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**PORTER COUNTY BOARD OF ZONING APPEALS  
HEARING OFFICER  
June 27, 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  
Monica Gee

**Approval of Minutes:**

Rick Burns moved to approve minutes from April 25 and May 16, 2019.

**Correspondence:** Received correspondence regarding the Sturdy Road project.

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**OLD BUSINESS**

**Case: UV-18-0010**

**Applicant: Paul and Barbara Brubaker**

**Location:** 660 East State Road 2, Westville, Jackson, Township

**Zoning:** RR    **Acres:** 1.25 +/-

**Request:** Motion to Deny; the petitioner is no longer in need of the Use Variance to permit a temporary travel trailer on a parcel to be used for housing until the rebuilding of the primary structure is completed.

Discussion: the trailer has been removed.

**Motion:** Rick Burns moved to approve denial of Case UV-18-0010.

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**Case: DV-19-0035**

**Applicant: Pamela Fliege**

**Location:** 567 North 400 East, Valparaiso, Washington Township

**Zoning:** RR, Rural Residential District. **Acres:** 14.93 +/-

**Request:** Extension of a Use Variance to allow the use of a temporary mobile home on the property to provide assistance with maintaining the property.

Pamela Fliege - 567 North 400 East, Valparaiso presented. Her brother still lives in the trailer. She needs help with maintaining the property.

**Motion:** Rick Burns moved to approve Case UV-19-0035 for one year with the same conditions.

**Case:** DV-19-0038

**Applicant:** Kankakee Valley Historical Society, Inc. c/o John P. Hodson, Trustee, Revocable Trust

**Location:** 1101 South Baums Bridge Road, Kouts, Pleasant Township

**Zoning:** A1 **Acres:** 0.263 +/-

**Request:** extension of a Use Variance to permit a mobile home on the parcel, to be used as an office and processing artifacts for archeological studies conducted on this site.

Tina Rogers and John Hodson presented. Still the same usage as in the past. They were just before the Commissioners. They are seeking State funds to demolish and restore Collier Lodge. Completion of this is several years away.

**Motion:** Rick Burns moved to approve Case UV-19-0038 for one year with the same stipulations.

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**Case:** UV-19-0039

**Applicant:** Keith and Janice Meyers

**Location:** 316 East 1050 North, Chesterton, Jackson Township

**Zoning:** RR **Acres:** 61.29 +/-

**Request:** Extension of a Use Variance to permit a mobile home on the parcel, to be used as a residence for hired help, providing labor and security for the farm.

Keith and Janice Meyers – 318 East 1050 North, presented. Their grandson lives in the trailer. There have been no changes since the last request.

Discussion: The grandson's name is Robert Jimenez.

**Motion:** Rick Burns moved to approve Case UV-19-0039 for one year with the same stipulations as before.

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**Case:** DV-19-0024(Tabled)

**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". At the last meeting they were given two options: get signed approval from neighbors that they are ok with the project; or, build a barn with no horses put in it. They are opting to build the barn but not have horses.

**Motion:** Rick Burns moved to approve Case DV-19-0024 without the stable or horses. This is for personal storage only. If a business is found running out of the structure, it can be removed by the County at the owner's expense.

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**Case: DV-19-0029 (Continued)**

**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. He has cleaned up the property. Property where the barn had burned down has also been cleaned up.

Discussion: There are two accessory structures that are falling down. They should be removed.

**Motion:** Rick Burns moved to approve Case DV-19-0029 contingent on no building permit being issued until such time as the two sheds on the property are torn down.

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**NEW BUSINESS**

**Case: DV-19-0040**

**Applicant: Illene Zona c/o Bob Poparad**

**Location:** East 1100 North, Westville, Jackson Township

**Zoning:** RR **Acres:** 65 +/-

**Request:** To allow frontage on Lot 2 to be less than the minimum required for a proposed (2) lot administrative subdivision.

Bob Poparad – 352 Melton Road presented. He has purchased the back 40 acres and needs a driveway to get to it.

**Public Hearing:**

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

**Motion:** Rick Burns moved to approve Case DV-19-0040.

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**Case: DV-19-0037**

**Applicant: Wessler Engineering c/o Aaron Project Manager (City of Valparaiso)**

**Location:** Along Sturdy Road, from just south of U.S. 30 and Sturdy Road intersection, to just north of Prairie Ridge Drive and Sturdy Road intersection, Washington Township

**Zoning:** City of Valparaiso

**Request:** To allow for Sturdy Road Water Main Extension to vary from the following:

- All road cuts shall require flowable fill unless the Highway Engineer/Superintendent approves otherwise.
- Cuts with flowable fill shall extend flowable fill up to a point where 4-inch of HMA surface can be placed.
- Directs location of water to be on the west and/or south side of County Road.
- Directs location of water to be in a new easement outside of the right-of-way where the existing right-of-way is 40' wide. Directs location of water to be within existing right-of-way where right-of-way is 60' wide.

Steve Poulos – City of Valparaiso presented. This project has been on the books for over 30 years. It will serve as a backup to the line already serving the area. Aaron Hutton and Jessie Johnson of Wessler Engineering gave a presentation on the project. They have reviewed several means of adding this line and this proposal has been determined to be the best.

Public Hearing:

Paul Fredrick and Martha Sharp as representatives of Farmstead Legacy – 72 Sheila Lane. They are in favor of this project. The request for variance from West to East side of Sturdy affects Farmstead Legacy. They have a wooden fence. He does not feel this will be affected. He would like this confirmed. In front of the old farmhouse there are some very old trees. He would like to know if any of these trees will be removed. There are four utility poles. He feels all four of these are in the easement. He would like to know how this will be handled with regard to the location of the poles and the trenching. He would like a general idea of the start and finish date of the entire project.

Lisa Montgomery and Jean Riley– 1053 Sturdy Road. They have the same concerns as the previous speaker regarding trees and their driveway.

David Westforth – 1305 Martinal Road. He represents the church that owns land at the corner of Sturdy and Martinal Road. He would like to know if residents along Martinal will have access to the water line. Also, how long will the project take and will Sturdy Road be closed down. He would like to know the location of the seven fire hydrants.

The Petitioner responded. Their goal is to limit the amount of tree removal. Some will have to be removed. The utility poles will be braced during construction. Any driveway affected will be repaired after construction is complete to the same as before construction started. The plan shows fire hydrant location. The schedule is to start as quickly as possible. It will take about 2.5 to 3 months for construction. They do not anticipate closing Sturdy. They will look into the fence issue. If it is in the easement it will be part of the preconstruction video and repaired if damaged. The two large, 100 year-old trees, will likely have to come down with the current plan.

Jean Riley – 1053 Sturdy Road. Her driveway will be directly impacted. She would like to know if she will be notified in advance if she cannot use her driveway. The Petitioner responded: The contractor will have to provide notice prior and provide access to driveways throughout construction.

Paul Fredrick as representatives of Farmstead Legacy – 72 Sheila Lane. He believes the walnut trees have financial value and wants to make sure that they are able to do that

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

Discussion: Rick Burns has no issue with the project but does have some concern. He would like to see the trees identified so there are no surprises. He would like to know how the pavement will be repaired if trenched. Respondent replied - their plan is to patch the area. The Highway Department will approve this repair. There will be a restoration detail for putting top soil down, seeding and fertilizing the area. Rick Burns asked Bob Thompson about the two walnut trees and others that might have to be removed. He also asked if the Highway Department needs to sign off on any trenching of the pavement. They are going to repair the trench and 12” on each side. Bob explained the Office has specs that have requirements that have to be followed. In regard to the trees, he said they do have a tree ordinance. But it would have to be determined if they are on private property or in the easement. The contractors will have a performance bond. There was discussion regarding moving the line more into the street than in the easement which could preserve some of the trees. This would add to the cost and could cause the road to be closed during construction.

Paul Fredrick as representatives of Farmstead Legacy – 72 Sheila Lane. He asked that the Petitioner point out the trees that could be cut down. He would like to arrange to have the wood harvested themselves and take care of the primary removal. The Petitioner replied they will have to look into that. A little way down from the trees they are going to have to jog into the road because of some utilities. Possibly they could jog out sooner to avoid the trees. That would be a minimal impact to the project.

**Motion:** Rick Burns moved to approve Case DV-19-0037 contingent on Robert Thompson and Kristy Marasco approval on the tree issue.

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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