



## BOARD OF ZONING APPEALS

March 19, 2025, at 5:30 PM

The New Haven Board of Zoning Appeals held a public hearing at 5:30 PM, Wednesday, March 19, 2025, at the New Haven Administration Building, 815 E Lincoln Highway, Community Room. After establishing that a quorum was present, BZA President Phil Talarico called the meeting to order at 5:30 PM.

### Members Present:

- Hatem Khan
- Joe Mowery
- Jon Stauffer
- Phil Talarico

### Members Absent:

- Scott Eagleson

### Staff Members Present:

- Nathan Hooley, Planning Director
- Tyler Smith, Assistant Planner
- Karma Rowe, Assistant Planner
- Caleb Patterson, Attorney

## OLD BUSINESS

The Board reviewed the minutes of the December 18, 2024, meeting and made no changes. Jon Stauffer motioned to accept the minutes; Joe Mowery seconded the motion, and the minutes were approved.

## NEW BUSINESS

### Election of Officers

Nathan Hooley advised the board that it is time to elect the annual slate of officers. Previously Phil Talarico acted as the President, Jon Stauffer acted as the Vice President and staff acted as Secretary. Jon Stauffer nominated Phil Talarico as president, Phil Talarico nominated Jon Stauffer as Vice President, Jon Stauffer nominated the staff to continue as Secretary. With no further discussion, the Board voted in favor of all nominations.

### 25-SU-01 – 559 Rose Ave.

APPLICANT: New Haven Parks & Recreation

REQUEST: Special Use

EXISTING ZONING: R1, Single Family Residential

Nathan Hooley described the petition for the installation of a ground mounted solar array, the background of the property and staff recommendation for approval along with two conditions. One condition would be to install a separate meter to verify the use of the array for the park structures and not the existing farmhouse. The second condition is to elevate the equipment two feet above the base flood elevation.

Eric Heshner from Renewable Energy Systems LLC spoke on behalf of the project. He described the specifics of the solar array system and clarified that there would be no issue with installing the system so that the equipment is above the base flood elevation.

Phil Talarico asked if the energy is collected by a battery. Mr. Heshner explained that the system is a grid tie system that shares power with the utility system and does not require a battery. Mr. Talarico inquired about the lifespan of the system. The manufacturer's performance warranty is for twenty-five years and is typically designed to last over thirty years. Mr. Talarico questioned if the system contains any hazardous materials, which Mr. Heshner replied to it does not.

After there were no public comments and no additional discussion by the Board, Jon Stauffer made a motion to approve 25-SU-01 to include the conditions highlighted in the staff report. Joe Mowery seconded the motion, and it was approved by unanimous vote.

**25-DSV-01 – 920 SR 930 E**

APPLICANT: Luxe Med Spa

REQUEST: Development Standards Variance

EXISTING ZONING: C<sub>3</sub>, General Commercial

Nathan Hooley described the petition for the expansion of the existing sign, project background and staff recommendation. Staff's recommendation is denial due to the petition not meeting all required criteria including the potential to be injurious to the public health, safety, morals, and general welfare of the community.

Diana Chambers from Commercial Signs spoke on behalf of the project. She described the request for the addition to the sign to advertise the new business.

Joe Mowery asked if the sign could be designed to fit within the ordinance requirements. Ms. Chambers replied that it would be possible, but the tenant wanted the needle to match the size of the existing scissors. Phil Talarico asked how far the sign was set back from the road. Ms. Chambers didn't have the exact measurement but pointed out the expansion is extending towards the building and not in the direction of the road. Jon Stauffer inquired about the engineering of the sign and who would be responsible for maintenance. Ms. Chambers responded that her company is responsible for the maintenance and described the construction of the sign. It is aluminum and is not illuminated so does not include electrical components.

There were no public comments in support or opposition. There was additional discussion between the Board and staff regarding how the sign could potentially be injurious to the public. Mr. Hooley stated that the piece that is extending past the sign appears to be something that could be hung on and snapped off. Joe Mowery asked for clarification as to why this sign is the only one along this area to be close to the ground rather than elevated. Mr. Hooley explained that the City's ordinance has been updated to now only allow ground mounted signage. If the pole mounted signs come down, they will then be required to comply with the updated ordinance. Joe Mowery asked if there were any ground mounted signs that are larger than the size allowance and whether this would set a precedent. Caleb Patterson explained that it would not set a precedent as each case is different and must be reviewed separately.

Jon Stauffer made a motion to deny 25-DSV-01 as the applicant failed to meet the specifics outlined by the staff. Joe Mowery seconded the motion and with unanimous vote, the petition was denied.

**25-DSV-02 – 1322 Green Rd.**

APPLICANT: East Allen Multi School Building Corporation

REQUEST: Development Standards Variance

EXISTING ZONING: R1, Single Family Residential

Nathan Hooley described the specifics of the proposed structure and staff recommendation for approval.

Diane Reynolds from Engineering Resources represented East Allen County Schools. She described the project, the decision for the placement of the building and explained how it will not cause safety issues.

After there were no public comments in support or opposition there was a brief discussion between the Board and staff about the possibility of the structure causing an impairment to sight lines. Jon Stauffer made a motion to approve 25-DSV-02, Joe Mowery seconded the motion and with a unanimous vote, the petition was approved.

**OTHER BUSINESS**

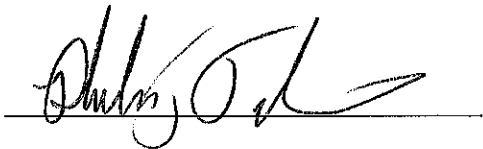
None.

**NEXT MEETING**

April 16, 2025, at 5:30 PM in the Community Room at the New Haven Administration Building.

**ADJOURNMENT**

Jon Stauffer made a motion to adjourn the meeting, Joe Mowery seconded the motion and the meeting was closed.

A handwritten signature in black ink, appearing to read "Phil Talarico", written over a horizontal line.

Phil Talarico, President

A handwritten signature in black ink, appearing to read "Nathan C Hooley", written over a horizontal line.

Nathan Hooley, Secretary