

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
September 16, 2009**

A. The meeting was called to order at 7:00 p.m.

B. Pledge of Allegiance

C. Roll Call / Determination of Quorum

Present: Mr. Kremke, Mr. Stinson, Ms. Nelson, and Mr. Huyser

Absent: Mr. Bell

Also present were Mrs. Mitchell, Mr. Mandon, Mr. Keiser and Mr. Lowe

D. Consideration of Minutes of Previous Meeting

Motion to accept the August 19, 2009 minutes as written was made by Mr. Stinson; second by Mr. Kremke. Motion passed via voice approval 4 – 0.

E. Audience Participation

None

F. New Business

None

G. Old Business and Matters Tabled

None

H. Preliminary Hearing

Application for variance “from front yard setbacks” made by Miguel A. Santos for the property located at 829 A. Johnson Street in Porter (BZA 12-09).

Mr. Santos wants to add a shed to store outdoor items in. The size of the shed would be 10 x 18. The concrete pad would be 20 x 30. The shed would stick out in comparison with the other houses.

Motion to set to Public Hearing was made by Mr. Kremke; second by Mr. Stinson. Motion passed 4 – 0.

Mr. Kremke – yes

Mr. Stinson – yes

Ms. Nelson – yes

Mr. Huyser – yes

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Application for variance “to add monument sign in addition to pole sign and wall sign” made by Q. T. Sign, Inc (Nancy Raeside) for the property located at 1800 West U. S. Highway 20 and County Road – between Babcock Road and Worthington in Porter (BZA 13-09).

Bill Chase represented Q. T. Sign and Comfort Inn. They want to add a sign that would be a lot like existing signage on Route 20 (i.e. Pilot Gas Station). There is currently a 50 ft. high rise sign that can be seen from the highway and a sign on the building. The additional sign would be 12 feet high. The face of the sign will be 7’ 2” x 6’ 7”. It will be used to identify the driveway and help direct traffic to the entrance.

Motion to set the above application for variance for Public Hearing in October was made by Mr. Stinson; second by Mr. Kremke. Motion passed 4 – 0.

Mr. Kremke – yes
Mr. Stinson – yes
Ms. Nelson – yes
Mr. Huyser – yes

Application for variance for “non conforming lot-side yard variance for deck” made by Cynthia J. Maddox for the property located at 228 Rankin Street in Porter (BZA 14-09).

Cynthia Maddox gave a brief description of her hardship as to why she needs the deck added to her home. Construction of the deck has already begun because the applicant was unaware that a permit was needed. The deck will measure 17ft. 8” x 8 ½ ft. This entrance will make a third entrance.

Motion to set the above application for variance for Public Hearing was made by Mr. Kremke; second by Ms. Nelson. Motion passed 4 – 0.

Mr. Kremke – yes
Mr. Stinson – yes
Ms. Nelson – yes
Mr. Huyser – yes

I. Public Hearing

Application for variance “to replace the fence along my east boundary at the same 6’ height as the old one. The fence would extend from Lot 19 (my south most lot) in a northerly direction along my east boundary to a point opposite the northern projection of the wood fence of my east neighbor, Mr. Frank Firestone.” made by Mr. Raymond S. Cahnman for the property located at 3030 Dearborn Street in Porter (BZA 11-09)

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Mr. Welsh represented his client, Raymond Cahnman. Mr. Welsh gave the secretary all of the documents necessary to prove that notice of the Public Hearing had been made. He also presented to the audience his argument for requesting the variance.

Mr. Welsh had a diagram to show where the existing fence was located (it is 105 feet today – with sections missing). The new fence would be the same height. The fence would start at the east end and would extend 8 ft. past the existing fence. The fence would be 132 feet in length.

Bill Davies surveyed the property to establish the east boundary line. He feels that the existing “stake” has been moved and does not represent the correct east boundary line. The fence will be put up next to the property line. A full blown boundary survey has been ordered up to find the east boundary property line.

The Public Hearing was opened at 7:48 p.m.

Jeff Renterghem, 3023 Florentine, Porter expressed his support for the fence. He wants the fence to be quality. He feels that it will be aesthetically nice based upon what Mr. Cahnman has already done to his property. He feels that the fence helps define where the pedestrian walkway begins and ends. To him, the fence will continue to be an asset to this area.

Dave Keats 3006 Florentine, Porter also expressed his support for the fence. He wants the fence to remain in its existing location.

Mr. Huyser read into the record two letters:

Michael O’Connor, 3014 Dearborn Street
Roger and Stephanie Carnell, 2933 State Street

The Public Hearing was closed at 8:00 p.m.

Mr. Huyser asked what type of fence would be put up in place of the existing fence. Mr. Cahnman stated that it would be much like the existing one.

Ms. Nelson asked why the applicant won’t just replace the existing fence. Why extend it? Mr. Welsh answered that he just wants to get full use of his property. Also, he feels that the fence would protect his private property. He feels that there are homes that would block more view than this fence “would ever hope to.” He feels that the fence would send a signal to people that “this is private property!”

Mr. Lowe asked if Mr. Davies had a time frame in mind for when his survey will be complete. Mr. Welsh said Mr. Davies did not indicate when the survey would be finished.

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Mr. Cahnman mentioned that he is going to have a fourth survey done to find the proper boundaries.

Mr. Lowe feels that the petition should be tabled until the east boundary of the property is determined.

Mr. Mandon feels that the fence belongs on private property and that is what is important.

Mr. Welsh said he and his client would like to continue the petition until the October meeting so the survey can be finished.

Motion to carry the Public Hearing over to the October meeting was made by Ms. Nelson; second Mr. Kremke. Motion passed 3 – 1.

Mr. Kremke – yes

Mr. Stinson – no

Ms. Nelson – yes

Mr. Huyser – yes

J. Finding of Fact

None

K. Update from the Board of Zoning Appeals Attorney

None

L. Update from the Board of Zoning Appeals Secretary

None

M. Adjournment

Motion to adjourn the meeting was made by Mr. Kremke. The Board stood in adjournment at approximately 8:48 p.m.

Henry Huyser
Chairman

Kara Mitchell
Secretary