

**WHITLEY COUNTY BOARD OF ZONING APPEALS
STAFF REPORT**

25-W-SE-2 SPECIAL EXCEPTION
Adam & Sarah Poorman
7450 E. 700 South

**JANUARY 28, 2025
AGENDA ITEM: 4**

SUMMARY OF PROPOSAL

Current zoning: VC, Village Commercial (pending)

Property area: 10 acres

The petitioner is requesting Special Exception approval for a Banquet Hall. Proposed is the construction of an event center on the petitioner's property at 7450 East 700 South. The current use of the property is for a residence and accessory uses; the event center would be in conjunction with this.

As proposed, an 8,000 sq. ft. barn-like building would be constructed near 700 South for use as an event center. A 120-150 space parking lot is proposed to the north side of the pond, and a dedicated entrance would be developed separate from the residence's driveway. The building would be connected to sanitary sewer. No details on lighting, landscaping, or signage were submitted.

The petitioner has stated that they would hold about 2 events per week, or 8 per month, with a goal of an average of 60 per year. Events would be by reservation, invitation, or scheduling. There would be no "open to the public" events (e.g., festivals, markets, etc.). The maximum anticipated capacity is 300 guests per event.

As part of the rezoning hearing in December, the petitioner made these zoning commitments:

- 700 South be rebuilt to the County Highway Department specifications from 700 East to 800 East at petitioner's expense.
- Public sewer will be extended to the property.
- The private drainage tile is to be rerouted, if needed, and this project will not cause new drainage issues.
- The proposed land use restrictions as submitted by the petitioner.

On January 21, 2025, the County Commissioners approved the rezoning of this property from AG, Agricultural to the VC, Village Commercial district, effective upon the recordation of the zoning commitments. As of this writing, the commitments have not been recorded, but it is presumed they will be by the time of the hearing. This report is written on that presumption.

In the VC, Village Commercial District, Banquet Halls (that definition is interpreted to include event centers) require a special exception through the Board of Zoning Appeals. The requirements of §10.9 Special Exception Standards of the zoning code apply.

REVIEW CRITERIA

Indiana Code §36-7-4-918.2 and Section 10.9(A) of the Zoning Code authorize the Board to review special exceptions and state the criteria listed below upon which the Board must base its review. Staff's comments/proposed findings of fact under each criterion.

- 1. The special exception shall not involve any elements or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards;**

It is unlikely that this proposal will have any elements or conditions that may be particularly dangerous, injurious, or noxious to other properties, and should generally comply with performance standards.

However, noise from outdoor events can be problematic for surrounding residences. Even with enclosed venues such as the proposed, noise from open doors, vehicles, and so on can be perceptible. Being that the closest residences are 400'± and 600'± from the property line without intervening buildings, trees, or other buffers, mitigation of noise should be considered.

- 2. The special exception shall be sited, or oriented and landscaped to produce a harmonious relationship of building and grounds to adjacent buildings and properties;**

The proposed special exception would construct a new facility, the placement of which is nearer to the public road than many of the existing residences. Combined with the 8,000 sq. ft. footprint, this could make the building more prominent along the road, which could disrupt the "harmony" with adjacent properties. That said, a similarly-sized agricultural building could be erected at the same location without any regard to harmonious relationships.

The amount of parking may be a major source of disharmony, as it would be quite different from existing uses in the vicinity. So, some buffering or other mitigation in addition to that already required by the zoning code may be appropriate.

- 3. The special exception shall produce a total visual impression and environment that is consistent with the environment of the neighborhood;**

Like with the above criterion, the overall visual impression will could be impacted by the proposed building by itself, but such impact may or may not be inconsistent with the neighborhood. The parking lot, driveways, the number of visitors, etc. may be inconsistent and some consideration be given to mitigating their effects.

- 4. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood; and**

The submitted site plan is a sketch, but the petitioner proposes up to a 150-space parking area for the maximum 300-guest facility.

The minimum parking for public assembly uses is 1 space per 4 seats, or 1 space per 50 sq. ft. of gross floor area when there is no fixed seating. The gross area of the event center is approximately 8,000 sq. ft., and assuming that the entire building is to be used for the event hall, up to 160 paved spaces need to be provided. If using the guest count, 75 spaces would be required. This does not include any employee parking or loading areas, which would add a handful of spaces. If this project goes forward, the exact number of spaces and arrangement will be checked during Development

Plan review. The condition of 700 South was discussed at length during the rezoning hearing, resulting in a commitment to improve the road to avoid creating hazards or detriment to the public.

Specific to traffic congestion, at times when a number of vehicles arrive or depart at once, there could be backups at the intersections at 700 East and 800 East. 800 East may have more congestion assuming that traffic patterns will generally be to/from the east and since that road has a significant volume of traffic. However, the duration of such congestion is important to consider.

5. The special exception shall preserve the purpose of this Ordinance as stated in Section 1.4.

The proposed banquet hall falls into a permissible special exception of the Zoning Ordinance. The appropriateness of this location for business use, including the proposed event center, in regard to the Comprehensive Plan and other criteria was discussed recently by the Plan Commission during the rezoning. However, there does seem to be some level of mitigation needed for this particular use to be able to “fit in” here, as noted above. The Board should consider conditions that reflect this and that can be implemented as part of the development of the site and verified during Development Plan review.

SUGGESTED CONDITIONS

If the Board moves to grant the special exception, the following are suggested conditions of the approval:

- 1. This Special Exception will not be in effect until and unless the pending rezoning to VC goes into effect.
- 2. The Special Exception is granted as presented and per the site plan. Refinements to the site plan made as part of Development Plan review are acceptable.
- 3. The Special Exception is limited to the petitioner and is not transferable without additional Board approval.
- 4. Noise from events shall not exceed 50 dB at adjacent residences.
- 5. Landscaping shall be installed per the requirements of §5.6(A) along the west and north sides of the property where adjacent to the proposed use.
- 6. Parking will be paved and will comply with the requirements of the parking code.
- 7. No outdoor storage is permitted. Any dumpster will be enclosed with an opaque screen.
- 8. Any signage will conform to the requirements of the code.
- 9. Any lighting on the property shall be oriented and/or shielded to prevent light spillage and glare on adjacent residential areas and public rights-of-way.
- 10. Zoning commitments will be confirmed during Development Plan review.

Date report prepared: 1/22/25

BOARD OF ZONING APPEALS RECORD OF ACTION

Motion: _____ By: _____ Second by: _____
Approve _____
Approve w/conditions _____
Deny _____

<i>Vote:</i>	Green	Sheiss	Wilkinson	Wolf	Wright
<i>Yes</i>					
<i>No</i>					
<i>Abstain</i>					



Nicodemus,
Steve & Amy

Lamle, Gary D
Revocable Trust

Kaeding,
Patricia
Lina Ann

Lamle, Gary D
Revocable Trust

Helfrich,
Eric E &
Mary L

Morken, Edward
F & Deborah S

Harmes,
Scott D

Belth, Michael
I & Jeanne L

Rawlins,
Burl &
Linda

Dickertoff,
Kyle

Majewski,
Misty
Vogely,
John Andrew

Nauts,
Alan A

Sparks,
Jared R
& Heather D

Derheimer,
Michael T
& Doris A

Poorman, Adam
T & Sarah M

Egley, Jerry R
& Kathleen M

Weigold,
Travis Lee &
Holly Kathryn

Mckowan, Lillian L
& Vance, Martha J
& Clark, Mark A

Lamle, Timothy, Lynn,
Lamle, Mark Allan &
Lamle, Andrew David

Lawhorn,
Shawn E &
Stacey A

Vogely, John & Susan
Irrevocable Trust

Smith,
Austin J

Barnes,
Randy &
Christine

Gordon, Jerome P
Harvey, Lee
& Deana

Poorman,
Seth &
Andrea
Lane, Derrick
T & Angela J

Emerick,
Brian &
Sonya

Emerick
Farms Inc.

Derheimer,
Michael T
& Doris A

Ely, Perry William
& Marilyn J

Vance,
Craig A

Williams,
John E Jr

Williams, John
E II & Lisa A

Zorger, Kelly

Emerick,
Brian G
& Sonya M

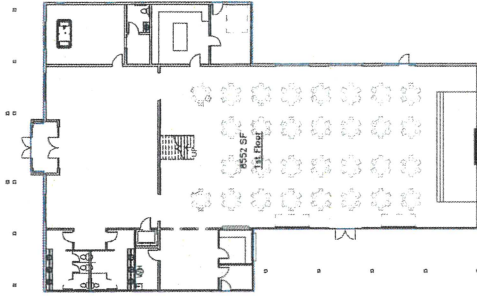
A NEW CONSTRUCTION PROJECT FOR POORMAN EVENT VENUE

7450 E 700 S :: Columbia City, IN, 46725



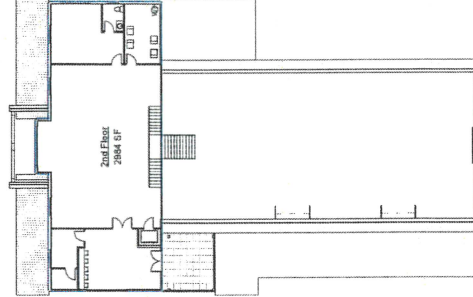
Schematic Site Plan
1" = 60'-0"

First Floor Area Plan



Area Schedule (Gross Building)	
Name	Area
1st Floor	8,552 SF
2nd Floor	2,854 SF
Gross Bldg	11,406 SF

Second Floor Area Plan



A NEW CONSTRUCTION PROJECT FOR
POORMAN EVENT VENUE
7450 E 700 S :: Columbia City, IN, 46725

PROJECT NO. 2445
DATE 1/10/2024
BY

SHEET DESCRIPTION
SHEET TITLE
Title Sheet
SHEET NUMBER

A100

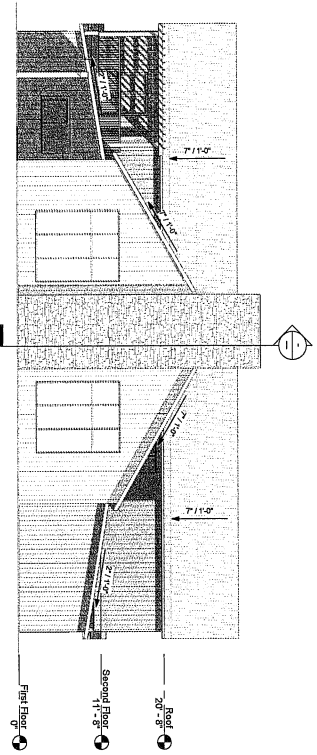


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10000 N. STATE ST.
COLUMBIA CITY, IN 46725
765.226.1000
www.m2architect.com

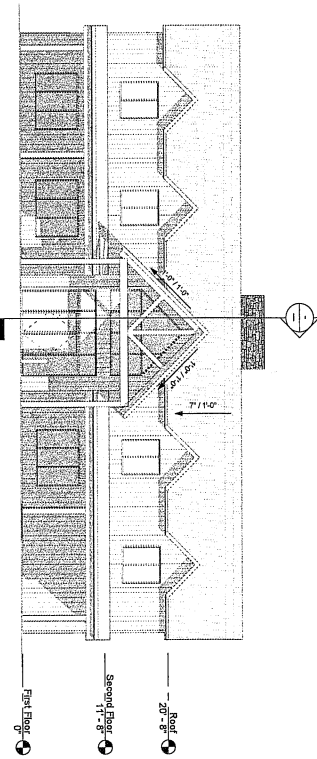
PRELIMINARY
NOT FOR CONSTRUCTION

A201

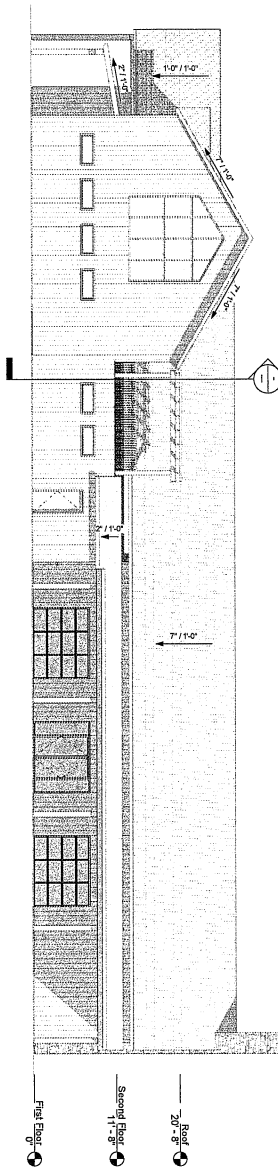
2 South Elevation
1/8" = 1'-0"



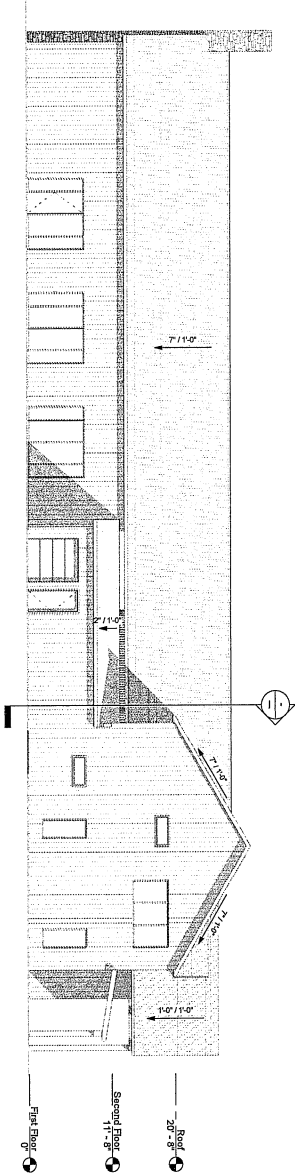
1 North Elevation
1/8" = 1'-0"



3 East Elevation
1/8" = 1'-0"



4 West Elevation
1/8" = 1'-0"



PRELIMINARY
NOT FOR
CONSTRUCTION

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A NEW CONSTRUCTION PROJECT FOR POORMAN EVENT VENUE

7450 E 700 S :: Columbia City, IN, 46725

PROJECT NO. 2445
DATE 10/30/2024
RVA

SHEET DESCRIPTION

SHEETS
EXTERIOR ELEVATIONS

SHEET NUMBER

A301