

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
September 16, 2015**

- A. Meeting was called to order at 6:30 p.m.
- B. Pledge of Allegiance
- C. Roll Call
 - Present: Kremke, Timm, Huyser, Stronks, Sexton
 - Also Present: Ms. Sufana, Ms Frost, Mr. Mandon, Mr. Barry
- D. Quorum-There is enough present for a quorum.
- E. Consideration of Minutes from August 19, 2015
 - Mr. Sexton made a motion to accept the minutes from the August 19, 2015
 - Mr. Timm seconded
 - Motion approved 5-0
- F. Audience Participation-NONE
- G. Old Business and Matters Tabled-Mr. Barry states that the waterpark is substantially complete on their drainage issue. Everything we have asked to be done and they have met all the requirements.

Mr. Barry talked to homeowner about is on Wagner road his permit expires in November and he has damaged wall panels he is fixing then the entrance will be closed.

- H. Preliminary Hearing-NONE
- I. Public Hearing
 - 1. Stephen Pease for Chuck Welter, 2911 Dudley Dr, Porter requesting a Developmental Standards variance, yard setbacks less than 15'0" on North and South sides. Supplied more accurate drawings to view. Extending the nonconforming 10 feet.
 - Public hearing opened at 6:40 pm- Patricia Jorgenson, 2921 Dudley, read a statement against the request and brought pictures to illustrate some of her points. Has a concern about septic system. At last meeting Mr. Pease states there
 - Is only 700 sq ft when the tax bill shows 1140 sq ft.

Brenda Mc Gillen, 2901 Dudley, is here to protest against the request. I feel that granting a variance goes against the Porter Beach Overlay committee. Question of the septic is paramount. The blueprints submitted this year are the same as last year. Feels the architect is being deceptive.

Tim Mc Gillen, 2901 Dudley, we share 100 ft of lot line boundary. Railroad tie retaining wall might be original from 1960's. 60% smaller than lots today. Porter Beach overlay Sec 261 par 2, no structure shall be placed or be removed or activities undertaken which may damage or interfere with established slope

terrain, etc. Also Porter Beach overlay Sec 262, par 2, no person shall engage in any land disturbing activity until a plan has been submitted and approved.

Mr. Kremke read a letter from Robert Groesbeck, 2921 Dudley, is writing to protest the variance. He has nothing against Mr. Welter personally, but am very concerned by his plans to over build our neighborhood, to an even greater degree than he already has.

Public hearing closed 6:59

Mr. Pease states they are decommissioning downstairs bathroom if they get approved.

700 sq ft is building foot print. The retaining wall will be the same as original wall. The deck is contained within is property and the road is on his property. Mr. Welter has taken care of property and is very attentive to the environment to what is there.

Mr. Mandon based on visit, what Mr. Welter is asking to do would add value to resident's property. The overlay was for new development not existing development. Recommends the board approves the request.

Mr. Barry states as long as it is correctly designed and built it should be ok. The water on his property is well contained. Issues with septic if it is a net zero should not be affected.

Mr. Timm asked what has changed since last year? Mr. Mandon replies nothing.

Both staff recommend approval. Mr. Mandon states BZA sets no precedent case by case.

Mr. Sexton made a motion to approve variance request, Mr. Timm seconded the motion.

Mr. Sexton amended the motion to add remove existing bathroom in basement, Mr. Timm seconded the motion.

Kremke-yes, Sexton-yes, Huyser-yes, Timm-yes, Stronks-no
Motion passed 4-1 with Mr. Stronks against.

Mr. Huyser made a motion to accept the finding of facts as written, seconded by Mr. Sexton.

Motion 5-0

2. Traci Wozniak, 369 Woody Dunes, Porter, Abigail Lynn, 1222 Darrow, Evanston, IL representing Traci today is requesting a use variance for existing apartment over garage as an independent rental unit.

Public hearing opened 7:34-

Cindy Tilden, 400 Six Box Lane, concerned the zoning would be changed to multi family. If the Wozniaks still own it they have no issues if it goes up for sale they are opposed.

Jennifer Klug, 200 Franklin St, states the apartment was built in 1989 she can find no BZA paperwork on it.

Public hearing closed 7:44

Mr. Mandon state he thinks the variance should be granted.

Mr. Timm made the motion to approve the variance requested, Mr. Sexton seconded the motion.

Motion passed 5-0

Ms. Frost states to item #4 we need to add which has been in existence for over 25 years. Also, to item #5 add as the use has already existed for over 25 years.

Mr. Sexton made a motion to accept the finding of facts as written with item #4 and #5 corrected to add existing for 25 years. Mr. Timm seconded the motion
Motion passed 5-0

J. Other Business- none

Update from Attorney-nothing


Board Comments-nothing

K. Adjournment- 7:54 pm

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

Motion approved 5-0

Next Meeting will be held on October 21, 2015



President

Date 12/16/2016

Jammie Defana
Secretary

Date 12-17-15