



**PORTER COUNTY BOARD OF ZONING APPEALS
HEARING OFFICER
May 16, 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 continue the minutes from the April 25, 2019 meeting.

Correspondence:

Received correspondence from Mr. Beckwith.

OLD BUSINESS

Case: UV-19-0020 (Continued)

Applicant: Charles and Linda Allison

Location: 1226 North County Line Road, Westville, 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.

Justin Allison -1226 North County Line Road. He is the caretaker of his Grandmother's property. She lives in the main house and he lives in the trailer.

Motion: Rick Burns moved to approve Case UV-19-0020 for one year. Approval contingent on when the grandmother can no longer live there by herself the trailer will be removed.

Case: DV-18-0028 (Tabled)

Applicant: Douglas and Gina Gilliam

Location: 447 West 300 South, Porter Township

Zoning: RR, Rural Residential District.

Request: To allow an accessory structure prior to the primary structure being built and to exceed the maximum width-to-depth ratio, 1:4; for a proposed (40' x 60') pole barn.

Gina and Jason Gilliam - 3422 Nick Drive, Valparaiso presented. They have the well and septic permits. The builder is getting the building permit. They are here for approval of a pole barn before the house. They expect the builder to get the building permit in June.

Motion: Rick Burns moved to approve Case UV-18-0028 contingent on no business operating in the structure. If determined to have a business in the structure, the building can be removed by the County at the owner's expense. Also, building permits to be applied for before beginning on the pole barn.

Case: DV-19-0023

Applicant: Daniel R O'Connell (Continued)

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.

Dan 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. He has lowered his request to 22' with a 312 pitch. The house is under construction now and the pole barn will be behind the house.

Motion: Rick Burns moved to approve Case DV-19-0023 at 22' height contingent on no business operating in the structure. If determined to have a business in the structure, the building can be removed by the County at the owner's expense.

Case: DV-19-0024 (Continued)

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 and Brandi Beckwith - 549-1 East 600 North, presented. He wants to build a 36' X 70' pole barn with a height of 21'4". John McQuestion did soil samples. Anything north of the home is not conducive to building homes or roads. Their request is still the same.

Discussion: If approved, it will be without animals. There was discussion regarding where the horses will be able to go. The applicant was asked to re-stake the proposed site and talk to neighbors. Up to this point he has been given no reason to feel he would not receive this variance.

Motion: Rick Burns moved to table Case DV-19-0024. They need to contact all neighbors and get a majority to agree with this.

Case: DV-19-0026 (Continued)

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. They would like a 42 sq ft sign. They gave a new drawing showing where the letters will go.

Discussion: The sign is in the road right-of-way, site is important, the height is above code. This sign is the fourth wall of a shed. There have not been any accidents since the 1980s due to the sign. You can see from either direction.

Motion: Rick Burns moved to approve Case DV-19-0026 according to the new drawing at 42 sq ft. Contingent on no additional signage above or below it.

NEW BUSINESS

Case: DV-19-0028

Applicant: Jeffrey & Erin Sako

Location: 719 West 198 South, Hebron, Porter Township

Zoning: RR **Acres:** 16 +/-

Request: To allow an accessory structure to be placed in the front yard and to exceed the maximum height allowed, for a proposed (40' X 80') pole barn with attached lean-to.

Erin Sako – 717 West 198 South, Hebron presented. They are well over 700' from the nearest house. The choice is because it has a walk-out basement. The septic is located on the SE corner of the house. The barn should be accessible to the driveway. The height is needed because of the lean-to for storage.

Public Hearing:

Lori Anderson - 717 West 198 South. She is the closest neighbor. She is in support of this project.

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

Discussion: In one aspect this does not look as if it is in the front yard. They have looked into scissor truss and that will not work. This is only for storage of personal items.

Motion: Rick Burns moved to approve Case DV-19-0028 contingent on no business operating in the structure. If determined to have a business in the structure, the building can be removed by the County at the owner's expense.

Case: DV-19-0029

Applicant: Peter Kmetz

Location: 606 North State Road 149, Valparaiso, Portage Township

Zoning: R2 **Acres:** 13 +/-

Request: To allow a new (60' x 136') pole barn to be placed in the front yard, to exceed the maximum number of accessory structures permitted on a lot; and to exceed the maximum height allowed.

Pete Kmetz, 606 North State Road 149, presented. The building will be 100% agricultural.

Public Hearing:

Eugene Raber – 319 N 600 W. He is in favor of this project.

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

Discussion: There is a lot of debris on the property. A neighbor's property had a barn burn down. They are working on cleaning up the property. There is an existing 30' X 40' pole barn.

Motion: Rick Burns moved to continue Case DV-19-0029 to the next meeting. During this time the property will be cleaned up and in turn inspected by Rick Burns.

Case: DV-19-0030

Applicant: Sean Schafer

Location: 469 Surrey Hill Lane, Valparaiso, Union Township

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

Request: To allow construction of a new primary structure to vary from the following:

- Maximum Impervious Surface Coverage: exceed the 35% of the lot area
- Minimum Rear yard Setback: reduction from the required 20 feet
- Waterside Setback: to be less than the required 30 feet to water's edge.

Sean Schafer – 483 Ashford Lane, Valparaiso presented. He needs these variances to get the building permit.

Public Hearing:

Diane Richardson, 467 Surrey Hill Lane – she would like reassurance there will be no drainage issues.

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

Discussion: This will have to go through drainage calculations.

Motion: Rick Burns moved to approve Case DV-19-0030 contingent on drainage being checked and approved by the Storm Water Management Department prior to the permit being issued.

Case: DV-19-0031

Applicant: Christopher Denham

Location: 809 Edmond Court, Valparaiso, Liberty Township

Zoning: R1 **Acres:** 0.66 +/-

Request: To allow a new (30' X 40') pole barn to vary from appearance to not match or closely resemble the primary structure and to exceed the maximum floor area of all accessory structures permitted on a lot.

Christopher Denham, 809 Edmond Court, presented. This will be for personal storage use.

Public Hearing:

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

Discussion: The house does not have a basement. There is an old shed on the property which they intend to keep. Approval will probably be contingent on removal of the old shed.

Motion: Rick Burns moved to approve Case DV-19-0031 contingent on no business operating in the structure. If determined to have a business in the structure, the building can be removed by the County at the owner's expense. Also contingent on removal of old shed prior to issuance of the building permit.

Case: DV-19-0032

Applicant: Mirko & Izabela Bebekoski

Location: 55 Levanno Drive, Crown Point, Porter Township

Zoning: R1 **Acres:** 3.31 +/-

Request: To allow construction of a new primary structure to vary from the following:

- Maximum Impervious Surface Coverage: exceed the 35% of the lot area
- Minimum Rear Yard Setback: to allow encroaching into the 20 feet setback (with deck)

Mike Ruzicki, presented on behalf of applicant. They have prepared a site plan. They have the lake behind them and one neighbor to the south.

Public Hearing:

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

Discussion: Staff has no issues with the project.

Motion: Rick Burns moved to approve Case DV-19-0032.

There being no further business, the meeting adjourned 1:56 p.m.

Rick Burns, Hearing Officer

Kristy Marasco, Assistant Director