

**MINUTES**  
**SOUTH WHITLEY BOARD OF ZONING APPEALS**  
**SPECIAL MEETING**  
**MONDAY, NOVEMBER 1, 2018**  
**6:15 P.M.**

**SOUTH WHITLEY TOWN HALL**  
**118 E. Front Street, South Whitley**

**MEMBERS PRESENT**

Frank Baldrige  
Tom Dome  
Rod Hardesty  
Doug Morrissey  
Wayne Swender

**STAFF**

Nathan Bilger

**MEMBERS ABSENT**

None

**VISITORS**

There were two visitors who signed the guest list at the South Whitley Board of Zoning Appeals meeting. A guest list is included with the minutes of this meeting.

**CALL TO ORDER**

The meeting was called to order at 6:15 p.m. by Mr. Bilger.

**ROLL CALL**

Mr. Bilger read the roll call with those members present and absent being listed above.

**CONSIDERATION AND ADOPTION OF THE JULY 30, 2018, BOARD OF ZONING APPEALS SPECIAL MEETING MINUTES**

Mr. Swender made a motion to approve the July 30, 2018, meeting minutes as presented. Mr. Baldrige gave the second. The members voted unanimously to approve the minutes.

**ADMINISTRATION OF THE OATH TO WITNESSES**

Mr. Bilger swore in the guests who wished to speak at the meeting.

**OLD BUSINESS**

There was no old business to discuss.

**NEW BUSINESS**

- 1. 18-SW-SE-2 and
- 2. 18-SW-VAR-3

Lindsey Horvath requested a Special Exception to allow for a front yard fence at 502 W. Lewis Street, South Whitley. She also requested a Variance of the maximum allowable height for a front yard fence. Mr. Bilger suggested both petitions be considered simultaneously and summarized the Staff Report. He explained that the property, as a corner lot, has two front yards and is also constrained by easements. Considering both the required review criteria for Special Exceptions and Variances, Mr. Bilger stated that Staff finds both requests supportable.

Lindsey and Cody Horvath were present to describe their proposal to the Board. They had wanted a 6’ fence close to the property line on the west, east, and south sides of their property. The Town Council reviewed the south and east sides due to platted easements. Mr. Horvath explained that the Council ruled that the fence on the south side needed to be 2’ north of the center of the manhole cover located on the property. This pushes the fence back 13’ from the property line on that side. A plot plan in the members’ meeting packets showed that strict application of the code would not allow for much yard within the fence.

The members discussed briefly, and Mr. Swender made a motion to approve the 6’ front yard fence as presented. Mr. Hardesty gave the second. The members voted unanimously to carry the motion. Mr. Bilger told the Horvaths that they could obtain their building permit in the office as soon as the next business day.

**OTHER BUSINESS**

There was no other business. The members had received a draft of the 2019 meeting schedule, and Mr. Bilger requested that they let him know if they had any comments or concerns with the listed dates. There were no comments during the meeting.

**ADJOURNMENT**

There being no further business to discuss, Mr. Morrissey made a motion to adjourn the meeting. Mr. Swender gave the second, and the members voted unanimously in approval. The meeting was adjourned at 6:25 p.m.

**GUEST LIST**

- 1. Cody Horvath ----- 502 W. Lewis Street, South Whitley
- 2. Lindsey Horvath ----- 502 W. Lewis Street, South Whitley