

Huntingburg Board of Zoning Appeals
Minutes of the Regular Meeting
Wednesday, October 16, 2023, at 5:30 P.M. Local Time

The Huntingburg Board of Zoning Appeals (BZA) met in regular session on Wednesday, October 16, 2023, at 5:30 P.M. in the Council Chambers at the Huntingburg City Hall. Board Members present were: Todd Humbert, Riley Schumacher, Ronald Mundy, and Dave Schipp. Planning Director Paul Lake was present as were petitioners: John A. Sabin, Radolfo A. Guerra and Cole Henke. Remonstrators present included Ruger Kerstiens, Courtney Schwartz and Nancy Davis.

The Minutes of the August 9, 2023, BZA meeting were reviewed and a motion to approve them was made by Dave Schipp and seconded by Riley Schumacher. The minutes of the August 9, 2023, meeting of the BZA were approved.

Paul Lake introduced Variance Petition # 2023 – 03 (V) for property owned by John Sabin at 1010 East Sunset Drive and noted that confirmation of mailing to Interested Parties and publication of the Notice of Public Hearing are in the petition file. The petition is a Standards Variance from Chapter 2.C of the Huntingburg Unified Development Ordinance to allow for a primary structure height of 27-feet versus the required 25-feet. The public hearing was opened at 5:31 p.m. No remonstrators were present. Dave Schipp asked Mr. Sabin where the structure could be seen from. Mr. Sabin indicated that it was north of Sunset Drive and West of Cherry Street, but that not all of the structure is visible due to the grade of the land. The public hearing was closed at 5:39 p.m. Dave Schipp made a motion to approve the Variance request for petition # 2023-03(V). Second by Todd Humbert. The variance was approved.

Paul Lake introduced Variance Petition # 2023 – 04 (V) for property owned by Allan Contracting, LLC Owner Randolph A. Guerra at 705 East First Street. The petitioner is requesting a Standards Variance from Chapter 2.C of the Huntingburg Unified Development Ordinance to allow for construction of a single-family residence on a lot containing less than 12,000-square feet and a lot less than 80-feet in width. Paul indicated that this is an older 'shotgun style' lot which is both narrower and smaller than what is typically seen today, however, it is similar to most of the lots surrounding it. The public hearing was opened at 5:41 p.m. Two questions were posed from someone in the audience about whether the front of the home would be in line with the others along the street and whether a survey was required. Paul indicated that a survey had recently been completed by Brosmer surveyors and that the front of the home would be a similar distance from the street as the other homes. The public hearing was closed at 5:48 p.m. Ron Mundy made a motion to approve the variances for lot size of less than 12,000-square feet and lot width of less than 80-feet. Riley Schumacher seconded the motion. The two variances requested were approved.

Paul introduced Use Variance Petition # 2023 – 02 (UV) for property located at 502 Geiger Street. The petitioner, Henke Properties LLC (Cole K. Henke, Owner), is requesting a USE Variance to allow for construction of a duplex within an R-1 Low Density Residential Zoning District. The petitioner indicated that his proposal would involve demolishing an older home which is currently rented out with a modern duplex. Rents for the duplex would be approximately \$1,400 per month for each unit. The public hearing was opened at 5:51 p.m. **Courtney Schwartz** introduced herself and indicated that she lived nearby on 5th Street. She is **opposed** to the project and believes the current single-family zoning should be kept in place. She believes that though exceptions may have been made in the past, increasing the number of rentals in the immediate area only brings property values down. Additionally, she is worried about further increasing the amount of vehicles parking on the street and whether the lot is truly large enough to contain a duplex.

Nancy Davis introduced herself and stated she **is opposed** to the granting of the Use Variance. She has lived in the neighborhood for 70+ years and is concerned about putting a duplex in a predominantly single-family neighborhood. She believes Huntingburg has a lot of potential, but that a lot of mistakes were made in the past by allowing single-family homes to be subdivided into multiple rental units. Once an exception is made, they will ask again.

Ruger Kerstiens introduced himself and spoke **in favor** of the Use Variance. He mentioned that Chestnut Gardens was an example of where underutilized property was converted into high-end duplexes. In this case a deteriorated older single-family rental would be torn down and replaced with a new modern duplex. He pointed out how in Jasper, many were initially opposed to tearing down the old library and building town homes. Now many of those same people approve of the townhomes.

Board members asked whether the exterior of the duplexes would be similar to homes around them and blend in versus stick out. Cole Henke indicated that they would be similar to the duplex he recently built on East 7th Street. Their exterior contains some brick and vinyl siding. He also asked whether any other variances would be needed for lot size, setbacks or frontage. Paul indicated that lot width and lot size would likely require Standards Variance as they both are less than required.

The public hearing was closed at 6:22 p.m. The Board members began going through the statutory questions which must be answered to approve a Use Variance. The board members indicated that they do not believe that the need for the USE VARIANCE requested arises from some condition peculiar to the property involved (petitioner indicated lot width was wider than surrounding property). This finding must be 'Does' in order for the board to approve it. A motion to deny Petition # 2023 – 02 (UV) was made by Todd Humbert and seconded by Dave Schipp. The Use Variance was denied.

There being no other matters to come before the Board, the October 16, 2023, meeting of the Huntingburg Board of Zoning Appeals was adjourned at 6:35 pm.

Submitted by: Primitivo Lino
Secretary

Approved by: Todd Humber Date: 2-6-25
President