

**MINUTES
WHITLEY COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
December 27, 2023
7:30 P.M.**

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

MEMBERS	PRESENT	ABSENT	STAFF
Kelley Sheiss	X		Nathan Bilger
Danny Wilkinson	X		
Doug Wright	X		
Joe Wolf	X		LEGAL COUNSEL
Jack Green	X		(absent)

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. Bilger read the roll call; the members present and absent are listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the November 28, 2023, regular meeting were presented for review. Ms. Wright made a motion to approve the minutes as presented. Mr. Green seconded the motion. The motion passed by a vote of 5-0.

ADMINISTRATION OF OATH

Mr. Bilger provided the oath to the audience members wishing to speak.

OLD BUSINESS

There was no old business.

NEW BUSINESS

23-W-VAR-27

Phyllis Vehnekamp, mother of the owner of the subject property, requested a development standards variance for encroachment into the front setback for construction of a room addition to a residence located at 3600 West 800 South, in Section 18 of Washington Township, on the edge of Tunker.

Mr. Bilger provided the staff report. He explained the existing residence replaced a previous house destroyed by fire. Due to the time elapsed between the loss and reconstruction, it was

permitted to be rebuilt without a variance under Indiana Code 36-7-4-1019, which permitted reconstruction of the residence on the same nonconforming footprint, instead of the local code. He stated that the addition would be subject to meeting the setback requirement since the legal nonconformance had been lost, as well as encroaching further into the setback because the building was not parallel to the road. The proposed setback of 29.4' was 0.6' closer than the existing dwelling. He then displayed aerials and the proposed plot plan. He concluded with the review criteria, suggesting that there could be practical difficulties due to the legal nonconforming provisions and construction difficulties if the addition were moved further back.

Mr. Wilkinson asked the petitioner to speak. Ms. Vehnekamp said that she wanted to build the addition to her daughter's house because she was getting older and needed help. She expressed annoyance about having to downsize from her current residence but was happy to be near family.

Mr. Wilkinson asked if anyone else wished to speak for or against the case. Hearing none, he closed the public hearing and asked for further discussion. Having none, he called for a vote. 23-W-VAR-27 was approved by a vote of 5-0.

OTHER BUSINESS

Mr. Bilger gave an update on the rules of procedure progress.

ADJOURNMENT

Having no other business, Mr. Wilkinson adjourned the meeting at 7:39 P.M.

GUEST LIST

1. Phyllis Vehnekamp3600 W. 800 South
2. Bill Strasser3600 W. 800 South
3. Cheryl Wilkinson5637 W. 280 South

GUEST LIST – ELECTRONIC

There were no electronic attendees.