

**MINUTES**  
**WHITLEY COUNTY BOARD OF ZONING APPEALS**  
**REGULAR MEETING**  
**OCTOBER 23, 2018 7:30 P.M.**

**MEMBERS PRESENT**

Elizabeth Deckard – *arrived 7:36*  
Danny Wilkinson  
Doug Wright  
Tim Denihan  
Will Klein

**ATTORNEY**

Dawn Boyd

**STAFF**

Nathan Bilger  
Jennifer Shinabery

**VISITORS**

There were 8 visitors who registered their attendance at the October 23, 2018, regular meeting of the Whitley County Board of Zoning Appeals. A signed guest list is kept on record.

**CALL TO ORDER/ ROLL CALL**

Mr. Wilkinson called the meeting to order at 7:30 p.m. and Ms. Shinabery read the roll call.

**CONSIDERATION AND ADOPTION OF THE SEPTEMBER 25, 2018 REGULAR MEETING MINUTES**

Mr. Wilkinson asked if there were any corrections or additions to the minutes as amended. There being none, Mr. Wright made a motion, seconded by Mr. Denihan, to approve the minutes as submitted. The motion carried unanimously, 4-0, with Ms. Deckard absent for the vote.

**OATH TO WITNESSES**

Attorney Boyd administered the oath to those present who wished to speak during the meeting. Mr. Wilkinson then briefly explained the procedure for conducting the meeting.

**OLD BUSINESS**

**18-W-VAR-13** Mike Reiff, 5961 E. 300 North, Warsaw, requested setback variances to allow for the construction of a garage. The property is owned by Paul and Teresa McCoy and is located on the south side of E. Morsches Road, ½ mile east of State Road 109, Columbia City, in Section 4 of Thorncreek Township and is zoned LR, Lake Residential District.

Mr. Bilger reviewed the revised staff report, pointing out the updated proposed setbacks based on the new survey that was recently submitted.

Mike Reiff further explained and clarified the petition as the contractor. He stated that aesthetically, he would like the building to be square and in-line with the existing garage. He stated that he had discussed the project with the neighbor directly across the road and they had given permission to express their approval of the project in their absence.

Mr. Wilkinson asked if there was anyone else present who opposed the petition or wanted to speak or ask questions regarding this petition. There was no one.

Following brief discussion, Mr. Wilkinson called for a vote. The petition was approved with a vote of 4-0, with Ms. Deckard abstaining.

**18-W-VAR-14** Leeann Holmes, 7010 E. Harrold Place, Churubusco, requested a front and side setback variance to allow for the construction of an attached garage and room addition. The property is located on the southwest side of E. Harrold Place, about 230' north of E. Harrold Road, in Section 15 of Smith Township and is zoned LR, Lake Residential District.

Mr. Bilger explained that the petitioner had contacted the office and requested her petition be postponed until spring. He explained that her contractor would not be able to complete the proposed construction until then, given the delay created by the need for a stamped survey or site plan as requested by the Board at the last meeting.

Following brief discussion, the Board agreed to table the petition as requested, given the petitioner re-notifies the public and adjoining property owners. The Board agreed that she would not be required to pay the application fee again. Mr. Wilkinson called for a vote and all five members voted in favor.

### **NEW BUSINESS**

**18-W-VAR-15** Laura Maley, 5192 E. State Road 14, Columbia City, requested a variance for a sign larger than what is allowed for home occupations. The property is located on the south side of E. State Road 14, about 930' east of S. 500 East in Section 10 of Jefferson Township, and is zoned AG, Agricultural District.

Mr. Bilger reviewed the staff report, explaining that the petitioner received approval for a hair salon home occupation in June 2018. He explained that at that time, no information on signage was submitted. He explained that even so, the size of a home occupation sign is limited to 6 square feet and the proposed sign is 24 square feet, requiring the variance. He referred to the aerial view of the property, pointing out the proposed location of the sign.

Laura Maley explained that she was unaware of the size requirement for a home occupation sign and the sign was already constructed. She further clarified the proposed location of the sign, which would be outside of the road right-of-way and between the two driveways, nearer the west driveway. She stated that the sign is 4' high and following installation would be no more than 8' tall.

Brandon Maley, 5192 E. State Road 14, Columbia City, explained that their reasoning for having a larger sign is they want the sign to be visible on the busy highway with fast moving traffic. He stated that the sign would not obstruct traffic visibility.

Mr. Wilkinson asked if there was anyone present who opposed the petition or wanted to speak or ask questions regarding this petition. There was no one.

Mr. Wright asked whether the sign would be for advertising purposes or to assist current clients who already have the address easily find the correct location. Following brief discussion, Mr. and Mrs. Maley concluded that the sign would be for both purposes.

Mr. Bilger mentioned that commercial signs are limited to 6' in height and asked the petitioners to comply with this as well. Mr. and Mrs. Maley stated that they would be able to keep the sign within that requirement.

Following Board discussion, Mr. Wilkinson called for a vote. The petition was approved with a vote of 4-1, with Mr. Wright voting against.

**18-W-VAR-16** Keith Thornton, 2175 E. Crampton Road, Columbia City, requested a variance to allow for a garage within the required side setback. The property is located across from 2161 E. Crampton Road on Big Cedar Lake in Section 11 of Thorncreek Township, and is zoned LR, Lake Residential District.

Mr. Bilger reviewed the staff report, explaining that the request is a result of a proposed parcel split, which will return the parcel back to two lots, as originally platted. He explained that the variance is not for any new construction, but for an existing garage that will require a 1' variance from the platted lot line. Mr. Bilger referred to the aerial view and the survey, demonstrating the location of the garage in relation to the platted lot lines.

Mr. Thornton presented his request, stating that his plan is to leave the existing garage and build a new garage on the eastern lot that would comply with required setbacks.

Mr. Wilkinson asked if there was anyone present who opposed the petition or wanted to speak or ask questions regarding this petition. There was no one.

Following brief discussion, Mr. Wilkinson called for a vote and all five members voted in favor of the petition.

### **OTHER BUSINESS**

Mr. Bilger discussed the on-site public hearing notice that is now a requirement for petitions. He also presented the 2019 meeting schedule.

### **ADJOURNMENT**

There being no further business to discuss, Mr. Wilkinson declared the meeting adjourned at 8:03 p.m.