

**MINUTES  
BOARD OF ZONING APPEALS  
January 25, 2016**

The Warsaw Board of Zoning Appeals met for regular session on Monday, January 25, 2016 at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

Present: Rick Keeven, Tammy Dalton, Jeff Johnson, Tim Dombrosky (Assistant City Planner), Kim Arnold (Recording Secretary), Mike Valentine (City Attorney)

Absent: Tom Allen, Dan Smith

**CALL TO ORDER**

Keeven called the meeting to order.

Mayor Thallemer presented the Oath of Office to Rick Keeven and Jeff Johnson.

The November 23, 2015 meeting minutes were reviewed and presented for approval. Dalton made a motion to approve the November 23, 2015 meeting minutes as presented; Johnson seconded the motion. The motion carried unanimously.

Motion was made by Dalton to approve the 2016 meeting schedule for BZA. Johnson seconded the motion. The motion carried unanimously.

Dalton made a motion to retain Allen as President and Keeven as Vice President for 2016. Johnson seconded the motion. The motion passed unanimously.

**ORAL OR WRITTEN COMMENTS OR REPORTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

***Item 2016 – 01 - 01 – Variance from Development Standards- Shell-Carriage House in an R-1 District- Keeven*** turned the meeting over to Assistant Planner Dombrosky. The petitioner has requested a Variance from Development Standards to permit a second, detached residential unit at the property stated. The property is a little less than half of an acre in size, and long and narrow with an 85' wide frontage on Union St. There is about 14' of space between the current house and south property line, and about 9' to the north property line. The lot is large enough to be subdivided in two and used in the same way as the variance request.

Double family is defined as two attached dwelling units, and secondary detached residential units are not defined or permitted in our ordinance. Although not technically a duplex, in a lot of ways it is similar to a double family residential use. Double family development is not permitted in the R-1 district.

The property is large, and is somewhat hemmed in by denser development, including the school, a dental office, and an apartment complex. The property directly to the north is an access drive to the commercial and industrial uses to the east. Increased density on this lot is not out of character, and Dombrosky does not believe that the area adjacent will be negatively affected.

**Recommendation:**

- The requested use will not be injurious to the public health, safety, morals, and general welfare of the community.
- The use and value of the area adjacent to the property will not be affected in a substantially adverse manner.
- The strict application for the terms of the Zoning Ordinance will constitute an unnecessary hardship in the use of the property.

Based on the information provided and the Findings of Fact, Dombrosky recommended the Board approve the Variance from Development Standards to permit a carriage house in an R-1 zoning district located at 907 S Union St.

The petitioner was not present; therefore motion was made to table the request by Dalton. The motion to table the request was seconded by Johnson. The motion carried unanimously to table 2016-01-01, Variance from Developmental Standards.

**OTHER MATTERS THAT MAY COME BEFORE THE BOARD**

- Next meeting will be Monday, February 22, 2016

Dalton made a motion to adjourn the meeting; Johnson seconded the motion. The motion carried unanimously. Keeven adjourned the meeting.

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Rick Keeven, Vice President

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Kim Arnold, Recording Secretary