

LAGRANGE COUNTY BOARD OF ZONING APPEALS
AUGUST 19TH, 2025

THE LAGRANGE COUNTY BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON **TUESDAY, AUGUST 19TH, 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: Nick Wilson, Tyler Young, Lynn Bowen, David Herschberger and Jerry Raber.

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

MINUTES OF PREVIOUS MEETING: Lynn Bowen 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)

PATTERSON, DONALD P JR & GAIL L/PIERCE BROADBAND~ By. Frost Brown Todd LLP
(25-V-24) Greenfield Twp., Sect.25, T38N R11E, zoned A-1. Located North of 5605 N 1100 E., Orland. A Developmental Variance to build a 199-foot tall, self-supporting lattice, microwave radio tower with a 43' roadside setback where 156' is required in the A-1 Zoning District.

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

Thomas Bedjole, Adam Wallace (111 Monument Circle) and Tim Finchem (2235 Broadway, Oakland CA) were present as the petitioners along with the land owners Donald and Gail Patterson.

The petitioner explained the reasoning for the variance being they would like to build a new communications tower.

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

1. Donald Patterson (11290 E 600 N) spoke in favor of the petition and would like to preserve the ag land; the tower is in the line of sight needed to communicate with other towers. Bristol & Steuben connects onto this area, perfect location to the microwave tower.

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

The public hearing was subsequently closed.

The board discussed the tower maintenance and land, no lights and FAA approved with the petitioners.

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 microwave radio tower within the required setbacks on Petitioner's property located in an A-1 zone. The tower is constructed in a manner that any failure would lead to a collapse and not allow the structure to tip over outside of the

property. The structure should be no risk to the public health, safety and general welfare of 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 microwave radio tower does not block adjacent properties views and enjoyment of their property. There are minimal residential structures nearby. The proposed setback is appropriate and adequate for the use. 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 construct a microwave radio tower on the lot without the variance requested due to the size and location of the proposed construction site.

For all of the foregoing reasons, on this 19th day of August, 2025, the LaGrange County Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

(Public Hearing)

YODER, NEIL D & KAREN E~ By. Neil & Karen Yoder (25-V-25) Clay Twp West., Sect.04, T37N R09E, zoned A-2. Located 3700 W 350 N., LaGrange. A Developmental Variance for a 12' side yard setback where 25' is required in the A-2 Zoning District.

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

Neil Yoder (3700 W 350 N) was present as the petitioner. Neil spoke on this positioning is the only area out of the wetlands where he could put the barn needed for horse shelter.

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

1. Steve Carr (3765 W 350 N) spoke in favor of the barn and the positioning.

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

The public hearing was subsequently closed.

The board discussed the driveway, wetland and manure.

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 an agricultural barn on Petitioner's property located in an A-1 zone. The new barn is located well off the roadway and away from neighboring structures, and will not cause any 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 agricultural barn does not unreasonably interfere with the use and enjoyment of neighboring properties. The proposed agricultural barn is common of size and scope in the area and should not have any discernable effect on neighboring land. 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 subject lot, Petitioner would be unable to construct the agricultural barn on the lot without the variance requested. The Petitioner is seeking to make good use of the available space on the property.

For all of the foregoing reasons, on this 19th day of August, 2025, the LaGrange County Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

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 7:44 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