

PLYMOUTH BOARD OF ZONING APPEALS

August 5, 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 August 5, 2025, at 7:44 p.m.

Board President Art Jacobs called the meeting to order for Board members Mark Gidley, Brandon Richie, and Paul Wendel. Board member Jack Garner was absent. 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, Mayor Robert Listenberger, and Plan Director Ty Adley. The public was able to see and hear the meeting through Microsoft Teams and streamed live at <https://www.youtube.com/@CityofPlymouth>.

Board members Richie and Gidley moved and seconded to approve the minutes of the regular session of July 1, 2025, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on July 24, 2025:

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on August 5th, 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:

BZA 2025-15: Lonnie and Bryan Stutler, 13291 5d Road Plymouth, IN 46563: An Administrative Appeal of a violation letter pertaining to removal of pallets and continued cleanup of the property at parcel 50-42-91-000-103.000-018, located at 7469 Michigan Road, Plymouth, IN 46563, Zoned C-3, Corridor Commercial District.

BZA 2025-16: Lawrence H Katz & HDJ Investments, LLC, 207 E Market Street Nappanee, IN 46550: A Variance of Use to allow the operation of a retail

store (Dollar General) on parcel 50-41-26-000-026.000-017, located on Queen Road at the intersection of Queen Road and US 30, Plymouth, IN 46563, zoned R-1, Rural Residential District.

BZA 2025-17: George W IV & Melinda J Folkers, 57652 Pricilla Court Elkhart, IN 46517: A Special Exception to allow a home based business for the storage of their vehicles on the property on parcel 50-32-06-403-172.000-019, located at 2220 Lake Avenue Plymouth, IN 46563, zoned R-2, Suburban Residential District.

BZA 2025-18: Big Pretzel LLC, 16467 Pretty View Drive Plymouth, IN 46563: A Variance of Development Standard to allow for a mural larger than the permitted maximum on parcel 50-32-05-102-331.000-019, located at 1024 W Jefferson Street, Plymouth, IN 46563, zoned C-1, General Commercial District.

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, July 24th, 2025.

July 24, 2025 PN366772 hspaxlp

116 Legals

BZA 2025-15: Lonnie and Bryan Stutler, 13291 5d Road Plymouth, IN 46563: An Administrative Appeal of a violation letter pertaining to removal of pallets and continued cleanup of the property at parcel 50-42-91-000-103.000-018, located at 7469 Michigan Road, Plymouth, IN 46563, Zoned C-3, Corridor Commercial District.

Plan Director Adley reviewed the appeal from the applicant. See appeal below.

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TO BOARD OF ZONING APPEALS, FOR THE CITY OF PLYMOUTH, INDIANA

I hereby appeal from the decision of the Building Commissioner and/or Zoning Board of Appeals for the reasons stated below and attach hereto drawings showing location, etc:

To whom it may concern,
According to Letter was asked to
Remove pallets in which I Bryan Stutler
need to place items on to so they can
be moved around easily to clean up and
straighten things up around property.
Do to the Hot Flooding of Property.

July 9, 2025
Bryan Stutler
Appellant

2021:



2025:



Lonnie and Bryan Stutler (13291 5d Road, Plymouth, IN 46563)

Lonnie stated him and his brother were coowners of the property and Bryan's business was on that property. He stated he did not believe people knew what they were looking at because from the pictures provided it looked like one big nest. He stated the stuff there had value and there were a lot of used business up and down this road. He stated that across the street they sold used toys, blenders, etc. while Bryan's business sold used industrial and commercial stuff. He stated the property was zoned commercial. He stated Krogers had pallets all along the front of their store that they use that had been there for years. He stated to tell Bryan that he could not have pallets on his property, why would everyone else on this road be able to have pallets on their property. He stated they looked at a picture of a tractor forklift that he used to move this pallets with. He stated the items he dealt in were too heavy for a man to pick up so they had to be palletized. He stated if they took the pallets away then you took his business away. He stated they had that commercial property since the early 1970's. He explained at one time he ran a machine and welding shop out of that building and he wanted to put a business back in there but Bryan does his business out of it. He stated he bought and sold commercial secondhand goods. He listed furnace parts, tractor parts, small engine repair, mowers, etc. He stated it was different things that had different value to different people. He stated it wasn't rubbish there but rather stuff you would consider junk. He stated the next man who comes up may have been looking for that item for years and consider it valueable. He stated one of the problems they had was ever since the business to the south filled the ditch in the back, the water now collects at their property. He stated for 6-7 months out of the

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year, you could not drive on the property. He stated the business wanted to increase their parking lot so now the water comes to their property.

Wendel asked if this was taken to the Marshall County Drainage Board. Bryan agreed.

Gidley stated they asked Manuwal several months ago about this property and Manuwal informed them about the flooding problem and that they told him it was caused by someone else. At that time, they were advised to contact the drainage board. He asked what the drainage board said.

Bryan replied that they had not said anything yet. He stated they came out and looked and said they would get back with him but he had not heard anything back yet.

Gidley asked if they had followed up with them.

Bryan replied that he had been dealing with this other problem first.

Gidley asked what the other problem was.

Bryan replied it was what they were discussing now with removal of the pallets.

Gidley asked if the property wasn't wet in the back if some of these items would be back there. Bryan agreed. Gidley stated it didn't look like the property was that wet back in 2021.

Wendel added there was also not that much stuff.

Lonnie stated back in 2021 he had almost got stuck with the tractor.

Gidley asked if it was possible that they have more stuff than they have room for. Lonnie disagreed.

Bryan stated the whole back end was still open.

Gidley asked for clarification that they were not using the back end because of the water.

Bryan replied that it was wet. He stated the Building Commissioner knew that as well as he walked it.

Lonnie stated everything was behind the fence in the front.

Wendel stated the fence does not cover too much and this was an entrance to the city. He stated he would like it if it was more presentable and out of sight/mind.

Lonnie stated some of the items out there are meant to be seen.

Bryan added that you could not sell it if they cannot see it.

Wendel asked if it could be an organized mess.

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Lonnie replied that there are times when it was more organized.

Bryan stated he worked at other places with other jobs as he could not rely upon this totally for income.

Lonnie stated what bothered him was that he was fined for pallets. He stated he had pictures of every business along there that has pallets and stuff stacked along their fences.

Richie asked what business filled in the ditch that caused the flooding. Bryan replied Autopark.

Manuwal stated they are correct that the vacant back corner was very wet back there. He stated there was a ditch line that runs on the back of the property, the north side of the property, and out along Michigan Road. He stated he told them to contact the Marshall County Drainage Board regarding that. He explained that last year Lonnie had told him all the stuff was for sale, so he told him to organize it. He stated it was organized and then it went into disarray again. He explained he had sent a letter, and then he had come in and spoke to him. He stated from their conversation, as long as they were working on the property, he was willing to work with him. He stated it drug on and when he stopped by, Bryan was spreading millings and there had been nothing since. He stated he wanted them to eliminate the pallets as a start but the whole property was the problem. He explained if it was for sale, then it needed to be organized. He stated he had already spoke with the other properties further south and they addressed their issues.

Jacobs asked for clarification that this was not the only property he spoke to.

Manuwal replied in agreement and stated he spoke to the whole strip on both sides of the road.

Jacobs asked for clarification if they were having to vote on upholding the decision. Adley agreed. Jacobs asked if there needed to be a public hearing.

Houin replied that an administrative appeal did not require a public hearing.

Wendel asked how they proposed to clean this property up.

Bryan replied that he had been cleaning the property up all along.

Wendel stated he drove by the other day and from the street it looks like a big junk pile if you do not know what you are looking at.

Bryan replied that he had rearranged the whole place already that week.

Lonnie stated when Bryan received items, he would receive a call prior asking if he would like the item. He stated if he deemed the items valueable then he would take them.

Bryan added that it was better than the items going to a landfill.

Wendel asked if this was considered a junkyard.

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Lonnie replied that it was more commercial.

Wendel added that Dimitz was a junkyard but they still sold a lot of items out of there. He asked if there was a way to organize this with racks that could hold engines, items, etc. and put vehicles in straight lines. He stated it needed to be cleaned up as that was what the city was concerned about.

Lonnie stated if they went there today it was cleaned up.

Gidley added that he was there this afternoon and it was not.

Lonnie stated when you are in a wet zone, you put items where you can so you don't sink when you drive across. He stated you could not drive across the back so it ends up getting put out in the front.

Bryan added that forklifts do not like wet ground.

Gidley stated if you were out doing other jobs, who was there to sell the stuff while he was not there.

Bryan replied there was nobody, he did it all by himself.

Gidley asked if anyone could come by, drop something off, and he would not be aware.

Bryan replied that they pretty much could but they knew that he did not want their garbage.

Gidley asked if he just shows up and new items are there.

Bryan replied that they were not. He stated there was a chain across the front of the property and they did not drop anything off unless he was there.

Wendel asked if there was a speciality that they looked for or anything worth money.

Bryan replied tractors, jeeps, mowers, etc. He stated he fixed mowers, weed eaters, cars, trucks, etc.

Richie asked if there was a way to reorganize it where there was a way to separate new and old merchandise.

Bryan replied he was trying to and he recently put millings in the driveway so he could drive in the driveway because you would sink in six inches when you drove in. He stated he was trying to spread it out but it cost money.

Richie asked if the items he had were laying in the grass or on pallets.

Bryan replied that 90% of them were on pallets. He stated he had four forklifts on site.

Richie asked what the option was of putting a fence up in the front.

Bryan replied there was a factory built fence there already. He stated it was a Dog Ear fence.

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Richie asked how tall the fence was.

Bryan replied that it was six foot tall.

Gidley stated Dimitz was brought up earlier and in the past it was legally described as an automobile graveyard. He asked what the legal definition was for this property.

Houin replied that Manuwal and him spoke about this a couple of times and the closest identified use in the zoning ordinance would be an auto salvage yard, which was allowed as a special use in the C-3 zoning district. He added this property was zoned C-3. He stated that was a determination that Manuwal could make on whether this was allowed or not. He stated if it was determined that the closest use was an auto salvage yard, then it would require a special use exception from this board.

Lonnie added that automobiles were not the focus of his business.

Houin stated that tractors were identified as the primary item bought or sold. He stated an argument could be made that this was not necessarily an auto salvage yard but it would at least be a salvage yard. He stated this was another area where because there was not a clear identified use in the zoning ordinance that matched the current use, that this would be left up to the determination of the zoning administrator and the determination could be appealed to this board.

Richie asked what was in the building.

Bryan replied there was more things for sale.

Wendel asked if they could fit more in there.

Bryan replied he was trying to but he was caught up on this golf cart he was working on.

Lonnie stated in the letter it addressed that they brought the Environmental Protection Agency (EPA) in and there was nothing toxic on this property. He stated it was quoted that the "rubbish" had to be removed but there was no rubbish there. He stated that rubbish was what you would dump out of your trash can. He stated the majority of what they had was boat parts, lawn mower parts, lawn mowers, etc. He stated if he was to call his business anything then he would call it small engine repair and salvage. He stated he had one vehicle there and Bryan had a couple jeeps. He stated he wanted to specialize in jeeps and get down to that. He stated he would like to see the other stuff go himself but it was his brother's business so he let him do what he does. He stated he was a truck driver and other than his name on the property, he had nothing to do with it.

Gidley asked if he had other properties up the road. Lonnie agreed. Gidley asked if they have the same items on them. Lonnie replied that one was his home and a garage.

Lonnie stated he also had a field there and that the zoning board claimed jurisdiction over all of that thanks to the two-mile zone. He stated for him it was a sore spot anyway. He stated they got the

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two mile zone in case Plymouth planned to grow and nothing has happened in 50 years but he was still subject to all the city's rules. He believed that was something that needed changed.

Gidley stated that was a decision of the State.

Richie asked how much the fine was.

Bryan replied the fine was \$200 for pallets.

Wendel stated the issue with wood pallets was that they rot when they get wet.

Bryan added he was also not allowed to burn there either.

Lonnie stated they were no rotten pallets there. He stated everything moves all the time as things come and go on the property. He explained it was a constant flux of things moving. He stated that was why he started out by saying some people call this garbage and junk while others believe it was valuable commodities. He stated if you did not have a use for it then you would consider it junk.

Richie asked if he saw the issue as there may be valueable stuff there but it was an entrance to the city.

Lonnie replied in agreement that it needed to be organized but when he had his machine and welding business there, they had heavy equipment coming in and out all the time. He listed Semi-Trucks, Trucks, Bulldozers, Backhoes, etc. but the land was dry then. He stated he could bring things in and move them around. He stated he would like to get everything in the back part and have the front part be parking for people coming in and out.

Bryan added they made him put the fence clear back in front of the building.

Wendel stated they discussed the next steps already about addressing the drainage issue with the county. He suggested paying that office a visit as they were not here to deal with the drainage.

Manuwal stated they were turned over to the EPA for having open fires back there but that was before his time. He stated he contacted the EPA when he first started looking into the property and asked if they still had open cases. He explained the lady he spoke with told her it was hard to get ahold of the property owners but the case was not closed but it was also not currently active. He stated former Building Commissioner Keith Hammonds did issue a fine back in 2022. He stated they were getting hung up on the pallet issue but the pallets was him trying to find a step forward to fix the entire property as the entire property was what the original citation was for.

Adley wished to clarify what the decision criteria was based upon so they were not stepping outside where they were making decisions. He stated the decision came down to whether or not they get to keep the pallets on the property as that was the only request from the appeal.

Jacobs asked for clarification on the fine.

Adley replied that it had nothing to do with the fine, aside from saying how much it was.

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Jacobs stated the fine had to be paid and it was irrelevant to the determination that night.

Adley stated what was being determined that evening was about the pallets as that was what the request for appeal was. The violation was for the whole property, this evening they were deciding whether or not they get to keep the pallets. He reread the application above aloud.

Bryan stated it was not fair that he was getting fined as he was moving stuff around.

Jacobs stated that it was not being acted upon quick enough as it had been fined. He stated the pallets were addressed as a start to keep the clean up moving forward.

Lonnie stated if they denied use of the pallets then what about the rest of the commercial properties along that road.

Jacobs explained that the concern that night was about this property as every case was their own.

Lonnie stated he would file suit as it was discrimination.

Jacobs said he had every right to and he was free to make that decision.

Houin stated that Adley provided the language from the appeal notice, but he wanted to provide the language in the notice of fine. The attached letter below was read aloud.

Bryan Stutler
Lonnie Stutler
5904 Michigan Rd
Plymouth, IN 46563-9774

June 25, 2025

Re: 7469 Michigan Rd
Plymouth, IN 46563
Parcel: 50-42-91-000-013.000-018

Property Owners:

This office sent a letter on February 25, 2025, informing you of a violation of the City of Plymouth Zoning Ordinance.

On March 11, 2025, a representative for this property came into my office to discuss this matter.

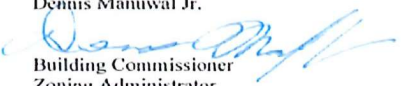
On March 13, 2025, I issued an extension until April 11, 2025, to allow for work to continue.

Around April 24, 2025, I spoke with someone at this property and informed them to remove all the wood pallets and to continue working on cleaning the property. I also informed them if they had issues with the drainage of the property to contact the Marshall County Drainage Board.

On June 9, 2025, I sent a notice of violation informing you that I had not seen any significant improvements to the property. The notice informing you that you had fifteen days (15) days to come into compliance with the City of Plymouth's Zoning Ordinance, Title 6 Chapter 040, Section 0. I also informed you that you could appeal the notice through the Board of Zoning Appeals (BZA). No such appeal was filed, and the property is still not within compliance.

This is **Notice of Fines for Violation** of noncompliance with the previous order, and you are hereby fined in the amount of **two hundred dollars (\$200)**. You have fifteen (15) days to pay the fine and to comply with the City of Plymouth Zoning Ordinance to avoid further fines. The fine can be paid at the Clerk/Treasurer's office located at 124 N. Michigan Street, Plymouth Indiana

Dennis Manuwal Jr.


Building Commissioner
Zoning Administrator
City of Plymouth
111 N. Center Street

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Gidley stated the Board of Zoning Appeals represent the public on deciding what being cleaned up meant versus what they believe cleaned up meant. He stated it was clearly not the same. He stated the extra-territorial jurisdiction existed so the city could control how it grows and determine what goes on beyond it's borders so properties like this can be addressed. He stated this was a prime example of why the extra territorial jurisdiction needed to be enforced because when they put Veteran's Parkway in and that entrance became an even more important entrance into the City of Plymouth. He stated he was speaking as a representative of the two-mile zone as he was appointed by the County Commissioners.

Board members Jacobs and Gidley moved and seconded to affirm the Building Commissioner's determination of BZA 2025-15 to remove the pallets. The motion passed by roll call vote.

In Favor: Gidley, Richie, Wendel & Jacobs
Against: N/A
Absent: Garner

BZA 2025-16: Lawrence H Katz & HDJ Investments, LLC, 207 E Market Street Nappanee, IN 46550: A Variance of Use to allow the operation of a retail store (Dollar General) on parcel 50-41-26-000-026.000-017, located on Queen Road at the intersection of Queen Road and US 30, Plymouth, IN 46563, zoned R-1, Rural Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. See the applicant's letter of intent below.

July 10, 2025

Ty Adley
Planning Director
City of Plymouth
124 North Michigan Street
Plymouth, IN 46563

RE: Dollar General Store #31557
NEC Queen Road and Plymouth LaPorte Trail
Variance of Use

Mr. Adley:

The Overland Group is under contract with Lawrence Katz and HDJ Investments, LLC, to purchase property shown in the attached survey. On behalf of the current owner and per the terms of our purchase contract, we are providing this letter of intent, requesting a Variance of Use to allow operation of a retail store on this property.

If the requested Variance of Use is approved, the property will be developed as a 9,100 s.f. Dollar General retail store. The facility will include a 36' concrete access from Queen Road, 30 parking spaces, a water well, a septic system, and storm water detention per City requirements. Please refer to the site plan for more details.

As noted in the Variance of Use application, the purpose of the Variance is to allow retail use in a residential zone. The following Proposed Findings of Fact support the requested Variance of Use:

To operate at this location, the Dollar General store will be required to obtain permits for vehicular access, a water well, a septic system, zoning approval, and building approval. These permits ensure that health, safety, and welfare of the community will be preserved.

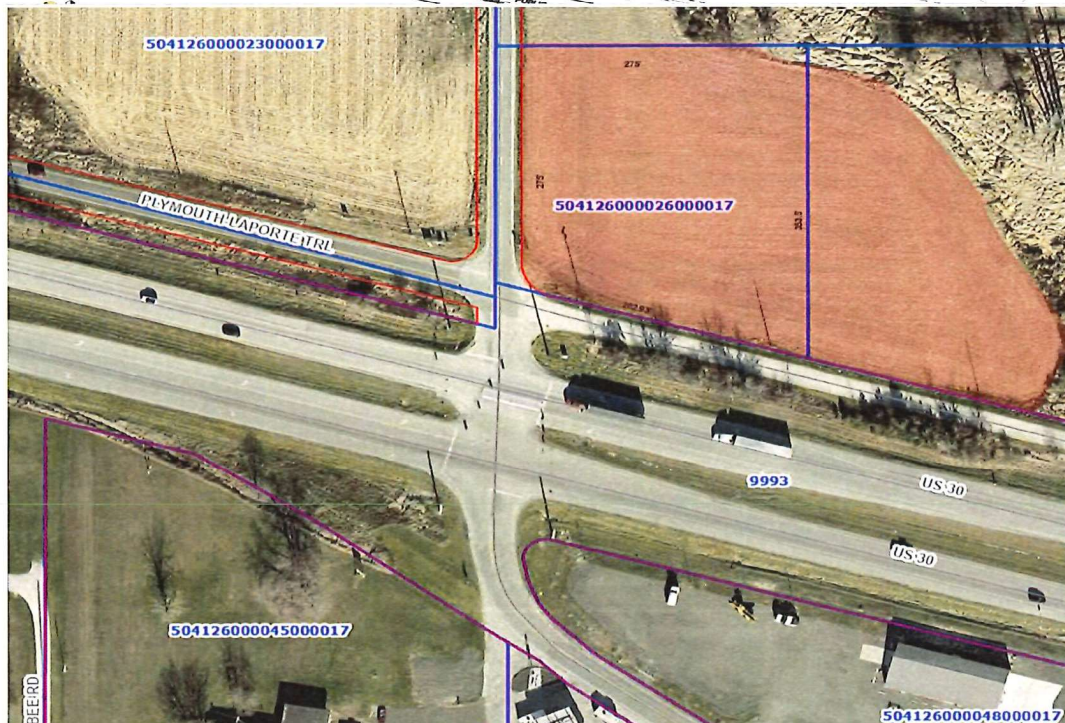
The proposed project will be located at the intersection of Queen Road and Highway 30 where several commercial businesses operate or have operated in the past. A retail store at this location will not negatively alter the use and value of the property.

Because the property is zoned residential, the Variance of Use is required to operate a retail store at this particular location. The inability to operate retail in a residential zone is a condition peculiar to the property and constitutes an unnecessary hardship for a site located at an intersection containing other commercial properties.

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THE OVERLAND GROUP

Rusty Doss

[illegible]

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Gidley asked how many feet the entranceway was from the Plymouth-Laporte Trail intersection.

Rusty Doss (1598 Imperial Center, West Plains, MO 65775)

Doss replied that he believed it was close to 250 feet. He stated that he was an engineer with Overland Engineering who worked for the developer of the Dollar General property. He stated this developer builds these for Dollar General and then leases it to them. He stated they have been in contact with many of the different agencies throughout this project whether it was the health department for septic, they have reviewed the US 30 ProPEL Study, the driveway permit from the county, etc. He stated they had reviewed the city ordinances regarding landscaping, drainage, setbacks, buffers, wetlands, etc. He explained they did a bit of homework on this one and he did not see any issues at this point other than the variance preventing the project.

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

Mike Wolff (7649 Queen Road, Plymouth, IN 46563)

Wolff stated his house was just north of the area here and he was not thrilled to see a Dollar General go into agricultural land like that as there was other places not in agriculture where a Dollar General could go. He believed with that being said, he believed they could do a lot worse on that corner. He stated his only concern was the traffic turning off the highway and he was glad to hear them say they planned to put the exit on the northernmost point of the property away from the highway. He stated he did not want them to come off that little side road to Kay Industries as that would be a traffic hazard with people turning off the highway.

Wendel asked if that business was still operating.

Wolff replied that it was closed. He stated that he would like to see Dollar General acquire property more away from the highway closer to him but as long as they were staying north of that intersection, then he was okay with it as they could do much worse on that corner.

Jim Warner (7886 Plymouth-LaPorte Trail, Plymouth, IN 46563)

Warner stated they had a water problem in that intersection. He stated the rain accumulated in that intersection and backed up into his property. He believed if another business were to go in there then the water could not saturate the ground. He stated it would back up that intersection more. He stated he liked the environment out there currently and getting a Dollar General would make it busier. He stated with Jellystone down the road, he already had to deal with a lot of noise every weekend. He stated it was a big problem for him as a resident as he moved out of the city to get some quiet years ago so he would hate to have that disturbed.

Wendel asked if drainage was addressed.

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Houin replied that it would need to be addressed but this was a preliminary layout. He stated this would still have to go through the Technical Review Committee (TRC) process and meet approval for a drainage plan.

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

Adley added in conversations with Doss, they have been more than willing to make sure that property would be accessed as safely as humanly possible. He stated they have moved the driveway as far north as possible as they had had discussions about whether to go north on Queen Road or east on Plymouth-LaPorte Trail. He stated how that intersection was, it would be safer to come down Queen Road than across Plymouth-LaPorte Trail. He added they had been great to work with. He believed that Doss would take the drainage concerns into consideration with the site plan to ensure they would not be putting any additional water into the roadway. He stated it was part of recommendations from staff to hold another TRC review after they have further information. He stated the recommendation came because it was not a requirement due to it not being a commercially zoned property and they sought to close that loophole with this recommendation from staff. He stated the TRC did a brief review in terms of the concept of it, but he recommended going through the details as with any other business in the city.

Wendel asked for clarification that there was a stop sign going south on Queen Road at Plymouth-LaPorte Trail.

Adley replied in agreement and that there was a stop sign at all three points of that intersection except for incoming traffic from US 30.

Jacobs asked for clarification that all they were deciding was whether that property was suitable for what was being proposed and not worrying about the traffic patterns.

Adley replied that it was an aspect to take into consideration under the review portion of the process. He stated the findings they were taking into consideration was the General Welfare, Adjacent Property, Practical Difficulty, Unnecessary Hardship, and the Comprehensive Plan. He stated if there were conditions that they found appropriate or of interest as it relates to those matters, then they are added in. He provided the example of staff reviewing a commercial business in this area that standardly it would not need to go before the TRC, but because of the use, they wanted to ensure it did go before the TRC.

Jacobs believed with the rural setting there, he believed a lot of people coming to and from the campground there would generate a lot of traffic.

Wendel asked if this was the same Dollar General group as the one from E. Jefferson Street.

Doss replied that he did not recall working in Plymouth before. He stated they had been doing this for 14 years and he did not believe that it was one of their Dollar Generals.

Richie added that the parking lot at the Dollar General on E. Jefferson Street used to flood all the time. He asked if that was fixed because he did not see it flood anymore like it used to.

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Gidley replied that there was a new line that runs through the parking lot, goes around the building, and into a retention pond behind the old Dave and Rays. He stated there was an alarm on it in case it overflows.

Adley added the issues in recent years were due to a faulty pump that has been fixed. He asked Doss if the retention space was on the southeast corner of that property.

Doss replied that all the runoff for this property goes east/northeast away from the intersection so all the runoff from the parking lot would run parallel Plymouth-Laporte Trail to the east before being discharged to the northeast to the low wetland area.

• Recommendation

- Based on the information provided and review by staff and attendance through the Technical Review Committee, Staff recommends approval of the retail store with the condition that the site plan be reviewed and approved by the Technical Review Committee.

Board members Gidley and Wendel moved and seconded to approve BZA 2025-16 as presented with staff's recommendation as seen above. The motion passed by roll call vote.

In Favor:	Gidley, Richie, Wendel & Jacobs
Against:	N/A
Absent:	Garner

BZA 2025-17: George W IV & Melinda J Folkers, 57652 Priscilla Court Elkhart, IN 46517: A Special Exception to allow a home based business for the storage of their vehicles on the property on parcel 50-32-06-403-172.000-019, located at 2220 Lake Avenue Plymouth, IN 46563, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. See the applicant's letter of intent below.

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Letter of intent

Hello,

I'm writing this letter with intent of building a home at 2220 Lake Ave. Plymouth, IN.

We run a mobile business with the hopes of being able to park on our property.
We spent a good amount on cleaning this property up already.
Part of our intention is also to better the property and those around us.

Thank you!

Geo & Melinda Folkers



KONA ICE.
GEO & MELINDA FOLKERS
KONA ICE OF MARSHALL CO
folkers@kona-ice.com
574.635.1345
kona-ice.com

[Click here](#) to follow us on Facebook and Instagram!



GEO & MELINDA FOLKERS
TRAVELIN' TOM'S COFFEE OF MARSHALL COUNTY
folkers@travelintomscoffee.com
574.316.4508
Owner/Operator

[Click here](#) to follow us on social media and view our menu!



George & Melinda Folkers (57652 Priscilla Court, Elkhart, IN 46517)

Mr. Folkers stated this was a dream of theirs to find a place to house themselves and their business for over four years now.

Jacobs asked how many business automobiles would be housed on the property there.

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Mr. Folkers replied that they had three automobiles currently.

Jacobs asked what the businesses were.

Mr. Folkers replied that they owned Kona Ice and Travelling Tom's Coffee in Marshall County.

Gidley asked if they would be living there. Folkers agreed. Gidley asked if he needed signage out by the road for either of those businesses.

Mr. Folkers replied that they did not and there was no plan of it. He stated they would not be selling anything on the property. He stated they had been paying rent to house the trucks for about four years and it was a lot.

Jacobs asked what their end goal was for vehicles.

Mrs. Folkers replied that they looked to get one more Coffee truck so they would have two of each but that would be about it.

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

Greg Carroll Jr. (2009 Fairfield Boulevard, Plymouth, IN 46563)

Carroll stated he lived north of this property and a travelling coffee business had a special place in his heart as his daughter had one in North Carolina. He did not see any issues with traffic as they would just be parking vehicles there and there was no signage. He did ask them if he could mushroom hunt as he heard they had good mushrooms back there. He stated his wife and him had no issues with this request.

Mike Delp (3746 W. Shore Drive, Bremen, IN 46506)

Delp stated he wasn't sure if he was for or against but he partly owned a doctor's office in the area and wanted to know what was going here if it would affect the building they have between Alick's Home Medical and Michiana Eye Center. He stated he wanted to ensure he knew what was going there as his two partners were not sure of what was being proposed. He stated he always liked to see new businesses come to Plymouth.

Dennis Manuwal Jr. (111 N. Center Street, Plymouth, IN 46563)

Manuwal stated they applied for their building permit months ago and he had been sitting waiting to get this clarified before he starts building. He stated he bought the property and tore the previous house down so he had already made improvements to this community. He added if Carroll gets to hunt mushrooms then he should be able to as well.

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

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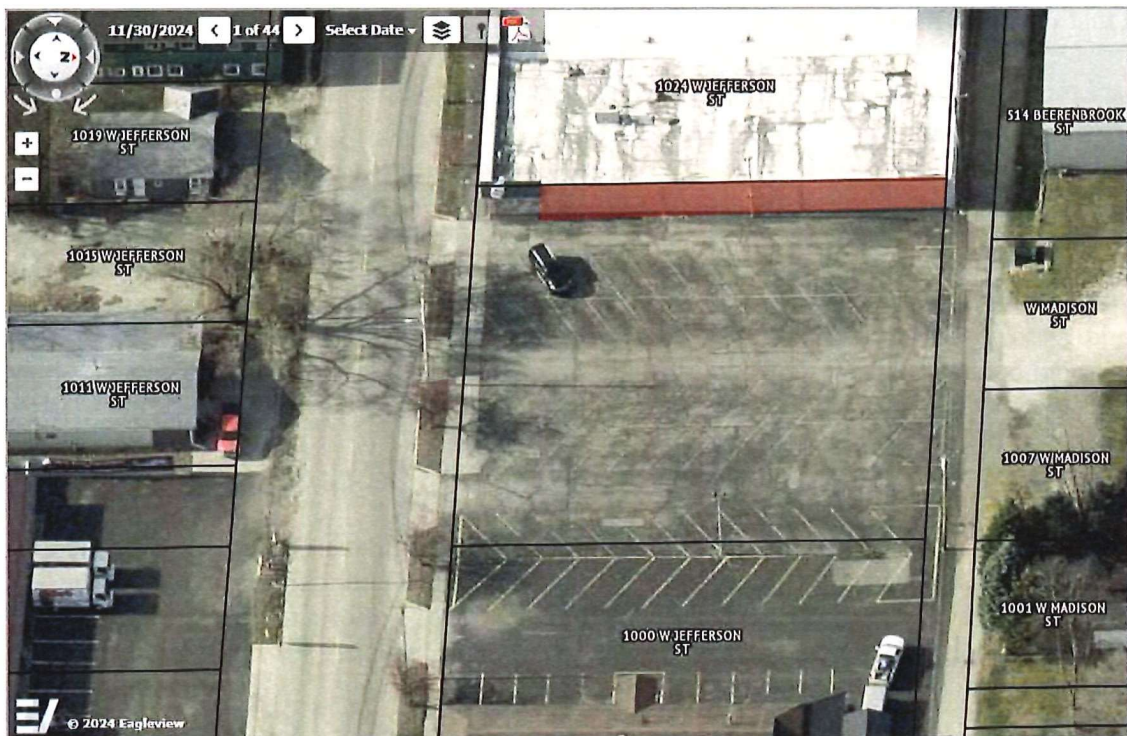
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Board members Richie and Wendel moved and seconded to approve BZA 2025-17 as presented. The motion passed by roll call vote.

In Favor:	Gidley, Richie, Wendel & Jacobs
Against:	N/A
Absent:	Garner

BZA 2025-18: Big Pretzel LLC, 16467 Pretty View Drive Plymouth, IN 46563: A Variance of Development Standard to allow for a mural larger than the permitted maximum on parcel 50-32-05-102-331.000-019, located at 1024 W Jefferson Street, Plymouth, IN 46563, zoned C-1, General Commercial District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. See the applicant's letter of intent below.



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Adley added if the proposed amendments to the zoning ordinance for murals was passed already, that this would still come before this board. He stated if the businesses were removed from this, then it would not be required to come before this board. He stated if you were to make it a general movie theatre, remove contributing parties, and signage for the building itself, it would be a mural or work of art if it was not tied to something else. He stated because they were bringing in commercialization of those different businesses, then that was what tipped it from that mural definition.

Jacobs asked why there was so much significance to the commercialization aspect of the mural.

Adley replied the difference was the type of sign it was, whether it was a work of art or a mural. He stated advertisement was bringing the different logos, slogans, etc. associated with a given business into a mural which can be seen as commercialization of said piece. He stated if they would like to commercialize it, then it could come before the Board of Zoning Appeals and they could determine if that was an issue or not. He stated in that sense, it wouldn't be like this case, where it was about the size, but whether they could have those commercial aspects tied into it and count it as a mural, rather than being limited to the wall signage size requirements which would shrink it substantially.

Gidley asked if how this was presented was off site advertising.

Adley stated since the amendment presented earlier had not been passed by the city council yet, they were still operating under the previous ordinance, so this was simply a mural that was too large. He stated there was no issue with the content they were wanted to post on there. He stated how the ordinance was currently written, they could only do 30% of this work without approval.

Jacobs asked for clarification that they could do whatever they would like on that 30%. Adley agreed.

Grant Holm (16467 Pretty View Drive, Plymouth, IN 46563)

Holm stated that it did not matter for this case but there was no intent to commercialize this mural. He stated it was a piece of art and the idea was to really highlight iconic places in Plymouth, Indiana that people would know. He stated that was why those businesses were put on there. He stated the idea was to continue to add more art to the community and grow the downtown area. He stated the bowling alley was a little outside downtown but he was working to renovate the building to last for quite a while. He stated this was an idea that Anna Kietzman and himself thought about when he first purchased the property.

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

Dan Sellers (921 Wilson Circle, Plymouth, IN 46563)

Sellers believed this would be a major improvement over a blank wall so he was in favor of it.

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

Richie agreed with Sellers that this was a big improvement, and he liked the fact that it was honoring what this city had been trying to draw attention to. He listed the REES Theatre, Heartland Art Center, etc. He stated the art community was growing and he liked how the Mayor said in an interview how you could measure the heartbeat of a city through its artistic community.

Board members Richie and Wendel moved and seconded to approve BZA 2025-18 as presented. The motion passed by roll call vote.

In Favor:	Gidley, Richie, Wendel & Jacobs
Against:	N/A
Absent:	Garner

Other Business:

There was no other business at that time.

There being no other business, Board members Richie and Wendel moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 9:14 p.m.



Kyle Williams, Recording Secretary