

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

25-W-VAR-7 DEVELOPMENT STANDARDS VARIANCE
Laraina Seigel
2382 E. Schram Avenue

**MARCH 25, 2025
AGENDA ITEM: 3**

SUMMARY OF PROPOSAL

Current zoning: LR, Lake Residential
Property area: 0.25± acres

The petitioner, owner of the subject property, is requesting a development standards variance of the required front setback for construction of a new home on the property located at 2382 E. Schram Avenue in Section 11 of Thorncreek Township and comprised of Lots 4 and 5 and part of Lot 6 of Lj Schramm's Addition (recorded 1921). The property is currently improved with a storage building that enjoys a legal nonconforming rear setback.

Per the submitted site plan, a 27'x65' new home is proposed to be located to the lake side of the existing building. The residence would have a 13.4' setback from the property line, while a porch would be located at 5' from the same property line. Side setbacks are proposed to be 15' and 19.9'. Note that this property does not extend to the shoreline, which is about 24' from the property line.

Since this lot has lake frontage, front setback standards apply to the lake side. The required minimum front setback is 35'. Thus, requested is a variance of 21.6'± from the code requirement for the house, and 30' for the porch.

Note that the averaged setback for this property per the code formula is approximately 23'. This is skewed upward due to one property having a large setback of 113'± and two with property lines that extend to the lake shore. Multiple homes in the averaging area do have setbacks less than the proposed.

For reference, based on the Best Available map information and topography, the structure will not be located in 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 along the lakefront as measured from the shoreline, and generally adequate room is to be maintained around the structure. The 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 value and use of the area adjacent to the property as similar properties in the LR district have similar encroachments, nor would the proposed setback impair access around the property or to the surrounding properties.

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 might result in a practical difficulty as the 35' setback standard would be out of line for most of the adjacent homes, and other compliant locations would be undesirably near to the existing building.

Date report prepared: 3/18/25

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>					

PLOT PLAN

PREPARED FOR
LARA J. SEIGEL

SITUATED IN THE PLAT OF L.J. SCHRAMM'S ADDITION, 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.

DESCRIPTION

(Per Document Number 2003090120)

Lots Numbered Four (4) and Five (5) and East One-half of Lot Number Six (6) in Louis J. Schramm's Addition to Tri-Lake Resort, Whitley County, Indiana.

Subject to all conditions, easements, restrictions, and limitations of record, as well as all applicable zoning ordinances.

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. Low-lying areas adjacent to Shriner Lake appear to be situated in Zone "A", which is in a flood plain. The remainder of 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 18183CU155C of the Flood Insurance Rate Maps for Whitley County, Indiana, dated May 4, 2015.

ZONING REQUIREMENTS

Zoned: "LR" Lake Residential District
Minimum Lake Yard Setback: 35 feet
Minimum Side Yard Setback: 5 feet
Minimum Rear Yard Setback: 15 feet
(Source: Whitley County GIS and Whitley County Zoning Ordinance)

LEGEND

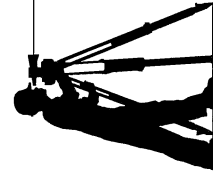
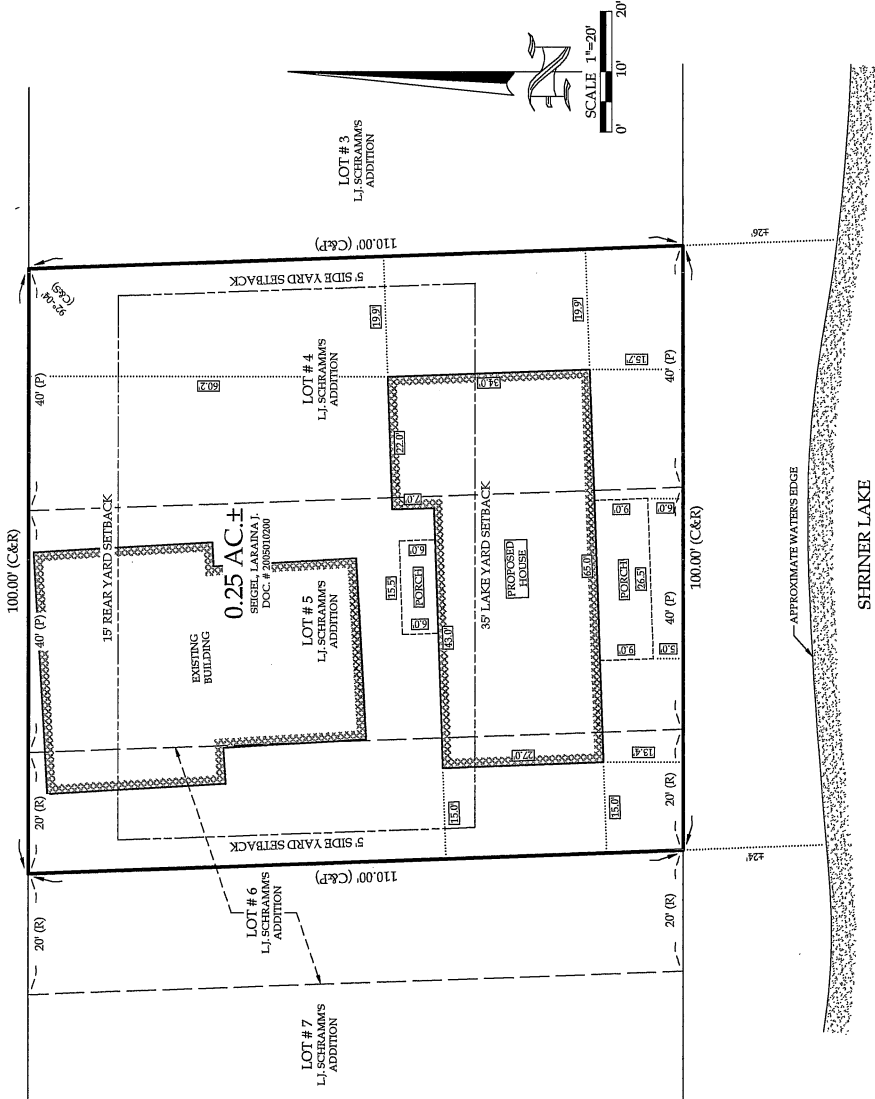
M = MEASURED C = CALCULATED S = REFERENCE SURVEY
P = PLAT R = RECORDED
* = WALKER MONUMENT
ITEMS SHOWN IN BOXES ARE PROPOSED

PROPERTY ADDRESS

2382 E Schram Ave
Columbia City IN 46725

REFERENCE SURVEY

Dimensions and angles shown are from a reference survey done by J.K. Walker & Associates, dated August 20, 2003.



WALKER & ASSOCIATES
EST. 1984

112 WEST VAN BUREN STREET
COLUMBIA CITY, IN 46725

Phone: (260) 244-3640 www.walkersurveying.net
Fax: (260) 244-4640 E-mail: mail@walkersurveying.net

LOTS NUMBERED 4 AND 5, TOGETHER WITH PART OF LOT NUMBER 6, IN LOUIS J. SCHRAMM'S ADDITION TO TRI-LAKE RESORT, WHITLEY COUNTY, INDIANA

FOR: SEIGEL, LARA J.

LAND SURVEYING,
CIVIL ENGINEERING,
& LAND PLANNING

SCALE: 1"=20'	DRAWN BY: RDP	DRAWING NUMBER
DATE: 02-26-2025	PAGE: 3 OF 3	DE-146

