

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

25-W-VAR-18 DEVELOPMENT STANDARDS VARIANCE
Christ Community Church of Churubusco
6231 N. 650 East

JULY 22, 2025
AGENDA ITEM: 2

SUMMARY OF PROPOSAL

Current zoning: GC, General Commercial
Property area: 16.62± acres

The petitioner, owner of the subject property, is requesting a development standards variance of the required parking surface on the property located at 6231 N. 650 East.

The property is located on the southwest corner of 650 East and US 33 in Section 4 of Smith Township. The property is currently improved with a religious institution and accessory parking.

Proposed is to install an unpaved parking area and driveway to the northwest of the existing building for a period of up to five years, at which time it would be paved. Paved and striped, the lot is shown to have a capacity of 132 spaces.

An additional future parking area would be farther west of the currently proposed lot, but no specifics were submitted on that area.

Also, an access to US 33 is shown on the submitted plan but was not indicated as being part of this request. Therefore, that access drive would need to be paved, as well as meeting any requirements of INDOT permitting.

Section 5.10 of the zoning code requires that all industrial and commercial uses have paved parking areas.

REVIEW CRITERIA

Indiana Code §36-7-4-918.5 and Section 10.10 of the Zoning Code 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 approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The proposed variance will not likely be injurious to the public health and morals as pavement surfaces do not have apparent effects on these factors.

Public safety could be injured as this is proposed to be a general parking lot for regular public use, where the rough surface may cause tripping and other hazards. However, as paved parking already exists on the property, this injury is not likely. The proposed time frame also limits the chance for safety hazards to be generated as the surface degrades over time.

The general welfare may be injured if practical difficulties specific to the property are not found.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The parking surface variance would not impact the value of the area, as the surrounding area is agricultural, residential, and commercial. Gravel parking surfaces are permissible for agricultural and residential uses, and not likely consequential to nearby commercial property values that have legal nonconforming gravel lots. That said, poorly kept and/or maintained gravel surfaces may be detrimental to property values.

The use of the surrounding area may be impacted if the gravel surface is not maintained, causing the stone to migrate onto adjacent properties, but this is mitigated by the distance to the nearest adjacent property.

3. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction or restriction of economic gain.

The strict application of the Ordinance terms may result in a practical difficulty related to parking surface. As proposed, this surface would be gravel for no longer than five years, at which time it would be paved. Since the code does not address temporary or interim uses, such progressive compliance is not permitted by strict application of the standards. However, the Board may make such accommodations through this variance process.

SUGGESTED CONDITIONS

Staff suggests the following condition(s) if the Board finds to approve the requested variance(s):

1. The gravel area shall be paved with a compliant hard surface within five (5) years from the date of approval, unless modified by the Board.
2. This variance does not apply to the "future" parking area.
3. If installed, any driveway onto US 33 will need to be paved as well as comply with any requirements of INDOT.

Date report prepared: 7/16/25

BOARD OF ZONING APPEALS ACTION

Findings of Fact Criteria

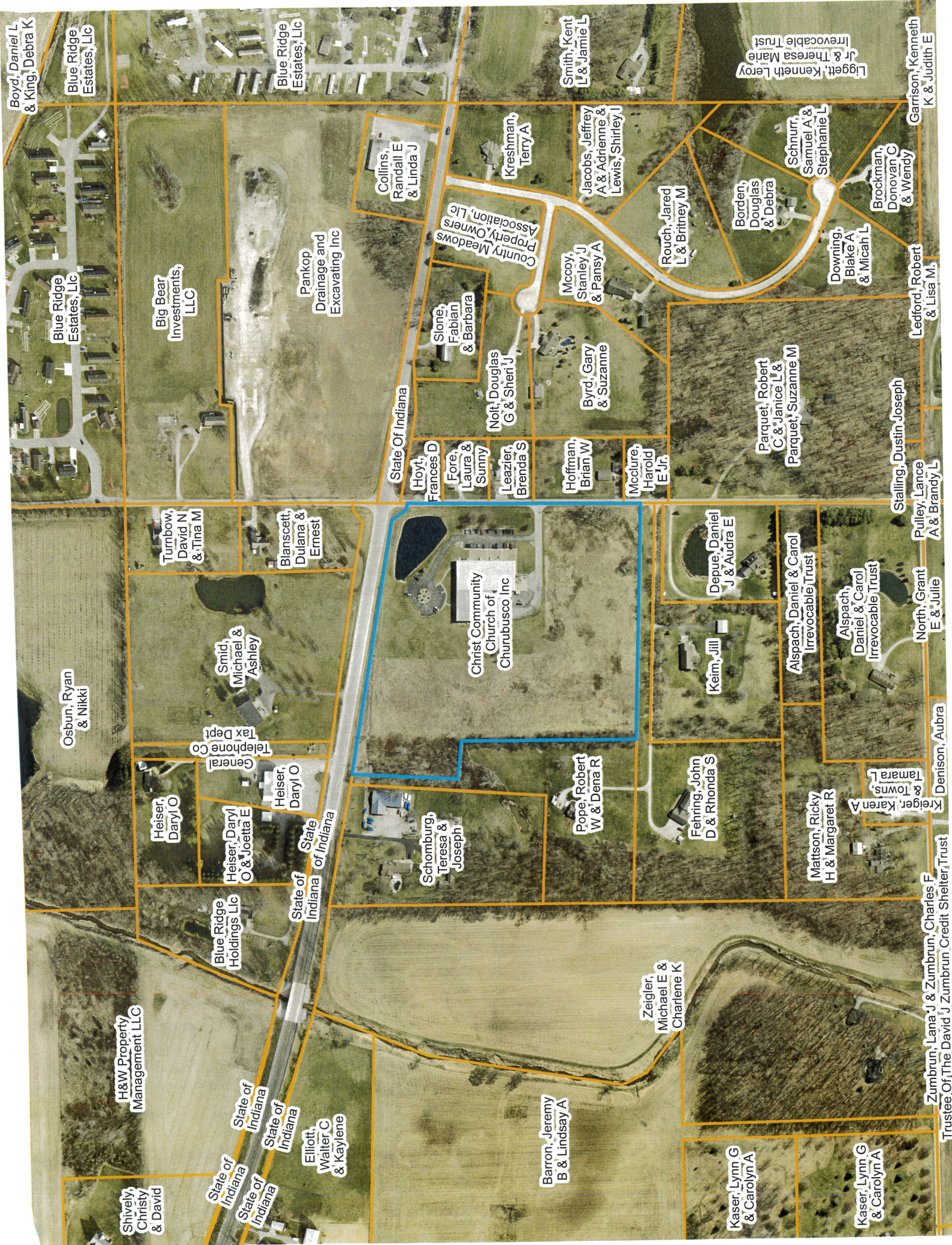
	<i>Vote:</i>		Green		Sheiss		Wilkinson		Wolf		Wright	
			Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
<i>Criterion 1</i>												
<i>Criterion 2</i>												
<i>Criterion 3</i>												

Motion: ☐ Grant
☐ Grant w/conditions
☐ Deny

By:

Second by:

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



Boyd, Daniel L
& King, Debra K

Blue Ridge
Estates, Llc

Osburn, Ryan
& Nikki

H&W Property
Management LLC

Shively,
Christy
& David

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Renovation of Former Pro Systems Building



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Exhibit A

Christ Community Church of Churubusco, Inc. Development Standards Variance to Allow Unpaved Parking Surface in GC Zoning District 6235 N 650 E, Churubusco, IN 46723

I. Background of Request

Christ Community Church of Churubusco, Inc. (the “Applicant”) acquired the property commonly known as 6235 N 650 E (the “Property”) in March 2025. The Church had outgrown its former location at 316 N Main St. and sought a facility that could accommodate its immediate needs while providing room to grow. When it acquired the Property, the Church requested to re-zone the property from IPM to GC since churches were not allowed in the IMP zoning district. The applicant now seeks a temporary development standards variance to allow an unpaved parking lot and internal access roadway for commercially zoned property. PK-02 requires all parking lots for commercial and industrial uses to be paved with asphalt or concrete and all ingress/egress into parking areas to be paved with asphalt, concrete, or other dust free and durable material. The Applicant intends to pave its parking lot and internal access roadway as part of its overall renovation of the site but is requesting a temporary development standards variance to allow it sufficient time to finalize its development plans and to raise funds to complete the paving. Apart from the surface material proposed to be utilized, the Applicant’s parking area will meet all other parking standards set forth in PK-02 and PK-03.

II. Legal Test for Development Standards Variance

- A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

The Applicant’s request is to obtain a temporary variance to allow an unpaved parking area for a period of time not to exceed five (5) years. There is no risk of harm to public health, safety, morals, or general welfare of the community. As reflected on the attached site plan, the parking surface will be designed to direct flows of stormwater into a new drainage swale to prevent negative impacts to surrounding properties. Dust risk will be mitigated through material selection and compaction. The location of the proposed parking area will allow vehicles to safely enter and exit the property without having to back onto any adjacent streets.

- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The Property is located in an area that already has commercially zoned properties with unpaved parking areas, including the property immediately adjacent to the west. There is also a large gravel parking area and internal roadway across the street from

the Property on a parcel that is zoned IPM. Unpaved surfaces are common in this area which is mostly zoned for agricultural use where unpaved surfaces are permitted. As long as the parking area is properly graded to ensure proper drainage as required by the Zoning Ordinance, the use of an unpaved surface for a temporary period of time (not to exceed five (5) years), will not affect the surrounding properties in a substantially adverse manner, as has been evidenced by the existing properties with unpaved parking surfaces in this area.

- C. The strict application of the zoning ordinance will result in practical difficulties in the use of the property. The situation shall not be self-imposed, nor be based on a perceived reduction or restriction of economic gain.

The strict application of the zoning ordinance will impact the Applicant's ability to fully utilize the Property as intended. When the Applicant acquired the Property, it did so with the intention to undertake a major interior renovation to construct a new sanctuary and new office space. Part of the objective with the new sanctuary was to create a space that can accommodate additional growth. To accommodate that growth, the Applicant needs to be able to provide additional parking on site. However, the Applicant is not able to renovate the interior space and install a paved parking surface at the same time. The applicant is seeking a temporary variance to allow it to safely accommodate additional parking until the interior renovations are completed and the Applicant can raise funds to pave the parking area. If the zoning ordinance is strictly enforced, the Applicant will not be able to complete all of its necessary renovations at this time. Presumably, it is because of this practical difficulty that other commercially and industrially zoned properties in the area have been allowed to have unpaved parking surfaces. Unlike some of the neighboring properties, however, the Applicant intends to a paved surface material within five (5) years and is simply asking for time to achieve full compliance with the applicable parking standards.