

**LAGRANGE COUNTY BOARD OF ZONING APPEALS**  
**MAY 20TH, 2025**

THE LAGRANGE COUNTY BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON **TUESDAY, MAY 20TH, 2025, 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:** Lynn Bowen, Nick Wilson, David Herschberger, Tyler Young and Jerry Raber.

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

**MINUTES OF PREVIOUS MEETING:** Jerry Raber made a motion to approve the minutes. David Herschberger seconded the motion. A vote was taken, motion carried.

**COMMUNICATIONS:**

**NEW BUSINESS**

**DEVELOPMENTAL VARIANCE**

*(Public Hearing)*

**RUNYON, RICK L & DOLORES ~By. Rick Runyon (25-V-13)** Johnson Twp., Sect.31, T36N R10E, zoned L-1. Located at 7235 S 020 E., Wolcottville. A Developmental Variance to build a 10'x28' covered porch outside of the view shed.

Robbie Miller introduced and reviewed the site plan for the variance with the board.

Dolores Runyon (7235 S 020 E., Wolcottville) was present as the petitioner/home owner.

The petitioner explained the reasoning for the variance.

Nick Wilson asked if there were any in favor of the petition, there were none.

Nick Wilson then asked if there were any against the petition, there were none.

The public hearing was subsequently closed.

The board discussed the petition at length.

Jerry Raber made a motion to approve the site plan as is with the condition of not enclosing the porch. Lynn Bowen seconded the motion.

A roll call vote was taken:

*Developmental Standard Variance*

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

*The proposal is for the construction of a new covered porch on the lake side of Petitioner's property located in an L-1 zone. The new porch will be within the neighboring properties viewsheds but will otherwise not pose any unreasonable risk or disturbance to the public.*

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 proposed new covered porch while located in the viewshed is outside of the lake side setback requirements. The porch should not unreasonably interfere with the lake views of*

*the adjacent properties. The proposed setback should not intrude on neighboring landowners' use and enjoyment of their properties at the lake. No remonstrators appeared.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

*Given the size and layout of the subject lot, Petitioner would be unable to build an addition and/or porch area on the property without the requested variance. Given the locations of the adjacent properties, Petitioner would be unable to construct any additions without a variance.*

For all of the foregoing reasons, on this 20th day of May, 2025, 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: Petitioner is prohibited from enclosing the proposed covered porch.

*(Public Hearing)*

**VESEY, ANDREW-JULIE-NICOLE & THADIUS~** By. Thadius Vesey (25-V-16) Johnson Twp., Sect.32, T36N R10E, zoned L-1. Located 1300 E 700 S., Wolcottville. A Developmental Variance for a 17' road side setback where 25' is required in the L-1 Zoning District.

Robbie Miller introduced and reviewed the site plan for the variance with the board.

Thadius Vesey (1300 E 700 S., Wolcottville) was present along with the petitioners. Thadius explained the reasoning for the variance.

Nick Wilson asked if there were any in favor of the petition, there were none.

Nick asked if there were any against the petition, there were none.

The public hearing was subsequently closed.

The board discussed the petition at length.

A roll call vote was taken:

*Developmental Standard Variance*

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

*The proposal is to construct new garage on Petitioner's property located in the L-1 zone. The location of the proposed garage is within the roadside setback. The proposed setback, proposed adjacent to a private drive, does not pose any immediate risks to the public and neighboring landowners.*

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 proposed new garage does not unreasonably interfere with the use and enjoyment of the neighboring properties. The garage should not affect the property values of neighboring landowners in any discernable way. No remonstrators appeared.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

*Given the size, layout, and topography of the existing property there is not sufficient space on the property to locate the proposed new garage further away from the private road in order to meet applicable setbacks. Strict application would prevent Petitioner from constructing the new garage without the variance.*

For all of the foregoing reasons, on this 20th day of May, 2025, the LaGrange County Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

#### *LAND USE VARIANCE*

*(Public Hearing)*

**KUHNS, MARLIN-WANDA & JOHN~** By. Marlin Kuhns/Midwest Land Surveying (25-LUV-03)  
Clay Twp. East., Sect.25, T37N R09E, zoned S-1. Located at 0175 W 100 S., LaGrange. A Land Use Variance to house large animals in the S-1 Zoning District.

Robbie Miller introduced and reviewed the site plan for the variance with the board.

Marlin Kuhns (0175 W 100 S., LaGrange) was present as the petitioner.

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

1. John Kuhns explained how they will be adding horses only for help in transportation.

Nick Wilson asked if there were any against the petition, there were none.

The public hearing was subsequently closed.

The board discussed the petition at length.

Tyler Young made a motion to approve 3 horses only for this use only and no other large animals on this parcel. Jerry Raber seconded the motion.

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 house large animals on Petitioner's property zoned S-1. Petitioner's property, while zone S-1 is located in a predominantly rural area with minimal neighboring structures. The proposed site location does not pose any risk to the public.*

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 proposal to house large animals should not affect neighboring landowners as there are not any residences located nearby the proposed pasture and barn. The proposal should not interfere with the neighboring landowners' use and enjoyment of their properties. There is sufficient space on the property to house large animals and conduct small-scale farming. No remonstrators appeared.*

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

*The location of the subject property, as it currently sits within an S-1 zone, would prevent Petitioner from maintaining large animals, causing difficulties for the property owner who is Amish. The property is adequately suited to support the proposed use.*

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 housing large animals at this location without the requested variance thereby requiring Petitioner to locate another suitable location.*

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

*The proposed use, i.e. housing large animals for transportation purposes, is not in conflict with the comprehensive plan.*

For all of the foregoing reasons, on this 20th day of May, 2025, 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: maximum limit of three (3) horses on the property, no other large animals permitted, and this use only.

#### **OTHER BUSINESS:**

**ADJOURNMENT:** Jerry Raber made a motion to adjourn, Tyler Young seconded the motion. A vote was taken, motion carried, and meeting adjourned at 7:35 p.m.

#### **LAGRANGE COUNTY, INDIANA**

##### **ANTI-DISCRIMINATION NOTICE STATEMENT**

The County of LaGrange does not illegally discriminate because of race, color, national origin, sex, religion, disability, or age with regards to admission, participation, or treatment in its facilities, programs, activities, or services, as required by Title III and Title VI of the American Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and their related statutes, regulations, and directives. The County has established an Anti-Discrimination Compliance Division to ensure compliance with these laws. If you would like more information concerning the provisions of these laws and about the rights provided thereby, or if you have a suggestion on how the County can better meet the needs of persons protected thereby, please contact the Division at 300 E. Factory St., LaGrange, IN 46761 or by telephone at (260)499-6352.

LAGRANGE COUNTY BOARD OF ZONING APPEALS

BY: \_\_\_\_\_  
Nick Wilson, President

BY: \_\_\_\_\_  
Jerry Raber, Vice President

BY: \_\_\_\_\_  
David Herschberger, Member

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

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

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