

Town of Porter
Board of Zoning Appeals
Meeting Minutes
March 17, 2004

A. The meeting was called to order at 7:04 p.m.

B. Pledge of Allegiance

Present: Mr. Beckman, Mr. Bell, Mr. Snyder, Mr. Liebert, and Mr. Niepokoj.
Quorum was established. Also present were Mr. Mandon and Mr. Lyp.

C. Consideration of minutes from previous meetings.

Motion to approve the minutes of the February 18, 2004 meeting as written made by Mr. Bell;
second by Mr. Niepokoj. Motion carried 5 – 0.

D. Audience Participation

Pauline Poparad, Chesterton Tribune: Requested that the agenda be available to the public prior to the meeting. Chairman Snyder informed the audience that the subject had been discussed with the Secretary prior to tonight's meeting and agendas would be available at the Town Hall prior to all future meetings.

E. Preliminary Hearings

Paul G. Nelson request for a use variance at 1371 Old Porter Road to locate a billboard on a portion of the property for advertisement purposes.

Mr. Nelson spoke on behalf of his petition. He informed the Board members that he also has related sub-division and rezoning petitions in the preliminary hearing stage before the Plan Commission. He presented computer generated sketches of the property showing where he would like the lot lines to be and where he would be placing the 14' x 48' billboard on one of them next to Interstate 94. He also stated he may eventually build homes on the other lots or sell to a developer to do so but his main interest is in the billboard project.

Mr. Mandon informed the Board that the rezone and variance requests should be done together, albeit by different boards and that the sub-division request could come later. If either Board approves their rezone or variance petition it would need to be contingent upon the other Board approving their petition (and the rezone would also need Town Council approval).

A possible joint BZA/Plan Commission meeting for public hearing purposes was proposed but [Town Attorney] Mr. Lyp suggested it would be procedurally cleaner to keep them separate.

Mr. Mandon also informed the Board and the petitioner that a platted survey had not been completed and would be required of the petitioner for Board review prior to any public hearing taking place.

Mr. Bell inquired about width of [proposed] Lots #1 and #2 on sketch and was given an approximate length of 140 feet each.

Mr. Nelson also informed the Board that there would be an easement allowing for a driveway to the rear lot containing the billboard for maintenance and ad placement.

Mr. Mandon gave all Board members a copy of the five requirements set by statute that must be met by the petitioner in order

for the BZA to grant a use variance.

Motion to set the petition for public hearing at the May 19, 2004 meeting made by Mr. Bell; second by Mr. Liebert. Motion carried 5 – 0.

F. Public Hearings

None

G. Other Business

Mr. Lyp gave the Board members an update on the status of the current litigation re: Dale Brewer petition concerning construction at 171 Bote in Porter Beach. Also informed the Board they could call an Executive Session to discuss settlement options if necessary.

H. Adjourn

Motion to adjourn by Mr. Bell; second by Mr. Niepokoj. Motion carried 5 – 0.
Meeting adjourned at 7:35 p.m.

Bruce Snyder
Chairman

Lisa Liebert
Secretary