DELPHI PLAN COMMISSION

July 17, 2023 – 6:30 PM

Second Floor, City Building, 201 S. Union Street

The oath of office was administered to BZA members by Mayor Werling.

Mayor Werling opened the meeting at 6:45 p.m. Those in attendance rose for the pledge of allegiance.

Attendance:

BZA Member	Present	Absent
Courtney Kingery	X	
Mary Ann Burton	X	
Brandon Short	X	
Christina Langsdorf	X	
Jacob Grist	X	

Introductions were made by members present.

Nominations were opened for president. Mary Ann Burton nominated Brandon Short. Second by Christina Langsdorf. Motion carried unanimously.

President Short opened nominations for vice president. Mary Ann Burton nominated Courtney Kingery. Second by Christina Langsdorf. Motion carried unanimously.

Jacob Grist nominated Christina Langsdorf for secretary. Second by Mary Ann Burton. Motion carried unanimously.

The agenda was considered, and no changes were made.

Other Business

1. Rules and Procedures
   Deb Luzier reviewed the proposed rules and procedures. Two amendments were discussed as approved by the Delphi Plan Commission: 1) Amend the meeting limit to reflect 9pm; 2) any suggested changes to the rules and procedures will be voted on at the next meeting (after presentation of change).
   Motion to adopt as amended made by Courtney Kingery, second by Jacob Grist. Motion carried unanimously.

New Business

1. Special Exception 2023-1 requested by Hammons Development for a property on S. Washington Street to allow multifamily residential in U-1 zone was introduced.

Deb Luzier presented the staff report and explained that the current zoning ordinance does not list specific findings for evaluating special exceptions; the Unified Development Ordinance now being drafted will have specific evaluation criteria. Conditions can be stipulated for granting a special exception.

The meeting was suspended at 7:02 p.m. and the public hearing opened regarding special exception 2023-1 as advertised in the July 5th Comet.

Public discussion in support. Mark and Patricia Hammons described the single-story duplex providing members with floor plans and design schematics to review. The duplex would be a rental property managed by Hammons Development. Access was planned off the alley.

Public discussion in opposition.
Jeff Stankard expressed concern about drainage stating that at present his property across Washington Street gets stormwater runoff from the other side of Washington. He indicated he was not opposed to the project, but wanted proper drainage considered for the site.

Carolyn Pearson asked why the access was now from the alley rather than Washington Street as initially planned. Mr. Hammons responded that in checking with INDOT LaPorte, a curb cutoff US421 would likely not be feasible. He checked with Street Superintendent Lyons who though alley access would be acceptable if the alley were then paved past the driveway.

Oscar Shoaf began a question, but it was about a different project.

Closing remarks by staff. The board was reminded that conditions could be part of the approval if granted.

The public hearing was closed at 7:16 p.m.

President Short asked for a recommendation from the board and was reminded by Deb Luzier that the board must approve or disapprove the request; the BZA has the final word, barring appeal. Christina Langsdorf moved to approve special exception 2023-1 with the conditions that the driveway entrance would be from the alley, that the driveway and the alley access would be paved, and that drainage runoff would be minimized. Second by Jacob Grist. Motion carried unanimously.

2. Special Exception 2023-2 requested by Hammons Development for a 921 S. Washington Street to allow multifamily residential in U-1 zone was introduced.

Deb Luzier presented the staff report stating the assumption that access would be off Vine Street, that the driveway would be paved, and that the parent parcel would be split to create the separate building lot.

The meeting was suspended at 7:18 p.m. and the public hearing opened regarding special exception 2023-2 as advertised in the July 5th Comet.

Public discussion in support. Mark Hammons described the lot formerly a parking lot for the former Rinehart Realty office. The duplex would be a two-story building. Hammons presented floor plans, site plan, and design schematics to review.

[President Short recused himself from participation in the discussion or vote on special exception 2023-2 due to being an effected property owner. Short relinquished control of the meeting to vice president
Kingery.]

Public discussion in opposition.

Board member Grist asked if the driveway would be paved. Hammons responded that it would.

Closing remarks by staff. The board was reminded that conditions could be part of the approval if granted.

The public hearing was closed at 7:24 p.m.

Vice president Kingery asked for a motion from the board. Jacob Grist moved to approve special exception 2023-1 with the condition that the driveway be paved. Second by Christina Langsdorf. Motion carried. Ayes: Kingery, Burton, Langsdorf, Grist. Abstain: Short

[Vice president Kingery relinquished control of the meeting to president Short.]

3. Special Exception 2023-3 requested by Hammons Development for a property 202 N. Robinson Street to allow multifamily residential in U-1 zone was introduced.

Deb Luzier presented the staff report explaining that in this special exception the BZA would only evaluate whether or not to allow multifamily units and would not consider the number of units or whether the lot should be subdivided. As written the statute allows one duplex per lot. The board could also determine whether improvements are needed to the road or other such conditions.

The meeting was suspended at 7:27 p.m. and the public hearing was opened regarding special exception 2023-3 as advertised in the July 5th Comet.

Public discussion in support. Mark Hammons presented the plans for duplex units stating that if multiple units were allowed the exterior designs would be different for each unit.

Mayor Werling provided background information concerning previous action taken by the Common Council when the County BZA erroneously passed the measure over the city. The Council voted to approve the special exception with conditions that the road become a dead end and that it be widened at the expense of the city. It was later determined that the special exception should not have been passed to the city and it was scheduled to be reheard at the

May 23 County BZA meeting where the special exception was denied. Deb Luzier added that the County BZA should have acted at the original hearing in 2022. With the establishment of the Delphi BZA as a separate jurisdiction, the special exception request could be hear by the new body.

Public discussion in opposition.
Craig Potts expressed concern about drainage if multiple units were allowed. He stated that residents had signed a petition in opposition to allow duplexes in the neighborhood.

Randall Piatt cited traffic concerns due to the narrow width of the road stating he had witnessed accidents involving delivery trucks. He expressed concerns about safety for the children on the street with increase in the number of residences stating that four duplexes would be 8 units adding up to 16 more vehicles traveling the narrow road. Concern that the school bus would not be able to access the road and children would have to walk to the end of the street. Piatt asked that the concerns of the current residents be considered first.

Closing remarks by staff. The board was reminded that conditions could be part of the approval if granted.

The public hearing was closed at 7:34 p.m.

The board had a lengthy discussion. A motion was made by Courtney Kingery to approve the special exception with conditions related to the widening of the road and dead ending the street, seconded by Christina Langsdorf. The motion failed (2 yes/3 no). A second motion was made by Christina Langsdorf that failed to get a second.

Jacob Grist moved to table special exception 2023-3 to the next meeting to allow time to get additional information regarding making Robinson Street a dead end and a determination of what the width of the road would be after widening and a timeline for the work. Second by Christina Langsdorf. Motion carried unanimously.

There was no new business from the floor and no announcements.

There being no other business, Christina Langsdorf moved to adjourn, second by Jacob Grist and the motion carried. The meeting was adjourned at 7:48 p.m.

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Christina Langsdorf, Secretary