

PLYMOUTH BOARD OF ZONING APPEALS

October 5, 2021

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 October 5, 2021, at 7:30 p.m. Board Vice-President John Yadon called the meeting to order for Board Members Mark Gidley, Keith Wickens, and Linda Secor. Others present were City Attorney Sean Surrisi, Plan Consultant Ralph Booker, Building Commissioner Keith Hammonds. Board members Art Jacobs and Alan Selge were absent.

Board Members Secor and Gidley moved and seconded to approve the minutes of the last regular meeting of September 7, 2021, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on September 24, 2021:

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on October 5, 2021 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 2021-[15-21]: David and Michelle Langdon, 13222 Nutmeg TRL, Plymouth, IN 46563: A Variance of Developmental Standard for (BZA 2021-15) From 20-foot setback from Walnut Street to 12.6 feet, (BZA 2021-16) from 20-foot front setback along North ST. to 11.3 feet, (BZA 2021-17) from 15-foot rear yard setback to 12 feet, (BZA 2021-18) from 6000 square feet to 4,226 square feet for a single family lot, (BZA 2021-19), from 20-foot front setback from North ST. to 8.2 feet, (BZA 2021-20) from 4.62 foot side yard setback (10% of proposed lot width) to 3.4 feet, and (BZA 2021-21) from 6000 square feet to 2,664 square

116 Legals

feet for a single-family lot on parcel

50-42-92-303-132.000-019, located at 1027 N. Walnut Street, Plymouth, IN 46563, zoned R-3 Traditional Residential 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.

Kathryn Hickman, Recording Secretary, Board of Zoning Appeals, September 23, 2021

September 24, 2021 PN327353 hspenip

BZA 2021- [15-21]: David and Michelle Langdon, 13222 Nutmeg TRL, Plymouth, IN 46563: A Variance of Developmental Standard for (BZA 2021-15) From 20-foot setback from Walnut Street to 12.6 feet, (BZA 2021-16) from 20-foot front setback along North ST. to 11.3 feet, (BZA 2021-17) from 15-foot rear yard setback to 12 feet, (BZA 2021-18) from 6000 square feet to 4,226 square feet for a single family lot, (BZA 2021-19), from 20-foot front setback from North ST. to 8.2 feet, (BZA 2021-20) from 4.62 foot side yard setback (10% of proposed lot width) to 3.4 feet, and (BZA 2021-21) from 6000 square feet to 2,664 square feet for a single-family lot on parcel 50-42-92-303-132.000-019, located at 1027 N. Walnut Street., Plymouth, IN 46563, zoned R-3 Traditional Residential District.

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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.

PLYMOUTH LAND SURVEYING & DESIGN, INC.
LAND SURVEYING – CONSTRUCTION ENGINEERING
1405 N MICHIGAN STREET • PLYMOUTH, INDIANA 46563
574.936.3469 p.
www.PLYMOUTHLANDSURVEYING.com

City of Plymouth
Board of Zoning Appeals
124 N. Michigan St.
Plymouth, In. 46563

Re: Letter of Intent
Langdon BZA Petition

To the Honorable Board,

The owners of the property commonly referred to as 1027 N. Walnut St. hereby make application to the Board of Zoning Appeals and request the Board's favorable action on this matter. The owners of this property are David and Michelle Langdon. They live and are employed locally. The matter at hand references the 1027 N. Walnut property that they have owned since 2003.

The property was purchased in 2003 by the Langdons and at the time of purchase contained two single family homes on the property. This property is located at the Southwest corner of Walnut Street and North Street. The main home faces Walnut Street and was built in 1930 according to the Auditor's records for this property. The second home on the parcel faces North Street and was built in approximately 1963. So, this is a condition that has existed for a very long time at this location.

The Langdons would like to separate the two homes and put them on their own individual lots so that each can be sold to currently interested parties. In order to do this, it is necessary to request variances for each proposed tract so that each tract can become a properly recorded lot of record. Therefore, the Langdons would petition the Board of Zoning Appeals as follows:

PROPOSED LOT 1
VARIANCES REQUESTED

- From 20-foot front setback from Walnut St. to 12.6 feet **BZA 2021-15**
- From 20-foot front setback along North St. to 11.3 feet **BZA 2021-16**
- From 15-foot rear yard setback to 12 feet **BZA 2021-17**
- From 6000 square feet to 4,226 square feet for a single-family lot **BZA 2021-18**

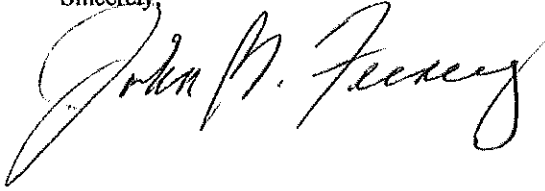
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PROPOSED LOT 2
VARIANCES REQUESTED

- From 20-foot front setback from North St. to 8.2 feet **BZA 2021-19**
- From 4.62-foot side yard setback (10% of proposed lot width) to 3.4 feet **BZA 2021-20**
- From 6000 square feet to 2,664 square feet for a single-family lot **BZA 2021-21**

If the Board of Zoning Appeals grants the requested variances, the Langdons commit to replatting the property in conformance with the subdivision ordinance of the City of Plymouth, Indiana thereby creating two legal city lots.

Sincerely,



Booker stated that the property is located at the corner of North Street and North Walnut Street. He added that they would be adding one new lot line which was the cause of the set-back variances. If these variances were approved at this meeting, the Langdon's would be coming to the next Plan Commission Meeting in order to split the property into two separate lots for each of the houses. He added that in this neighborhood multi-family housing was permitted with a special use variance.

David and Michelle Langdon of 13222 Nutmeg Trail were present to discuss their request and answer the questions of the board. Bernie Kane of Plymouth Land Surveying and Design was also present on behalf of the Langdon's. Kane gave a brief background on the property and stressed that both houses on the lot had been there for a very long time. Kane stated that these two houses do not pose a hazard or a hardship on the neighbors as they had been like this for so long. Each of the homes have their own utilities already. He asked for the board to consider approving these variances in order to allow the Langdon's to re-plat the property and bring these homes into conformity with the zoning and subdivision ordinances.

Gidley asked if every variance were already existing conditions other than the lot line. Kane stated that this was correct.

Gidley asked if there was parking on North Street. The Langdon's stated that there was sufficient parking on North Street. There was also a gravel area for the back house for parking.

Gidley asked about the car that was parked next to the brown house in the arial images provided by Booker. The Langdons stated that this was a gravel horseshoe driveway. Gidley asked if this had an entrance and exit or if it was just the tenant pulling off of the road. The Langdons stated that this driveway had an entrance and exit.

Gidley asked Hammonds if he knew that this was the case and was not just people parking off the side of the road. Hammonds stated that he had seen people parking there, but was not sure that this was a driveway for sure without revisiting the property.

There was a discussion on if this type of parking was allowed. Surrisi stated that as long as it was not part of grass terrace it was allowed, but this was not exactly enforced very well.

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Gidley asked what the intentions were for the house that faced Walnut Street. The Langdons stated that the house would remain a single family home, and both houses would be purchased by the same people and improved. Gidley stated that his main concern would be the house on Walnut Street becoming a duplex and doubling or tripling the amount of cars needing to be parked. He stated that he understood that this would need a variance, but this was a concern that he had.

Hammonds stated that his only concern would be the shed that was too close to the property line. The Langdon's stated that this could be removed as it was not on a foundation. The board requested that the shed be removed or moved out of the setback.

Board Members Gidley and Wickens moved and seconded to open the public hearing. The motion carried.

There were no comments from the public.

There being no other comments, Board Members Wickens and Secor moved and seconded to close the public hearing. The motion carried.

Members Wickens and Gidley moved and seconded to approve BZA 2021- [15-21] as presented as long as the shed was to be removed or moved from the setback. The motion passed by roll call vote.

Yes: Gidley, Wickens, Yadon, Secor
No: None
Absent: Jacobs, Selge

Building Commissioner Hammonds reported on 1220 Lincolnway East. He stated that at the last meeting he announced that Oviedo had decided to try to sell the property. Nothing had been done since.

Gidley asked who was mowing the property. Hammonds stated that he was not sure. He assumed that Oviedo was as it was always mowed while he was at work.

Gidley asked if there was a recommendation as to what would happen if time ran out. Hammonds stated that it would revert back to a single-family home on December 1, 2021. If the conditions did not change, they would work to get the house torn down as an unsafe building.

Gidley asked what would happen if he was able to sell the house. Hammonds stated that the new owner would need to come in and work with the board on an extension of time as there would be no way to renovate the property that quickly.

A representative of the Dollar General project was present to ask the board to approve of a different material being used on the project. Booker reminded the board of their motion that was made on February 2, 2021, that as long as the front and back of the building are split faced block that are colored to the top of the building, and the sides of the building being split faced block four feet up with metal at the top.

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Allen Velles, a general contractor for the Dollar General project, stated that they had been having trouble getting the colored split faced block. He was asking to see if they were to get the uncolored split faced block that was readily available, and have it painted if it would still follow the motion that was made.

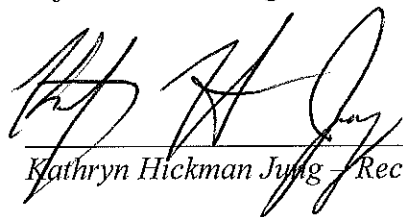
There was a discussion on if this would fit the motion. The general consensus of the board was that this fit the motion if they were unable to get the colored split faced block. The main worry was how this would add maintenance to the building.

The board agreed that the initial test of the motion on February 2, 2021, fit the proposal made by Allen Velles.

Gidley asked Hammonds if he had tried to get ahold of the owner of the building behind the new Dollar General project to get the lamp post taken down. Hammonds stated that he had tried, but the phone number that he was given was disconnected, and every time he tried to send a letter it was bounced back. Gidley asked if there was anything that could be done about this. City Attorney Surrisi stated that he would look into it.

Gidley asked about getting an update as to when the shipping containers full of furniture would be removed as they are continuing to multiply. Surrisi stated that he would ask the mayor to get an update on the status of that.

There being no other business, Board Members Gidley and Wickens moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:27 p.m.



Kathryn Hickman Jung — Recording Secretary

