

November 18, 2025
Regular Meeting of the
Marshall County Board of Zoning Appeals
112 W. Jefferson St. Room 203
Plymouth, IN 46563

MINUTES

President, Jeff Gustafson, called the Marshall County Board of Zoning Appeals meeting to order at 7:00 p.m. on Tuesday, November 18, 2025, in Room 203 of the Marshall County Building. Present were Commission Members Jeff Gustafson, Trent Bennett, Don Nunemaker, Larry Houin, and Tim Pletcher. Also, present was Nicholas Witwer, Plan Director and Lori Lowry Plan Commission Staff and interested parties.

The minutes of the October 14, 2025, meeting were presented and reviewed. Mr. Nunemaker made a motion to approve, seconded by Mr. Houin. Motion carried by acclamation.

Mr. Houin made a motion to approve October 14, 2025 Findings of Facts, seconded by Mr. Nunemaker. Motion carried by acclamation.

The first item of business was 25-BZA-51 HELMUTH, Luke - A request for a Special Use to allow a home workshop manufacturing metal parts to supply to a manufacturer; located at: 2012 7th Rd. Bourbon, IN German Twsp., Zoned A-1. Mr. Luke Helmuth of 2012 7th Rd. Bourbon was present to represent his request. Mr. Witwer presented the findings of fact.

The applicant has a 25x50 Home Workshop on the property. The workshop produces metal parts that supply other manufacturers. The workshop was realized by the request for a separate address for the workshop by the applicant.

RECOMMENDATION

Based on the information provided, staff recommends approval of the request in accordance with TRC recommendations.

The small business plan for Mr. Helmuth consists of:

- 1,250 sq ft building in addition to residence
- Genesis machine specializes in supplying precision machined metal parts to the Michiana area for outdoor furniture, commercial aluminum trailer mfg, and mechanical power transmission industries.
- Business could grow to 2-3 employees and 5 times the floor space in the next 5 years.

Recently there have been deliveries made to the wrong location. After a call to the Plan Commission Office in search of an additional address to the barn the applicant was made aware that his small business wasn't previously approved. At that time Mr. Helmuth applied for a special use to allow his home workshop. Currently the applicant has no intent to increase the business. However, in the next few years there is a possibility of needing 2-3 employees.

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Mr. Nunemaker made a motion to open for public hearing, seconded by Mr. Bennett. Motion carried by acclamation.

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| 1. Tuvia Puliskin | 317 W. Monroe St. Plymouth | Supports the proposed |
| | home occupation. | |
| 2. John Unsicker | 5733 Cedar Rd. Bremen | Sent a long letter |
| | opposed to the request due to noisy diesel generator. | |

Mr. Nunemaker made a motion to close the public hearing, seconded by Mr. Houin. Motion carried by acclamation.

The generator is currently on the east side of the building. When asked if he felt the neighbor could hear it, he said, "possibly a light humm." Mr. Helmuth didn't know Mr. Unsicker had any issues with the sound. He will do whatever he can to lessen the sound. The board recommended some kind of barrier.

Mr. Nunemaker made a motion to approve 25-BZA-51 HELMUTH, Luke - A request for a Special Use to allow a home workshop manufacturing metal parts to supply to a manufacturer; located at: 2012 7th Rd. Bourbon, IN German Twsp., Zoned A-1 based on the findings with the following condition:

1. Sound barrier to the generator

Seconded by Mr. Houin. Motion carried with a voice vote 5-0.

Mr. Nunemaker made a motion to amend by including up to four (4) employees, seconded by Mr. Houin. Motion carried with a voice vote 5-0.

The second item of business was 25-BZA-52 HOCHSTETLER, Dennis - A request by Raymond Galak for a Variance of Developmental Standard to allow a secondary structure before a primary and a reduction in front yard setback from the required 30' to 25' from the right away to build a 40'x44' pole barn; located at: West Shore Dr. (50-42-12-000-018-000-009), North Twsp., Zoned L-1 On water. Mr. Dennis Hochstetler 1530 3rd Rd. and Mr. Ray Galak 8969 N. Shore Dr. was present to represent their request. Mr. Witwer presented the findings of fact.

The lot is currently used for boats, lake equipment, and other storage and contains at least two storage structures. The lot is situated at the end of a channel from the lake in between two residences.

Recommendation:

Based on the information provided, staff recommends approval of this request.

Mr. Hochstetler currently owns four lots side by side. Mr. Galak has an interest in purchasing this parcel if the variance request is approved. The front yard (roadside) setback and secondary before primary are the only requests before the board.

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Mr. Nunemaker made a motion to open for public hearing, seconded by Mr. Houin. Motion carried by acclamation. There being nobody to speak for or against Mr. Nunemaker moved and Mr. Houin seconded the motion to close the public hearing.

Due to the previous owner digging out some of the ground by the water its requiring pushing the building closer to the road.

Mr. Houin made a motion to approve 25-BZA-52 HOCHSTETLER, Dennis - A request by Raymond Gralak for a Variance of Developmental Standard to allow a secondary structure before a primary and a reduction in front yard setback from the required 30' to 25' from the right away to build a 40'x44' pole barn; located at: West Shore Dr. (50-42-12-000-018-000-009), North Twsp., Zoned L-1 On water based on the findings of fact, seconded by Mr. Bennett. Motion carried with a voice vote 5-0.

The third item of business was 25-BZA-53 ZOBRIST, David & Katherine - A request for a Variance of Developmental Standard for a reduction in rear yard setback from the required 45' to 30'6 to allow an existing 13'x19' raised platform with a connected walkway to the existing house deck; located at: 18250 Chickasaw Tr Culver, IN West Twsp., Zoned L-1. Mr. Tuva Poliskin 317 W. Monroe St. was present to represent his request. Mr. Witwer presented the findings of fact.

The site is situated between two lake residences at the Southern end of Lake Latonka. The property includes several mature trees that were integrated into the design of the structure being considered for the variance request.

Recommendation:

Based on the information provided, staff recommends approval of this request.

Prior to construction the architect contacted the office to confirm whether their needed to be a permit. Unsure of the full scope of the project they were given the go ahead to move forward without a permit. Shortly after the project was built building commissioner, Combs, questioned the structure not having a permit. After review and discussion with the plan director it was decided since the structure didn't meet the lakeside setback it needed a variance.

The neighbors and Lake Latonka Building Control Committee both were in favor of the request.

Mr. Nunemaker made a motion to open for public hearing, seconded by Mr. Houin. Motion carried by acclamation. There being nobody to speak for or against Mr. Nunemaker made a motion close the pubic hearing, seconded by Mr. Bennett. Motion carried by acclamation.

Mr. Nunemaker made a motion to approve 25-BZA-53 ZOBRIST, David & Katherine - A request for a Variance of Developmental Standard for a reduction in rear yard setback from the required 45' to 30'6 to allow an existing 13'x19' raised platform with a connected walkway to the existing house deck; located at: 18250 Chickasaw Tr Culver,

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**IN West Twsp., Zoned L-1 based on the findings of fact, seconded by Mr. Pletcher.
Motion carried with a voice vote 5-0.**

Executive Session/Special Meeting

Board's counsel will be calling two separate meetings to discuss the progress of Tamarack Solar legal case.

The conclusion of the Order Granting Motion to Remand was read. More specific findings of fact are wanted.

2026 Proposed BZA Schedule

The schedule will be reviewed at another meeting.

With no further business to come before the board, Mr. Bennett moved to adjourn the meeting with a seconded by Mr. Nunemaker. Motion carried.

Respectfully submitted,

Secretary