

Plan Commission Meeting

MINUTES

March 09, 2023

These are the Minutes from the Plan Commission Meeting that was held March 09,2023 at Seymour City Hall Council Chambers.

The meeting was called to order by Jeri Wells (President) at 5:00 p.m.

Roll Call was taken with members present being Jeri Wells (President), Susie Bowman, Angie Klakamp, Dave Eggers, Darren Richey, Bernie Hauerperger (City Engineer), Don Bruce, Dan Robison, Rick Schleibaum and Bret Cunningham. Gary Colgalzier was absent.

The Minutes from the February 9,2023 were discussed and a Motion was made by Dan Robison to approve with Don Bruce seconding the Motion.

A Motion was made by Susie Bowman to hear Petitioner, Clayton Henderson before all the other petitioners due to the fact that he had a previous engagement that he had to attend. The motion was seconded by Don Bruce.

B.Z.A. 0-4-23 Clayton Henderson Petitioner: Petitioner is requesting a Land Use Variance at 207 N 4th St. Rd. He is wanting to start a small detail business out of his garage.

Clayton spoke to the Board stating he wants to start a small business as a side business.

CORRESPONDENCE: NONE

SPEAK FOR: NONE

SPEAK AGAINST: NONE

QUESTIONS: Don Bruce asked if he would only have 1 vehicle at a time and he was told yes. Bret Cunningham asked Jeremy Gray (Building Commissioner) if he knew how many of these types of businesses were in town and he was not sure. He was told he would not have signage out or lots of cars. He also asked if would be by appointment only and was told yes.

Dave Eggers made a Motion to approve with Dan Robison seconding the Motion. A vote was taken and it was given a favorable recommendation 10-0 , 1 absent. Will go on to BZA on March 28, 2023.

B.Z.A. 0-1-23 Jigar Patel Petitioner: Petitioner is requesting a Land Use Variance at 207 E 13th St.(This was tabled from the February 9,2023 Plan Commission Meeting; they missed the meeting.) they are wanting to have 2 residential structures on 1 Lot. There is an existing building on the property that will be turned into an apartment.

Jigar Patel spoke to the Board stating he is wanting to put a separate apartment in a structure on his property.

CORRESPONDENCE: NONE

SPEAK FOR: NONE

SPEAK AGAINST: NONE

QUESTIONS: Dan Robison asked if they were building a new structure or turning an existing and he was told use the structure that is already there. Bret Cunningham asked the size of the structure and was told about 1000 sq ft and it would be a 1 bedroom, 1 bath. Don Bruce asked about the access to the apartment and was told there is the alley and through the front of the property. Jeremy Gray asked about parking. He was told the garage that is in the back can hold 2 cars.

Deliberative Session: Rick Schleibaum has an issue with 2 structures on 1 lot and the access is not very good. Dave Eggers feels there is not enough room for this. If emergency vehicles need to get there, they could not get through the alley. Bret Cunningham feels this alley has been an issue for a while. There would not be snow removal or upkeep to the alley and not a good fit for someone trying to come and go from back there.

Don Bruce made a Motion to deny with Dave Eggers seconding the Motion to deny. It was given an unfavorable recommendation 10-0, 1 absent. Will go on to the BZA on March 28,2023.

B.Z.A. Kevin Burke Petitioner: Petitioner is requesting a Land Use Variance at 714 W 5th St. He is wanting to turn the property into an Airbnb.

Kevin Burke spoke to the Board stating the house is where John Mellencamp was raised and he thinks it will attract people and tourism to the city.

CORRESPONDENCE: NONE

SPEAK FOR: NONE

SPEAK AGAINST: NONE

Tyler Henkle, 415 W 4th St., spoke to the Board and asks if it is now rented and was told yes and they will have to get out. He feels that we are setting a precedent that anyone can turn their house into something like this just because someone famous lived there or we going to allow anyone to turn their home into an Airbnb. He wants to make sure it is fair across the board.

QUESTIONS: Rick Schleibaum asked how many people would be allowed in at any time and was told 2 to 4 people. He was also concerned it would turn into a party house and questioned parking. He was told it is a 2 bedroom, 1 bath 1100 sq ft home it is not a big space. There is parking in the front and the drive goes all the way in the back yard. Mr. Burke told the Board he would stipulate in the contract there would not be parties allowed. Darren Richey asked how would he advertise it is Mellencamp's house? He was told it is on the Airbnb website.

Angie Klakamp asked what the cost would be and was told \$150.00 To \$200.00 a night. It would not be rented for more than a week at a time.

Dan Robison liked the idea but questioned it being down the street from an elementary school. Mr. Burke said he doesn't feel like that would be an issue and if anything, it would be a plus because the upkeep would have to be at its best all the time to be rented out.

Dave Eggers asked if someone would rent it out that had an RV, how would he face that issue. He was told he had not thought of that but there are a couple of RV parks coming to town which would help for parking.

Bernie Hauersperger(City Engineer) stated he did not want the basement included in the "rental" aspect of the rental agreements. Jeremy Gray stated IF he did make it into a room, he would need a remodel permit through Planning and Zoning first and make sure there is a means of egress in place.

Bret Cunningham made a Motion to approve with Dave Eggers seconding the Motion. It was given a favorable recommendation 9-1, 1 absent. Will go in front of the BZA on March 28,2023.

B.Z.A. 0-5-23 Gordon & Kathy Simler Petitioners: Petitioners are requesting a Land Use Variance at 436 Persimmon Dr. They are needing to get a Kennel License to run it out of their house.

Gordon Simler spoke to the Board stating they have about 22 cats and 4 dogs. The Animal Control Officer was called to the property on a complaint and he told the Simler's they would need a Kennel Lic. They came to City Hall to get one and that is when it was discovered they would need a Variance to run a Kennel out of their home.

CORRESPONDENCE: NONE

SPEAK FOR: Brandon Cole, 437 Persimmon Dr. , lives across the street and stated they are good neighbors and did not know they had that many animals. He was just concerned where the variance will go if they sell and was told it stays with the "Simlers".

TJ Black said they are great neighbors and feels they keep their property and animals up very well.

SPEAK AGAINST: NONE

Questions: Susie Bowman asked how many more will they be allowed to get? This is all they would have.

Bret Cunningham asked if they had the police report? We did not. Will it be inspected yearly, and it will be.

The Simlers stated that if they are not approved they would put their house for sale. They have paid off this house but would sell it so they could keep all the animals.

Bernie Hauerperger stated he would approve but they could not get anymore animals. The Board was also told all animals are fixed and declawed.

Bernie made a motion to approve with the stipulation of no more animals. Darren Richey seconded the motion. A Vote was taken with it given a favorable recommendation 6-5, 1 absent. Will go in front of BZA March 28, 2023.

OTHER MATTERS: NONE

ADJOURNMENT: Dave Eggers made a Motion to adjourn with Susie Bowman seconding the Motion. Meeting was adjourned at 5:58 p .m.