

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
October 19, 2016**

- A. Meeting was called to order at 6:30 p.m.
- B. Pledge of Allegiance
- C. Roll Call
 - Present: Kremke, Huyser, Sexton, Versaw-Waechter
 - Also Present: Ms Frost, Mr. Mandon, Ms. Sufana
 - Absent: Timm
- D. Quorum-There is enough present for a quorum.
- E. Consideration of Minutes from September 21, 2016
 - Mr. Sexton made a motion to accept the minutes from the September 21, 2016,
 - Mr. Huyser seconded.
 - Motion approved 4-0
- F. Audience Participation-NONE
- G. Old Business and Matters Tabled-NONE
- H. Preliminary Hearing-
 - 1. Joseph & Judith Navarro, 1201 N Mineral Springs Rd, requesting a developmental Standards variance for an additional accessory building.
 - Mr. Huyser made a motion to table until next meeting so someone will be present
 - Ms. Versaw seconded.
 - Motion passed 4-0
 - 2. Jessie & Mike Campaniello, 760 Marquette Rd, requesting a developmental standards variance to place a fence in the front yard setbacks. Currently they have a nonconforming lot and are 30 ft off the road. They would like to give their dogs more area to roam.
 - Mr. Kremke states the finding of facts need to have more detail to them.
 - Mr. Mandon asks if there are 2 principal structures on one lot. Ms. Campaniello states yes there is. Mr. Mandon requests more information to determine if it is a legal nonconforming lot. Ms. Campaniello will provide the information to Mr. Mandon.
 - Mr. Huyser asks what size of fence? Ms. Campaniello states 6ft privacy fence but if board will not approve a 4ft would be fine.
 - Mr. Sexton made a motion to set to public hearing on November 16, 2016,
 - Mr. Huyser seconded.
 - Motion 4-0
- I. Public Hearing-
 - Amy Silverthorn, 219 Arrowhead Trl, Porter, requesting a use variance to run a home daycare at her residence. Ms. Silverthorn opened the daycare in January 2015. It is a state licensed daycare. It is open from 6:30 am-5:30 pm.

Public hearing opened 6:39. Opposed-Linda Downy, 217 Arrowhead Trl, is opposed to the variance. They didn't ask any of the neighbors before opening the daycare. Kids have been outside between 8:10 and 8:20 am making noise and they are always throwing toys over the fence. There is too much noise they have to close windows and doors. No one has lived there for a year they saw people taking stuff out. One child climbed the fence with no shoes on to get a toy and no one was outside with him. She is worried about the liability.

In favor-Kelly Leon, 1914 Jacob Lane, Chesterton, states it was her son that climbed the fence and not part of daycare kids and she was also out there with him. Had she called state they would have had a home visit and there was no home visit.

Dave Silverthorn, 309 Indiana, is there an ordinance about kids making noise.

Public hearing closed at 6:48 pm.

Mr. Mandon comments the primary issue is noise not traffic there must be enough area for parking. There is a nuisance ordinance not a noise ordinance.

Ms. Versaw made a motion to approve the variance to run the daycare at her residence, Mr. Huyser seconded motion.

Motion passed 3-1 Mr. Sexton was against.

Mr. Sexton made a motion to approve the finding of facts as amended, Mr. Huyser seconded motion.

Motion passed 4-0

J. Other Business-

Update from Attorney

Board Comments-nothing

K. Adjournment- 7:02 pm

Mr. Sexton made a motion to adjourn the meeting. Mr. Huyser seconded the motion

Motion approved 4-0

Next Meeting will be held on November 16, 2016

Vice President Henry Huyser Date 11/16/16

Secretary Jamie Dufur Date 11/16/16