



**Porter County Board of Zoning Appeals
Regular Meeting Minutes
January 17, 2018**

The regular meeting of the Porter County Board of Zoning Appeals was held at 5:30 p.m. on Wednesday, January 17, 2018, in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Debbie Cook presided.

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

ELECTIONS:

President:

Motion to elect Debbie Cook President of the Board of Zoning Appeals was made by Bob Poparad. Michael Young seconded the motion. A roll call vote was taken and unanimously carried 5-0.

Vice-President:

Motion to elect Marvin Brickner Vice-President of the Board of Zoning Appeals was made by Michael Young. Luther Williams seconded the motion. A roll call vote was taken and unanimously carried 5-0.

MINUTES:

Marvin Brickner made a motion to approve the November 21, 2017 meeting minutes as submitted. Bob Poparad seconded the motion. A voice vote was taken and unanimously carried 5-0.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

UV-17-00978 – Michigan City Area Schools, c/o Lance Werner CFO, 1660 County Line Road, Michigan City, IN, in the IN, Institutional District. The petitioner is seeking a Use Variance to allow for an off-leash dog park. Mr. Paz Garcia presented. The school district was approached by the members of the community to use land, not being used for any other reason, as an off-leash dog park adjacent to Pine Elementary Magnet School. There will be a fence, annual tag fee, and community volunteers. The funds raised through the annual tag fee will be designated to the school's extra circular funds. The property will remain the property of the Michigan Schools and will continue to be maintained as it has been. We are requested a variance to allow an off-leash dog park at this location.

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.

Ms. Susie Vance, states she is a resident of the Pine School community and she and the residents are very much in favor of this petition. Beverly Shores residents have always wanted a dog park and the residents have a great relationship with Pines School. There is a great deal of unused land available to be used that will not affect the school or the students. It is located on a side of the school opposite of where the students recreate and it is contiguous to land owned by the Shirley Heinze trust that allows leashed dog activity. There is no other dog park in this area. Teachers and Administration are in support of this partnership and have even begun incorporating dogs into their curriculum. All fencing will be paid for by the residents of the community through private giving and fundraising efforts. Waste bags will be supplied. A maintenance service will maintain the property as it does currently.

Mr. Don Dulaney, 409 E Myrtle Street, is the President of the Board of Trustees of Michigan City Schools and states that the Board fully supports this project. The area for the dog park is an under used large site and can provide a useful service while generating funds for the schools.

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

Q: How high is the proposed fencing?

A: Four feet (4').

C: Attorney McClure advised that a four-foot fence height is within the standard limits; however, if the fence is considered to be in the front yard of the property than a separate variance will be needed for that. Staff will review the plans and check the code to make this determination and will let the Petitioner know.

Q: Is there a resource officer at the school?

A: No.

C: That poses a concern to have strangers and dogs so close to school grounds. As well this is something that is hard to police, waste is not always picked up, there is an odor, etc. What is the plan of action?

R: It poses no more concern or risk for us at the school than any other school that is in a neighborhood, close to public ways, etc. The school is guarded, we have security entrances, no open doors and security glass windows. The recreation area for students is on the opposite side of the school and is monitored. Our maintenance team polices the grounds and provides waste pick up. The park will charge a fee that will pay for a dumpster and proper waste removal. The anticipated annual fee per member is \$25.

Q: What about traffic?

A: The school is located well off the road via access roads that can handle traffic. There will be a designated parking area for the dog park and the parking at the school is highly regulated already.

Q: Do you have a membership quota?

A: We do not have any numbers yet.

Q: If there are any issues, complaints, etc. with the dog park, the School Board will be the governing body to handle them?

A: Yes.

Motion: Bob Poparad made a motion to approve UV-17-0097 to allow for an off-leash dog park in the IN, Institutional District as presented. Michael Young seconded the motion. A ballot vote was taken and carried 4-1 (Brickner).

STAFF ITEMS:

December Meeting: Kristy Marasco advised that nothing has been filed as of yet so there will not be a December Board of Zoning Appeals Meeting. Happy Holidays to everyone.

ADJOURNMENT:

There being no further business, the January 17, 2018 Board of Zoning Appeals meeting adjourned at 6:00 p.m.

Debbie Kerr-Cook, President

Attest: Kristy Marasco, Assistant Director