

**MINUTES  
WHITLEY COUNTY BOARD OF ZONING APPEALS  
REGULAR MEETING  
January 24, 2023  
7:30 P.M.**

**Whitley County Government Center  
Meeting Room A/B**

<b>MEMBERS</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>STAFF</b>
Kelley Sheiss	X		Nathan Bilger
Danny Wilkinson	X		Brent Bockelman
Doug Wright	X		
Joe Wolf	X		<b>LEGAL COUNSEL</b>
Vacant			Elizabeth Deckard

**AUDIENCE MEMBERS**

The list of audience members, in-person and electronic, is attached to these minutes. The signed guest list is kept on record.

**CALL TO ORDER/ROLL CALL**

Mr. Wilkinson called the meeting to order at 7:30 p.m. Mr. Bockelman read the roll call; the members present and absent are listed above.

**ELECTION OF OFFICERS**

Mr. Wilkinson opened the floor for nominations for Chairman. Mr. Wright nominated Mr. Wilkinson. Ms. Sheiss moved to close the nominations. Seconded by Mr. Wright. Mr. Wilkinson asked for a vote. Mr. Wilkinson was elected Chairman by a vote of 3-0-1 with Mr. Wilkinson abstaining.

Mr. Wilkinson opened the floor for nominations for Vice Chairman. Ms. Sheiss nominated Mr. Wright for Vice Chairman. Mr. Wolf moved to close the nominations. Seconded by Ms. Sheiss. Mr. Wilkinson asked for a vote. Mr. Wright was elected Vice Chairman by a vote of 3-0-1 with Mr. Wright abstaining.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

The minutes for the November 22, 2022 regular meeting were presented for review. Mr. Wright made a motion to approve the minutes as presented. Mr. Wolf seconded the motion. The motion passed by a vote of 4-0.

**ADMINISTRATION OF OATH**

Ms. Deckard provided the oath to the audience members wishing to speak.

## **OLD BUSINESS**

## **NEW BUSINESS**

### **23-W-SE-1**

Aaron, Allen, and Kanoshia Schwartz, owners of the property, are requesting special exception approval to operate a slaughterhouse on 2.5± acres of the property at 7780 West 1000 South in Section 28 of Cleveland Township.

Mr. Bilger presented the staff report. He explained the proposed project, size, and location. Explanation was given that the zoning to IN, Intensive Use, was approved by the commissioners at the 1/17/2023 meeting and pending recordation of zoning commitments. He discussed the conditions of approval from the previous special exception for the butcher shop. Aerial views were displayed and included site plan to show the location of the new proposed structure. Discussion was made regarding the inclusion of a front setback variance to the petition. Further discussion was made regarding the staff suggested conditions for this petition.

Greg Hockemeyer, 116 N. Chauncey Street, represented the petitioner. He addressed the Board and explained the request to as slaughter house use to the existing meat processing business. He also stated that a request for a variance to encroachment into the front setback is being added to the petition. Discussion was made about the slaughtering happening in a separate building than the processing. Discussion was also made to possibly include additional livestock in addition to the hog, beef, and deer to the list of conditions to eliminate the need for future approval request. Discussion was also made to include the needed variance in the Special Exception by way of location noted in the site plan.

Mr. Wright made a motion to approve 22-W-SE-1 with staff recommended and amended conditions. Seconded by Ms. Sheiss. Motion was approved by a 4-0 vote with the following conditions.

1. The Special Exception is granted for the applicant and is non-transferable without Board approval.
2. The Special Exception is granted as presented and per the site plan with 135' front setback.
3. The approval will expire at such time as the use is discontinued for a period of more than 180 consecutive days, or unless the operation is found in non-compliance and approval revoked by the Board after a public hearing.
4. The applicant shall be in compliance with all Department of Health regulations for the property prior to beginning operations.
5. A maximum of 9 hogs and 9 head of beef, with additional livestock species, will be harvested and processed on-site per week, not to exceed the available cooler capacity.
6. The processing of any number of deer may be done on a seasonal basis.
7. Hours of operation will be limited to 7 am to 5 pm, six days a week.
8. Any waste material generated by the facility shall be stored inside or shall be screened with at least an opaque 6' fence (or equivalent). Waste shall be disposed of off-site by a licensed contractor. On-site burning of waste will not be permitted.

9. Traffic volume will be monitored, and the petitioner will widen the driveway, expand parking, and/or take other appropriate measures to accommodate increased traffic and avoid traffic congestion on the public road.
10. Applicant shall maintain compliance with all State Board of Animal Health and Health Department requirements.
11. The Special Exception will not be in effect until the zoning commitments for the IN rezoning are recorded.

## **23-W-SE-2**

Karnail Singh, owner of the property, is requesting special exception approval for a church use on the subject property at 7631 E State Road 14, in Section 12 of Jefferson Township. The site is on the north side of SR 14, about 2000 feet west of CR 800 East.

Mr. Bilger presented the staff report. He stated the definition of “Church” in the Zoning Code. He explained that it did not include associated uses such as day care, bingo hall, etc. Aerial views of the property were displayed with the explanation that the use would utilize the existing buildings. Discussion was made on the staff recommended conditions.

Raja Singh, 13988 Bass Road, addressed the board and explained that they were requesting approval to allow for the property to be used as a Temple. He stated that the barn would be used as the temple and the existing home on the property would be used for storage and not as a dwelling.

Mr. Wilkinson asked for further discussion. Ms. Sheiss asked for clarification on the ditch easement comment from the County Engineer. Mr. Bilger confirmed that statement was regarding any future construction on the property and not the existing structures. Discussion was made about the sewer hook-up, INDOT approval for the driveway off of State Road 14, and the parking requirements.

Andrea Gates, 4505 Denali Cove, stated that the existing drive is paved and fairly large with a circle drive at the end. She asked if it would be possible that it would meet the requirements or if it could be expanded upon by widening to meet the code. Mr. Bilger stated that it is very possible but would have to review the situation before a decision could be made.

Ms. Sheiss made a motion to approve 23-W-SE-2 with staff recommended condition. Seconded by Mr. Wolf. The motion passed by a vote of 4-0 with the following conditions.

1. The Special Exception use is granted based on the site and building information submitted and presented.
2. The proposed driveway and its location must be approved by INDOT, and any conditions of their permit must be incorporated.
3. The parking lot and driveway are to be paved with asphalt or concrete.
4. Any signage will conform to the requirements of the sign code.
5. Any lighting is to be shielded and/or oriented to prevent light spillage and glare onto adjacent properties and rights-of-way.
6. The use will be connected to sanitary sewer; or, if sewer is unavailable, Health Department requirements for an appropriate septic system must be met.

7. Any new primary buildings, substantial additions/expansions, or additional accessory uses shall have further special exception review.

**OTHER BUSINESS**

Mr. Bilger reminded the Board about the training session on the following Monday and asked for RSVPs to be sent if they plan on attending.

**ADJOURNMENT**

Having no other business, Mr. Wilkinson adjourned the meeting at 7:43 P.M.

**GUEST LIST**

1. Sonya Emerick .....5865 E. State Road 14
2. Andrea Gates.....4505 Denali Cove, Fort Wayne
3. Raja Singh.....13988 Bass Road, Fort Wayne
4. Karnail Singh .....13988 Bass Road, Fort Wayne
5. Parvinder Minhas .....13202 Magnolia Creek Trl, Fort Wayne
6. Kelly Zorger.....6692 S. 800 East
7. Greg Hockemeyer .....116 N. Chauncey Street
8. Sue Burke.....5924 S. Legacy Ct.
9. Pamela Hitzeman .....7702 E. State Road 14
10. Allen Schwartz.....7780 W. 1000 South

**GUEST LIST – ELECTRONIC**