



Meeting Minutes

New Haven Board of Zoning Appeals

815 Lincoln Highway East | New Haven, IN 46774

DATE: April 21st, 2021 at 6:00 p.m.
LOCATION: New Haven City Hall Council Chambers (Room 135B)
815 Lincoln Highway E. New Haven, Indiana

Members in Attendance

MEMBER	MEMBERSHIP TYPE	P	A
Mickey Hill, President	Citizen Member	X	
Scott Eagleson, Vice President	Citizen Member	X	
Leslie Chalfant	Citizen Member	X	
Mike Marhenke	Citizen Member	X	
Rick Trabel	Citizen Member	X	

Staff Members in Attendance

- Rob Gutierrez, Planning Director
- Chelsea Day, GIS
- Renae Meredith, Administrative Assistant
- Attorney Pat Hess

Meeting was called to order at 6:00 p.m. by Mickey Hill.

The Commission reviewed the minutes of the March 17, 2021 meeting and made no changes. Rick Trabel motioned to approve the minutes of the March 17, 2021 meeting. Scott Eagleson seconded the motion, and the motion unanimously approved.

Rob Gutierrez gave a quick overview of the Rules of Procedures.

21-BZA-02 Variance Library Lofts (435 Ann Street)

PROPOSAL: Variance 21-BZA-02 Library Lofts (435 Ann Street)

APPLICANT: Select Home Designs, LLC

REQUEST: Select Home Designs, LLC is seeking to vary from Section 157.407(C)(1) General Parking Standards of the New Haven Unified Development Code to allow for parking to be located off-site. The petitioner is also seeking to vary from Section 157.217(E) Development Standards in a C3 General Commercial Zoning District. The developmental standards this existing structure



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would vary from are the front yard setback, the rear yard setback, the side yard setback, and primary structure height standards.

LOCATION: 435 Ann Street

Staff recommends approval of the Variance 21-BZA-02 based on the following findings of fact:

1. The approval of this variance **will not** be injurious to the public health, safety, morals, and general welfare of the community because parking will be provided directly across the road from the building and the granting of the setback variances allows the existing structure to exist in legal conformity.
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because the proposed project allows the structure to provide the downtown area with more available housing.
3. The strict application of the terms of the zoning ordinance **will** result in practical difficulties in the use of the property because approval **will not** result in practical difficulties in the use of the property because it would not allow for reconstruction of an existing structure should it be substantially damaged.

Staff recommends the following condition(s) be placed upon the approval of the Variance:

1. Should the footprint of the building change, approval of new setbacks must be sought from the Board of Zoning Appeals.
2. Adequate off-site parking must be provided to this structure.

Following the comments by staff, and general discussion by the Commission, Rick Trabel motioned to accept 21-BZA-02 Variance along with staff recommendations and Findings of Fact and conditions as presented. The motion was seconded by Mike Marhenke and was approved with a 5-0 vote. The Special Use for 435 Ann Street was accepted.

21-X-02 Special Use Select Homes Designs, LLC (937 Summit Street)

PROPOSAL: Special Use 21-X-02 Parking Lot (937 Summit Street)

APPLICANT: Select Home Designs, LLC

REQUEST: Select Home Designs, LLC is seeking a Special Use to allow for the primary use of 937 Summit Street to be a parking lot.

LOCATION: 937 Summit Street.



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Select Home Designs, LLC gave their presentation to the Commission and the residents. The public hearing was open to comments and questions on the Special Use 21-X-02. After questions from the residents, the public hearing was closed.

Staff recommend the Board **approve** Special Use 21-X-02, a special use for a parking lot as a primary use per Section 157.217(C)(8) of the New Haven Unified Development Ordinance, based on the following findings of fact:

1. The proposed use **will not** be unduly detrimental to the use, value, pattern of development, or growth of the surrounding area because the use as a parking lot is not changing. By allowing its use for the proposed multi-family dwelling, this property enhances growth and development of the downtown.
2. The location, size, intensity, site design, and operation of the proposed use **will be** compatible with the immediate area because nothing will change. By ensuring parking for the proposed multi-family dwelling, approval would ensure that potential residents would not need to depend on on-street parking.
3. Adequate storm drainage, water, sanitary disposal, other utility, and transportation infrastructure currently **exists** to serve the proposed use.

Staff recommends the following condition(s) be placed upon the approval of the Special Use:

1. This Special Use shall expire if the property's use as a parking lot should change or be modified.


Following the comments by staff, and general discussion by the Commission, Mike Marhenke motioned to approved 21-X-02 Special Use along with staff recommendations and Findings of Fact and conditions as presented. The motion was seconded by Rick Trabel and was approved with a 5-0 vote. The Special Use for 937 Summit Street was accepted.

Next meeting: May 19, 2021 at 6:00 PM in Council Chambers, 815 Lincoln Highway East, New Haven, Indiana.

With no other business to come before the Commission, Mike Marhenke made a motion to adjourn. Leslie Chalfant seconded the motion, and the motion was unanimously approved.



President



Secretary