



**COLUMBIA CITY/WHITLEY COUNTY
JOINT PLANNING & BUILDING DEPARTMENT**

Whitley County Government Center
220 W. Van Buren Street, Suite 204
Columbia City, IN 46725
260-248-3112
www.whitleygov.com

**WHITLEY COUNTY BOARD OF ZONING APPEALS
PUBLIC MEETING NOTICE**

- WHEN:** Tuesday, November 26, 2024 at 7:30 P.M.
- WHERE:** Whitley County Government Center – Lower-Level Meeting Room
220 West Van Buren Street, Columbia City, IN 46725
- REQUEST:** Petition # 24-W-VAR-20; The applicant is requesting approval of a Development Standards Variance for encroachment into the front setback for construction of a pole building.
- OWNER:** Todd & Heather Reid

PROPERTY LOCATION:

The property is located on the west side of N. Valley Avenue, 100 feet south of Woodstrail Drive. More Commonly known as 6925 N. Valley Avenue, in Section 4 of Thorncreek Township.

To Whom It May Concern,

You have been notified of this meeting, per State Statute (IC 36-7-4-920), because you are listed as the owner of a parcel adjacent to the property this petition is regarding.

All interested persons are invited to attend and be heard. Written comments will be considered if they are received in the office of the Columbia City/Whitley County Planning and Building Department located at 220 West Van Buren Street, Suite 204, Columbia City, Indiana, no later than 12:00 Noon on the day of the hearing. The hearing may be continued from time to time as may be found necessary.

Copies of the application are on file for examination prior to the hearing in the office of the Columbia City/ Whitley County Planning and Building Department, 220 West Van Buren Street, Suite 204, Columbia City, IN 46725, (260) 248-3112.

Whitley County Government is an Equal Opportunity Employer and does not discriminate upon the basis of race, age, gender, religion, national origin, disability, or any other characteristic protected by law. Whitley County will provide reasonable accommodations to qualified individuals with a disability.

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

24-W-VAR-20 DEVELOPMENT STANDARDS VARIANCE
Todd Reid
N. Valley Ave, 100' south of Woodstrail Drive

**NOVEMBER 26, 2024
AGENDA ITEM: 1**

SUMMARY OF PROPOSAL

Current zoning: LR, Lake Residential
Property area: 10,500± sq. ft.

The petitioner, owner of the subject property, is requesting a development standards variance for an encroachment into the required front setback on the property located on the west side of Valley Avenue, south of Woodstrail Drive. The property is comprised of the south 50' of Lots 28, 29, 30, & 31 of Forest Park Addition, along with an unplatted parcel, all in Section 4 of Thorncreek Township. The property is improved with a storage building that will be replaced. The property has frontage on Valley Avenue to the east and on a platted but undeveloped road right-of-way to the south.

The petitioner has proposed to construct a 40' X 80' storage building on the property. The proposed and required setbacks are shown in the below table:

	Proposed	Minimum	Variance
South (front)	5'	35'	30'±
East (front)	35'	35'	NA
North (side)	5'	5'	NA
West (side)	200'+	5'	NA

While this property is zoned LR, it is located well outside the regulatory floodplain.

REVIEW CRITERIA

Indiana Code §36-7-4-918.5 and Section 10.10 of the Zoning Code 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 approval will not be injurious to the public health, safety, morals, and general welfare of the community;

The proposed variance will not likely be injurious to the public safety, health, and morals as the proposed setbacks generally match the setbacks of existing structures in the area, which frequently have legal nonconformances or variances. More specifically, since the platted right-of-way to the south has not been improved, and will not likely be improved soon, the nearness of the structure within that setback would not impact traffic safety or aesthetics. Still, general welfare may be injured if practical difficulties specific to the property are not found.

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; and

It is not expected that this variance will adversely affect the use or value of the area adjacent to the property as the surrounding properties enjoy similar setbacks as the proposed. Further, because the encroachment is on an unimproved street, if there any effects, they should not be substantial.

3. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction or restriction of economic gain.

The strict application of the Ordinance terms does result in practical difficulties. Based on available

evidence, this property was created prior to the adoption of zoning in the County. With this property having two front setbacks and a 50' width, the strict application of the code would result in a buildable width of only about 10'.

Date report prepared: 11/18/24

BOARD OF ZONING APPEALS ACTION

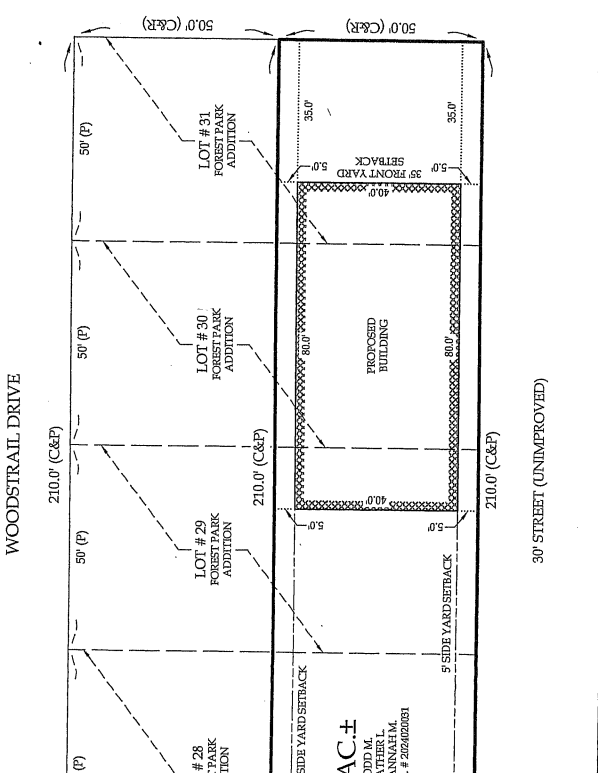
Findings of Fact Criteria

	Green		Sheiss		Wilkinson		Wolf		Wright	
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>
<i>Criterion 1</i>										
<i>Criterion 2</i>										
<i>Criterion 3</i>										

Motion: Grant
 Grant w/conditions
 Deny

By: _____ Second by: _____

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



LEGEND
 M = MEASURED
 P = PLAT
 C = CALCULATED
 R = RECORDED

PROPERTY ADDRESS
 6920 N Valley Ave
 Columbia City, IN 46725

ZONING REQUIREMENTS
 Zoned: "LR" Lake Residential District
 Minimum Front Yard Setback: 35 feet
 Minimum Side Yard Setback: 5 feet
 Minimum Rear Yard Setback: 5 feet
 (Source: Whitley County GIS and Whitley County Zoning Ordinance)

DESCRIPTION OF SURVEYED TRACT
 (Part of Document Number 2024020031)

Lots Numbered 28, 29, 30 and 31, except the North 50.0 feet of said Lots, in Forest Park Addition to Crooked Lake, Whitley County, Indiana.

Together with part of the Northeast Quarter of Section 4, Township 32 North, Range 9 East, Whitley County, Indiana, more particularly described as follows, to-wit:
 Commencing at the Northeast corner of said Lot Number 31 in Forest Park Addition to Crooked Lake, said corner being the intersection of the South line of a street known as Woods Trail and the West line of a street known as Valley Avenue; thence Westerly on and along said South line, a distance of 210.0 feet to the Northwest corner of Lot Number 28 in said Forest Park Addition to Crooked Lake, said Northwest corner being the true point of beginning; thence continuing Westerly, on and along the continuation of said South line, a distance of 180.0 feet to a point, said point being the intersection of the continuation of said South line with the high water line on the East bank of an open ditch; thence Southeasterly, by an interior angle of 53 degrees 08 minutes, on and along said high water line, a distance of 150.0 feet; thence Easterly, by an interior angle of 126 degrees 52 minutes and parallel to the South line of said Woods Trail, a distance of 90.0 feet to a point on the West line of a platted 30 foot wide unimproved street; thence Northerly, by an interior angle of 90 degrees 00 minutes, on and along said West line and the West line of said Lot Number 28, a distance of 120.0 feet to the true point of beginning, excepting therefrom the North 50.0 feet thereof, by parallel lines, containing after said exception 0.187 acres of land, subject to all easements of record.

FLOOD HAZARD STATEMENT

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. The surveyed tract appears to be situated in Zone "X", which is not in a flood plain, as said land plots by scale on Map Number 18183C0065C of the Flood Insurance Rate Maps for Whitley County, Indiana, dated May 4, 2015.

PLOT PLAN

PREPARED FOR

TODD M. REID, HEATHER L. REID & HANNAH M. GEIGER

SITUATED IN THE PLAT OF FOREST PARK ADDITION, TOGETHER WITH PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 32 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA.
 THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT. SUBJECT TO PLAN COMMISSION APPROVAL.

WALKER & ASSOCIATES
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 112 WEST VAN BUREN STREET
 COLUMBIA CITY, IN 46725
 Phone: (260) 244-3640
 Fax: (260) 244-4640
 www.walkersurveying.net
 E-mail: mail@walkersurveying.net
**LAND SURVEYING, CIVIL ENGINEERING,
 & LAND PLANNING**

PART OF LOTS NUMBERED 28, 29, 30 AND 31 IN FOREST PARK ADDITION, TOGETHER WITH PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 32 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA

FOR:	REID, TODD M. REID, HEATHER L. GEIGER, HANNAH M.
SCALE:	1"=30'
DATE:	10-31-2024
DRAWN BY:	RDP
PAGE:	1 OF 1
DRAWING NUMBER:	NJ-158



Hoyt, Gregory A

Acres, Inc

Vincent, Debby A

Vincent, Debby A

Vincent, Debby A

Chalet Ree LLC

Banta, George A & Colleen M

Lehman Real Estate Holdings LLC

E MORSCHES RD

N WOODSTRAIL DR

N VALLEY AVE

Cornyn, Michael R & April L

Cornyn, Michael R & April L

Cornyn, Michael R & April L

Cornyn, Michael R & April L

Reid, Todd M; Reid, Heather L & Geiger, Hannah M

State Of Indiana Dept Of Natural Resources

Reid, David W; Reid, Hannah M.G. & Reid, Heather L

Reid, David W; Reid, Hannah M.G. & Reid, Heather L

Reid, David W; Reid, Hannah M.G. & Reid, Heather L

Reid, Todd M & Heather L; Reid, Hannah

Decker, Clinton E

Decker, Clinton E

Dinkel, Roger J & Sharon L Revocable Living Trust

Knispel, Marlene

Kneller, Larry & Kneller, Kirk

Bishop, James Benjamin & Meredith Elaine

Gatton, Anthony W & Barbara M

Hartman, William J

Hartman, William J

Friend, Bren R & Jennifer A

Meier, John J & Aileen C

Hilgenberg, Joseph C III & Sharon D

Harrison, Cindy L & Edmund

Thomson, William Charles & Amanda Jayne

McCoey, Paul & Teresa

Runkle, Gerald N & Nancy A

Bishop, James Benjamin & Meredith Elaine

Majestic Custom Homes of Lafayette Inc

Ruckman, Douglas James