PLYMOUTH BOARD OF ZONING APPEALS
May 6, 2026

The Plymouth Board of Zoning Appeals met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana, on May 6, 2026, at 7:05 p.m.

Board Vice-President Paul Wendel called the meeting to order for Board members Jack Garner, Mark Gidley, Brandon Richie, and Alternate Linda Secor. Board President Art Jacobs was absent. Alternate Mark Record was absent but not needed. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, and Plan Director Ty Adley. The public was able to see and hear the meeting through Zoom and streamed live at https://www.youtube.com/@CityofPlymouth.

Board members Gidley and Richie moved and seconded to approve the minutes of the regular session of April 7, 2026, as presented. The motion carried.

The following legal notice was advertised in the Pilot News on April 24, 2026:

NOTICE OF PUBLIC HEARING

The Board of Zoning Appeals of the City of Plymouth, Indiana will hold a meeting on May 6th, 2026, at 6:30 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:

BZA 2026-08: TAPIA DAVID AND DAWN, 11901 Ridgeview Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 9.2' at the property located at 11901 Ridgeview Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-362.000-018, zoned R-2, Suburban Residential District.

BZA 2026-09: FISHER GALE AND NANCY, 11860 Redbud Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 2' at the property located at 11860 Redbud Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-407.000-018, zoned R-2, Suburban Residential District.

BZA 2026-10: STAYTON WILLIAM AND RUTH, 11891 Ridgeview Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 7' and reduce the side yard setback from 10' to 8' at the property located at 11891 Ridgeview Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-361.000-018, zoned R-2, Suburban Residential District.

BZA 2026-11: ZIMMERMAN MILTON AND SYLVIA, 11870 Redbud Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 1' at the property located at 11870 Redbud Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-397.000-018, zoned R-2, Suburban Residential District.

BZA 2026-12: COPLEN DAVE AND JOANNE, 11869 Redbud Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 2' at the property located at 11869 Redbud Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-392.001-018, zoned R-2, Suburban Residential District.

BZA 2026-13: EMMONS DENNIS SR AND MARGARET, 11862 Redbud Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 1' at the property located at 11862 Redbud Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-406.000-018, zoned R-2, Suburban Residential District.

BZA 2026-15: HOOLEY RANDALL AND REBECCA, 11898 Ridgeview Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 0' at the property located at 11898 Ridgeview Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-354.000-018, zoned R-2, Suburban Residential District.

BZA 2026-16: QUISSELL JAMES AND DEANNE, 11905 Sunset Court Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 2' and side yard setback from 10' to 5' at the property located at 11905 Sunset Court Plymouth, IN 46563. Identified as parcel 50-32-95-000-402.000-018, zoned R-2, Suburban Residential District.

BZA 2026-17: HELLINGA THOMAS AND JULIE, 11921 Ridgeview Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 6' and side yard setback from 10' to 6' at the property located at 11921 Ridgeview Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-371.044-018, zoned R-2, Suburban Residential District.

BZA 2026-21: SULLIVAN JEREMIAH AND BRANDI, 11928 Ridgeview Drive Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 15' and side yard setback from 10' to 8' at the property located at 11928 Ridgeview Drive Plymouth, IN 46563. Identified as parcel 50-32-95-000-357.000-018, zoned R-2, Suburban Residential District.

BZA 2026-22: BUMPUS LUKE AND ISABEL, 11902 Sunset Court Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 4' and side yard setback from 10' to 8' at the property located at 11902 Sunset Court Plymouth, IN 46563. Identified as parcel 50-32-95-000-399.000-018, zoned R-2, Suburban Residential District.

BZA 2026-23: NEW SONG COMMUNITY CHURCH OF PLYMOUTH INC, 1292 Baker Street Plymouth, IN 46563: A Variance of Development Standards to not install sidewalks at 1292 Baker Street Plymouth, IN 46563. The parcel is identified as 50-32-04-202-107.001-019, zoned R-3, Traditional Residential District.

Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.

If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.

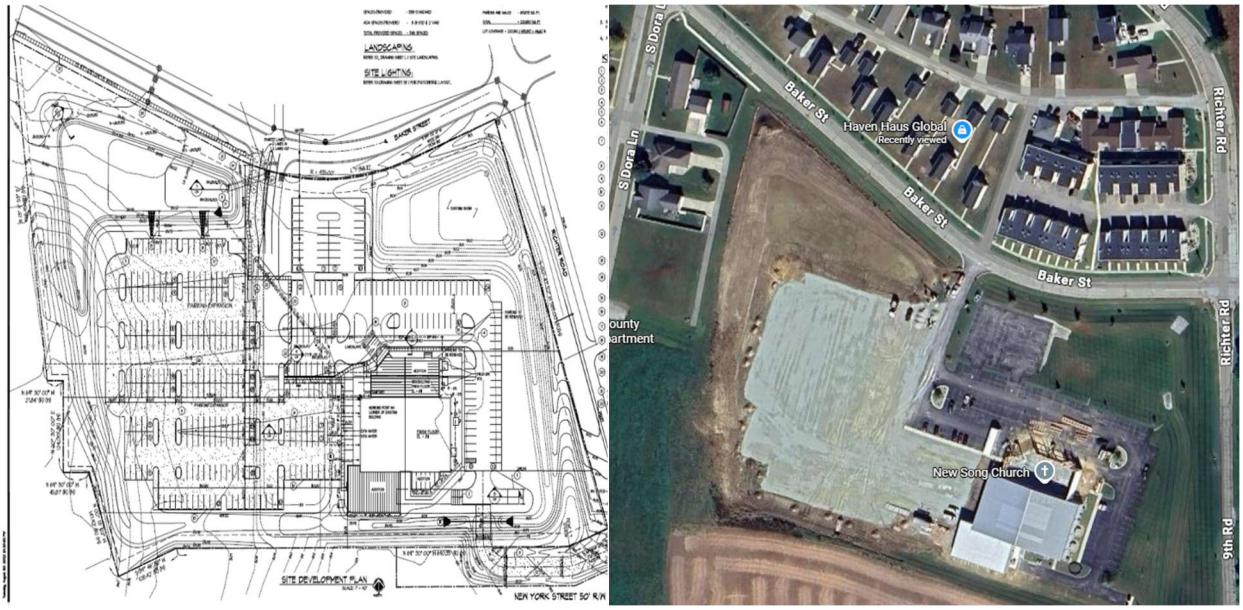
Kyle Williams, Recording Secretary, Board of Zoning Appeals, April 24th, 2026.

April 24, 2026 PN372817

Board members Gidley and Garner moved and seconded to amend the order of cases and hear BZA 2026-23 first. The motion passed by roll call vote with all in favor.

BZA 2026-23: NEW SONG COMMUNITY CHURCH OF PLYMOUTH INC, 1292 Baker Street, Plymouth, IN 46563: A Variance of Development Standards to not install sidewalks at 1292 Baker Street, Plymouth, IN 46563. The parcel is identified as 50-32-04-202-107.001-019, zoned R-3, Traditional Residential District.

Plan Director Adley reviewed the appeal from the applicant. He shared the images below:



Wendel asked if those were Habitat for Humanity lots to the west of this property.

Adley replied that there were lots owned by Habitat that were under construction, in the permitting process, as well as a replat pending internal review.

Wendel asked for clarification that those properties would be required to put sidewalks in.

Adley replied that all developments were required to put in sidewalks.

Chester Gamble (823 Academy Road, Culver, IN 46511)

Gamble stated he was the architect on this project. He stated that it was pointed out that there were 140 properties on the north side of Baker Street, and there was a sidewalk to serve those properties going east and west. He stated the only entrance to the site, for somebody walking, would be to cross the street to come into a sidewalk that has been put in on the site that runs north and south adjacent to the driveway. He stated that, as for properties on the south side of the street, there was a piece of sidewalk that was installed from the west property line to Dora Lane. He stated that it was the only sidewalk on the south side of the street. He stated there was no sidewalk from the east side of the church driveway to the east. He stated that when you get to Dora Lane going west, we're hitting the high school, and if you wanted a sidewalk for people, he would think you'd want to put

a sidewalk all along the edge of the high school where the kids are walking in the grass. He stated that we see a piece of sidewalk that's not going to have much of any use unless the Pastor has everyone from Dora Lane come in.

Rich Schieber (1292 Baker Street, Plymouth, IN 46563)

Schieber stated that the sidewalk that they showed in the pictures before was just put in last year, when we first started with our building project. He stated that there used to be no sidewalk there at all. He stated that the sidewalk goes directly from the edge of our property to Dora Lane, and it goes no further. He stated that from there up all the way past the High School, there was no sidewalk on the south side of Baker Street. He explained that people rely on the north side sidewalk and then use the crosswalks. He stated that we would gladly put a crosswalk from our sidewalk across the street to the north sidewalk if that would be favorable. He stated we were trying to limit future problems and maintenance with the facility by not putting the sidewalk in there.

Garner asked if they took the idea of putting in a sidewalk into account, whether with fundraising or through tithes and offerings, or however this project was funded.

Schieber replied that we were, but then, with the crazy prices of concrete and asphalt, it was a considerable amount. He stated that this was why we were requesting this variance. He stated that if we could foresee the sidewalk being used aside from one person walking their dog, he would be okay with putting it in. He stated he was looking at it as a waste of funds.

Wendel stated it wasn't just this location and that we have enforced this ordinance at other locations.

Schieber stated that the High School has been there forever, and he used to teach there. He stated they completely rely on walking traffic that's on either the grass or on the north side of Baker Street, with a crosswalk down by the soccer fields or by their entrance. He stated he wanted to appeal to common sense, as we could put a crosswalk in, and it would take care of all walking traffic.

Board members Garner and Richie moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Richie stated that for Oak Drive, there was the option for people not to put the sidewalk in until development of an adjacent property occurred, and they were allowed, but as soon as development occurred, they had to put a sidewalk in.

Garner stated that the city was looking for a grant, which we now have on Oak Drive, so the idea was that we didn't want to have other people build sidewalks to later have them torn up.

Houin clarified that at one point, there were properties, Beacon Credit Union and Mr. Storage, that requested an exemption from the sidewalk requirement, and the decision was that they would be

exempt until an adjoining property built a sidewalk, and then they would be required to put one in. He stated that it was problematic because it's very difficult to enforce, especially if the property changes hands. He stated more recently that, because the Complete Streets Committee had been working on plans to install sidewalks up and down the entire length of Oak Drive, the administration at the time recommended that we make an agreement with the property owner that they would not be required to install the sidewalk. He stated that in exchange, they would commit to donating an easement so that when the city constructed their project, they wouldn't have to pay for that additional right-of-way on those properties. He stated that in those situations, we have required an agreement to be recorded so that there was a restriction on that property. He added that it was also because the city was actively planning for a project, and it's less expensive to build a sidewalk than to rip out an old sidewalk, purchase the right-of-way, and then build a new one.

Garner stated that for those first couple of cases, they needed an adjacent property with a sidewalk before they built one and now, we have an adjacent property with a sidewalk on the west side that has a sidewalk.

Houin stated there was a sidewalk there, and it was constructed in anticipation of this project and the sidewalk being constructed.

Recommendation

- Based on the information provided and review of the context of the request, staff recommends denial. The City in 2025 constructed the sidewalk extension along Baker Street West of the subject property with the plans of the Church tying into it with its sidewalk as approved for construction. There are approximately 60 homes to the east of Richter Road that have developed along 9th and Suter Roads and as the Comprehensive Plan Update is incoming from Ball State University that goes over what the Northeast region could look like there are the opportunities for additional residential development and pockets of neighborhood commercial that will likely fill out the region North of 9A Road. It is a responsibility to plan and begin the connectivity work to promote safe access for all to the different amenities and greater sidewalks/trails that serve the rest of Plymouth. There are over 140 residences (not including the apartments) to the North of Baker Street that could walk to the property, but there are currently not the amenities to safely do so. Therefore, staff is not supportive of the application to not require sidewalks for this development and would recommend denial of this request.

Board members Garner and Gidley moved and seconded to deny BZA 2026-23 with the staff's recommendation as seen above. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Secor, and Wendel
Against:	Richie
Absent:	Jacobs

BZA 2026-08: TAPIA DAVID AND DAWN, 11901 Ridgeview Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 9.2' at the property located at 11901 Ridgeview Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-362.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:





Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

Del Wenzel (9595 Deer Trail, Plymouth, IN 46563)

Wenzel of Wenzel Builders stated that he was the owner and operator of South Pointe Subdivision. He stated that we started in 1996, so we have been there for 30 years, and he saw no problem with any sheds the way they're positioned right now. He stated the reason they were positioned where they were was that the leech field had to be so big, and we had to keep the sheds off to the side because people didn't want their shed 20 feet in the yard. He stated there were big reasons why they were set where they were.

Gidley asked if the leech fields in his subdivision were larger than standard leech fields.

Wenzel replied that they were not, and they were all approved by the Health Department.

Gidley asked if they were larger than originally anticipated.

Wenzel replied in disagreement and stated that most of them were 1500 square feet.

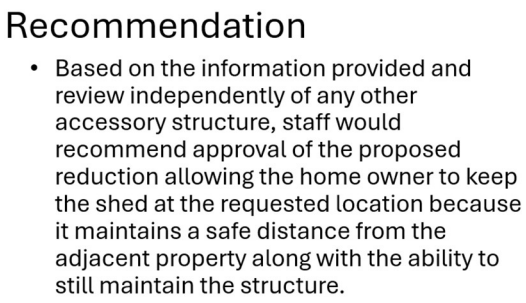
Gidley asked if the soil conditions were such that they didn't require any additional requirements.

Wenzel replied in agreement and stated that we had plenty of room, the soils were great, and everything was approved before they were installed. He stated that where the sheds had been placed was a great solution. He explained that he had a lot of people who wanted to be in the subdivision because of the storage sheds, because there are a lot of developments where you cannot put storage sheds.

Gidley stated to Wenzel that going forward, he needed to ensure that they comply with the current zoning regulations. He stated these people are asking for variances from the advice they got despite the ordinance.

Wenzel replied in agreement and stated that there was a reason the sheds were put where they were. He stated that there are times when a leach field had to be on an angle because of the slope of the ground.

Board members Garner and Richie moved and seconded to close the public hearing. The motion carried.



Board members Richie and Gidley moved and seconded to approve BZA 2026-08 with the staff's recommendation as seen above. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-09: FISHER GALE AND NANCY, 11860 Redbud Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 2' at the property located at 11860 Redbud Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-407.000-018, zoned R-2, Suburban Residential District.

With neither the applicant nor a representative of the applicant in attendance, a motion was made to table this case to a later meeting.

Board members Richie and Garner moved and seconded to table BZA 2026-09 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-10: STAYTON WILLIAM AND RUTH, 11891 Ridgeview Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 7' and reduce the side yard setback from 10' to 8' at the property located at 11891 Ridgeview Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-361.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



William Stayton (11891 Ridgeview Drive, Plymouth, IN 46563)

Stayton asked if a building permit was required when they put these sheds in.

Adley replied that under current regulations, any structure under 120 square feet does not require a building permit, but it was still required to meet setbacks.

Board members Wendel and Gidley moved and seconded to open the public hearing. The motion carried.

Stayton asked if, on the chance that a variance was passed, we would receive official notification to put in our records saying that there was a variance made on this shed or any sheds in our area.

Adley replied that we do not do letters that come to you, but this case was a part of the permanent record for the city. He stated that we could go back decades to see old and previous cases, so it would always remain on file.

Stayton asked for clarification that we would not have proof ourselves.

Adley replied that nothing was normally provided, but if he would like him to write something for him, he would be more than happy to help coordinate something.

Stayton explained that 10 years from now, he did not want somebody to tell him that he could not have that shed there.

Adley stated that, like how we looked at previous cases with neighbors, we can pull that information.

Gidley asked Stayton if he had built that house. Stayton disagreed. Gidley asked if the shed was there when he bought it.

Stayton replied that it was there, and he had no idea how long it had been there, but they lived there for about 7 years.

Board members Gidley and Richie moved and seconded to close the public hearing. The motion carried.

Recommendation

- Based on the information provided and review independently of any other accessory structure, staff would recommend approval of the proposed reduction in both the rear and side yard setback allowing the home owner to keep the shed at the requested location because it maintains a safe distance from the adjacent property along with the ability to still maintain the structure.

Board members Richie and Garner moved and seconded to approve BZA 2026-10 with the staff's recommendation as seen above. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-11: ZIMMERMAN MILTON AND SYLVIA, 11870 Redbud Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 1' at the property located at 11870 Redbud Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-397.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Adley stated that even with the staff's recommendation of denial, the board was not required to follow that recommendation. He explained they were able to take the three criteria, site plans, and information from the applicant into consideration.

Secor asked if the recommendation for denial was only because it was one foot off the property line. Adley agreed.

Gidley stated with it being one foot off the property line, you could not maintain that side of the property without stepping on someone else's property without being able to maintain it.

Adley stated that it would be the staff's interpretation if the shed request were to come in today.

Manuwal stated that if this shed were to come before him now, he would deny it, as you had to maintain a minimum of five feet from the property line for residential lots. He stated that in the case that you did not, the wall had to be fire-rated.

Milton Zimmerman (11870 Redbud Drive, Plymouth, IN 46563)

Zimmerman stated that the lot to the north that the shed was close to had been empty for 20 years.

Wendel asked if the lot was buildable, as it didn't look very big.

Wenzel replied that the lot was still for sale.

Zimmerman stated it was an ideal spot because he didn't want to get too close to the septic system.

Adley stated the septic system was more or less east of the central portion of the house, towards where the shed was located. He stated that, with it being a corner lot, you can't necessarily build it adjacent to the roadway.

Secor asked how hard it would be to move a shed.

Adley replied that, based on the average age of a lot of these structures, especially being wooden, he imagined that there would be a significant impact on a lot of them due to weathering in the northern climate.

Richie asked how long the shed had been there.

Zimmerman replied that he had lived there for almost 20 years.

Adley replied that based on the property record card, it was put there in 2009, so it had been there for 17 years.

Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

Deanne Quissell (11905 Sunset Court, Plymouth, IN 46563)

Mrs. Quissell stated that the shed had been there too long, and she understood that the variance wasn't done. She stated that if it was unable to be maintained without encroaching on the property next to it, her husband and she would help them put in pavers from the shed, so there would be no need to mow or enter that property to the north if it was sold. She stated they would help if it would help keep this couple from having to move the shed.

Gidley stated these cases sound simple, but they are tough. He appreciated what she was saying, but it was not just about maintaining the grass. He stated it also came down to whether they had to do exterior work on the shed, and they had to put a ladder on that side. He stated he was not trying to nitpick, but it was too close for maintenance. He appreciated what she was trying to do.

Mrs. Quissell stated that all of us wouldn't be here today if it weren't for one person.

Stayton stated that he was not trying to represent Zimmerman, but this lot to the north had been vacant forever. He asked why they couldn't table it to a time when the lot was sold, and if there's ever a question, come back to it.

Wendel stated that he did not believe they could table it in that instance.

Stayton stated that it may be the wrong wording, but he didn't see the harm in just letting it be for now, and if it was ever sold and someone built a house, then we could revisit it at that time. He explained that it may never have a house there, or it could have one tomorrow. He asked if they could revisit it at a later date, 5-10 years from now.

Adley stated that one option the board could pursue was permitting the existence of this structure to remain, and should their structure be torn down or replaced, it would have to come into compliance at that point in time. He stated it wouldn't be grandfathered to remove this one and put another one the same size back in its place. He stated that if the owner wanted to replace it for whatever reason, they would have to relocate the future one to a different location.

Garner asked if this would carry over if they sell the property to someone else.

Adley replied in agreement that it would carry on for the life of the shed. He stated that you would essentially only be permitting this very specific structure to remain, and when it was removed, it would then have to be brought back into compliance.

Richie asked if this would be a very specific variance for this structure. Adley agreed.

Secor asked whether this specific shed would still be permitted if someone were to build a house on the vacant property to the north. Adley agreed.

Houin stated that, in that scenario, the variance would allow that shed to stay in that location. He stated to Gidley's earlier point that Wenzel Industries, which owns the vacant north parcel currently, had granted permission to enter onto their property if it's required for maintenance of the shed or the grass. He stated that if that parcel were to be sold, it would be up to the future owner to determine if they would continue to grant that permission or if they wanted to enforce their property rights

and prevent any access onto their property. He stated that it would become a civil matter between those neighboring property owners.

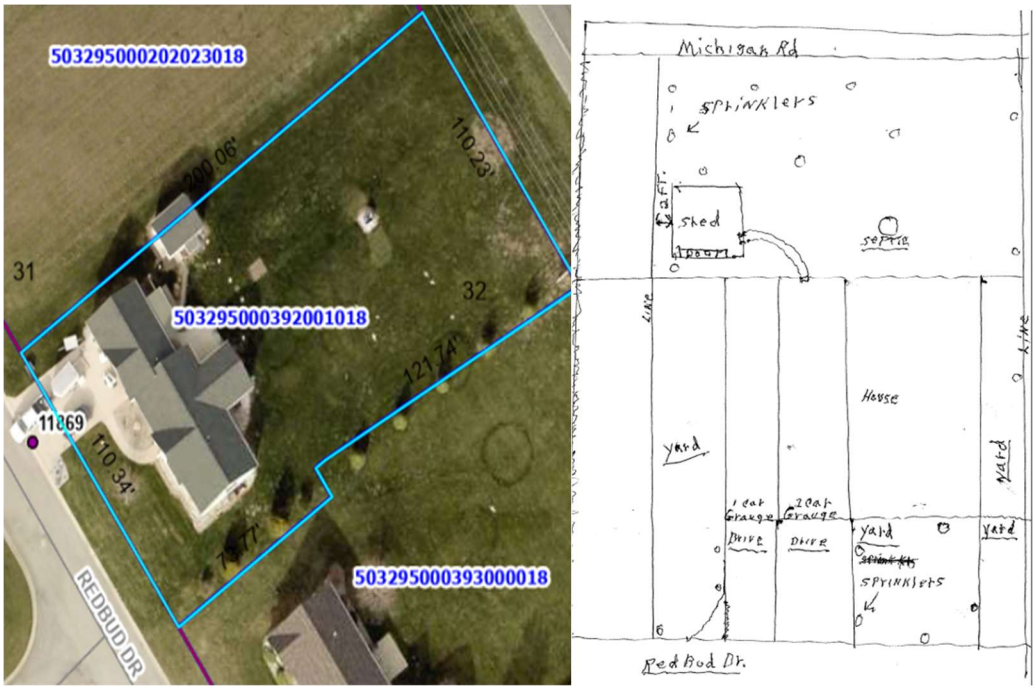
Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2026-11 with the understanding that this specific shed be permitted until it deteriorates, is destroyed, or removed in some fashion, at which time the preceding structure would then have to come into compliance. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-12: COPLEN DAVE AND JOANNE, 11869 Redbud Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 2' at the property located at 11869 Redbud Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-392.001-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Dave Coplen (11869 Redbud Drive, Plymouth, IN 46563)

Coplen stated they moved to the property in October of 2025, and he had no idea that any of that was done. He explained that it was on a concrete foundation, and it would have to be torn down. He stated he would not know how it would be moved.

Wendel stated he hoped that it would not have to come to that.

Coplen stated that he talked to his neighbors who bought the lot right beside it, and they have no problem with it at all.

Board members Gidley and Richie moved and seconded to open the public hearing. The motion carried.

Mrs. Quissell wished to reiterate what Coplen said. She explained they were close friends with Gary and Julie Hillman, who bought the property to the north of them. She stated they were in Florida, and she spoke to both, and they told Coplen that they had no problem with the shed being there. She stated there was no issue with taking care of anything around that shed being so close because they own the property abutting it. She stated that the property was already purchased by the Hillmans, and it would not be built on. She stated they went so far as to say if we couldn't win this for them, that Hillman would take Coplen to civil court and beat it in court.

Wenzel stated that he did not build any of these sheds. He stated that he built the house and the owner, on a weekend, before he could even tell him to go and get a permit, the slab had already been poured and the shed framed. He stated we had it surveyed, and the only thing was an overhang of two inches. He stated he told the owner at the time to get a building permit, but that was how it happened.

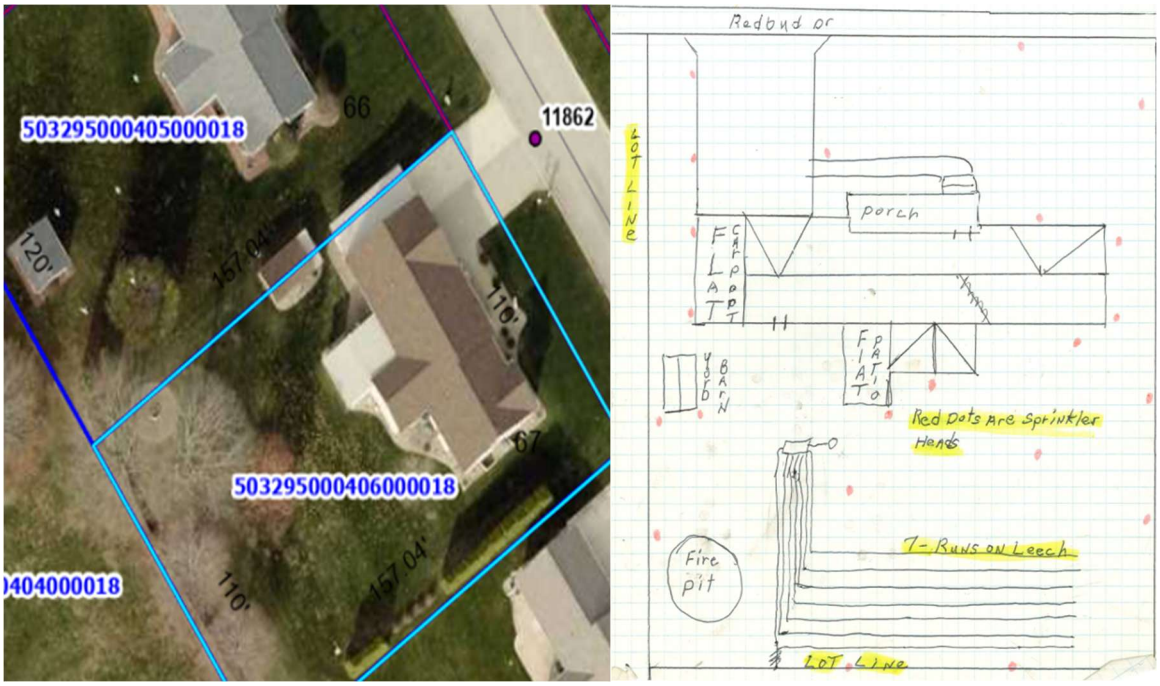
Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Gidley moved and seconded to approve BZA 2026-12 with the understanding that this specific shed be permitted until it deteriorates, is destroyed, or removed in some fashion, at which time the preceding structure would then have to come into compliance. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-13: EMMONS DENNIS SR AND MARGARET, 11862 Redbud Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 1' at the property located at 11862 Redbud Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-406.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Adley stated this was one of the only sheds in the neighborhood to file a variance to reduce the setback by 6 feet in the rear and 2 feet on the side, and it was denied back in October of 2004.

Dennis Emmons Sr. (11862 Redbud Drive, Plymouth, IN 46563)

Emmons stated the neighbor who just moved in to the north of him had that line surveyed. He stated they only used those two pedestals out front, and they used stakes with a surveyor. He stated it missed that building by 20 inches. He stated he was told to keep off his property and that it was private property. He stated he didn't care about all of that, and all he ever wanted was peace. He stated there were two sets of stakes, one plastic and one wooden, that went all the way to the back of his property. He stated that we had a little return fence coming back towards the house with a surveyor's stake right there embedded in concrete. He stated there was rebar coming up through, and it didn't match the GIS on screen.

Gidley stated it was a computer-generated overlay, and we know that those blue lines are not right. He stated that at times they can be 5-10 feet off.

Emmons stated he wasn't sure because Wenzel told him where the line was, and he was right on.

Gidley stated the big issue was that Wenzel was not following the rules in the first place. He stated that in this case, there was a variance request, but it was denied. He stated that for all these cases, if Wenzel had followed city ordinances and codes, these issues wouldn't exist. He stated people were being told they could put their shed there when, at a minimum, they should have requested a variance.

Emmons stated the shed was portable, and we were told you don't need a permit. He stated that it may need a setback when you use a portable building. He stated that the first time it was denied, we laid the irrigation out in the back northwest corner of the lot. He stated the lot was small at 110

feet wide. He stated we had to allow for that sprinkler head to have that building way back there, and that was denied. He stated in a way that he was glad it was denied because of the way it worked out. He stated this shed was put in later and was portable.

Gidley asked for clarification that this shed was not the original variance request. Emmons agreed.

Richie asked for a definition of portable.

Gidley replied that a lot of these buildings were on skids and could be picked up with a forklift. He stated that, for one of the other cases, it was said that the building was 20 years old, so if you were to put a forklift under it and start to lift it, it would come apart.

Board members Garner and Richie moved and seconded to open the public hearing. The motion carried.

Mrs. Quissell stated we have been in the subdivision for some time, and those that we're speaking on behalf of are the people we watch over and help through the year, winters, summers, whatever they need. She stated that with the Emmons family, we have gotten very close with them due to health issues. She stated the issue had arisen because the neighbor next to him had brought all of us to this.

Wendel asked if that neighbor was there. Mrs. Quissell replied that he was not there.

Gidley stated it was also because Wenzel did not provide the correct instructions in the first place, or else we wouldn't be here today. He stated that people may be upset with him, but he can't say that enough about following the rules in the first place. He explained that Wenzel was a developer, so it was not like a private citizen, and he should have been aware of what the rules are.

Mrs. Quissell stated she understood. She stated we are in a very tight-knit small subdivision, and we look out for each other. She explained that we never had problems where anybody's shed had sat. She stated that, as far as encroachment on property, we could alleviate that by putting pavers down, and there would be no need to mow on that neighbor's yard.

Gidley stated that if this next-door neighbor cannot be neighborly, then the pavers would probably be the solution, so Emmons did not have to ride his lawn mower over on that side of the building.

Mrs. Quissell replied that they had already talked about it, and it could be done this weekend if it needed to. She stated that if there was anything we could do to alleviate the hardship these older couples are going through and the stress they've been put under trying to go through this process, and herself trying to help them. She stated her husband and she were putting themselves out there to alleviate the issue with the neighbor to allow the shed to stay.

Chad Hutsell (11865 Ridgeview Drive, Plymouth, IN 46563)

Hutsell asked for clarification that the property was heavily wooded in the back. Emmons agreed. Hutsell stated he wasn't sure where the leach field was, but he was sure it was in the backyard. He

explained there was no other place to put the shed other than where it sat currently, unless it could go in the far corner.

Kurt McMillen (11866 Redbud Drive, Plymouth, IN 46563)

McMillen stated he was the adjacent neighbor. He stated he had been bashed a little bit on this, and he was going to stay away from that. He stated that this all started from a lot of different things, but it's not about that in this hearing. He stated his shed was one foot off his property line. He stated that from all the issues he had, you've only been told one, and it's been minimized. He stated that if Emmons comes to him or sends him a letter asking him to come onto the property to maintain the shed, he would have no problem with that. He stated that when he drives an ATV through his yard to get to the other side, that's a problem. He stated that all he was asking him to do was to stay off his property unless he requested approval. He stated he was not the person they were trying to portray here, but he understood where it was at and did not have a problem with it. He stated that next month, he would be in front of you asking for a variance for his shed, which was six feet something off the property line. He stated he would support leaving this shed where it was, contingent upon him requesting to come onto his property instead of just coming onto his property.

Houin stated this was similar to what he mentioned earlier. He explained that you have two distinct issues here: the question of the setback reduction in relation to the property line, which was all contained on the applicant's property. He stated that any issue regarding trespassing across the property line was a private matter between the property owners that was not a part of your consideration. He stated that being that close to the property line does create a practical difficulty in maintaining the shed without crossing the property line. He stated that it was for the property owners to address, and not necessarily your consideration.

Deputy Clerk-Treasurer Williams wished to point out that this case had an instance where a prior case was referenced back in 2004. He stated there was always a permanent record for variances, and this case was being livestreamed as well.

Houin clarified that the record was maintained by the City of Plymouth through the Clerk's Office. He stated that it does not become a part of the property record through the County Recorder's Office. He explained that a future purchaser who may be doing a title search would not necessarily discover that variance request. He stated you'd have to come to the city to request those records, but they do exist, and they are maintained.

Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Gidley stated to Mrs. Quissell that he appreciated her offer from earlier about the pavers, but they could not put that into the motion, so if it was done outside the motion, that would be wonderful.

Board members Gidley and Richie moved and seconded to approve BZA 2026-13 as presented. The motion passed by roll call vote.

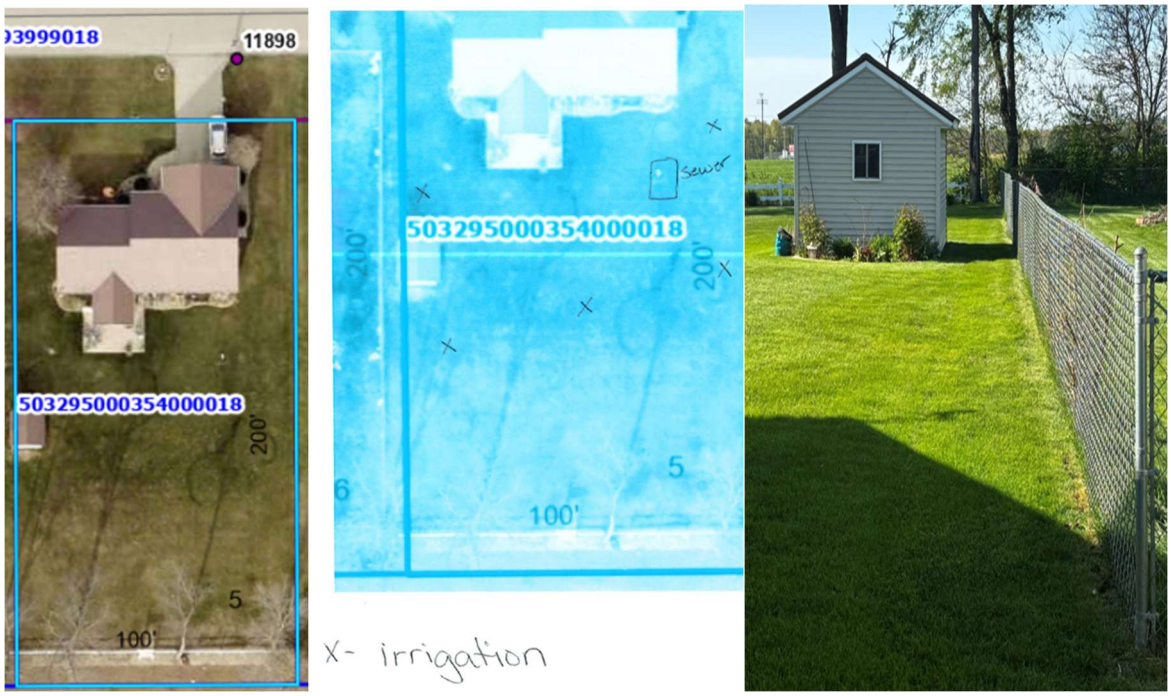
In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None

PLYMOUTH BOARD OF ZONING APPEALS
May 6, 2026

Absent: Jacobs

BZA 2026-15: HOOLEY RANDALL AND REBECCA, 11898 Ridgeview Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the side yard setback from 10' to 0' at the property located at 11898 Ridgeview Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-354.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Gidley asked if the shed was at a zero-foot setback; then it meant that the neighbor did not build his fence exactly on the property line.

Adley replied that they did not have to, and he had historically recommended that individuals not put fences on property lines to be able to adequately maintain the fence on both sides. He stated that people vary in their opinion on that.

Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

Stayton stated that he was his neighbor. He explained the distance between the shed and the fence; Mr. Hooley and the property owner before him had always maintained that strip of grass. He explained that the county put that fence up because the previous owner was a dog handler for the Police Department, and he kept his dog there. He stated the shed was not close to any houses, there was no danger of fire, or anything else requiring this shed to be moved. He recommended keeping the shed where it was.

Board members Garner and Richie moved and seconded to close the public hearing. The motion carried.

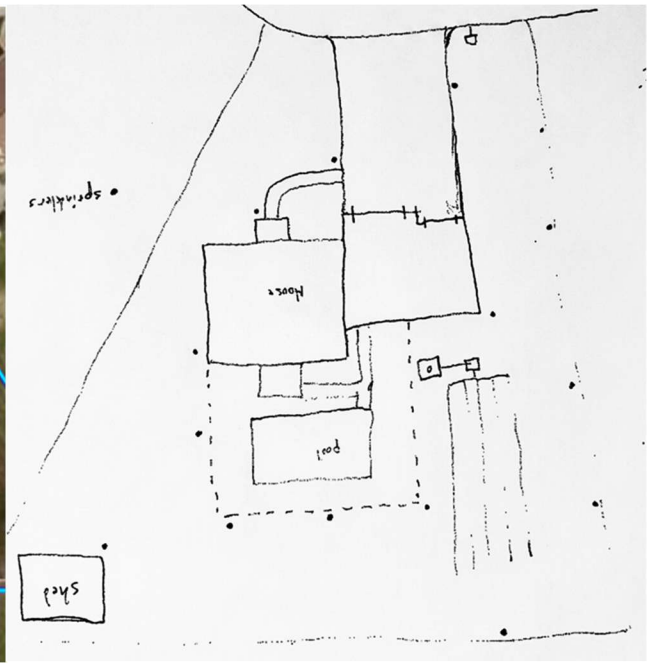
Board members Richie and Gidley moved and seconded to approve BZA 2026-15 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-16: QUISSELL JAMES AND DEANNE, 11905 Sunset Court, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 2' and the side yard setback from 10' to 5' at the property located at 11905 Sunset Court, Plymouth, IN 46563. Identified as parcel 50-32-95-000-402.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:





James Quissell (11905 Sunset Court, Plymouth, IN 46563)

Mr. Quissell stated that when he built the shed, the dog kennel behind the property line was right up against it.

Wendel asked if the kennel was theirs.

Mr. Quissell replied that it was owned by the neighbor behind them. He did state that the fences that run across the back of his property line were actually on our side of the property line, but they are the neighbor's fences. He stated the septic had to go on the east side of the property because of

the grade fall. He stated he adjusted the pitch of the shed so that the water goes onto his property, as he did not want to put water on other people's property. He stated another reason we put it there was that they wanted to hide the view of the dog kennel. After all, we had two young girls, and when the dog was in the kennel, he would be barking.

Mrs. Quissell added that the pool went in at the same time as the house back in 2005. She stated that when we put the shed back in 2006, we didn't have any other location to do it.

Mr. Quissell stated that if the shed was built where it calls for 20 feet off and 10 feet off, it would be right in the middle of the yard.

Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

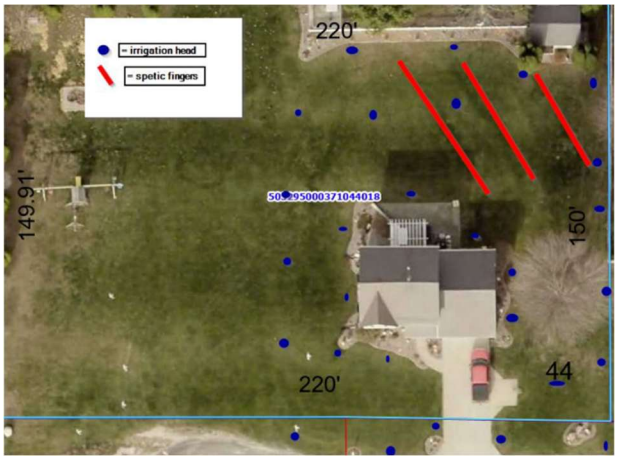
Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2026-16 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-17: HELLINGA THOMAS AND JULIE, 11921 Ridgeview Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20' to 6' and the side yard setback from 10' to 6' at the property located at 11921 Ridgeview Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-371.044-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:



Brandi Sullivan (11928 Ridgeview Drive, Plymouth, IN 46563)

Sullivan stated that she was here on behalf of the applicant. She wanted to support them with this.

Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

Mrs. Quissell stated they were directly behind them and had no issues with their fence, its maintenance, or their shed. She stated they would like them to approve the variance, so they did not have to move their shed.

Stayton asked whether the main concern about these sheds was that they would be a detriment to the neighbor, not the property line itself.

Richie replied that this was not the case, as they had to base their decision upon the decision criteria for each case. The decision criteria for each case are the general welfare, adjacent property, and practical difficulty.

Stayton stated that since we were receiving variances for a majority of these, they are on the line or close to the property line, and if it was not a detriment to a neighboring property, he believed it should be given a variance.

Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2026-17 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

There was a question brought up about whether a shed was to sit on a utility easement. In short, anything that was constructed over or on top of or within a utility easement was constructed at your own risk. The easement guarantees the holder the right to access those utilities, typically underground. If it were under a shed, either the shed would be requested to be removed, or it would be removed at a cost to the property owner, as the easement takes precedence.

BZA 2026-21: SULLIVAN JEREMIAH AND BRANDI, 11928 Ridgeview Drive, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20’ to 15’ and side yard setback from 10’ to 8’ at the property located at 11928 Ridgeview Drive, Plymouth, IN 46563. Identified as parcel 50-32-95-000-357.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:





Board members Richie and Garner moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

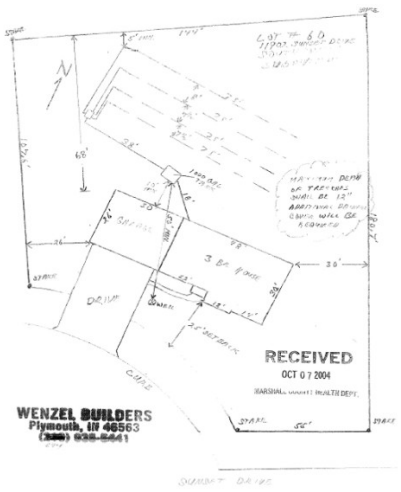
Board members Garner and Richie moved and seconded to close the public hearing. The motion carried.

Board members Richie and Gidley moved and seconded to approve BZA 2026-21 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

BZA 2026-22: BUMPUS LUKE AND ISABEL, 11902 Sunset Court, Plymouth, IN 46563: A Variance of Development Standards to reduce the rear yard setback from 20’ to 4’ and the side yard setback from 10’ to 8’ at the property located at 11902 Sunset Court, Plymouth, IN 46563. Identified as parcel 50-32-95-000-399.000-018, zoned R-2, Suburban Residential District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the images below:





Luke Bumpus (11902 Sunset Court, Plymouth, IN 46563)

Bumpus stated that the treeline and the fence were inset in the backyard on the backside. He stated he was not sure who put the trees there, but we moved the fence inward a little bit to avoid the tree line there. He believed that those trees were on that empty lot. He stated that he asked for a 4-foot setback, but he believed that it may be closer to 5 feet.

Board members Garner and Richie moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

Board members Richie and Garner moved and seconded to close the public hearing. The motion carried.

Board members Richie and Garner moved and seconded to approve BZA 2026-22 as presented. The motion passed by roll call vote.

In Favor:	Garner, Gidley, Richie, Secor, and Wendel
Against:	None
Absent:	Jacobs

Other Business:

Adley stated that there were several cases that would be coming forward in June. He stated that there were four or five on the verge of being prepared for this meeting, but they elected to move forward with the June meeting rather than the May meeting.

There being no other business, Board members Richie and Garner moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 9:19 p.m.

/s/ Kyle Williams
Recording Secretary