

**MINUTES  
WHITLEY COUNTY BOARD OF ZONING APPEALS  
REGULAR MEETING  
MAY 22, 2018 7:30 P.M.**

**MEMBERS PRESENT**

Elizabeth Deckard  
Will Klein  
Danny Wilkinson  
Doug Wright  
Tim Denihan

**STAFF**

Nathan Bilger  
Jennifer Shinabery

**ATTORNEY**

Dawn Boyd - absent

**VISITORS**

There were 2 visitors who registered their attendance at the May 22, 2018, regular meeting of the Whitley County Board of Zoning Appeals.

**CALL TO ORDER**

Mr. Wilkinson called the meeting to order at 7:32 p.m.

**ROLL CALL**

Ms. Shinabery read the roll with all members present and absent listed above.

**CONSIDERATION AND ADOPTION OF THE APRIL 24, 2018 REGULAR MEETING MINUTES**

Mr. Wilkinson asked if there were any corrections or additions to the minutes as amended. There being none, Mr. Klein made a motion, seconded by Ms. Deckard, to approve the minutes as submitted. The motion carried with a 4-0-1 vote, with Mr. Denihan abstaining.

**OATH TO WITNESSES**

Mr. Bilger 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**

There was no old business to discuss.

## **NEW BUSINESS**

**18-W-VAR-4** Jeffry Gibson, 2400 W. 700 North, Columbia City, is requesting a development standards variance to allow for the construction of an accessory structure within the required front setback. The property is located on the south side of W. 700 North, about 1/10 mile east of N. 250 West in Section 6 of Thorncreek Township, and is zoned LR, Lake Residential District.

Mr. Bilger reviewed the staff report, providing the details of the petition. He referred to the aerial view of the property, pointing out the petitioner's house across the road as well as the existing accessory structure located on the property. He also pointed out the surrounding existing setbacks. He stated that due to the curvature of the road, the distance between the edge of the road and the property line varied. He explained that the proposed structure would be 30' x 40' built approximately 20' from the property line, requiring a 15' variance. He explained that he wanted to point out review criteria number three and stated that the Board should consider whether the practical difficulties are self-imposed and whether or not the variance could be reduced or even avoided.

Mr. Gibson was present to discuss his petition. He stated that he had made significant repairs to the existing structure and plans to continue using it. He explained the reasoning behind his petition, including the practicality of the desired location of the additional structure.

Mr. Wilkinson asked if there was anyone else present who wanted to speak regarding this petition, which there was no one. There being no discussion amongst the Board, Mr. Wilkinson called for a vote. The Board voted 4-1 to approve the petition as presented, with Mr. Klein in opposition.

**18-W-VAR-5** Larry Anderson, 14112 Pendleton Mills Court, Fort Wayne, is requesting a development standards variance to allow for the construction of a structure within the required front and side setbacks and on a lot that does not meet the required minimum lot area. The property is located on the east side of W. Old Lake Road, approximately 1/10 mile north of W. 700 North in Section 36 of Etna-Troy Township, and is zoned LR, Lake Residential District.

Mr. Bilger explained that the petitioner could not be present this evening due to a death in his family. He explained that a letter of remonstrance from an adjacent property owner was received earlier on this date, which was distributed before the Board members this evening. He recommended the Board continue the petition for the previously mentioned reasons. At the request of the Board, he gave the history of the creation of the lot in question and the resulting details of the petition.

Following brief discussion amongst the Board, Mr. Denihan made a motion to table the petition, seconded by Mr. Klein. The motion passed unanimously.

### **OTHER BUSINESS**

Mr. Bilger briefly reviewed the status of the zoning ordinance amendment related to Confined Feeding Operations.

### **ADJOURNMENT**

There being no further business to discuss, Mr. Wilkinson declared the meeting adjourned at 8:00 p.m.