

**LAGRANGE COUNTY BOARD OF ZONING APPEALS**  
***OCTOBER 17th, 2023***

THE LAGRANGE COUNTY BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON **TUESDAY, OCTOBER 17th, 2023, AT 7:00P.M.** IN THE LAGRANGE COUNTY COMMISSIONERS ROOM AT THE COUNTY OFFICE BUILDING

**CALL TO ORDER:** Nick Wilson called the meeting to order at 7:00 p.m.

**ROLL CALL:** Nick Wilson, Lynn Bowen, and Philip Bieberich

**ADOPT AGENDA:** Lynn Bowen made a motion to approve the amended agenda. Phil Bieberich seconded the motion. A vote was taken, motion carried.

**MINUTES OF PREVIOUS MEETING:** Lynn Bowen made a motion to approve August & September minutes. Phil Bieberich seconded the motion. A vote was taken, motion carried.

**COMMUNICATIONS:** Lynn Bowen made a motion to postpone the two petitions that requested to be postponed due to absent board members. Phil Bieberich seconded the motion. A vote was taken, motion carried.

**NEW BUSINESS**

***LAND USE VARIANCE***

*(Public Hearing)*

**MILLER STEWARDSHIP PROPERTIES, LLC ~ By. Jonas Miller (23-LUV-19)** Clay Twp., Sect.21, T37N R09E, zoned A-1. Located 3515 W US 20., LaGrange. Application is for a Land Use Variance for an RV repair business in the A-1 Zoning District.

Robbie Miller introduced the petition and reviewed the site plan.

Jonas Miller (3515 W US 20., LaGrange) was present as the petitioner. Jonas Miller explained the reasoning for the variance.

RV repair only, no retail on site.

Nick Wilson asked if there were any in favor of the petition.

Mr. Wilson then asked if anyone would like to remonstrate against the petition.

Robbie Miller read the letter that was sent into the Planning & Zoning office remonstrating against the parking of the RV's.

The public hearing was subsequently closed.

The board discussed the petition at length.

Phil Bieberich made a condition that this use is the only use, and this owner is the only owner with no expansion on this site. Lynn Bowen seconded the condition.

A roll call vote was taken:

*Land Use Variance*

1. The approval will not be injurious to the public health, safety and general welfare of the community.

*The proposal is to operate an RV repair business in an existing auxiliary structure at Petitioner's property located in an A-1 zone. The property allows for safe flow of traffic and sufficient turn around. The proposed business poses no risk of harm to the general public and meets all required setbacks.*

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

*The Petitioner's property is surrounded by remote agricultural land and has been used for business purposes for several years. There are minimal residential structures located nearby. The proposed auxiliary structure meets all required commercial setbacks. Petitioner's proposed business will cause minimal noise and intrusion upon neighboring landowners. No remonstrators appeared.*

3. The need for the variance arises from some condition peculiar to the property involved

*The location of the subject property, as it currently sits within an A-1, zone would prevent Petitioner from operating a RV repair business as proposed.*

4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.

*Petitioner would be prohibited from operating the proposed RV repair business at this location without the requested variance, requiring him to relocate to another suitable location.*

5. The approval does not interfere substantially with the Comprehensive Plan

*The comprehensive plan encourages economic growth and rural-based cottage industries similar to that which Petitioner is proposing. The proposed usage is not dissimilar from other rural businesses in the surrounding area.*

For all of the foregoing reasons, on this 17th day of October, 2023, the LaGrange County Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance subject to the following conditions: This use only; this owner only; no future expansion at this site.

## **OTHER BUSINESS:**

**ADJOURNMENT:** Lynn Bowen made a motion to adjourn, Phil Bieberich seconded the motion. A vote was taken, motion carried. Nick Wilson adjourned the meeting at 7:18 p.m.

LAGRANGE COUNTY, INDIANA

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## **LAGRANGE COUNTY BOARD OF ZONING APPEALS**

BY: \_\_\_\_\_

Nick Wilson, President

BY: \_\_\_\_\_  
Phil Bieberich, Vice President

BY: \_\_\_\_\_  
Lynn Bowen, Member

BY: \_\_\_\_\_  
Dan Patterson, Member

BY: \_\_\_\_\_  
Tyler Young, Member

BY: \_\_\_\_\_  
Alternate Member