



**PORTER COUNTY BOARD OF ZONING APPEALS
HEARING OFFICER
April 25, 2019 - 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
Monica Gee

Motion: Rick Burns moved to approve the minutes from the January 17, February 14, and March 14, 2019 meetings.

Correspondence:

Received Remonstrance Letters regarding Case DV-19-0027-Aaron McCart.

OLD BUSINESS

Case: UV-19-0020

Applicant: Charles and Linda Allison

Location: 1226 North County Line Road, Pine Township

Zoning: RR **Acres:** 37 +/-

Request: To allow a caretaker to live in an existing mobile home on the parcel to help with medical needs and property maintenance needs.

Applicants were not present.

Motion: Rick Burns moved to continue Case UV-19-0020 to the next meeting.

NEW BUSINESS

Case: DV-19-0021

Applicant: Daniel Mihal

Location: 1050 Rigg Road, Valparaiso, Washington Township

Zoning: R1 **Acres:** 1.34 +/-

Request: To allow a legal non-conforming accessory structure to remain on the property with the side yard setback being less than the code.

Daniel Mihal – 403 Sandalwood Drive, Valparaiso presented. He would like to do a new home construction on the lot. The pole barn on the property was built over 40 years ago. The barn is 3’ 11” over the 10’ build line. The new home will block the view of the barn from the street.

Public Hearing:

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

Discussion: The house will have a two-car attached garage. The driveway also was put in 40 years ago. He is going to pull his section out and have it come from the street to his garage. The pole barn is 30’ X 48’.

Motion: Rick Burns moved to approve Case DV-19-0021 with the understanding the driveway will be removed when he puts the foundation in and before he starts framing.

Case: DV-19-0022

Applicant: Jon Soffel

Location: 561 E. Burdick Road, Chesterton, Pine Township

Zoning: RR **Acres:** 9.37 +/-

Request: To allow a (72’ X 108’) pole barn to exceed the maximum height allowed.

Jon Soffel – 561E Burdick Road, Chesterton presented. A representative of Morton Builders was also in attendance. He wants to build a pole barn for storage of classic cars, equipment and boats.

Public Hearing:

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

Discussion: He is under the allowed square footage. He is requesting 26’ 6” high. Scissor truss will not work. It was suggested they go 60’ wide and then a scissor truss would work. This would reduce the height to approximately 24’ 6”.

Motion: Rick Burns moved to approve Case DV-19-0022 with the understanding it is for personal use only. If a business is found to be running out of the building, the building can be removed by the County at the owner's expense.

Case: DV-19-0023

Applicant: Daniel R O'Connell

Location: 168 North 750 West, Valparaiso, Union Township

Zoning: RR **Acres:** 6.94 +/-

Request: To allow for an accessory structure to exceed the maximum height allowed.

Daniele R O'Connell – 168 North 750 West, Valparaiso presented. He wants to put up a pole barn on the north side of his home. It will be used for storage.

Public Hearing:

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

Discussion: The doors will be 14'. The ceiling height is 15'. This will be for personal use. There was discussion regarding the workability and height. He has a lift that is 12' plus adding the height of a truck.

Motion: Rick Burns moved to continue Case DV-19-0023 to the next meeting.

Case: DV-19-0024

Applicant: David Beckwith

Location: 549-1 East 600 North, Valparaiso, Jackson Township

Zoning: RR **Acres:** 5 +/-

Request: To allow for a (36' X 70') accessory structure to be located in the front yard with the height exceeding code.

David Beckwith – 549-1 East 600 North, presented. He wants to build a 36' X 70' pole barn with a height of 21'4".

Public Hearing:

Donald Hayes – 547-1 East 600 North. They are adjacent to the barn. They are concerned about the height and boarding horses. They share an 11' driveway. They are concerned about dust, traffic, animal waste, noise and flies.

Aaron Mullet – 551 East 600 North. They are adjacent to the applicant. They are not opposed to the building. However, they are concerned about parking and loads of gravel brought in for repairs. They have drainage concerns and for these reasons are opposed.

Short – 641 North 500 East – This is an extreme imposition. Horses attract flies, possums and raccoons. Manure piled up before being removed is a concern.

Ryan Genovese – 547 East 600 North. They have concerns about the water and waste affecting it.

Discussion: They do not board horses. The horses are their own personal horses. There is an allotted area for waste and there is enough pasture. There will be four stalls. Farmers have requested the manure for fertilizing their fields.

Aaron Mullet – Questioned the need for the height and what is standard and what if this is approved.

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

Discussion: Rick Burns is concerned about his narrow driveway. He is not sure a waste truck will be able to get back there. The five-year plan is to strip the woods. This home is a retirement dream. Placing this in the front yard is a concern for drainage into the pond. Behind the home is the septic and well.

Motion: Rick Burns moved to continue Case DV-19-0024 to the next meeting.

Case: DV-19-0025

Applicant: Stephen & Lauren Felty

Location: 152 North 250 West, Valparaiso, Center Township

Zoning: R1 **Acres:** 10 +/-

Request: To allow a new (60' X 91') two story accessory structure (barn) to vary from appearance being red and white in color, to exceed the maximum number of accessory structures allowed, to exceed maximum floor area, and to exceed maximum height.

Laura Felty – 152 North 250 West, presented. There is an existing building which they are replacing. The building is for personal use. The second story is for her and her kids as a recreational area. There is no heat or plumbing.

Public Hearing:

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

Discussion: Currently there are eight cars and other debris lying around the property. It needs to be cleaned out.

Motion: Rick Burns moved to deny Case DV-19-0025.

Case: DV-19-0026

Applicant: Ridgewood Creek HOA

Location: Intersection of Bullseye Lake & Cross Creek Road, Center Township

Zoning: R2 **Acres:** 1 +/-

Request: To allow a new entrance sign to exceed code.

Bob Pruitt presented. The present sign was built in 1986 and is rotted at the ground.

Public Hearing:

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

Discussion: A picture of the proposed sign would help. The proposed sign is three times the size of the original. Applicant was asked to find out the size of the letters and the overall height. There is concern this will look like a billboard.

Motion: Rick Burns moved to continue Case DV-19-0026 to the next meeting.

Case: DV-19-0027

Applicant: Aaron McCart

Location: 231 Krouser Drive, Valparaiso, Center Township

Zoning: R1 **Acres:** 1 +/-

Request: To allow a reduction in the front yard setback for a new detached garage (30' X 40' X 16') with an attached smaller section being (10' X 10' X 9') to be located in the front yard.

Aaron McCart – 231 Krouser Drive, Valparaiso, presented. This is the only place this can go because the ground is low and it floods.

Public Hearing:

Patricia Flynn – 232 Krouser Drive. They live across the street and are opposed to this project. The streets are narrow. It is a busy subdivision. Kids are always riding bikes in the area. They are concerned if there are going to be car repairs in the garage. There already are large parties where their driveway gets blocked and people drive through their grass. This would be a negative impact on the area.

William Walker – 242 Lincoln Hills Drive. This has always been a peaceful neighborhood. They are opposed to construction. There have been septic problems in the past. This will obstruct the view for traffic and kids riding bikes. This project is not typical for the neighborhood. He already has a two-car garage and a shed. There have been many parties. The parties have been advertised on Pinterest as a bar. It is listed as closed now.

Shannon Hinko - 230 Weblos Trail - They are concerned about property values, trees, wild life, noise, drainage and the blind spot this will create. This is a bus stop area and there are many kids in the area.

Kenneth Harter - 232 Lincoln Hills Drive . Agrees with all previous comments. This does not fit the rest of the neighborhood.

Holler - 213 Weblos Trail – opposed.

Stephen Gard - 233 Weblos Trail – lives across the street. Is concerned about the flooding.

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

Discussion: He has cleaned up the area. The bar ad on the internet was a joke. Rick Burns feels this is out of character for the neighborhood. Safety is an issue with the traffic. There are a lot of children in the area. He questioned if there would be a car shop in the new building.

Motion: Rick Burns moved to deny Case DV-19-0027.

There being no further business, the meeting adjourned 2:35 p.m.

Rick Burns, Hearing Officer

Kristy Marasco, Assistant Director