

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
May 18, 2022
Porter Town Hall**

- A. Meeting was called to order at 5:30 p.m.
- B. Pledge of Allegiance
- C. Roll Call
Present: Kremke, Eriksson, Huyser,
Absent: Mr. Burge, Mr. Albrecht-Mallinger
Also, Present: Ms. Sufana, Mr. Barry, Ms. Frost, and Mr. Mandon
- D. Quorum-There is enough present for a quorum.
- E. Consideration of Minutes from April 20, 2022
Mr. Eriksson made a motion to approve the minutes of April 20, 2022 as written, Mr. Huyser seconded.
Motion approved 3-0.
- F. Audience Participation-NONE
- G. Old Business and Matters Tabled-NONE
- H. Preliminary Hearing-None
- I. Public Hearing
 - 1. Justine Maresca/Daniel Sable, 700 Woodlawn Ave, requesting a Developmental Standards Variance for a privacy fence in front yard and setback. The privacy fence replaces fence in place now.
Public Hearing opened 5:33 pm- there was no one in favor or opposition. Public Hearing closed 5:33 p.m.
Mr. Mandon states since this location is a corner lot, the zoning ordinance considers both yards contiguous to Woodlawn and Ottawa as front yards. The petition indicates that the fence would not encroach closer to Woodlawn than the front wall of the residential structure. As a result, the proposed fence does not pose a visibility issue at the intersection. The fence is proposed to be located 5 feet from the property line paralleling Ottawa Trail. In order for the BZA to approve a developmental standards variance, ALL of the following must be satisfied. Mr. Mandon recommends this approval.

Mr. Huyser made a motion to approve the request for a developmental standard variance for fence in front yard, Mr. Eriksson seconded.
Motion passed 3-0 with roll call vote.

Findings of Facts- Mr. Eriksson made a motion to approve the finding of facts as read, Mr. Huyser seconded.
Motion passed 3-0 with roll call vote.

2. Mary Lemons, 520 Michigami Tril, requesting a Developmental Standards Variance for a privacy fence in front yard and a setback. She has an invisible fence and her dog gets out, trouble with neighbors.
Public Hearing opened 5:45 p.m.-there was no one in favor or opposition-Public Hearing closed 5:45 p.m.
Mr. Mandon states this request is like the previous request and recommends this approval meet all requirements.
Mr. Eriksson made a motion to approve developmental standards variance for a fence in the front yard setback, Mr. Huyser seconded.
Motion passed 3-0 with roll call vote.

Findings of Facts- Mr. Huyser made a motion to approve the findings as read, Mr. Eriksson seconded.
Motion passed 3-0 with roll call vote.

3. Candance VonTobel, 3027 State St, requesting a Developmental Standards Variance for a reduction of rear yard setback from 15' to 9', David Hiestand, attorney representing Von Tobels, they are wanting to add a sunroom for southern exposure and some extra light. Public Hearing opened at 5:51 p.m.-there was no one in favor or opposition-Public Hearing closed 5:51 p.m.
Mr. Mandon states the closest corner of the addition is proposed to be 9 feet from the rear property line. The rear yard is platted at 15 feet. There already exists a corner of the existing residential structure, which is 7' 10" from the rear property line. The placement and angled orientation of the existing structure limits the ability to add an addition without encroaching into the rear yard and he recommends the request be approved.
Mr. Huyser made a motion to grant variance with rear yard setback from 15 ft to 9ft, Mr. Eriksson seconded.
Motion passed 3-0 with roll call vote.

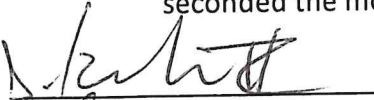
Findings of Facts- Mr. Huyser made a motion to accept the findings of facts as amended, Mr. Eriksson seconded. Motion passed 3-0 with roll call vote.

Other Business-NONE
Update from Attorney-nothing

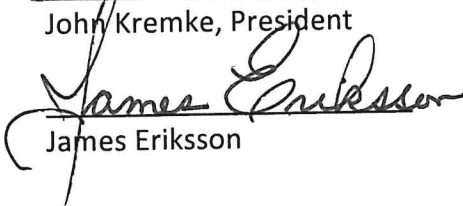
Board Comments-

J. Adjournment- 5:55 pm

Mr. Eriksson made a motion to adjourn the meeting, Mr. Huyser seconded the motion. Motion approved 3-0.

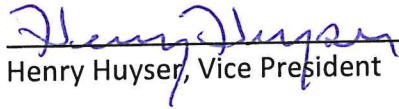


John Kremke, President



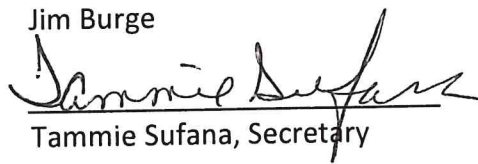
James Eriksson

Robert Albrecht-Mallinger



Henry Huyser, Vice President

Jim Burge



Tammie Sufana, Secretary