

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
June 15, 2011**

A. The meeting was called to order at 6:30 p.m.

B. Pledge of Allegiance

C. Roll Call / Determination of Quorum

Present: Mr. Bell, Ms. Nelson, Mr. Timm, Mr. Stinson, and Mr. Huyser

Absent: None

Also present were: Mr. Lyp, Mr. Keiser, Mrs. Mitchell, and Mr. Mandon

D. Consideration of Minutes of Previous Meeting

Motion to accept the May 18, 2011 minutes was made by Mr. Bell; second by Mr. Stinson. Motion passed 4 – 0 via voice approval. Mr. Huyser did not vote because he was absent at the May 18 meeting.

E. Audience Participation

None

F. Old Business and Matters Tabled

None

G. Preliminary Hearing

None

H. Public Hearing

Application for variance made by Vic and Mary Sue Smith for the property located at 2920 Market Street “to build an accessory building (attached garage) no closer than 5’ to the north side lot line and no closer than 8’ to the rear lot line” (BZA 03-11).

Mr. Smith was present to answer any questions from the Board. He explained his need for the accessory building.

Public Hearing opened at 6:38 p.m.

No one spoke for or against the application.

Public Hearing was closed at 6:39 p.m.

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Ms. Nelson wanted to be sure that no additional structural change would be made to the residence. Mr. Smith stated that there would be no other structural change to the residence except the accessory building.

Motion to grant the petition and accept the finding of fact submitted by the applicant was made by Mr. Bell; second by Mr. Stinson. Motion passed 5 – 0.

Ms. Nelson – yes
Mr. Timm – yes
Mr. Bell – yes
Mr. Stinson – yes
Mr. Huyser – yes

Application for variance made by Gus Sitaras for the property located at 3022 Wabash Street “to add a second story addition” (BZA 04-11).

Mr. Heistand was present along with his client, Gus Sitaras. He explained the application and their need for a variance. He feels that because the property is already non conforming the additional square footage wouldn’t make the structure more non conforming.

Public Hearing was opened at 6:48 p.m.

John Scott, 100 Duneland Drive, spoke against the application. He presented a written list of reasons as to why he believes the variance should not be granted.

Tom DeMass, 311 State Street, spoke neither for nor against the application.

Public Hearing was closed at 7:03 p.m.

Mr. Mandon wanted to stress that the property is non-conforming and additional square footage would make the structure more non-conforming. Also, he wanted to be sure the Board understood that the applicant is strongly suggesting that his practical difficulty is that the house is too small.

Mr. Heistand addressed the Board to answer questions raised during the Public Hearing.

Ms. Nelson is concerned about the elevation.

Mr. Sitaras mentioned that when he moves into the property he is going to make the dwelling a one-family residence.

The applicant’s architect arrived at 7:25 p.m.

Motion to deny the application based on the applicant’s failure to meet Criteria #3 was made by Mr. Stinson; second Mr. Bell. Motion passed 5 – 0.

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Ms. Nelson – yes
Mr. Timm – yes
Mr. Bell – yes
Mr. Stinson – yes
Mr. Huyser – yes

I. Finding of Fact

None

I. Update from the Board of Zoning Appeals Attorney

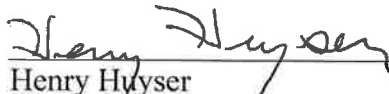
None

J. Update from the Board of Zoning Appeals Secretary

None

K. Adjournment

Motion to adjourn the meeting was made by Mr. Timm; second by Ms. Nelson. The meeting was adjourned at 7:29 p.m.


Henry Huyser
President

Kara Mitchell
Secretary