

**MINUTES
WHITLEY COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
April 26, 2022
7:30 P.M.**

**Whitley County Government Center
Meeting Room A/B**

MEMBERS	PRESENT	ABSENT	STAFF
Tim Denihan		X	Nathan Bilger
Sarah Lopez	X		Brent Bockelman
Danny Wilkinson	X		
Doug Wright	X		LEGAL COUNSEL
Joe Wolf	X		Elizabeth Deckard
<i>Kelley Sheiss (alt.)</i>		X	

AUDIENCE MEMBERS

The list of audience members, in-person and electronic, is attached to these minutes. The signed guest list is kept on record.

CALL TO ORDER/ROLL CALL

Mr. Wilkinson called the meeting to order at 7:30 p.m. Mr. Bockelman read the roll call; the members present and absent are listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the March 22, 2022 regular meeting were presented for review. Ms. Lopez made a motion to approve the minutes as presented. Mr. Wolf seconded the motion. The motion passed by a vote of 4-0.

ADMINISTRATION OF OATH

Ms. Deckard provided the oath to the audience members wishing to speak.

OLD BUSINESS

22-W-VAR-8 (Continued from March meeting)

Trevor & Nicole Moser are requesting a development standards variance for a minimum square footage requirement. The subject property, commonly known as 4741 N. Etna Road, Columbia City, is located on the East side of N 250 West, approximately 1,100 feet north of 450 North, in Section 18 of Thorncreek Township and is zoned AG, Agriculture.

Mr. Bilger presented the staff report. He explained the petitioners proposed project of a shipping container dwelling. This would require a variance for minimum square footage of 494 sq. ft. from the code minimum of 950 sq. ft. Aerial views were displayed of the property and building site. Staff recommended three conditions of approval were given for the variance. They are as follows.

1. The variance is granted only for the petitioner and is not transferable.
2. The structure is to be compliant with building and health code requirements.
3. A deed restriction is to be recorded to the effect that the living area is not compliant with the zoning code minimum, and any future owner must comply with the zoning code standards or seek an additional variance.

Mr. Wilkinson discussed the requirements of well and heat.

Nicole Moser, 4741 N. Etna Road, Addressed the Board and explained the variance request. She stated that there would be a driveway, well, and heat.

Mr. Wolf asked about the possibility of moving it to the southern wooded area.

Ms. Moser explained that the area to the south is designated wetlands and not an option for building.

Mr. Wilkinson asked why the choice for the container and small size.

Ms. Moser explained the desire for being minimal size and used for recreational camping on weekends.

Mr. Wolf asked if the roof was going to be flat or pitched.

Ms. Moser clarified that the roof would be a pitched roof and cover the container and front concrete pad.

Mr. Wilkinson asked for any other questions.

Ms. Lopez made a motion to approve petition 22-W-VAR-8 with the staff recommended conditions. Motion was seconded by Mr. Wright. Motion was passed by a vote of 4-0.

22-W-SE-3 (Continued from March meeting)

Tonia Knapp is requesting a Special Exception for a second dwelling unit. The subject property, commonly known as 323 N. 850 West-92, Pierceton, is located on the East side of 850 West, 0.3 miles north of Division Road in Section 5 of Richland Township and is zoned AG, Agriculture.

Mr. Bilger presented the staff report. He described the nature of the Special Exception for a secondary dwelling unit. He displayed aerial views of the property and proposed site plan of the construction of the structures. Three staff recommended conditions were given and were as follows.

1. The Special Exception is granted as presented.
2. In addition to the requirements in the Zoning Code definition of “Secondary Dwelling Unit”, the dwelling shall not be used as an income-producing rental unit.
3. The Secondary dwelling unit will share the same driveway as the primary dwelling.

Ms. Knapp, 323 N. 850 West-92, addressed the board and explained the request for special exception.

Hearing no question, Mr. Wilkinson asked for a motion. Mr. Wright made a motion to approve the petition with staff recommended conditions. Motion was seconded by Mr. Wolf. The petition was approved by a vote of 4-0.

NEW BUSINESS

22-W-VAR-10

Kevin Wilkinson is requesting a development standards variance for a development standards variance for the rear yard setback. The subject property, commonly known as 3303 W. Shoreline Drive, Columbia City, is located on the south side of Shoreline Drive approximately 470 feet east of Hill Drive, in Section 12 of Etna Troy Township and is zoned LR, Lake Residential.

Mr. Bilger presented the staff report and displayed aerial views of the property and proposed plan for the attached garage. He explained the variance of the rear setback and compared this setback to other properties in the area. Review criteria was discussed.

Mr. Wilkinson, 3303 Shoreline drive, explained his proposed project and the neighboring properties.

Hearing no additional questions, Mr. Wilkinson asked for a vote. The petition was approved by a vote of 4-0.

ADJOURNMENT

Having no other business, Mr. Wilkinson adjourned the meeting at 8:03 P.M.

GUEST LIST

1. Tonia Knapp.....323 N 850 West-92
2. Kevin Wilkinson3303 Shoreline Drive
3. Allison Clifford.....698 N. Longridge Road
4. Clayton Clifford.....698 N. Longridge Road
5. Nicole Moser.....4741 N. Etna Road

GUEST LIST – ELECTRONIC

6. Sonya Emerick5865 E. State Road 14