

MINUTES
COLUMBIA CITY BOARD OF ZONING APPEALS
REGULAR MEETING
FEBRUARY 6, 2024
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Stacey Dumbacher
Cathy Gardner (E)
Jon Kissinger, Chairman
Dennis Warnick

MEMBERS ABSENT

Anthony Romano, Vice Chair

STAFF

Nathan Bilger
Amanda Thompson

ATTORNEY

Dawn Boyd

(E)lectronic participant

AUDIENCE MEMBERS

Two visitors signed the Guest List at the meeting. There were no attendees on the webcast. A Guest List is included with the minutes of this meeting.

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Mr. Kissinger called the meeting to order at 7:02 P.M. after some technical difficulties with the webcast. Ms. Thompson read the roll with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

Mr. Warnick made a motion to approve the January meeting minutes as presented. Ms. Gardner gave the second; by roll call vote, motion passed 4-0.

ADMINISTRATION OF OATH

Ms. Boyd administered the Oath to one visitor.

OLD BUSINESS

1. 24-C-VAR-1

Howard Lowen, Jr., requested approval of a setback Variance in order to allow for the construction of a room addition and a deck on his property at 699 W. Squawbuck Road. Mr. Bilger summarized his Staff Report and described the history of the property, being a larger parcel that was divided and further reduced when right-of-way was acquired for the intersection. Mr. Bilger noted the topography of the area and stated that the home being located on the bluff could restrict the buildable area. He found no impact on public safety or any increased risk to the use and value of the surrounding properties. Mr. Bilger added that the Averaging Rule could not be applied because there were no other homes to compare with, and this could be viewed as a practical difficulty, along with the site layout and the floor plan of the home.

Considering the large right-of-way, Mr. Kissinger asked how the setback would differ if the road had a more standard right-of-way width. Mr. Bilger replied that the Lincolnway right-of-way was 50 feet while the standard for a City street was 30 feet; so, if Lincolnway had been given a standard right-of-way, potentially, Mr. Lowen's proposed setback distances would have been increased by 10 feet. Mr. Kissinger noted that a Variance approval would still have been needed if the right-of-way was 30 feet, but a 10 foot difference would have been a significant change in the request. There were no further questions for Mr. Bilger, and Mr. Kissinger requested to hear from the petitioner.

Howard Lowen was present and stated that the subject property had been his family home for 30 years, and he hoped to continue to reside there. But, he explained that a first floor bedroom was needed, and the proposed location was the most suitable place for an addition. He referenced images in the meeting packet and discussed that the slope of the right-of-way was approximately 15 feet, so he didn't foresee that utilities would ever be installed there. Mr. Lowen verified for Mr. Kissinger that the room on the south side of the house was their kitchen. Mr. Kissinger referenced the site plan and noted that the location of the sewer line additionally restricted the buildable area. Mr. Lowen confirmed for Ms. Gardner that he had chosen a contractor. Ms. Gardner thanked Mr. Lowen for submitting the detailed survey and photos which were beneficial to the Board while reviewing his proposal. Mr. Lowen confirmed for Mr. Warnick that the deck would have steps and potentially a ramp for handicap accessibility. There were no further questions for Mr. Lowen.

Mr. Kissinger asked if anyone else would like to speak; hearing none, he closed the public portion of the meeting. Ms. Gardner made a motion to approve the petition as submitted. Ms. Dumbacher gave the second; motion passed, 4-0, by roll call vote.

NEW BUSINESS

There was no new business.

OTHER BUSINESS

There was no other business.

Mr. Bilger thanked members who attended the recent training session. Mr. Warnick commented that the meeting was very informative, and he looked forward to another Question & Answer themed meeting. Mr. Bilger listed potential topics planned for the April, July, and September training sessions meetings.

ADJOURNMENT

Mr. Warnick made a motion to adjourn. Ms. Gardner gave the second, and the meeting was adjourned at 7:26 P.M.

GUEST LIST

1. Howard Lowen 699 W. Squawbuck Road, Columbia City
2. Jodelle Lowen 699 W. Squawbuck Road, Columbia City

GUEST LIST (WEBCAST)

3. None.