

**LAGRANGE COUNTY BOARD OF ZONING APPEALS**  
*JUNE 18th, 2024*

THE LAGRANGE COUNTY BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON TUESDAY, JUNE 18th, 2024, AT 7:00P.M. IN THE LAGRANGE COUNTY COMMISSIONERS ROOM AT THE COUNTY OFFICE BUILDING

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

**ROLL CALL:** Nick Wilson, Phil Bieberich, Lynn Bowen, and Jerry Raber.

**ADOPT AMENDED AGENDA:** Nick Wilson made a motion to approve the amended agenda. Philip Bieberich seconded the motion. A vote was taken, motion carried.

**MINUTES OF PREVIOUS MEETING:** Lynn Bowen made a motion to approve the minutes. Nick Wilson seconded the motion. A vote was taken, motion carried.

**COMMUNICATIONS:**

**NEW BUSINESS**

**DEVELOPMENTAL VARIANCE**

*(Public Hearing)*

**STEWART, DOUGLAS & KELLIE~** By. Douglas Stewart (24-V-16) Springfield Twp., Sect.04, T37N R10E, zoned A-1. Located North East of 8760 E 300 N., Howe. A Developmental Variance for a single wide not meeting the minimum house size requirements of measuring less than 23 feet wide for 60% of its length.

Robbie Miller introduced and reviewed the site plan.

Doug Stewart was present as the petitioner.

The petitioner explained why they applied for the variance.

Lynn Bowen asked if there were any in favor of the petition.

Letter sent in and was read by Christa McCormick in favor of the single wide.

Zachary Holsinger spoke about how they were ok with their new build as long as a stipulation put on for a time frame to build a new home.

Paul Martin (owns east property) agreed with Zachary Holsinger, as long as stipulation is put on for the new build, he is fine with the single wide.

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

The public hearing was subsequently closed.

Lynn Bowen made a motion this owner only, no renting and time limit of four years to build.

Two years to pull house permit and two years for the permit time frame. Nick Wilson seconded the motion.

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 for the construction of new residence, specifically a single wide mobile home on Petitioners' property located in the L-1 zone. The proposed residence is located well off of*

*the adjacent roadway wherein it will not obstruct view on the road nor will it 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 proposed new residence will be aesthetically pleasing to neighboring landowners. The proposed new residence will not encroach on neighboring landowners' use and enjoyment of their properties as it meets all applicable setbacks. Two (2) remonstrators appeared with concerns regarding having mobile homes in the area and effects on property values.*

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 of the lot and the financial restraints on the Petitioners make it impractical to build another larger residence on the property. Without the variance requested the lot would remain empty and unimproved.*

4. The variance granted is the minimum necessary and does not correct a hardship caused by an owner, previous or present, of the property.

*The proposed new residence is minimally intrusive and does not seek to unreasonably encroach upon adjacent properties. The proposed new residence is reasonably sized given the size of the subject lot.*

For all of the foregoing reasons, on this 18th day of June, 2024, 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 owner only, no rental allowed, two (2) year time limitation on the variance.

*(Public Hearing)*

**SHULL, BRIAN & LAURA** ~ By. Brian Shull (24-V-17) Johnson Twp., Sect.30, T36N R10E, zoned L-1. Located at 0620 E 635 S., Wolcottville. A Developmental Variance for a 28' lake side setback for a 14'x17' covered porch where 45' is required in the L-1 Zoning District.

Robbie Miller introduced and reviewed the site plan.

Brian Shull (0620 E 635 S) was present as the petitioner; he explained the need for the covered porch.

Lynn Bowen asked if there were any in favor of the petition.

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

The board discussed the petition at length.

Philip Bieberich made a motion to add a condition to keep the three sides open, never to be closed. Jerry Raber 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 new lakeside covered porch addition on Petitioners' property located in the L-1 zone. The proposed porch addition will 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 proposed enclosed porch will be aesthetically pleasing to neighboring landowners. The proposed setback variance will not unreasonably intrude on neighboring landowners' use and enjoyment of their properties. The properties in the surrounding area have similar setbacks as well. 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 Petitioners would be unable to construct a covered porch on the property as proposed without the variance requested.*

4. The variance granted is the minimum necessary and does not correct a hardship caused by an owner, previous or present, of the property.

*The proposed covered porch is minimally intrusive and does not seek to unreasonably encroach upon the lake side of the property or onto neighboring properties. The proposed addition is reasonably sized considering the lot size in question.*

For all of the foregoing reasons, on this 18th day of June, 2024, 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: covered porch is not to be enclosed.

**OTHER BUSINESS:** July 9<sup>th</sup> Plan Commission meeting to finish the UDO recommendation. June 26<sup>th</sup> will have a new copy to distribute on the website. Maps will come quickly after.

**ADJOURNMENT:** Lynn Bowen made a motion to adjourn, Philip Bieberich seconded the motion. A vote was taken, motion carried, and meeting adjourned at 7:39 p.m.

LAGRANGE COUNTY, INDIANA  
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LAGRANGE COUNTY BOARD OF ZONING APPEALS

BY: \_\_\_\_\_  
Lynn Bowen, President

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

BY: \_\_\_\_\_  
Phillip Bieberich, Member

BY: \_\_\_\_\_  
Jerry Raber, Member

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

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