

**MINUTES
WHITLEY COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
November 23, 2021
7:30 P.M.**

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

MEMBERS	PRESENT	ABSENT	STAFF
Tim Denihan		X	Nathan Bilger
Sarah Lopez		X	Brent Bockelman
Danny Wilkinson	X		
Doug Wright	X		LEGAL COUNSEL
Joe Wolf	X		Elizabeth Deckard
<i>Kelley Sheiss (alt.)</i>		X	

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. Wilkinson called the meeting to order at 7:30 p.m. Mr. Bockelman read the roll call; the members present and absent are listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the October 26, 2021, regular meeting were presented for review. Mr. Wright made a motion to approve the minutes as presented; Mr. Wolf seconded the motion. The motion passed by a vote of 3-0.

ADMINISTRATION OF OATH

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

21-W-VAR-19, Setback Variance, 2368 E Schram

Dallas and Pamela Lay are requesting a development standards variance for an encroachment into the required front setback on their property located across from 2368 East Schram Avenue in Section 11 of Thorncreek Township. The property is Lot 5 of Farrens Sub-Division.

Mr. Bilger presented the staff report. The petitioner has proposed to construct a 20'x20' carport on the south side of the lot. The structure would be approximately 3.5' from the Schram Avenue right-of-way and 5' from the east property line. The structure would be located over part of the existing gravel parking area; the existing shed would remain.

Mr. Bilger discussed the review criteria as noted in the written report. He stated there could be practical difficulties.

Mr. Bilger provided an aerial view for reference and pointed out the proposed site for the carport.

Mr. Bilger asked the Board if it had any questions for him. Hearing none, Mr. Wilkinson asked the petitioner or its representative to address the Board.

Pamela Lay, petitioner, stated that they are requesting to put a carport where she has parked her car for the last 20 years. She would like to protect the new vehicle they have purchased from the elements.

Mr. Wilkinson asked the Board if it had questions for the petitioner.

Mr. Wolf discussed the snow plowing situation in that area and where the snow would be place if there were to be a large snow event.

Ms. Lay explained that the placement of the carport would not change the location of snow placement. The area that is used for snow will still be available.

Mr. Wilkinson opened the public hearing.

Mr. Creason, 2376 E Schram Ave, addressed the Board. He reviewed the situation with the properties in this area. He suggested that the averaging rule be applied in this situation and use this as the set back. Putting it around the 20' mark. He explained the reason would be due to parking issues that arise in the summer and holidays when the area is busy.

Mrs. Creason, 2376 E Schram Ave, stated a concern with the snow issue due to the skinny road. She thinks that the snow will just pile up and make it difficult and maybe move it a little to the north.

Ms. Lay stated that the carport location would not change anything because that area is not used as a turn around or a location to place snow. It is used as a location to park her vehicle.

Mr. Lay stated that he is the one that takes care of most of the snowplowing in that area.

Mr. Wright discussed possible issue with the power lines.

Ms. Creason stated that she did not think that the lines would be an issue at all.

Hearing no further public comment, he closed the public hearing. Having no other discussion from the Board, he called for a vote. The petition was approved by a vote of 3-0.

21-W-VAR-20, Sign Variance, 5679 N Center.

The petitioner, Tri-Lakes Baptist Church, is requesting a development standards variance to allow the installation of a church sign that contains an Electronic Message Center (EMC). The sign would be located on their property at 5679 N. Center Street.

Mr. Bilger presented the staff report. The petitioner is proposing a two-sided sign to replace their existing identification sign near the southeast corner of the church building. The sign is generally compliant with the sign code requirements for church/semi-public/public uses except that it would be an EMC, which the sign code does not currently address (therefore it does not permit), so a variance is required.

Mr. Bilger displayed the aerial view of the property and the sign location. He pointed out the topography of the area. He also displayed images of the sign and the dimensions.

Mr. Bilger discussed the review criteria as noted in the written staff report.

Mr. Bilger asked the Board if it had any questions for him. Hearing none, Mr. Wilkinson asked the petitioner or its representative to address the Board.

Brad Fredrickson, petitioner, described the project and that the sign will allow them to display different messages easier.

Mr. Wilkinson opened the public hearing. Hearing no public comment, he closed the public hearing. Having no other discussion from the Board, Mr. Wolf made motion to approve with conditions, seconded by Mr. Wright. Mr. Wilkinson called for a vote. The petition was approved by a vote of 3-0.

OTHER BUSINESS

No other business was discussed.

ADJOURNMENT

Having no other business, Mr. Wilkinson adjourned the meeting at 8:12 p.m.

GUEST LIST

1. Pamela S. Lay2368 E. Schram Avenue
2. Dallas R. Lay2368 E. Schram Avenue
3. Clifford Creason.....2376 E. Schram Avenue
4. Sarah Creason2376 E. Schram Avenue
5. Brad Fredrickson.....1779 E. Brookside Trail
6. Angela Grable220 Frontage Road
7. Jeremy Patton.....220 Frontage Road
8. Roger HinderliterLeesburg, IN

GUEST LIST – ELECTRONIC

There were no electronic attendees.