

MINUTES
COLUMBIA CITY BOARD OF ZONING APPEALS
REGULAR MEETING
MARCH 5, 2024
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Stacey Dumbacher
Jon Kissinger, Chairman
Anthony Romano, Vice Chair
Dennis Warnick

MEMBERS ABSENT

Cathy Gardner

STAFF

Nathan Bilger
Amanda Thompson

ATTORNEY

Dawn Boyd

(E)lectronic participant

AUDIENCE MEMBERS

Six visitors signed the Guest List at the meeting. There were no attendees on the webcast. A Guest List is included with the minutes of this meeting.

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Mr. Kissinger called the meeting to order at 7:00 P.M. Ms. Thompson read the roll with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

Mr. Warnick made a motion to approve the February meeting minutes as presented. Ms. Dumbacher gave the second. The motion passed 3-0-1; Mr. Romano abstained due to not having been present at the February meeting.

ADMINISTRATION OF OATH

Ms. Boyd administered the Oath to four visitors.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 24-C-VAR-2

Grace Evangelical Lutheran Church requested approval of Development Standards Variances for a freestanding sign at 204 N. Main Street. Mr. Bilger summarized the Staff Report and stated that the church proposed to construct a new, electronic message center sign; the stone sign on the north side of the property would remain, but all other signs would be removed. Being a second freestanding sign, Mr. Bilger explained the need for a Variance approval; the proposed sign also exceeded the maximum allowable height by 1’1”. Mr. Bilger displayed a

table comparing the proposed sign to the Commercial Sign Code, as the property is zoned Local Business District. He included a column describing the standards for Residential District church signs as well, for reference. Mr. Bilger displayed an aerial of the property, the site plan, and renderings of the proposed sign. He summarized the review criteria.

Mr. Warnick asked how the proposed sign compared to the recently approved sign for the Nazarene Church (23-C-VAR-4). Mr. Bilger stated the Nazarene Church's previous sign had been 9', and their new sign was approved for 9'8"; the Nazarene Church's sign has a greater setback and sits lower in the ground than the proposed sign. There were no further questions for Mr. Bilger, and Mr. Kissinger requested to hear from the petitioner.

Mark Krider, present on behalf of the church, and Bill Pynchon from Graycraft Signs approached the podium. Mr. Krider explained that a bush would be removed to install the new sign. Mr. Pynchon described that the proposed sign was a standard sized sign, with a 7' height being typical in this area, keeping the EMC components above the ground and out of most snow. He stated that the proposed was a "high quality message center" with an auto-dim feature and software for additional controls.

Mr. Krider confirmed for Ms. Dumbacher that the sign on the south side of the property would be removed, with the base remaining as a memorial. He stated that the existing reader board sign and preschool sign would both be removed, planning that the info from these signs would be displayed on the new EMC. Mr. Pynchon described the ease of use of the EMC, which would allow the church to announce cancellations or other time sensitive information without having to be on-site.

Mr. Kissinger asked if anyone else present wished to speak with regard to the petition. Hearing none, he closed the public hearing. Mr. Romano made a motion to approve the 24-C-VAR-2, as presented. Mr. Warnick gave the second. The motion passed 4-0.

2. 24-C-SE-1

Anytime Parking and Storage, LLC, requested approval of a Special Exception for outdoor storage of vehicles and equipment on their 5-acre property located on the east side of 50 East, ¼ mile south of Swihart Street. Mr. Bilger reported that soil contamination from the previous property owner(s) restricted available uses for the subject property. Referencing the petitioner's request for the storage of parked vehicles and equipment, Mr. Bilger noted the Board should consider how the request compared to the Zoning Code's difference between a parking lot, being temporary parking, and storage, being long-term/permanent parking (such as a junk yard). He noted that the Board had previously determined that a gravel lot may be suitable for storage areas while areas for traffic should be paved. Mr. Bilger displayed an aerial image of the property and a site plan with topography. He pointed out the plan for a detention pond and described the drainage to the northwest. Mr. Bilger displayed several staff photos of the area, for reference. He referenced a comment letter the Board had received from their absent member, Cathy Gardner. Mr. Bilger explained that Ms. Gardner had been unable to attend the meeting due to the requirements in the Board's Rules of Procedure for electronic participation. Mr. Bilger requested to add a ninth condition to the Staff Report's suggested conditions:

9. *Special Exception expires two (2) years of date of approval and may be re-reviewed.*

Mr. Bilger clarified for Mr. Kissinger that this condition would be enforced by Staff and the Board, by documented complaints or staff discovery; if necessary, the violation process would apply, which could become a legal issue. There were no further questions for Mr. Bilger, and Mr. Kissinger requested to hear from the petitioner.

Christian Joy introduced himself to the Board and welcomed the Board's questions. He stated his goal was to plan a safe environment for customers and anticipated much of the storage would be RVs and boats. Mr. Joy clarified for Mr. Kissinger that he planned to have a gate for the property, with a key access code, and he described his plan to start with minimal improvements, adding fencing and etc. as business picked up. The Board asked questions regarding cameras, fencing, security, lighting, what items would be permitted and restricted, the size of the parking spaces, and the parking plan layout. Mr. Joy stated his plan for an organized and clean lot. He described striping or using signage to facilitate assigning parking spaces. Mr. Warnick voiced a need for more definite information and suggested continuing the case to the next meeting so that a site plan showing the driveway and internal traffic could be obtained. He also expressed concern that if there were no lighting, customers attempting to maneuver at night might cause accidents/damage. Mr. Joy restated his intention to open the business and add fencing, lighting, and etc. gradually. Mr. Kissinger suggested that Mr. Joy plan to develop just half the property, until the customers' needs become known. Several members voiced the importance of fencing, lighting, and cameras. The size of parking spaces and driveway aisles was discussed, with Mr. Kissinger pointing out that RVs would need more maneuvering space than a standard sized parking space would allow. Mr. Bilger asked if the Board had concerns regarding traffic generated by the business; there were none stated.

Ms. Dumbacher suggested that the business not operate 24-hours if there was not sufficient lighting. Mr. Joy expressed that there would be lighting soon, and he hoped for an approval so he could get started. He stated that he would make sure the parking layout fit and was safe and orderly. Mr. Warnick and Mr. Romano replied that the Board could not provide guidance for the proposal without detailed business plans. Mr. Bilger stated that a permit was not required for dirt work, so Mr. Joy could proceed with grading, at his own risk. The Board expressed to Mr. Joy that they were not against his project but needed more information to consider risks and prevent potential problems.

Mr. Kissinger asked if any other visitors wished to speak; there were none, and he closed the public hearing. Mr. Warnick made a motion to continue discussion of 24-C-SE-1 to the April 2nd meeting. Ms. Dumbacher gave the second; motion passed 4-0.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

Mr. Romano made a motion to adjourn. Mr. Warnick gave the second, and the meeting was adjourned at 8:11 P.M.

GUEST LIST

1. Larry F. Weiss 1609 W. Westgate Avenue, Columbia City
2. Bill Pynchon 3323 Butler Court, Fort Wayne
3. Mark Krider 1923 S. Raber Road, Columbia City
4. Joe Freiburger 2833 S. 850 West, Kimmell
5. Keith Darstein 3750 E. Lincolnway, Columbia City
6. Christian Joy 4721 W. Lincolnway, Columbia City

GUEST LIST (WEBCAST)

7. None.