRACT IN THE NORTHEAST FRACTIONAL QUARTER IN SECTION (12), MICHIGAN ROAD LANDS, CENTER TOWNSHIP, MARSHALL COUNTY, INDIANA.



Gidley stated what concerns him was the sightline there. He asked how the Popeye's got so far ahead of the Culvers when it got laid out. He reclarified how it got so much closer to the road than Culvers.

Adley replied as long as it meets the setbacks which it did. He stated if they had wished to be closer than the setbacks then this board would have had to give approval.

Gidley asked if they knew what the setback was on this lot and if it was the same.

Adley replied that it same district so it would be the same standard.

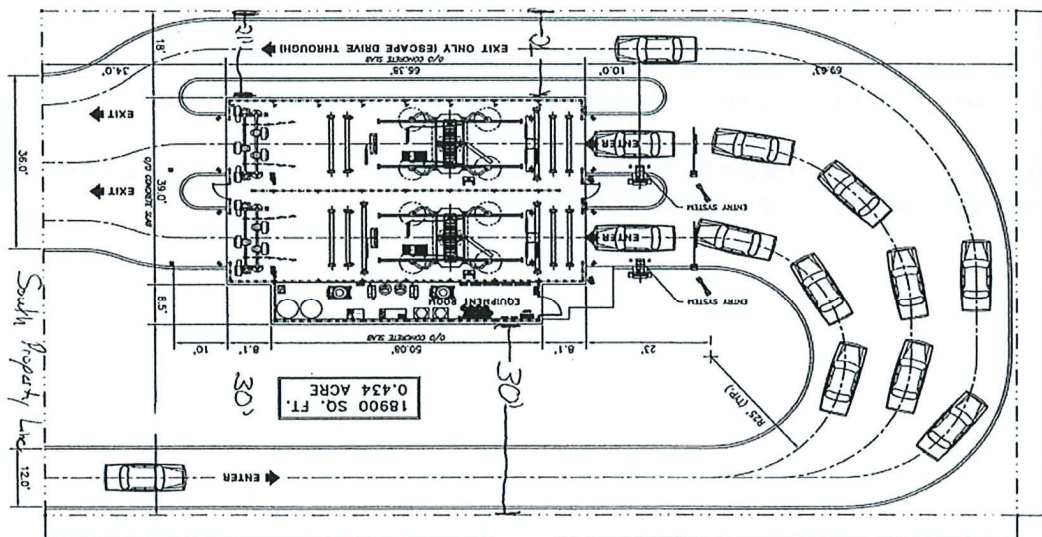
Jacobs stated he thought the same as Gidley and asked if he knew the setback off the top of his head.

Adley replied that it would be around 20-25 feet.

Kalpesh Patel (4192 S. 150 W., LaPorte, IN 46350)

Patel stated he was there to request their permission to build a Dunkin' Donuts restaurant at that location. He stated they have developments in nearby towns such as LaPorte and Warsaw. He stated that they had heard their customers talking about opening up a location in Plymouth so hearing the voice of the customers, they have decided to develop in Plymouth.

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Garner asked for clarification that this property with a current residential building was zoned commercial but the property abutting it from the Plan Commission meeting earlier was a commercial building that was zoned residential. Adley agreed.

Adam Souder (10472 6B Road, Plymouth, IN 46563)

Souder stated it was already zoned C-1 and it was bordered by Low Bob's, the old Pennzoil Express Lube place, and George Holzwart with his detailing location from the earlier meeting. He stated they had one residential neighbor to the northwest. He stated the Technical Review Committee (TRC) meeting went well that they attended and they met with NIPSCO. He stated they would like to get together with Wightman and a general contractor soon.

Garner asked if the house would stay on the property.

Souder replied that it would not. He stated there was also some trees there that would need to come down by some professionals as they were rather large.

Board members Gidley and Wendel moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

Board members Wendel and Richie moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2025-10 as presented. The motion passed by roll call vote.

Yes: Garner, Gidley, Richie, Wendel & Jacobs

No: None

BZA 2025-11: BIRCHMEIER RENTALS LLC, 11100 Shadylane Drive, Plymouth, IN 46563:
A Variance of Use to permit a duplex, on parcel 50-32-05-103-081.000-019, located at 1431 W. Jefferson Street, Plymouth, IN 46563, zoned C-3, Corridor Commercial District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He read the applicant's letter aloud (see attached letter below).

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Birchmeier Rentals, LLC
11100 Shadylane Drive
Plymouth, IN 46563
574-780-2123

May 13, 2025

City of Plymouth Board of Zoning Appeals
124 N. Michigan Street
Plymouth, IN 46563

To Whom It May Concern:

As property owners of 1431 W. Jefferson Street, Plymouth, we are requesting a Variance of Use to allow us to build a duplex on the parcel. There are currently 3 duplexes on the adjacent parcel that we own and by adding the additional duplex, this would keep the property in line with our overall vision.

The current zoning of C-3 does not allow for the duplex to be constructed. Although the zoning of the parcels on the north side of Jefferson Street along with the parcel where Park Jefferson Street apartments is located are both zoned R-4. We would respectfully request the Variance of Use to allow the duplex to be constructed.

Thank you,

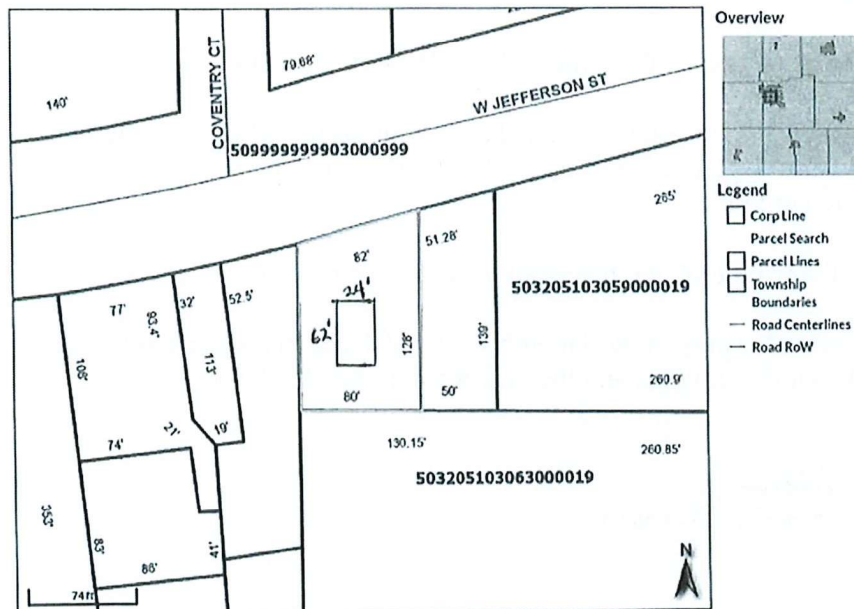


Jeff Birchmeier, Member
Birchmeier Rentals, LLC



Angie Birchmeier, Member
Birchmeier Rentals, LLC

 **Beacon**TM Marshall County, IN



Parcel ID 503205103081000019
Sec/Twp/Rng 05/33/2
Property Address 1431 W JEFFERSON ST
PLYMOUTH

Alternate ID 0178900100
Class Vacant Land
Acreage n/a

Owner Address BIRCHMEIER RENTALS LLC
11100 Shadylane Dr
Plymouth, IN 46563-8626

District PLYMOUTH (CENTER)
Brief Tax Description ACREAGE: AUDITOR DESC: PRT SEC 5 S LN W JEFFERSON 506.5' W LEGAL DESC:
(Note: Not to be used on legal documents)

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Angela Birchmeier (11100 Shadylane Drive, Plymouth, IN 46563)

Birchmeier stated that they own the property just to the south of this property. She stated the duplexes had already been in existence for some time and when they bought the property to the north there was a deteriorating building there that they had to tear down. She stated they were looking to build an additional duplex there and the flags on the property currently were an approximate location as to where they would like to put it.

Garner asked if this would be single story. Birchmeier agreed.

Board members Wendel and Richie moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2025-11 as presented. The motion passed by roll call vote.

Yes: Garner, Gidley, Richie, Wendel & Jacobs

No: None

Other Business:

Gidley asked for an update on the trailers at 500 W. Jefferson Street.

Manuwal replied they were gone. He stated he was informed when he came in to pay his fine that he had a contractor to replace his fence, but they were backed up and it would be by the end of July before they could get to it.

Gidley asked if the wind took the fence down. Manuwal agreed.

There being no other business, Board members Wendel and Richie moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 9:00 p.m.



Kyle Williams, Recording Secretary