

**WHITLEY COUNTY BOARD OF ZONING APPEALS
STAFF REPORT**

23-W-SE-8 **SPECIAL EXCEPTION**
Jeff Shelton
7195 E. State Road 14

APRIL 25, 2023
AGENDA ITEM: 6

SUMMARY OF PROPOSAL

Current zoning: VC, Village Commercial
Property area: 15 acres

The petitioner, owner of the banquet hall business located at 7195 E. State Road 14, is requesting special exception approval for modification of its banquet hall use by constructing a new structure to be used as a chapel. The banquet hall use was originally approved in 2022 for the operation of the petitioner’s proposed event center. That approval was granted with the condition “as presented and per the site plan.” Therefore, significant changes in the site plan require Special Exception review.

Currently, there are multiple structures on the property which were already approved. In addition, they would like to construct a new chapel on the property. The proposed building would be located to the north of the current banquet hall building area. With the changes to the site plan, reapproval is required.

It is not clear at his writing if the chapel would be used only in conjunction with the existing event center area, or if there could be concurrent events. As discussed below, this may or may not affect the parking required for the additional capacity of the new building. If the new building is used in conjunction with the event center, having a wedding in the chapel with the reception following in the event center, parking may be adequate. If there is the possibility of holding an event in the chapel while a separate event is held in the event center, it appears that additional parking would be needed.

In the VC district, Banquet Hall uses require a special exception approval through the Board of Zoning Appeals.

REVIEW CRITERIA

Indiana Code §36-7-4-918.2 and Section 10.9(A) of the Zoning Code authorize the Board to review special exceptions and state the criteria listed below upon which the Board must base its review. Staff’s comments/proposed findings of fact under each criterion.

- 1. The special exception shall not involve any elements or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards;**

It is unlikely that this proposal will have any elements or conditions that may be particularly dangerous, injurious, or noxious to other properties, and should generally comply with performance standards.

However, noise from outdoor event centers can be problematic for surrounding residences. Being that the closest residence is only 120’± from the property line of the center, mitigation of noise should occur. The addition of the chapel building would not likely be a new source of noise.

2. The special exception shall be sited, or oriented and landscaped to produce a harmonious relationship of building and grounds to adjacent buildings and properties;

The proposed special exception would be adding a structure toward the rear of the property with existing landscape buffering on the east property line. So, there would be minimal change in impact on the relationship between the property and the surrounding area.

3. The special exception shall produce a total visual impression and environment that is consistent with the environment of the neighborhood;

Again, with the proposed structure would be toward the rear of the property with existing landscape buffering on the east property line, there should not be substantial difference on the visual impression of the area.

4. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood; and

As shown on the submitted site plan, paved parking spaces would be provided in existing and new areas. The minimum parking for a public assembly use is 1 space per 4 seats, or 1 space per 50 sq. ft. of gross floor area when there is no fixed seating. The gross area of the event center is approximately 8,900 sq. ft., and assuming that the entire building is to be used for the event hall, a minimum of 178 spaces should be provided. The new 4200 sq. ft. chapel structure will increase the needed parking by 48-84 parking spaces depending on whether calculated by the seating capacity of 192 or the square footage of the building. While additional spaces are proposed in gravel areas, the parking code requires asphalt or concrete parking in commercial districts. Even so, the additional areas would still not make up the difference between provided and required parking. However, if the floor areas are overestimated, the parking number requirement would be changed.

Being on a state highway, INDOT has authority over the entrance to SR 14 and whether the addition of this chapel would require any changes to the driveway permit.

5. The special exception shall preserve the purpose of this Ordinance, as stated in Section 1.4.

The proposed changes clearly fall into a permissible special exception of the Zoning Ordinance. Other than the possible parking deficiency, it seems this proposal meets the intent and rules for a banquet hall and so does not seem contrary to the purpose of the Ordinance.

SUGGESTED CONDITIONS

If the Board moves to grant the special exception, the following are suggested conditions of the approval:

1. The Special Exception is granted as presented and per the site plan.
2. Noise from events shall not exceed 50 dB at adjacent residences.
3. Parking will comply with the requirements of the parking code.
4. The access onto State Road 14 should be reviewed by INDOT and a permit be obtained from them if necessary.
5. Any signage will conform to the requirements of the code.
6. Parking lot lighting will use cut-off lights and produce 0 foot-candles onto adjacent properties.
7. Hours of operation will not be later than 10:00 P.M Sunday-Wednesday and 11:30 P.M. Thursday-Saturday.

Date report prepared: 04/18/2023

BOARD OF ZONING APPEALS ACTION

Motion:

By:

Second by:

<i>Vote:</i>	Green	Sheiss	Wilkinson	Wolf	Wright
<i>Yes</i>					
<i>No</i>					
<i>Abstain</i>					



Kincaid, Elaine L, Trustee
Of The Donald L Kincaid
2012 Irrevocable Trust

Jls Farms,
Inc.

Norfolk &
Western Railway Co
Taxation Department

Derheimer, Thomas &
Matha Irrevocable Trust

Flat Creek LLC

Flat Creek LLC

Flat Creek LLC

Flat Creek LLC

Flat Creek LLC

Detmer, Judith A
Hart, Jamie O &
Courtney D
Evans, David P
Samples, Bobby G &
Linda K
Pettibone, William D
& Kathy J
Douglas Living Trust &
Campbell Living Trust
Rongos, Paul &
Wesenberg, Ronald W &
Renee
Ort, Linda P
Edmonds, Timothy
L & Cindy R
McConiga, Charles
Gregory & Jane E
Bradley D
Mckinney, Kara R

Straley, Cary &
Wendy
Robinson, Keith
D & Linda K

Straley, Cary &
Wendy

Marks, Jimmie
T & Luz M

Frye, Robert J
& Marietta W

Crawford, Mark E &
Rebecca A

Burk, Jeffrey A &
Susan T

Weiss, Joseph F &
Martha A

Lamle, Gary D
Revocable Trust

Triple R
Development
LLC

Sauers, Douglas &
Sauers, Katherine S

Hall, Douglas
E & Bastress,
Cynthia K

Rost, Michael &
Susan

Frye, Robert J
& Marietta W

Crawford, Mark E &
Rebecca A

Burk, Jeffrey A &
Susan T

Weiss, Joseph F &
Martha A

Lamle, Gary D
Revocable Trust

Peppas, George D Jr. &
Linda M, Peppas George
D III & Seel, Chelsea D

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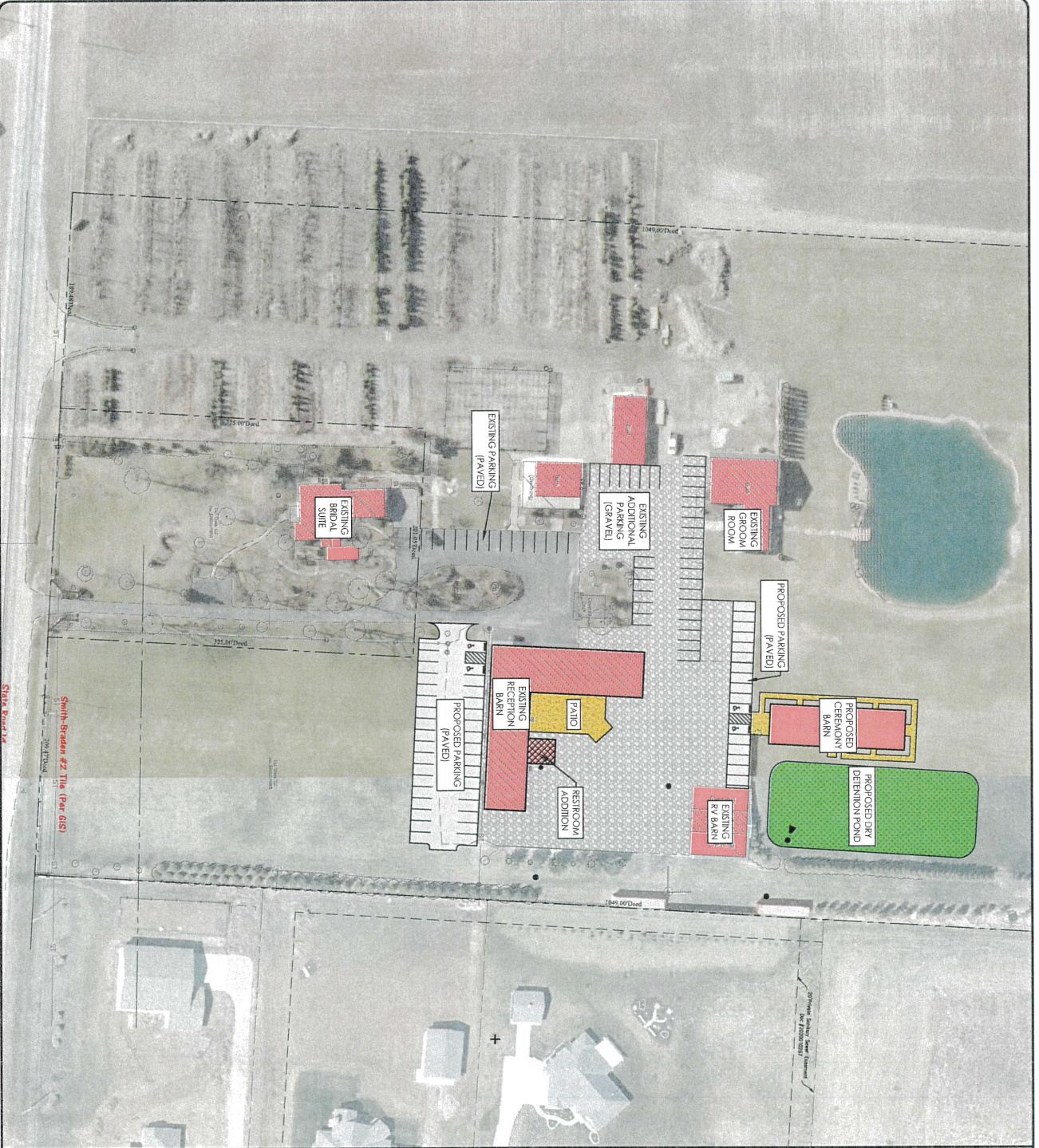
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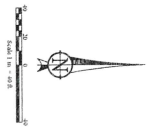


PROPOSED REVISIONS (SHOWN)

[Red Box]	= EXISTING
[Grey Box]	= EXISTING PAVED ASPHALT DRIVEWAY/PARKING
[Orange Box]	= CONCRETE SCHEDULE 40 MANHOLE
[Light Green Box]	= FLOOR FINISH (WOOD/STONE)
[Green Box]	= FLOOR FINISH (CERAMIC)
[Dark Green Box]	= FLOOR FINISH (ASPHALT)
[Light Green Box]	= NEW PAVEMENT CONSTRUCTION
[Dark Green Box]	= GRAVEL
[Red Box]	= CURB
[Yellow Box]	= SIGNAGE

GENERAL NOTES:
1. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS AND SURVEYS TO VERIFY THAT ALL PROPOSED AND EXISTING UTILITIES ARE LOCATED AS SHOWN ON THIS PLAN. THE DESIGNER HAS NOT BEEN ADVISED BY THE CITY OF COLUMBIA TO CONDUCT ANY ADDITIONAL SURVEYS OR INVESTIGATIONS. THE DESIGNER IS NOT RESPONSIBLE FOR ANY UTILITIES NOT SHOWN ON THIS PLAN.

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BZA Special Exception Site Plan - April 5th, 2023

The Paddock Restroom Addition
7195 E State Road 14
Columbia City, IN 46725
Sanitary Sewer Plans
Site Plan

REVISED	
NO.	DATE

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DESIGN REVIEW CONSULTATION

(Circular stamp with 'DESIGN REVIEW CONSULTATION' text)

C2.0

Date: 04-05-2023
 Designer: JTB
 Project No.: 21272526
 Sheet No.: 2.0



JOB NAME: WEDDING VENUE
CITY: COLUMBIA CITY, IN
DATE: 03-11-2023
DRAWN BY: ZLH

WIDTH: 35'
LENGTH: 120'
HEIGHT: 18' 0"

SITE LOCATION
7195 E STATE RD 14
COLUMBIA CITY, IN

