

Town of Porter
Board of Zoning Appeals
Meeting Minutes
January 16, 2002

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

B. Pledge of Allegiance

Present: Mr. Chemma, Mr. Beckman, Mr. Bell, and Mr. Niepokoj, Mr. Childress. Quorum was established. Also present were Mr. Mandon and Mr. Zarembo.

Election of Officers

Nomination of Mr. Beckman for President made by Mr. Bell; second by Mr. Niepokoj. Motion carried 5-0.

Nomination of Mr. Childress for Vice President by made by Mr. Bell; second by Mr. Chemma. Motion carried 5-0.

C. Consideration of minutes from previous meeting.

Motion to approve the minutes from the previous meeting as written was made by Mr. Childress. Second by Mr. Bell. Motion carried 5-0.

D. Audience Participation

There was no audience participation.

E. Old Business

1. **Public Hearing, Request for Use Variance for Ronald Mahoney:** Petitioner Ronald Mahoney, 651 Franklin Street, present to request a use variance to have a dog kennel at his home. Proof of public notice mailing could not be verified. Any action would be subject to verification of notice given.

Petitioner stated the kennel would not be utilized for commercial intent, but was necessary due to the number of dogs in his possession at this time. The board questioned if any complaints had been filed with the animal control department and what the result was. The petitioner indicated there had been complaints filed while he lived at his residence on Kreiger Street.

The Public Hearing was opened at 7:15 p.m. There were no proponents of the request. Opponents and their comments are as follows:

1. Michelle Thompson, 661 Francis Street: Submitted a letter to the board that was read for the record and will be submitted as part of the file.
2. Tammy Tilden, 655 Franklin Street: Explained the animals have run loose into her yard and have endangered her small children.
3. Earl Maneely, 65 Ackerman Drive: Owns home at this location, but lives elsewhere, expressed feeling that the area is a residential district and not appropriate for a kennel.

The Public Hearing was closed at 7:25 p.m. Mr. Mandon explained the criteria required to grant a use variance and stated the petitioner's request had not met the conditions required by Indiana statute, and recommended denial of the petition to the board.

Motion to deny the petitioner's request based upon the findings of fact by Mr. Bell; second by Mr. Childress. Motion carried 5-0.

Petitioner questioned the time frame in which to remove the dogs. The board agreed 30-days would be sufficient. The board also agreed a letter should be submitted to the assessors office to notify them of the license not being allowed.

E. New Business

None

F. Other Business

1. Discussion of the Draft Zoning Ordinance

E. Adjourn

Motion by Mr. Childress to adjourn; second by Mr. Niepokoj. Meeting adjourned at 7:40 p.m.

John Beckman
Chairman

Lisa Liebert
Secretary