

**Town of Porter  
Board of Zoning Appeals  
Meeting Minutes  
May 18, 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, and Mr. Stinson

Absent: Mr. Huyser

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

D. Consideration of Minutes of Previous Meeting

Motion to accept the April 20, 2011 minutes was made by Mr. Bell; second by Ms. Nelson. Motion passed 4 – 0 via voice approval.

E. Audience Participation

None

F. Old Business and Matters Tabled

None

G. Preliminary 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. Vic Smith addressed the Board and gave a brief description of the variance he is requesting. Their intent is to match the garage with the existing structure.

Motion to set the application to the June meeting was made by Mr. Bell; second Mr. Timm. Motion passed 4 – 0.

Ms. Nelson – yes

Mr. Timm – yes

Mr. Bell – yes

Mr. Stinson – yes

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*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. Sitaras and his architect were present to discuss their application. The board asked several questions about neighbors’ home grade, etc.

There were some questions about the grade and height of the addition.

Mr. Keiser asked the applicant to be sure to contact the Porter County Health Department regarding the septic. He also mentioned a concern about the paved parking spaces directly north of the property.

Ms. Nelson asked if any more variances were needed. It was advised that Mr. Mandon and Mr. Elwood meet with the applicant to be sure there were no added variances needed.

Mr. Lyp advised the Board to set the application for the June Public Hearing based upon the application being presented.

Motion to set the application for public hearing in June was made by Mr. Bell; second Mr. Timm. Motion passed 4 – 0.

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

#### H. Public Hearing

*Application for variance made by J & L Bell Ltd., LLC, for the property located at the northeast corner of Woodlawn and 15<sup>th</sup> south of Conrail Tracks to have “gravel parking in Lieu of Portland Cement or Asphalt” (BZA 01-11).*

Mr. Bell recused himself as he has financial interest in the property.

Terry Heistand was present to represent J & L Bell and describe their need for a variance. Mr. John Bell was also present. Mr. Bell gave three reasons as to why they would like the variance to be granted. The first reason is drainage; the second reason is financial cost as it is less expensive to keep up a paved parking lot. An asphalt drive will get torn up by the trucks. The ordinance changed in 2004 and that was after the trucking company had been in business for many years. Also, the gravel surface would be better for water run off.

The Public Hearing was opened at 7:15 p.m.

No one spoke for or against the petition.

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The Public Hearing was closed at 7:16 p.m.

Motion to grant the variance was made by Ms. Nelson; second by Mr. Timm. Motion passed 3 – 0.

Ms. Nelson – yes

Mr. Timm – yes

Mr. Stinson – 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. Bell; second by Ms. Nelson. The meeting was adjourned at 7:19 p.m.

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Greg Stinson  
Vice-President

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Kara Mitchell  
Secretary