



**PORTER COUNTY BOARD OF ZONING APPEALS
HEARING OFFICER
January 11, 2018 – MEETING MINUTES**

LOCATION: County Administrative Center, Ste 205 TIME: 1:00 p.m.
155 Indiana Avenue, Valparaiso IN

MEMBERS IN ATTENDANCE

Rick Burns, Hearing Officer
Kristy Marasco, Assistant Director

MINUTES: Minutes were not distributed; they will carry over to the next meeting.

CORRESPONDENCE: None

OLD BUSINESS:

Case: DV-17-0093

Applicant: Joseph Underwood

Location: 549 West 100 South, Hebron 46341 Porter Township

Zoning: R1, Low Density Single-family Residential District

Request: Case continued from the December 14, 2017 meeting. Seeking a Development Standards Variance to allow for a proposed accessory structure (56' X 30' pole barn) to be placed in the front yard and to allow for an increase in the maximum height allowed from 20 feet to be at 22 feet 1 inch.

Motion: Rick Burns moved to continue case DV-17-0093 until the next meeting.

NEW BUSINESS:

Case: DV-17-0094

Applicant: Zachary & Sara McCarter

Location: 101 East State Road 8, Kouts, Pleasant Township

Zoning: I1, Light Industrial District.

Request: Seeking a Development Standards Variance to allow a proposed (30' X 40') square foot pole barn to be placed in the front yard.

Zachary McCarter presented. The house is on 10 acres and sits way back on the property. To put the pole barn behind the house a significant number of trees would need to be cut down. The building will be used for storage.

Public Hearing:

Seeing no one wishing to speak; Rick Burns declared the Public Hearing closed.

Discussion: There was discussion on options available to place the building.

Motion: Rick Burns moved to approve case DV-17-0094 with the condition there will be no business. If a business is run out of the building it could be removed by the County.

Case: DV-17-0095

Applicant: Catherine A Branham Living Trust, c/o Todd A. Leeth

Location: 988 North 50 West, Chesterton, Liberty Township

Zoning: A1, General Agriculture District.

Request: Seeking a Development Standards Variance to allow for a reduction in the minimum front setback on an existing structure from the required 50 feet to 26 feet, for a proposed (1) Lot Administrative Subdivision (10 acre split from parent parcel).

Todd Leeth and Troy from Duneland Group presented. Family was also present. The parent parcel is approximately 70 acres. It is all zoned A1. The proposed parcel is in the north east corner which includes the outbuildings and existing home. The home was built in 1939 and requirements were different at that time. They need a variance granting the encroachment into the setback of the home and an outbuilding.

Public Hearing:

Seeing no one wishing to speak; Rick Burns declared the Public Hearing closed.

Discussion: Bill Branham, 985 North 50 West, advised someone is living in the home. Tax records indicate the home was built in 1939.

Motion: Rick Burns moved to approve case DV-17-0095.

Case: DV-17-0098

Applicant: Carmen Good Builders Inc. and Lonnie Ailes, c/o Todd Leeth

Location: At the south side of CR 150 South, between 200 West and 100 West, Valparaiso, Porter Township

Zoning: RR, Rural Residential District.

Request: Seeking a Development Standards Variance to allow a reduction in the minimum lot width required for a proposed (1) Lot Administrative Subdivision.

Todd Leeth presented. In 1994 the Petitioner purchased 120 + acres. The property is zoned RR. Between 1994 and 1995 10 acre lots were sold off and they were not considered subdivisions. In 1996 a four lot subdivision was put in. The parcel in this petition consists of three tax parcels. This is what is left over from 1994. The way the parcel is laid out there is only 135' of frontage. UDO requires 330' of contiguous coverage.

Public Hearing:

Janyne Henry, 178 West 150 South, lives to the east of the property. All the water from the petitioner's property flows to her property.

Tom Atkins, 193 West 1150 South. There is a culvert that has been crushed. He has not called the office about this. His concern with this petition is drainage.

Janyne Henry – all of the water she talked about stands on her property on the right hand side. It sits there for months because of the culvert issue.

(Inaudible name) – concerned about what will be done on this property. He was advised this is for one home.

Diane Slater, 187 West 150 South, concerned where the driveway will be and drainage.

Judy Williamson, 173 West 150 south. Her driveway is being washed out because of drainage issues. She was advised to call the office to have someone look at her driveway. The County has an easement on her property and it is not being maintained.

Seeing no one else wishing to speak; Rick Burns declared the Public Hearing closed.

Todd Leeth advised there is only one home being proposed. This is an administrative process. This is a unique situation. A neighbor owns through a right of way and block access to the six acre parcel. He suggested restricting access of the driveway to the "notch" parcel with 135' of frontage. If the drainage is due to the petitioner, it will be his responsibility to fix it.

Discussion: If this petition is denied, a person could purchase the property and build multiple homes. This petition is for one home. They will have to meet with staff to discuss drainage issues. The petitioner can only fix what is within their 6.3 acres.

Motion: Rick Burns moved to continue case DV-17-0098 to the next meeting.

Case: DV-17-0096

Applicant: Jeff Barton

Location: 3150 Brighton Lane, Valparaiso, Center Township

Zoning: R1, Low Density Single-Family Residential District.

Request: Seeking a Development Standards Variance to allow a reduction in the side yard setback from 15' to 12' 1", for a proposed attached one car garage.

Jeff Barton presented. The proposed garage will be for storage of a vehicle.

Public Hearing:

Seeing no one wishing to speak; Rick Burns declared the Public Hearing closed.

Discussion: There cannot be a business in the garage.

Motion: Rick Burns moved to approve case DV-17-0096.

There being no further business, the meeting adjourned.

Rick Burns, Hearing Officer

Kristy Marasco, Assistant Director