

PLYMOUTH BOARD OF ZONING APPEALS

June 1, 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 June 1, 2021 at 8: 05 p.m. Board President Art Jacobs called the meeting to order for Board Members Mark Gidley, Alan Selge, Keith Wickens and Linda Secor. Others present were City Attorney Sean Surrisi, Plan Consultant Ralph Booker, Building Commissioner Keith Hammonds and alternate member Webster. Board member Yadon was absent.

Board Members Wickens and Selge moved and seconded to approve the minutes of last regular meeting of May 4, 2021, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on May 19, 2021:

**NOTICE OF
PUBLIC HEARING**
The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a public hearing on June 1, 2021 at 7:30 p.m. in the Council Chambers of the City Building, 124 N. Michi-

**116
Legals**

gan St. (Garro St. entrance), Plymouth, Indiana on the following matters:

BZA 2021-10: Janelle Wade, 816 N. Center St., Plymouth, IN 46563: A Variance of Development Standards to build a twenty-eight (28) foot by twenty-two (22) foot garage three (3) feet from the side yard and six (6) feet from the rear yard on parcel 50-42-92-303-250.000-019, located at 816 N. Center St., Plymouth, IN 46563, zoned R-3 Traditional Residential District.

BZA 2021-11: Frauhiger Realty, 419 E. Winona Ave., Warsaw, IN 46580: A Variance of Use to convert existing car wash into a mini storage facility on parcel 50-32-05-203-719.000-019 821 W. Jefferson St., 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.

Kathryn Hickman, Recording Secretary, Board of Zoning Appeals, May 19, 2021

May 19, 2021 PN324252 hspaxlp

BZA 2021-10: Janelle Wade, 816 N. Center St., Plymouth, IN 46563: A Variance of Development Standards to build a twenty-eight (28) foot by twenty-two (22) foot garage three (3) feet from the side yard and six (6) feet from the rear yard on parcel 50-42-92-303-250.000-019, located at 816 N. Center St., Plymouth, IN 46563, 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.

PLYMOUTH BOARD OF ZONING APPEALS

June 1, 2021

Letter of intent

Dear Board of Zoning Appeals

My intent is to build a garage with a 6ft rear setback and a 3ft side set back to the north. My garage will be a mirror image of my neighbors to the north.

Thank you

Tim Daniels

Booker stated that multiple houses surrounding this property that have garages closer to the rear of the properties. He stated that he did not look into when or how these were permitted previously.

Applicant Tim Daniels was present to talk about his request and answer questions from the board. Daniels stated that he had been trying to build this garage for four months now. He has lived at the property for 20 years and had wanted to build a garage the whole time. He started the process of building the garage and then learned about variances and realized that he would need one to complete the work, which prompted this case. He stated that the yard barn would be gotten rid of as soon as the garage was completed, and that he would need to get the tree trimmed and topped. He had mapped out the garage to be exactly like the neighbors.

Selge stated that he had visited the area and if the garage were to be added, there would not be much yard left. Daniels stated that once the garage is built he will be getting rid of the existing yard barn on the property in order to have use of that side of the yard. In the future if he wanted more yard space, he would be interested in dialing back the deck since they do not use it much.

Gidley asked how much the overhang on the garage would be. Daniels stated that the overhang would be the typical twelve inches.

Booker stated that the overhang would need to start at the three feet since the set back starts that the overhang and not the foundation. Daniels stated that he could do that.

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

Building Commissioner Hammonds stated that if the board were to approve this request that they would need to add in that there could not be any windows toward the neighbor's garage on the applicant's garage as it would present a fire hazard.

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

PLYMOUTH BOARD OF ZONING APPEALS

June 1, 2021

Members Gidley and Wickens moved and seconded to approve BZA 2021-10 with the conditions that the applicant must have the overhang at the three-foot mark and there could be no windows on the side of the garage facing the neighbor's garage. The motion passed by roll call vote.

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

BZA 2021-11: Frauhiger Realty, 419 E. Winona Ave., Warsaw, IN 46580: A Variance of Use to convert existing car wash into a mini storage facility on parcel 50-32-05-203-719.000-019, located at 821 W. Jefferson St., Plymouth, IN 46563, zoned C-1 General Commercial 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.

Frauhiger Realty LLC
419 E. Winona Avenue
Warsaw IN 46580
574-267-3254

April 26, 2021

City of Plymouth Building Commissioner

111 N. Center Street

Plymouth IN 46563

To Whom It May Concern:

This letter is to express the intent of the property located at 821 W. Jefferson Street, Plymouth IN owned and operated by Frauhiger Realty Company LLC. We would like to repurpose the property that was previously used as a self service 5 bay car wash, into a 8 unit mini warehouse facility. We will not be changing the footprint of the existing structure; we will simply be adding roll up doors to both the north and south sides of the bays to close them off. We will be offering two 13x30 units with access from both the north and south. We will also offer 6 13x15 units with single door access. We would also remove the existing self-service vacuum islands from the north side of the structure.

As the building stands the car wash equipment has aged beyond repair, coupled with us having to fight break ins from our coin boxes, vagrant style people settling up in the bays at night, people illegally dumping oil and other forms of trash at the facility etc. We made the decision the facility wasn't making enough to invest into upgrades. We have run into this same issue at our car wash facilities in Warsaw, Rochester and Muncie. In those towns we successfully transformed the existing structure to mini warehouses and they all are currently thriving. We have almost 50 years experience in the Mini storage business and somewhat pride ourselves on the proficiency of which we run our existing facilities. We believe that allowing us to bring our brand of mini warehouses to Marshall County would be considered an addition to the community. The property will continue to be maintained, as we do also own and operate the Quick Clean Laundry located at 815 W. Jefferson Street.

Thank you so much,



Ashley Finney

Frauhiger Realty LLC, Facility Manager

PLYMOUTH BOARD OF ZONING APPEALS

June 1, 2021

Booker stated that the reason that this was a variance of use was because in the current zoning ordinance mini warehouses are not allowed in the General Commercial District. Booker added that the building already has a sign promoting the mini storage units, and the car wash bays are already closed off with the roll down doors.

Selge asked if the sign that was up met the signage standards of the zoning. Hammonds stated that yes, they only changed what the sign said from the previous sign and not the size of the sign.

Applicant Ashley Finney was present to talk about this request and answer questions from the board. She stated that she had done this in multiple towns, and that she never had a problem. She apologized that she jumped the gun on converting these as this was the first town as to which this was against the ordinance. She added that traffic should be significantly decreased as mini warehouses tend to have less traffic to them.

Gidley asked if they intend to fence off the mini warehouses or not. Finney stated that they do not intend to do so. They intend to keep the building as it was, but will have the bays closed up even if the variance did not get approved. She stated that they have had way to many people dump trash, oil, people skinning deer and leaving the carcass, and vagrant style sleeping to keep them open.

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

Bill Walters spoke in favor of the request. He stated that over the years he had seen some of the mess that Finney spoke about. He believes that this will be a lot cleaner and that it will be an improvement over the previous state.

Mayor Mark Senter recently spoke to a man who lived behind the property who was against the proposal. The gentleman's name was Phil Milton at 818 W Adams Street. He was upset that the conversion had already occurred before approval had been given. Finney stated that the gentleman had been in contact with her and keeps coming to the facility every time the girls who are working at the laundromat go to their cars or to sweep the parking lot. She stated that he was using explicit language to these employees. Either way, she stated that the doors will remain on in order to keep problems from occurring.

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

Wickens stated that he had seen someone pouring a 55-gallon barrel of oil sludge in the drains. He stated that in his opinion this would be a definite improvement.

Board Members Wickens and Gidley moved and seconded to approve BZA 2021-11 as presented. The motion passed by roll call vote.

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

PLYMOUTH BOARD OF ZONING APPEALS

June 1, 2021

Building Commissioner Hammonds reported on 1220 Lincolnway East. He stated that Paul Oviedo had not done anything with the property since the last meeting and that Oviedo had not been in touch with him. He stated that December 1st would be the end of the year that the board gave him so they will have to wait and see what will happen.

Jacobs asked Hammonds to follow up with Bob's Automotive to talk with them to have the post moved and not just the sign. He also asked Hammonds to follow up with the chickens in Nutmeg Meadows. Hammonds stated that he had sent a letter to the house with the goats on Michigan Street next door to the previous variance for goats. The gentleman called him and asked for Hammonds to send him another letter as he had thrown away the first one. Hopefully they will be in front of the board at the next meeting.

There being no other business, Board Members Selge and Wickens moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 8:34 p.m.


Kathryn Hickman Jung - Recording Secretary

