



**PORTER COUNTY BOARD OF ZONING APPEALS
HEARING OFFICER
July 22, 2021 – 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
Monica Gee

Rick Burns called the meeting to order and led the pledge of allegiance.

Approval of Minutes

Motion: Rick Burns moved to approve the minutes of the June 17, 2021 meeting.

Correspondence: Both Case DV-21-0031 – Pioch and Case DV-21-0032 – Wyman sent letters stating they no longer need a variance.

Old Business:

Case: UV-21-0042

Applicant: Pamela S. Fliege

Location: 567 North 400 East, Valparaiso, IN 46383 (Washington Township)

Zoning: RR, Rural Residential District

Acres: 14.93

Request: To allow a temporary mobile home on the property to be used by a caretaker to help maintain the property.

Pamela S. Fliege - 567 North 400 East, Valparaiso – presented. She still needs someone to help her with her property.

Discussion: Nothing has changed since last year. The brother is still living in the trailer. She presented minutes where Marv Brickner of the BZA made part of the motion to approve that as long as she lives there it will be allowed to have someone in the trailer.

Motion: Rick Burns moved to approve Case UV-21-0042 for one year with the same stipulations as there have been over the years.

Case: DV-21-0031

Applicant: Quintin Pioch

Subdivision: Lakewood Hills Unit 3

Location: 430 Rolling Meadows Drive, Valparaiso, IN 46385 (Porter Township)

Zoning: R1, Low Density Single-family Residential District

Acres: 2.4

Request: To allow for a new (30'x 56') pole barn to exceed the maximum structure height of 20' to be at 22'4".

Motion: Rick Burns moved to deny Case DV-21-0031. Petitioner withdrew the request.

Case: DV-21-0032

Applicant: Kenneth & Diana Wyman

Location: 87 South 600 West, Hebron, IN 46341 (Porter Township)

Zoning: R1, Low Density Single-family Residential District

Acres: 1.3

Request: To allow an increase in maximum floor area for a new (28'x 50') pole barn.

Motion: Rick Burns moved to deny Case DV-21-0032. Petitioner withdrew the request.

New Business:

Case: DV-21-0036

Applicant: Michael & Erin Dobosz

Subdivision: Timberland West

Location: 48 Mark Twain Drive, Valparaiso, IN 46385

Zoning: R1, Low Density Single-family Residential District (Liberty Township)

Acres: .22

Request: To allow a reduction in rear yard setback for a proposed deck.

Leslie Mosser and Ed Mosser (Erin Dobosz's Mom and Dad) – 403 Fordwick Lane, Valparaiso – presented on behalf of Michael and Erin Dobosz of 48 Mark Twain Drive. They have put in a pool and fenced it in. Their property line is at an angle. They want to add on to the deck. This would require a 7' setback.

Public Hearing:

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

Discussion: There is nothing on either side of their property. Rick Burns asked if they got approval from the HOA. The County cannot over rule covenants set by a HOA. Rick Burns stated he is moving this case to the end of the meeting to allow Leslie time to make a phone call to determine if there is HOA approval.

Case: DV-21-0039

Applicant: Nathan Lee

Location: 321 Jodi Lane, Valparaiso, IN 46385 (Portage Township)

Zoning: R1, Low Density Single-family Residential District

Acres: 2.23

Request: To allow an increase in maximum height and square footage for a proposed (40'x60') accessory structure.

Nathan Lee - 321 Jodi Lane, Valparaiso – presented. His request is to install a 40 X 60 pole barn. It will be used for personal storage of an RV and classic cars. Construction of this building would also help with the traffic noise from the toll road.

Public Hearing:

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

Discussion: NIPSCO has given him 50' of the easement. The building will be 40' into the easement. He needs the height for the RV. Rick Burns asked if he has looked at scissor trusses. Nathan Lee stated he has to have the entrance door facing east. The door has to be 14'. There were 18 letters sent out on this case. Rick Burns is concerned that it is so large. Nathan Lee stated because of the ravine he cannot do much more to change the building. This will be the largest building in the area. Rick Burns stated he could approve 40 X 50 if the Petitioner can live with that. The Petitioner will provide staff with a new set of plans showing the new size and height.

Motion: Rick Burns moved to approve Case DV-21-0039 contingent on the building being 40 X 50 (2,000 sq ft) and the height approved at 22'.6" and contingent on Petitioner signing a Written Commitment letter stating no business is allowed to be run out of the building. 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.

Case: DV-21-0043

Applicant: Glen Stanley

Location: 499 South 250 West, Valparaiso, IN 46385 (Porter Township)

Zoning: A1. General Agriculture District

Acres: 20.8

Request: To allow an existing pole barn to remain in the front yard.

Glen Stanley - 499 South 250 West, Valparaiso - presented. He is third generation on the property. He did not know you could not have a pole barn in the front yard.

Public Hearing:

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

Discussion: The property next to him was owned by a lady from New York. She tried to make a deal with Waste Management and make a dump out of it. His grandfather donated the land and it is now owned by the School Corporation. He cannot put the house even with the trailer because of the proposed septic system. Rick Burns asked if the pole barn were to be blown down, what are the plans. Glen Stanley replied the building is solid and he is not anticipating any issues.

Motion: Rick Burns moved to approved Case DV-21-0043.

Case: DV-21-0036 – CONTINUED FROM EARLIER IN THE MEETING

Applicant: Michael & Erin Dobosz

Subdivision: Timberland West

Location: 48 Mark Twain Drive, Valparaiso, IN 46385

Zoning: R1, Low Density Single-family Residential District (Liberty Township)

Acres: .22

Request: To allow a reduction in rear yard setback for a proposed deck.

Leslie Mosser and Ed Mosser (Erin Dobosz’s Mom and Dad) – 403 Fordwick Lane, Valparaiso – presented on behalf of Michael and Erin Dobosz of 48 Mark Twain Drive. Erin and Michael Dobosz have a letter from the HOA approving this project.

Motion: Rick Burns moved to approve Case DV-21-0036 contingent on staff receiving the approval letter from the HOA.

There being no further business, the meeting adjourned at 1:36 p.m.

Rick Burns, Hearing Officer

Kristy Marasco, Assistant Director