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**PORTER COUNTY BOARD OF ZONING APPEALS  
HEARING OFFICER  
February 13, 2020 - 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  
Kelly Cadwell

**Approval of Minutes:**

**Motion:** Rick Burns moved to approve minutes from the December 19, 2019, January 16, 2020 and January 23, 2020 meetings.

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**OLD BUSINESS**

**Case: DV-19-0082 (Continued)**

**Applicant: Benjamin Herbert**

**Location:** 572 West 213 South, Hebron, Porter Township

**Zoning:** RR, Rural Residential District

**Acres:** 4.6 +/-

**Request:** To allow for a proposed (42' X 64') pole barn with a (10' X 64') lean-to to vary from the following:

- Exceed the maximum height allowed of 20' to be at 27.8'
- Exceed the maximum floor area; the cumulative square footage of all accessory structures shall not exceed the two percent (2%) of the square footage of the lot.

Benjamin Herbert presented. He has submitted a re-design. The square footage meets the 2% requirement. The requested height has been revised to 22'9".

**Discussion:** Rick Burns advised this can only be used for storage of personal items. This building will match the house.

**Motion:** Rick Burns moved to approve Case DV-19-0082 contingent on signing a commitment letter stating no business will be run out of the building and no one will live in the building, height not to exceed 22'9". Should it be determined a business is in the building or someone is living in the building, it can be removed by the County at the owner's expense.

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**NEW BUSINESS**

**Case: DV-19-0081**

**Applicant: Jerry and Diana Greer**

**Location:** 341 North 375 West, Valparaiso, Union Township

**Zoning:** RR, Rural Residential District

**Acres:** 7.91 +/-

**Request:** To allow for a proposed (48'x 78') pole barn to be constructed prior to the primary structure and to exceed the maximum height allowed of 20 feet to be at 24 feet.

Jerry and Diana Greer – 623 West 700 North, presented. They are proposing to construct a pole barn for a fifth wheel camper which requires a 14' door. He has spoken to the builder and they can get the height down to 23'. The building will be used for personal storage.

**Public Hearing:**

Seeing no one wishing to address the Board, Rick Burns declared the Public Hearing closed.

**Discussion:** Rick Burns clarified the size will be the same but the height is reduced to 23'. Jerry Greer replied that is correct. They can provide blueprints of the house. They also can provide a letter from the builder they are working with. Rick Burns advised if the house is not built, the pole barn will have to be torn down at their expense.

**Motion:** Rick Burns moved to approve Case DV-19-0081 contingent on the house being built within two years from the time they apply for the permit. The building is for storage of personal items only. Should it be determined a business is in the building, the building can be removed by the County at the owner's expense.

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**Case: DV-20-0005**

**Applicant: Clayton D. Duvall, Jr.**

**Location:** 1185 North 400 East, Chesterton, Jackson Township

**Zoning:** RR, Rural Residential District

**Acres:** 4.13 +/-

**Request:** To allow for a proposed (56'x 26') detached garage to be placed in the front yard.

Clayton D. Duvall, Jr. presented. His building is going to be 24 sq ft smaller with a 10' ceiling and a 14' peak. This will be used for storage of personal vehicles.

**Public Hearing:**

Seeing no one wishing to address the Board, Rick Burns declared the Public Hearing closed.

**Discussion:** Rick Burns stated there is a slope in the back which prohibits the building from going there. He needs to see a final plan with the reduction in size, overhang/porch and side view. The siding will match the house and some will be brick and stone which also matches the house. There will not be any plumbing in the building.

**Motion:** Rick Burns moved to approve Case DV-20-0005 contingent on no business can be run out of the building. Should it be determined a business is in the building, the building can be removed by the County at the owner's expense.

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**Case: DV-20-0006**

**Applicant: Rick Wittmer**

**Location:** 325 East 150 South, Valparaiso, Morgan Township

**Zoning:** A1, General Agriculture District

**Acres:** 22.06 +/-

**Request:** To allow a reduction in the minimum lot area from the required ten (10) acres for the proposed three (3) parcels of two (2) acres each.

Rick Wittmer presented. He wants to give his three children the option of building a home so the family stays close.

**Public Hearing:**

Mr. Wittmer (son). He has drawings already for a home to be built on the property. His son starts kindergarten this year so would like to be in the home by then.

Kim Wittmer. She is in favor of this project.

Seeing no one else wishing to address the Board, Rick Burns declared the Public Hearing closed.

**Discussion:** Rick Burns clarified the driveways will come out on 325. Kristy Marasco advised the setbacks will be the A1 requirements. They should pay attention to this when placing the house, septic and well. No further subdivision will be done. Their next step will be filling out an application for Administrative Subdivision and DRC. Today the approval is for less than 10 acres. DRC will make sure codes are being met. Drainage will also be reviewed.

**Motion:** Rick Burns moved to approve Case DV-20-0006 with the understanding there are going to be three parcels at two acres each. No further subdividing is allowed.

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There being no further business, the meeting adjourned.

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Rick Burns, Hearing Officer

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Kristy Marasco, Assistant Director