

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

**24-W-SE-16**      **SPECIAL EXCEPTION**  
Carl & Megan Bauer  
1225 S. 600 East

**NOVEMBER 26, 2024**  
**AGENDA ITEM: 4**

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**SUMMARY OF PROPOSAL**

Current zoning: AG, Agricultural  
Property area: 11.8 acres

The petitioner, owner of the subject property, is requesting special exception approval for a Machine Shop use in conjunction with their residence. The property is located at 1225 South 600 East in Section 14 of Union Township. The subject property is currently improved with a house and an outbuilding.

The proposed specific use is to operate a CNC machine shop located in a new structure to be built on the property. The new structure would be a maximum of 3,456 sq. ft., although it may be smaller depending on the cost of construction. The petitioner describes the operation as totally enclosed within the structure with the only additional lighting being a porch and security light. He stated that the hours of operation may vary due to the nature of the business. Many machining operations are automated and could occur without need for any employee to be present.

No employees other than the petitioner are expected at this time. The petitioner would like the option to have up to two employees in the future.

**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;**

Machining could involve some elements (e.g., chemicals, coolant) that may be dangerous if substantially misused, but typically such uses would not be dangerous, injurious, or noxious.

Of the performance standards, noise and fire protection may be applicable to this proposal. Machining could involve cutting, grinding, and other noise-generating activities. Being primarily within the structure should contain virtually all of the noise. Compliance with fire codes and adequate safety practices will be necessary.

- 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 use would be enclosed within the outbuilding. Generally, the relationship of the new building and grounds to the adjacent area would not change significantly from what is existing.

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

The proposed use would be enclosed within the outbuilding. The operation of the business within the building would likely be consistent with the overall environment of the neighborhood, where various agricultural activities have similar characteristics.

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

The existing driveway would be utilized. There is sufficient space for maneuvering vehicles on-site, so there should be little cause of traffic congestion. However, at some point, increases in business could eventually cause congestion if it is not already relocated.

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

The proposed use is a listed special exception use of the AG district. Small-scale businesses are expected secondary uses of the Mixed Rural and Agricultural-Rural character types. It does not seem that the proposal would be out of the anticipated character for the area nor would it contravene the purposes of the zoning 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 for the applicant and is non-transferable without Board approval.
2. The Special Exception is granted as presented.
3. There will be no more than two non-resident employees.
4. The machine shop operations will be within a completely enclosed building. No materials or products will be stored outside.
5. Any outdoor lighting be oriented and shielded to prevent light spillage and/or glare onto surrounding properties.
6. Any signage will conform to the requirements of the code.

Date report prepared: 11/19/24

**BOARD OF ZONING APPEALS RECORD OF ACTION**

Motion: \_\_\_\_\_ By: \_\_\_\_\_ Second by: \_\_\_\_\_  
 Approve \_\_\_\_\_  
 Approve w/conditions \_\_\_\_\_  
 Deny \_\_\_\_\_

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





Bowler, David E & Tammy L  
Murphy, Jeromy David

Dittmer, Walter F & Janet  
Du Pont, Diana  
Revocable Living Trust

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Johnson, Delbert R & Alice Roberta

Johnson, Delbert R & Alice Roberta

Stemen, Steven E & Laura E

Stemen, Steven E & Laura

Butts, Michael E

Smith, Theresa E & Donald J

Butts, Michael E

Johnson, Jeffrey D

Walker, Richard D & Cindy Jo

Walker, Richard D

Bauer, Carl D & Megan J

Whisler, Kay E & Whisler, Dawn R

Whisler, Kay E & Whisler, Dawn R

Brown, Jason D & Angela M

Greve, Skylar C

Bear, Dennis

Schrader, Robert C & Schradler, Johnnie J

Blank, Joel A & Amy J

Blank, Joel A

Nesbitt, Nan

Geiger, Cheryl L

Geiger, Cheryl L

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Springer, Robert P

Grable, Gerald D & Caroline J

Gaff, Tommy E & Karen L

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Pettigrew, James A & Jenny L As Tenants  
By The Entirety

Hungerford, Scott A

Hamilton, Tanner R & Rusher, Kate Lynn

Cook, Dennis E & Patricia D

Heck, Judith J Revocable Trust Agreement

Hazen, Paul E & Delores J

Downing, Chad W & Caroline M

Siegel, Jodie K

Hiss, Nicholas A

Butts, Michael E

Rawleigh, Jon H & June

Blank, Joel A

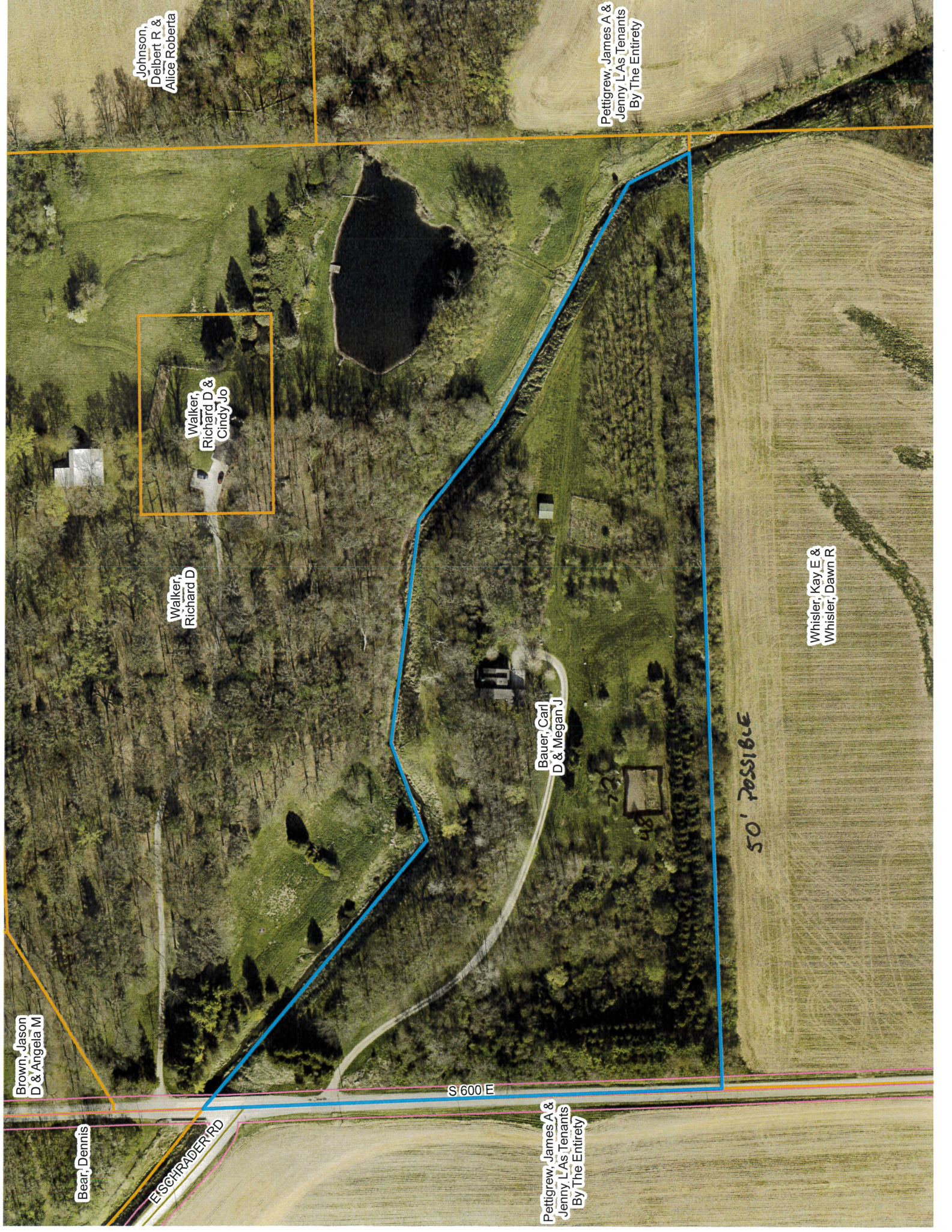
Acres, Inc

Acres, Inc

Pettigrew, Jeffrey A

Pettigrew, Jeffrey A





Johnson,  
Delbert R &  
Alice Roberta

Pettigrew, James A &  
Jenny L As Tenants  
By The Entirety

Walker,  
Richard D &  
Cindy Jo

Walker,  
Richard D

Bauer, Carl  
D & Megan J

Whisler, Kay E &  
Whisler, Dawn R

Brown, Jason  
D & Angela M

Bear, Dennis

EISCHRADE RD

S 600 E

Pettigrew, James A &  
Jenny L As Tenants  
By The Entirety

50' POSSIBLE