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**Porter County Board of Zoning Appeals  
Regular Meeting Minutes  
April 18, 2018**

The regular meeting of the Porter County Board of Zoning Appeals was held at 5:30 p.m. on Wednesday, April 18, 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, and Debbie Cook. Also present were Attorney Scott McClure, Kristy Marasco, Monica Gee, Helene Pierce, citizens, and representatives of the press.

**MINTUES:**

Marvin Brickner made a motion to approve the March 21, 2018 minutes as submitted. Luther Williams seconded the motion. A voice vote was taken and unanimously carried.

**CORRESPONDENCE:**

Kristy Marasco advised that new information provided for Case UV-18-0009 was provided to Members in their meeting packets.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**UV-18-0009** – Jeffrey Jirtle, 252 West U.S. Highway 6, Valparaiso, in Liberty Township in the RR, Rural Residential District. The petitioner is requesting renew a Use Variance permitting a landscaping and excavating business and a contractor's storage yard. Mr. Jeff Jirtle presented. Nothing has changed. Mr. Jirtle states he would like to renew the same variance without changes.

**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.

**Mrs. Lisa Gibbons**, 243 Falcon Way, representing the neighborhood association, states they are okay with keeping everything the same, they just do not want any expansion.

**Ms. Victoria Denae**, 254 West U.S. Highway 6, states she is in support of the renewal.

Mr. Theodore Stacy, neighbor, states he is opposed to petition renewal stating Mr. Jirtle uses the easement road for his business, travels at a high rate of speed with a heavy truck, does not maintain the road and externalizes the cost of maintenance to others. He is hindering the community for those living on the easement. If granted, please require Mr. Jirtle to use his own driveway and stay off the easement. Mr. Jirtle has personally threatened and assaulted me over these issues.

Mr. Craig Lindstrom, 248 West U.S. Highway 6, states the Mr. Jirtle plows the easement road regularly and has paid to blacktop the road. He is in favor of this petition.

Ms. Carla Lindstrom, 248 West U.S. Highway 6, states Mr. Jirtle has plowed and filled in the potholes and she has no issue with his using the easement. She is in favor of this petition.

Mr. Jirtle's rebuttal:

- I have maintained the road for as long as I have lived there, but recently stopped because people drive very fast and the smoother I make it the faster they travel.
- I have not assaulted anyone.
- Mr. Stacy and I have had words. The stone he brought in to fill the road was the wrong stone and I was trying to correct the situation.
- I help with trees that go down and have plowed the road for years.
- I have ingress and egress rights to the easements as it cuts into my property.

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

Q: What is the purpose of the empty building off the easement road?

A: I keep all my equipment inside. It's not empty.

Q: Why are there stacked logs between the two large Oak trees? It poses a safety concern.

A: I have a processing mill so they will be gone this year.

Q: There appears to be a lot of junk in the way back – flex hose, unplated vehicle, pvc piping, scrap metal, etc. It needs to be cleaned up.

A: I do remove scrap metal two times per year, but I will work on cleaning the area up.

Motion: Marvin Brickner made a motion to approve UV-18-0009 for five (5) years with the condition that the petitioner clean up the junk in the back of the property and the piles of logs are removed. All other previous conditions remain. Michael Young seconded the motion. A ballot vote was taken and unanimously carried 4-0.

**SE-18-0011** – Couch House Storage Solutions, LLC, c/o Attorney William Ferngren, Kuder Industrial Park Minor Subdivision, 4306 Evans Avenue, Valparaiso, in Washington Township, in the I2, General Industrial District. The petitioner is seeking a Special Exception Variance to waive the requirement to connect to municipal sewer and water and to utilize well and septic, for a proposed storage facility. Staff report provided by Kristy Marasco noted an internal review was done with the DRC and there were no issues or concerns. Attorney Bill Ferngren presented. The property is located at 4306 Evans Avenue in the I2 Zoning district and is part of a two-lot

minor subdivision. The property is 3.63 acres. Proposed are two free standing indoor storage buildings that will be rented on an annual basis for large vehicle storage such as campers, boats, etc. There will be two simple restrooms; one for the owners of the property and one for rental tenants that will have a sink and toilet only. There will also be a dump station on site for campers. Sewer and water connections would be in excess of \$400,000. Well and septic is less than \$25,000. This is a very minimal use and impact.

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. No one spoke, therefore, the public hearing was closed and questions/comments were heard from the Members.

Q: Does the petitioner own the property?

A: The sale is contingent upon tonight's approval.

Q: Will they be using a 1,000 gallon system?

A: Yes.

Q: How many vehicles do they anticipate?

A: There will be 15 bays.

Motion: Marvin Brickner made a motion to approve SE-18-0011 to allow the petitioner to utilize well and septic for a proposed storage facility. Michael Young seconded the motion. A ballot vote was taken and unanimously carried 4-0

**STAFF ITEMS:**

None.

**ADJOURNMENT:**

There being no further business, the April 18, 2018 Board of Zoning Appeals meeting adjourned at 6:02 p.m.

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Debbie Kerr-Cook, President

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Attest: Kristy Marasco, Assistant Director