
**Porter County Board of Zoning Appeals
Regular Meeting Minutes
January 15, 2020**

The regular meeting of the Porter County Board of Zoning Appeals was held at 5:30 p.m. on Wednesday, January 15, 2020, in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Debbie Cook presided.

Members present were: Marvin Brickner, Luther Williams, and Debbie Cook. Also present were Attorney Scott McClure, Kristy Marasco, Monica Gee, Helene Pierce, citizens, and representatives of the press.

ELECTION OF OFFICERS:

President: Luther Williams nominated Debbie Cook. Marvin Bricker seconded the nomination. A voice vote was taken and unanimously carried 3-0.

Vice-President: Luther Williams nominated Marvin Bricker. Debbie Cook seconded the nomination. A voice vote was taken and unanimously carried 3-0.

MINUTES:

Marvin Brickner made a motion to approve the November 20, 2019 minutes as submitted. Luther Williams seconded the motion. A voice vote was taken and unanimously carried 3-0.

CORRESPONDENCE:

None.

NEW BUSINESS:

UV-19-0080 – Humane Indiana Inc., c/o Brian Fitzpatrick, 571 North 450 East, Valparaiso, IN in Washington Township in the RR, Rural Residential District. Petitioner is seeking a Use Variance to allow the business of education programs focused on Porter County Wildlife. Mr. Brian Fitzpatrick presented. Humane Indiana currently owns and operates out of the property in question this evening. The existing property is part of a conservation easement and the 100-year old home that sits on it cannot be renovated or changed because of this. We also are unable to remove trees, etc. The conservation easement is very restrictive. Currently the wildlife sanctuary sits on this property as well. We are before you this evening petitioning (after purchase) to allow the home and property across the road to serve as our offices and education program center.

Public Hearing: Debbie Cook asked if any of the public would like to speak in favor of or in opposition of this petition. Debbie Cook also asked that the public address their questions to the BZA while at the same time the petitioner will take notes and respond at one time.

Mr. Jason Fliege, 548 North 450 East, states he, and other neighbors he has spoken to, has concerns with this petitioner taking over another property. We don't want to see more parking lots being put in for further expansion along with increased crowds and traffic. He also questions the purchase of more land and another house versus building new where they are.

Mr. Fitzpatrick's rebuttal:

- Two-thirds (2/3) of the existing house is empty due to its age.
- The existing parking lot accommodates 28 vehicles and there is no more room to build additional parking lots. We don't anticipate more traffic because we wouldn't be able to accommodate more vehicles.
- The animals will remain where they are.
- The largest event we have is the Festival of Owls and we have moved that offsite due to the size. 2020's festival is already booked at the Porter County Expo Center.
- We have interns May to July, but otherwise we have three (3) staff members daily. We considered using the new house to allow staff to stay the night if necessary, on occasion but would not have anyone living there permanently.
- Humane Indiana is a not-for-profit organization. The original plan was to knock down the existing 100-year old house on the existing property and rebuild, however, because of the conservation easement our hands are tied. Our primary purpose with wildlife is done off site inside schools. We are not in the "land grab" business.
- The house we have now is 100-years old and has a lot of issues. The house across the street is newer, better, and safer and will serve our needs.

The public hearing was closed, and questions/comments were heard by the Members.

Q: Humane Indiana cares for injured and orphaned wildlife at this site, is that correct?

A: Yes. We have 23 ambassador animals that have been injured and can't be returned to the wild but can be placed on a glove, such as owls, turtles, skunks, turkeys, etc. Each ambassador has a story and we tell their story. We do not take raccoons due to disease, no deer, and we do not take a political stance on hunting.

Q: Do you allow dogs or cats here?

A: No.

Q: Do you plan to house interns in the summer?

A: We do not plan to and have not that thus far. The only type of overnight situation we thought of is if our Director, who lives out of town, needs to stay due to a snowstorm or something of the like. The animals have to be cared for every day, so we have to be able to get to them regardless of weather.

Q: You have three (3) full-time staff members?

A: Yes. In the summer we work 7:00 a.m. to 8:00 p.m. and in the winter we work 8:00 a.m. to 5:00 p.m.

Q: Everyone parks in the parking lot?

A: Yes.

Q: Have you already purchased the property?

A: Not completely. The sale is contingent upon approval from this Board.

Q: Once the offices are in the new house at the new property, how much of the house is left?

A: 90%.

Q: Are you on well and septic?

A: Yes.

Q: Will there be adequate restrooms for public use?

A: We plan to have a contractor upgrade the existing restrooms in the new house for accessibility, etc.

Q: How often will you have educational classes at the house and how many will be in attendance?

A: We offer camps 6 to 8 weeks out of the year that we typically have 8 to 17 children participate in. We offer some weekend programming on a small scale. Anything large, such as the Festival of Owls, we take off site.

Q: Has this been before DRC review?

A: No.

Q: How long is the contingency to purchase for?

A: Until the end of January.

Q: Do you have any concern with crossing the road and parking being across the road?

A: No. Parking is directly across the road. We cannot relocate the parking due to the number of restrictions.

Motion: Marvin Brickner made a motion to postpone case UV-19-0080 until a special meeting is held on January 29, 2020 at 5:30 p.m. to allow the petitioner to go through DRC review on this project. Luther Williams seconded the motion. A voice vote was taken and unanimously carried 3-0.

Kristy Marasco advised she will set up a DRC meeting for January 29, 2020 at 9:00 a.m. and the special meeting will be held also on January 29, 2020 at 5:30 p.m.

STAFF ITEMS:

Kristy Marasco advised there will be a special meeting on January 29, 2020 at 5:30 p.m.

ADJOURNMENT:

There being no further business, the January 15, 2020 Board of Zoning Appeals meeting adjourned at 6:15 p.m.

Debbie Kerr-Cook, President

Attest: Kristy Marasco, Assistant Director