

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

25-W-VAR-19 DEVELOPMENT STANDARDS VARIANCE
Matthew Bunyan
2520 E. South Ave.

**AUGUST 26, 2025
AGENDA ITEM: 1**

SUMMARY OF PROPOSAL

Current zoning: GC, General Commercial
Property area: 20,140± sq. ft.

The petitioner, owner of the subject property, is requesting a development standards variance of the required front setback for construction of a new mini-warehouse structure on the property located at 2520 E. South Avenue, in Section 12 of Thorncreek Township. The property is currently improved with a storage shed.

Per the submitted site plan, a 60' x 120' self-storage/mini-warehouse building is proposed to be located on the eastern portion of the property. The building would be centered north and south on the property to allow for entrance doors on both sides. Being a corner lot with frontages on Old 102 and South Ave., the parcel would have front setbacks measured from the west and north property lines. The new structure would have setbacks as shown in this table:

	Code	Proposed	Variance
Front (north)	40'	25'	10'
Front (west)	40'	184'±	-
Side (east)	10'	30'±	-
Side (south)	10'	25'±	-

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 the proposed setback generally allows adequate room around the building for access around the property and avoids impacting the well and sewer systems. The proposed setback would not create a particular safety hazard for South Avenue, especially as there appears to be additional right-of-way between the road and the property line.

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 variance may not affect value of the area, as South Avenue is a secondary access, nearly an alley, with the dwellings positioned on the lake side of the property. Therefore, the visual impact of the variance would be minimized, so impacts on the value of the area would not be substantial. The proposed front setback likely will not adversely impact the use of the adjacent properties to the east, which are undeveloped, nor impede the usage of South Avenue.

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. Being new construction, it may be possible to adjust the structure design to comply with all of the required setbacks. However, having two front setbacks on the property would make such a solution difficult and impractical.

That said, the Board should evaluate whether this is a self-imposed difficulty, given that other plans could be designed that would accommodate all of the setbacks, even though they may not be practical.

Date report prepared: 8/21/25

BOARD OF ZONING APPEALS ACTION

Findings of Fact Criteria

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

Motion: Grant
 Grant w/conditions
 Deny

By: _____ Second by: _____

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



Straub, James L Jr
& Straub, Debra
1998; F/B/O The Usher Revocable Trust

Usher, Hal D & Barbara A,
Co-Trustees, U/D/T Dated April 20,

Department
Of Natural
Resources

Anderson, Tara M

Seyor, Gregory R
& Dee

Byers, William D

Anglin, Ashlee

Hartman, Gary & Nancy

Meyers, Stephanie

Robinson, Luke A & Chelsey

Storm, Todd A & Kimberly A

Young, Cary M & Lori A

Natural Resources

Thorncreek Township

Natural Resources

Natural Resources

Pooler, Nicholas P
Mapps-Schmidt, Robin

Leyse, Shaun Michael & Holly Therese

Banyash, Zachary P

Banyash, Carolyn

Hartman, John D & Sharon L

Hartman, John D & Sharon L

Dangler, Jay & Veronica

Books, Greg P

Macy, Quintin

Moon, Troy A & Gretchen D Revocable Trust

Funk, Tucker A

Weil, Blake A & Hannah M

Weil, Blake A & Hannah M

Delauter, Angela L

Thankful Three, Llc

Keesling, Bonnie J

Gipe, Roma Darlene & Gipe, Julie D

Douglas, Scott L

Maloney, Scott R; Maloney, Lannie D; Maloney, Ellen J & Kempf-Mockus, Wendy

Deuter, Roger W & Catherine M

Leslie, Jerrold W

Proctor, Richard E Jr

Brady, Anthony P & Valerie A

Varga, Theodore J Jr & Kimberly R

Notter, Louis Charles Jr

Notter, Louis Charles Jr

Notter, Louis Charles Jr

Well, Blake A & Hannah M

Bunyan, Matt J

Bunyan, Matt J

Easterling, Taylor

White, Randall D & Julie A

United Telephone Co Of Indiana

Rugg, Jack F Jr & Penny

Hammover Lending Llc

Northrup, Tiffany Renee

Fox, Diana K

Brown, Harold A

DW Legacy Farms LLC

Arthur, Timmy W & Barbara A

Roush, Douglas G & Kattie D

Arthur, Bernard D

Jenkins, Gregory P & Reed, Nancy K

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Tri Lakes Regional Sewer Dist

Carle, Peter J

Walters, Paul E

Elliott, Lowell Scott & Lisa

Snider, Brad L

Coffelt, Roger L

Bunyan, Matthew & Mast, Michael

Maloney, Scott R; Maloney, Lannie D; Maloney, Ellen J & Kempf-Mockus, Wendy

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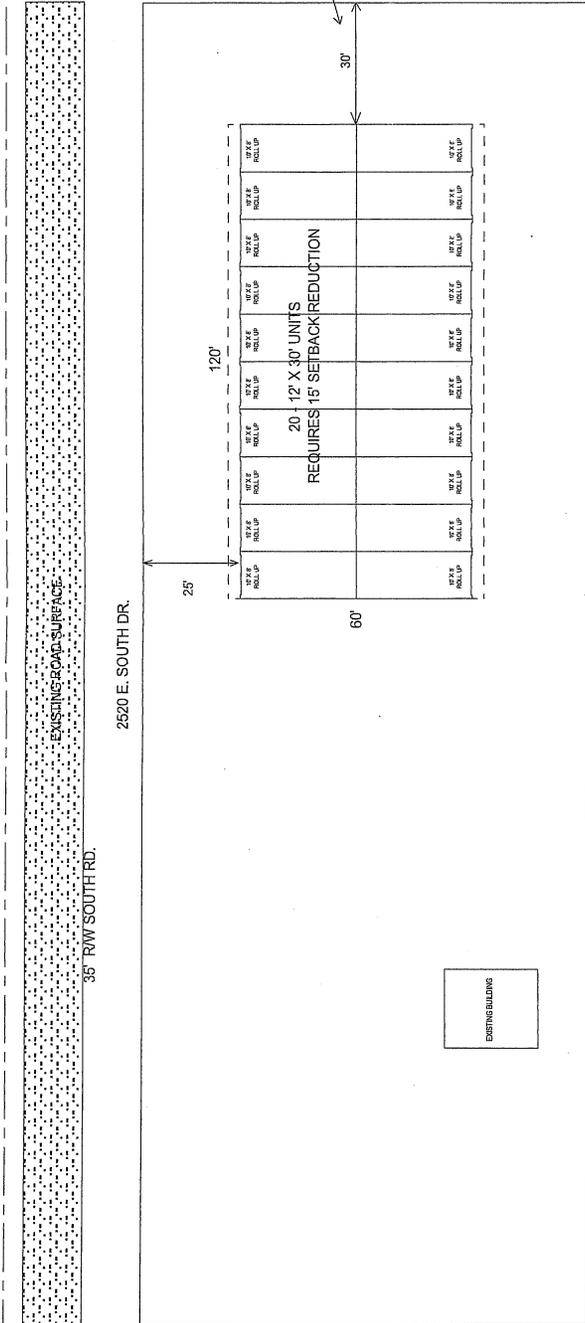
Maloney, Scott R; Maloney, Lannie D; Maloney, Ellen J & Kempf-Mockus, Wendy

Deuter, Roger W & Catherine M

Leslie, Jerrold W

Proctor, Richard E Jr

Brady



C/L OLD SR 102