

LAGRANGE COUNTY BOARD OF ZONING APPEALS
AUGUST 18, 2020

THE LAGRANGE COUNTY BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON **TUESDAY, AUGUST 18, 2020 AT 7:00P.M.** IN THE LAGRANGE COUNTY COMMISSIONERS ROOM AT THE COUNTY OFFICE BUILDING

CALL TO ORDER: Tyler Young called the meeting to order at 7:02 p.m.

ROLL CALL: Tyler Young, Lynn Bowen, Jim Bugg, Nick Wilson. In attendance: Robbie Miller, Brittney Johnston, and Dustin Glick.

ADOPT AGENDA: Tyler Young made a motion to postpone petition 20-V-44 & 20-LUV-29. Lynn Bowen made a motion to approve the postponement, Jim Bugg seconded the motion. A vote was taken, motion carried.

MINUTES OF PREVIOUS MEETING: Lynn Bowen made a motion to approve the June previous minutes as amended, Nick Wilson seconded the motion. A vote was taken, motion carried. Lynn Bowen made a motion to approve the July previous minutes as amended, Jim Bugg seconded the motion. A vote was taken, motion carried.

COMMUNICATIONS: None.

NEW BUSINESS

VARIANCE

(Public Hearing)

VAUGHN, CHARLES ~ By: Anthony Glentz (20-V-37): Lima Twp., Sect. 21, T38N R10E, zoned L-1. Located at 6755 N 270 E, Howe. Application is for a 37.5' roadside setback for a proposed attached garage.

Robbie Miller introduced the petition and reviewed the site plan.

Anthony Glentz, 613 Colorado St., Goshen, was present on behalf of the petitioner. Mr. Glentz explained the reason for the variance.

Tyler Young asked if there was anyone in favor of the petition.

Charles Vaughn, 7655 N 250 E, Howe, was present as the petitioner. Mr. Vaughn explained the setback will be further out than the existing setback.

Tyler Young asked if anyone would like to remonstrate against the petition.

Linda Scharf, 6765 N 270 E, Howe, questioned if there was an ordinance against obstructing another owner's view of the lake.

Tyler Young elaborated that there are specific setbacks for L-1 zoning.

Robbie Miller added that there are height restrictions, as well.

Linda Scharf explained she was against the petition because 16-17 years ago her family was not allowed to build nearby and she felt as though the same decision should be applied to this petition.

Tyler Young asked if the petitioner would like to address the board with the remaining time available to him.

Anthony Glentz explained the project would benefit the neighborhood by updating the property and the room available on the lot will be used appropriately.

The public hearing was closed.

The board discussed the site plan.

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 attached garage addition on the roadside of Petitioner's home. The proposed garage is located far enough off of the road that it will not obstruct view on the traveled roadway 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 construction will be aesthetically pleasing to neighboring landowners. The proposed setback variance will not intrude on neighboring landowners' properties, as it meets the required side yard setbacks. The proposed structure will be located further from the right of way than some of the neighboring auxiliary structures. 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 it would be impossible/impractical for Petitioner to construct an attached garage on the subject property 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 construction is minimally intrusive and does not seek to encroach upon the roadway any more than neighboring properties. The proposed attached garage addition is reasonably sized considering the lot size in question.

For all of the foregoing reasons, on this 18th day of August, 2020, the LaGrange County Board of Zoning Appeals finds the Petitioner has met is burden of proof and hereby approves the variance as requested.

(Public Hearing)

KONGER, BERNARD ~ By: Chris Stanford (**20-V-39**): Johnson Twp., Sect 30, T36N R10E, zoned L-1. Located at 600 E 635 S, Wolcottville. Application is for a 3.4' Westside setback for a storage shed.

Robbie Miller introduced the petition and reviewed the site plan.

Chris Stanford, 5985 N 270 E, Howe, was present on behalf of the petitioner. Mr. Stanford explained the need for the variance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the sight plan at length.

Lynn Bowen asked when the existing shed was placed.

Robbie Miller told the board according to the assessor's card it was placed around 2000.

Chris Stanford stated the variance was filed because the L-1 zone only allows on auxiliary building, the petitioners did not wish to place a shed on the other side of the lot due to an existing propane tank.

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 proposed new shed expansion is located well off the neighboring roadway and the general public. The proposed location will not have any effect on the general public and 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 be** affected in a substantially adverse manner.
The proposed shed expansion is significantly larger than the existing nonconforming structure and will further encroach upon the neighboring property owner. The proximity to the side yard property line could affect the use and value of the neighboring property owner's land. No remonstrators appeared.
3. The strict application of the terms of the zoning ordinance **will not** result in practical difficulties in the use of the property.
Strict application would not prevent Petitioner from continued residential use of the property and continued use of the existing shed. The Petitioner possesses sufficient space on the subject property to construct a new auxiliary structure at the required setback without the need of a variance.
4. The variance granted **is not** the minimum necessary and **does** correct a hardship caused by an owner, previous or present, of the property.
The proposed location of the auxiliary structure and the reduction from the required 10' side yard setback down to the proposed 3.4' is not the minimum necessary given that sufficient space exists to relocate the structure at the required setback. The Petitioner by proposing the subject location has created his own hardship.

For all of the foregoing reasons, on this 18th day of August, 2020, the LaGrange County Board of Zoning Appeals finds the Petitioner has not met its burden of proof and hereby denies the variance as requested.

(Public Hearing)

SCHNELLBACH, DAVID ~ By: David Schnellbach (20-V-40): Johnson Twp., Sect. 25, T36N R10E, zoned L-1. Located at 5115 E 620 S, Wolcottville. Application is for a 6' Westside setback for a proposed residence.

Robbie Miller introduced the petition and reviewed the site plan.

Dave Schnellbach, 5115 E 620 S, Wolcottville, was present as the petitioner and explained the reason for the variance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the site plan.

Robbie Miller clarified to the board that the final drawing for the proposed residence will be turned in before being issued a permit.

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 a new residence on a vacant lakeside lot where an old dilapidated home was removed. The proposed new home does not cause any risk to the surrounding public, nor does it affect travel and sight on the roadway.*
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 home will not substantially interfere or intrude on the use and enjoyment of adjacent property owners, as it is proposed in such a way to ensure that sufficient space exists on each side yard for emergency access. The new home, as proposed, does not encroach on the lakeside of the property, thereby not interfering with neighboring landowners' lake view. 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.
Strict application of the zoning ordinance side yard setback requirements would prevent Petitioner from constructing a home of any size, given that the lot is only 40 feet wide. Due to the size and layout of the subject property, it would be difficult and/or impractical to construct a new home on the lot 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 structure is minimally intrusive to neighboring properties and does not interfere with the use and enjoyment of the lake. The new home, as proposed, is reasonably sized considering the size and layout of the.

For all of the foregoing reasons, on this 18th day of August, 2020, 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)

GAUSE, GREGORY & STACY ~ By: Greg Gause (20-V-41): Johnson Twp., Sect. 32, T36N R10E, zoned L-1. Located at 1460 E 720 S, Wolcottville. Application is for a 35' lakeside setback for a 256' covered porch.

Robbie Miller introduced the petition and reviewed the site plan.

Greg Gause, 1460 E 720 S, Wolcottville, was present as the petitioner and explained that he began work on the pergola two months prior without a building permit.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the site plan.

Nick Wilson questioned as to why a permit was not pulled.

Greg Gause explained the situation started as a simple project and he did not know one would be required.

Robbie Miller stated if the variance was approved Greg Gause would still have to go through the building department's procedures.

Lynn Bowen made a motion stating that the porch will never be enclosed. Tyler Young seconded the motion. A voice vote was taken, motion carried.

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 a roof over an existing concrete slab on the lakeside of the property to blend with the existing roofline and design. The proposed covered porch poses no safety concerns or risk to the public and/or the general welfare of the community.
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 covered porch will not substantially interfere or intrude on the use and enjoyment of adjacent property owners. The new covered porch, as proposed, does not unreasonably encroach on the lakeside of the property and is in line with neighboring decks/structures. 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.
Strict application would prevent Petitioners from constructing the roof on the existing porch. Given the size and layout of the subject property, it would be difficult and/or impractical to construct the roof or relocate the existing porch on the lot in order to meet the setback requirements.
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 structure is minimally intrusive to neighboring properties and does not interfere with the use and enjoyment of the lake. The covered porch, as proposed, is reasonably sized considering the size and layout of the lot and does not seek to move any closer to the lake front than the existing ground level concrete slab.

For all of the foregoing reasons, on this 18th day of August, 2020, 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 covered porch.

(Public Hearing)

MAST, GLEN ~ TRI-COUNTY LAND TRUSTEE CORP ~ By: Howard Miller (20-V-43): Eden Twp., Sect. 33, T36N R08E, zoned A-1. Located at 9030 W 700 S, Topeka. Application is for a 56' East roadside setback for a proposed 2,816 sq. ft. detached garage.

Robbie Miller introduced the petition and reviewed the site plan.

Howard Miller, 6600 W US 20, LaGrange, was present on behalf of the petitioner.

Glen Mast, 9030 W 700 S, Topeka, was present as the petitioner and explained the reason for the variance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would lie to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the site plan.

Tyler Young questioned if the basement from the previous house will be removed.

Glen Mast replied yes, only the home had been taken down the previous Wednesday.

Lynn Bowen requested to review the existing dog breeding facility at this location.

Robbie Miller informed the board that Glen Mast had pulled a permit for a 3 female dog breeding facility.

Glen Mast stated he had 4 dogs and an additional 2 dogs that were brought in for breeding. That same evening that the 2 dogs had been brought in for breeding they were removed from the property. Mr. Mast clarified he has 3 breeding females and 1 male of his own.

Robbie Miller clarified that 3 breeding females is legal according to his permit. If he were breeding 4 or more females, then commercial standards would apply.

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 auxiliary structure on Petitioner's property that will encroach on the roadside setback requirement in an A-1 zone. The proposed new auxiliary structure will be placed in the same location/setback as a prior residence that was removed from the property. The proposed structure does not pose a risk to the public and does not cause any obstruction on the roadway.

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 auxiliary structure would be located at approximately the same distance from the roadway as the prior structure and will be set in line with the existing home on the property. The proposal does not encroach on the neighboring landowners in any way. The new construction will be more aesthetically pleasing and may improve the property values of surrounding properties. 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 layout and topography of the subject lot, it would be impractical to construct the proposed auxiliary structure without the need for a setback variance. Petitioner would be unable construct a new auxiliary structure as proposed without the variance.

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 construction is minimally intrusive and does not seek to further encroach on the roadway than what existed previously on the property. The proposal is in line with other structures on the property and makes good use of available space.

For all of the foregoing reasons, on this 18th day of August, 2020, the LaGrange County Board of Zoning Appeals finds the Petitioner has met his burden of proof and hereby approves the variance as requested.

(Public Hearing)

STAHL, JERRY & DORENE ~ By: Jerry Stahl (20-V-45): Johnson Twp., Sect. 31, T36N, R10E, zoned L-1. Located at 7145 S 020 E, Wolcottville. Application is for 36' lakeside setback, 8' Southside setback and 23' roadside setback for a proposed house. Also a 31' roadside setback for a proposed detached garage.

Robbie Miller introduced the petition and reviewed the site plan.

Jerry Stahl, 7145 S 020 E, Wolcottville, was present as the petitioner and explained the reason for the variance. Mr. Stahl explained the road as traveled is not as platted, and he had received a letter from the highway department stating no intention to move the road.

Tyler Young asked if there was anyone in favor of the petition.

Gina Sawmiller, 7175 S 020 S, presented herself to the board as a representative for the West side of Atwood lake. Ms. Sawmiller asked the board if an AC unit is permitted on the inside or outside as the neighbor to the South would be affected by an outdoor AC unit.

Robbie Miller clarified the AC unit cannot sit on the south property line.

Tyler Young asked if anyone would like to remonstrate against the petition.

Robbie Miller informed the board that James & Ann Bartosz had submitted an email against the petition. Mr. & Mrs. Bartosz shared concerns that decreasing the easement would possibly create a fire risk.

David Clark, 7215 S 020 E, stated his concerns of the garage being 4 feet off of the road and questioned as to why the petitioners could not build within the setbacks.

Jerry Stahl responded that the plated length of the lot is 103 feet. Due to the setbacks in an L-1 zone it would not be possible to build a house without a variance. Mr. Stahl mentioned he was not opposed to altering their plans, the site plan was designed to not infringe upon the neighbors.

The public hearing was closed.

The board discussed the site plan.

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 residence and an auxiliary structure with several setback variance requests. The variances requested do not unreasonably interfere with the public or obstruct traffic on the roadside of the property.
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 construction of a home and detached garage will be aesthetically pleasing and may increase neighboring property values. The proposed side yard setback is common on surrounding properties in the area and the lakeside setback is in line with adjacent properties, thereby not interfering with lake views. Two (2) remonstrators appeared with the argument that no variances should be granted and the home and detached garage should be required to meet all setbacks. Many of the homes in the surrounding area, including the remonstrators, appear to be well within the defined setbacks.
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.
The Petitioner would be unable to construct proposed new home and detached garage on the subject parcels as they currently exist without the requested variance. The lakeside parcel is insufficient to construct a reasonably sized home without the need of a variance.
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 setbacks for the new home and detached garage are similar to setbacks that exist on other properties in the surrounding area. The proposal is reasonable given the space available on the subject lot. The proposal does not interfere with the use and enjoyment of neighboring properties.

For all of the foregoing reasons, on this 18th day of August, 2020, 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)

MILLER, LEVI & MARY ~ HERITAGE BOOK STORE ~ By: Rob Yoder (20-LUV-27): Clay Twp., Sect. 35, T37N R09E, zoned A-1. Located at 1430 S 100 W, LaGrange. Application is to own and operate a retail bookstore in an A-1 zone.

Robbie Miller introduced the petition and reviewed the site plan.

Rob Yoder, 7740 w SR 120, Shipshewana, was present on behalf of the petitioner and explained the reason for the variance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was closed.

The board discussed the site plan.

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 proposed bookstore in an A-1 zone will have a minimal effect on the surrounding area, given that there will be minimal traffic at the location and minimal deliveries. The proposed location of the bookstore is located well off of the road, which allows for safe flow of traffic and sufficient turn around for any patrons or deliveries.
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 site for the bookstore is located in a rural area located well away from any neighboring structures and/or landowners. The operation of the bookstore would not interfere or infringe upon adjacent landowners' use and enjoyment of their properties. The retail sales at the site will not affect the neighboring areas in a substantial way. 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 Petitioners from operating the bookstore with retail sales without the variance requested.
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 with retail sales at this location without the variance. A business of this sort is difficult to operate without retail sales
5. The approval does not interfere substantially with the Comprehensive Plan
The comprehensive plan encourages rural family businesses similar to that which Petitioners are proposing. The proposed bookstore would encourage the growth and advancement of a unique and diverse economy in the County.

For all of the foregoing reasons, on this 18th day of August, 2020, 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)

GLYNN, JAMES & BETTY ~ By: James M. Glynn (20-LUV-28/20-V-42): Van Buren Twp., Sect. 18, T38N R08E, zoned L-1. Located at 7325-7335 N 1145 W, Shipshewana. Application is for a proposed accessory building 136 sq. ft. larger than the primary structure and to have two houses on one lot in an L-1 zone.

Robbie Miller introduced the petition and reviewed the site plan.

Stephen Clouse, attorney for James & Betty Glynn, was present on behalf of the petitioners. Mr. Clouse informed the board the property was purchased 7-8 years ago, and at that time lot 61 & 62 were already adjoined via the existing cement slab.

Tyler Young asked if there was anyone in favor of the petition.

James & Betty Glynn, 7325/7335 N 1145 W, Wolcottville, explained to the board they floating deck was to enhance the cottages and to facilitate use of both buildings for some of their elderly family members.

Tyler Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was closed.

The board discussed the site plan at length.

Tyler Young questioned if both houses are permanently occupied.

Betty Glynn confirmed both are occupied.

James Glynn informed the board that both houses share one well and one electric.

Lynn Bowen made a motion that lot 60 & 61 be tied to lot 62. Only one house may be built on lots 61 & 62 rather than two if the existing houses were torn down, and a comment recorded with the deed. Nick Wilson seconded the motion. A voice vote was taken, motion carried.

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 combine two (2) existing homes on separate parcels by way of an attached deck. The attached deck area between the two residential structures will create ease of travel between said residences. The lots in questions are owned by the same property owner and are utilized by the family for family get togethers. The variance requested does not interfere with neighboring properties, does not increase traffic or create hazardous situations 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 joining of the residential structures and parcels would not intrude on or cause any interference with the neighboring landowners use and enjoyment of their properties. The proposed construction would be more aesthetically pleasing and would fit within all required setbacks once the parcels are combined. No remonstrators appeared.
3. The need for the variance arises from some condition peculiar to the property involved
The geographical location of the property as it currently sits in an L-1 zone would prevent the proposal to maintain two residential structures on the same lot. The proposed deck will combine the two residential structures for all intents and purposes.
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.

Petitioners would be unable to construct the proposed deck between the two existing residential structures as they currently exist without the requested variance.

5. The approval does not interfere substantially with the Comprehensive Plan
The proposed variance and the proposed construction requested is consistent with the comprehensive plan and is proposed for the combination and usage of family cottages as a cohesive residential structure. The proposed construction does not interfere with the planned usage of parcels in an L-1 zone.

For all of the foregoing reasons, on this 18th day of August, 2020, 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: That Lots number 60 and 61 must be tied to lot number 62; that if one or both of the existing residential structures are removed from the subject parcel, only one residential structure will be permitted on the parcel thereafter.

(20-V-42)

Robbie Miller requested the petition to be dismissed.

Lynn Bowen made a motion to dismiss the petition, Nick Wilson seconded the motion. A voice vote was taken, motion carried. The petition was dismissed.

(Public Hearing)

BOND, RYAN & CHERYL ~ By: Ryan Bond (20-LUV-30): Johnson Twp., Sect. 33, T36N R10E, zoned L-1. Located at 7685 S 200 E, Wolcottville. Application is to have 3 accessory buildings in an L-1 zone.

Robbie Miller introduced petition and reviewed the site plan. Mrs. Miller explained to the board there are 3 sheds in total, only one is permitted in an L-1 zone. The petitioners also previously had chickens but quickly removed them and filed for the variance process shortly after.

Ryan Bond, 2019 E 765 S, Wolcottville, was present as the petitioner and explained the reason for the variance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was closed.

The board discussed the petition.

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 maintain three (3) auxiliary structures on a residential lot in an L-1 zone that is not possess lakefront property. The proposed structures are located well off the neighboring roadway wherein they do not interfere with neighboring properties nor do they create hazardous conditions 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 existing auxiliary structures are a detached pole building, a tool shed, and a garden shed to be used for storage of Petitioner's personal property. The subject property is not on the lakefront and would not interfere with neighbors use and enjoyment of the lake.

The property is very well maintained and is aesthetically pleasing to neighboring properties and may increase neighboring property values. No remonstrators appeared.

3. The need for the variance arises from some condition peculiar to the property involved *The geographical location of the property as it currently sits in an L-1 zone would prevent Petitioners from retaining the existing auxiliary structures on the subject lot without the variance requested.*
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. *Petitioners would be unable to retain the existing auxiliary structures on subject parcel without the requested variance. Strict application would require the removal or relocation of all of Petitioner's existing auxiliary structures to the far end of the property zoned A-1.*
5. The approval does not interfere substantially with the Comprehensive Plan *The proposed variance requested is common usage on similarly situated lots around the lake to provide for ample storage. The additional auxiliary structures do not cause any interference with the surrounding area given the size of Petitioner's parcel.*

For all of the foregoing reasons, on this 18th day of August, 2020, 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: Robbie Miller informed the board no applications for a new Board of Zoning Appeals member had been received. The position will be posted on the county Facebook page, website, and at the LaGrange county office building.

ADJOURNMENT: Lynn Bowen made a motion to adjourn the meeting, Nick Wilson seconded the motion. The meeting adjourned at 9:18 p.m.

LAGRANGE COUNTY BOARD OF ZONING APPEALS

BY: _____
Tyler Young, President

BY: _____
Jim Bugg, Member

BY: _____
Lynn Bowen, Member

BY: _____
Nick Wilson, Member

BY: _____
Rich Sherman, Alternate Member

BY: _____ ABSENT _____
Freeman Miller, Alternate Member

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.