

**MINUTES**  
**WHITLEY COUNTY BOARD OF ZONING APPEALS**  
**REGULAR MEETING**  
**August 26, 2025**  
**7:00 P.M.**

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

| <b>MEMBERS</b>  | <b>PRESENT</b> | <b>ABSENT</b> | <b>STAFF</b>         |
|-----------------|----------------|---------------|----------------------|
| Kelley Sheiss   | X              |               | Nathan Bilger        |
| Danny Wilkinson | X              |               | Brent Bockelman      |
| Doug Wright     | X              |               |                      |
| Joe Wolf        | X              |               | <b>LEGAL COUNSEL</b> |
| Jack Green      | X              |               | Elizabeth Deckard    |

**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. Wolf called the meeting to order at 7:00 p.m. Mr. Bockelman read the roll call; the members present and absent are listed above.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

The minutes of the July, 2025 meeting were presented for review. Mr. Wright moved to approve the minutes as presented. Seconded by Ms. Sheiss. Minutes were approved by a vote of 5-0.

**ADMINISTRATION OF OATH**

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

**OLD BUSINESS**

**25-W-VAR-17, SPRING GREEN**

The petitioner, tenant of the subject property, is requesting a development standards variance of the required parking surface on the property located at 1115 S. Williams Drive in Section 18 of Union Township. The subject property is currently improved with a lawn service business and parking.

Mr. Bilger presented a summary of the staff report for the petition. He explained that a permit has been obtained for a storage building to the east of the main building. Proposed is to have gravel surface surrounding the building, for parking and storage of equipment and vehicles. The arial views were displayed with the overly of the new construction. The parking areas of the surrounding properties were also displayed and discussed. Review criteria were discussed.

Ryan Meinika, 4471 N. Airport Road, addressed the Board and explained the nature of the business and what the gravel area would be used for.

Discussion was made regarding paving in the future.

Mr. Wolf opened the public hearing. With no comments, Mr. Wolf Closed the public hearing.

Ms. Sheiss made a motion to approve the petition. Mr. Green seconded. Petition 25-W-VAR-17 was approved by a vote of 5-0. With the following conditions:

1. Provide the BZA with an update for review in five years.

## **NEW BUSINESS**

### **25-W-VAR-19, MATTHEW BUNYAN**

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.

Mr. Bilger presented a summary of the staff report for the petition. He explained that, 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. A variance is being requested for the north property line to allow for a 25' setback. Aerial views were provided to show the location of the proposed structure on the property. Review criteria were discussed.

Matt Bunyan, 2366 East Bair Road, addressed the Board and explained his proposed structure location.

Mr. Wolf opened the public hearing.

Kenneth Potts, 2575 E. South Ave, addressed the Board and shared his concern about exterior lighting.

With no additional comments, Mr. Wolf Closed the public hearing.

Mr. Green made a motion to approve the petition. Ms. Sheiss seconded. Petition 25-W-VAR-19 was approved by a vote of 5-0. With the following conditions:

1. All exterior lighting is to be directed to the interior of the property. Any lighting on the property shall be oriented and/or shielded to prevent light spillage in excess of 0.5 foot-candle and glare on adjacent residential areas and public rights-of-way.

### **25- W- VAR-20, JASON & HEATHER MATTESON**

The petitioners, owners of the subject property, are requesting a development standards variance of the required rear and side setbacks for construction of an attached garage addition and a covered deck. The property is located at 1946 E. Leo Smith Lane in Section 11 of Thorncreek

Township and is comprised of Lot 8 of Wyss Addition to Shriner Lake. The property is currently improved with a dwelling.

Mr. Bilger presented a summary of the staff report for the petition. He explained that the petitioner planned to construct an 18'x24' garage would be constructed on the north side of the existing dwelling, and a 6'x11.75' covered deck would be added to the east side of the dwelling. Per the submitted site plan, the garage addition would have a setback of approximately 4.5' from the right-of-way on the east corner and 10' on the west corner. The covered deck on would have a 3'± setback at its nearest point. Aerial views were provided with overlays for reference. The drainage and detention of the area were displayed and discussed as well. Review criteria were discussed.

Jason Matteson, 1946 E. Leo Smith Lane, addressed the Board. He explained the plans for the garage addition and side entrance being covered.

Mr. Wolf discussed drainage in the area. Discussion was made regarding the variance going with the land if the property were to be sold within the five-year timeframe.

Mr. Wolf asked if anyone wished to speak for or against the case.

With no comments, Mr. Wolf Closed the public hearing.

Mr. Wright made a motion to approve the petition. Mr. Green seconded. Petition 25-W-VAR-20 was approved by a vote of 5-0.

## **25- W-SE-10, SHELDON RHEINHEIMER**

The petitioner, contract purchase of the property, is requesting Special Exception re-approval for an RV Sales, Service, and Storage use on the property located at the northwest corner of Lincolnway and 350 East in Section 17 of Union Township. The property is currently used for RV storage.

Mr. Bilger presented a summary of the staff report for the petition. He explained in 2006, the current use obtained a special exception (06-W-SE-11) approval with five conditions (listed below), one of which was that the approval was not transferable without further Board approval. The petitioner seeks to purchase this property and continue the use, necessitating this special exception request. Discussion was made regarding the previous site plan and the current site plan. Further discussion was made regarding screening on the property. Aerial views of the property were displayed along with the proposed site plan.

Discussion was made regarding the possibility of rezoning the property

Sheldon Rheinheimer, 17968 Madden Road, addressed the Board and explained his proposal. He stated the reasons for the Special Exception request for the property. He stated that the property would be used for outdoor storage of trailers. He discussed screening, fencing, and lighting.

Discussion was made about hours of operation and times of pick up and deliveries.

Mr. Wolf asked if anyone wished to speak for or against the case.

Paul Spurgeon, 3365 E. Lincolnway, addressed the Board with concerns about lighting and screening on the east side of his property. He also discussed the amount of traffic on Lincolnway in that area.

Portia Clem, 3342 Early Court, addressed the Board with her concern regarding the cleanliness and weeds on the property.

Mr. Rheinheimer addressed the concerns of the adjoining property owners and expressed his willingness to work with them to accommodate.

Hearing no further comment, Mr. Wolf closed the public hearing and asked for further discussion.

Ms. Sheiss moved to approve the petition with conditions. The Motion was seconded by Mr. Wright. Petition 25-W-SE-10 was approved by a vote of 5-0, with the following conditions:

1. The Special Exception is granted as presented and per the submitted site plan. The 2006 site plan and building size limitation is incorporated as an acceptable alternative if the petitioner wishes to move forward with that design. Refinements to either site plan made as part of Development Plan review are acceptable.
2. The Special Exception is limited to the petitioner and is not transferable without additional Board approval.
3. A 6' high chain link fence must surround all area of the property being used for the business. Slatting
4. Screening is to provided and maintained between the subject property and adjacent residential lots.
5. All exterior lighting is to be directed to the interior of the property. Any lighting on the property shall be oriented and/or shielded to prevent light spillage in excess of 0.5 foot-candle and glare on adjacent residential areas and public rights-of-way.
6. The proposed gravel access drives are permissible. Any parking lots shall be paved per the requirements of the parking code.
7. No outdoor storage is permitted beyond that proposed. Any dumpster will be enclosed with an opaque screen.
8. Any signage will conform to the requirements of the code.

## **OTHER BUSINESS**

## **ADJOURNMENT**

Having no other business, Mr. Wolf adjourned the meeting at 8:30 P.M.

## **GUEST LIST**

1. Portia Clem .....3342 Early Court
2. Kenneth Clem .....3342 Early Court
3. Paul Spurgeon .....3365 E. Lincolnway
4. Matt Bunyan.....2366 East Bair Road

5. Tad Varga.....465 W. Gates Road
6. Heather Matteson .....1946 E. Leo Smith Lane
7. Jason Matteson.....1946 E. Leo Smith Lane
8. Jim Byerley .....3304 Sherman St.
9. Tammy Byerley .....3304 Sherman St.
10. Sheldon Rheinheimer.....17968 Madden Rd.
11. Austin Rheinheimer .....18036 Madden Rd.
12. Ryan Meinika.....4471 N. Airport Road
13. Judy Potts .....2575 E. South Ave.
14. Ken Potts .....2575 E. South Ave.

**GUEST LIST – ELECTRONIC**

None