

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
March 18, 2020**

- A. Meeting was called to order at 6:30 p.m.
- B. Pledge of Allegiance
- C. Roll Call
 - Present: Kremke, Huyser, Eriksson, Burge
 - Absent: Madigan, Mandon
 - Also, Present: Ms. Sufana, Ms. Frost, Mr. Barry
- D. Quorum-There is enough present for a quorum.
- E. Consideration of Minutes from February 19, 2020
 - Mr. Eriksson made a motion to approve the minutes from the February 19, 2020 meeting, Mr. Huyser seconded.
 - Motion approved 3-0 Mr. Burge was not at meeting
- F. Audience Participation-NONE
- G. Old Business and Matters Tabled-NONE
- H. Preliminary Hearing-
 - 1. Brian Lewandowski, 1199 Old Porter Rd, requesting a Developmental Standards Variance, to construct an accessory structure on a property without a primary residence. Mr. Lewandowski would like to put up an accessory structure being he cannot get a permit for a septic for a primary structure. It would be approximately 30 X 10 sq ft. and he would use it for general storage.
Mr. Barry comments that he and Mr. Mandon have discussed this and it is considered a hardship because he cannot get a septic for it being lot is to small .65 acres.
Mr. Huyser made a motion to set for public hearing with updated findings of facts for next board meeting, Mr. Eriksson seconded.
Motion approved 3-1 Mr. Burge was against.

2. Jeff Schneider, 7659 E 100 N, Greenfield, IN requesting a Developmental Standards Variance for a new home to be built on 4 lots at Porter Beach instead of required 5 lots.

Mr. Barry read Mr. Mandon notes that when the town established the TIF District in this area, only four of his six lots were included. This designation prohibits the merging of all six lots into one zoning lot, as the Lakeshore Development Regulations require and amending the TIF boundary entails a lengthy involved process. The remaining two lots as a practical matter could not be used for another principal structure. As a result, through no action of his own, the petitioner is experiencing practical difficulties in the use of the property. He recommends approval of request.

Mr. Barry comments if the TIF line was not there variance would not be needed.

Mr. Barry states that the petitioner would like to suspend the rules and have a public hearing today. He has already sent the notices and advertised for it.

Mr. Burge asks what is the purpose for suspending the rules for a public hearing.

Mr. Schneider comments that they have been trying to get all necessary permits for 2 1/2 years and are just ready to build.

Mr. Eriksson made the motion to suspend the rules and have the public hearing now, Mr. Huyser seconded.

Motion passed 4-0.

Public Hearing opened 6:19 pm

Jennifer Klug, 200 Franklin St Apt A, is in favor. She thinks this is a good thing to do being someone in the Town goofed when setting TIF District.

There was no one in opposition.

Public Hearing closed at 6:20 pm

Mr. Burge asks about amending TIF area what it would take. Mr. Barry states it would take several meetings and public hearings. Mr. Schneider has done everything he needs to accept getting the building permit. He is just waiting on this approval.

Mr. Eriksson made a motion to approve the developmental standards variance to build on four lots and also the variance for lot coverage area of 38%, Mr. Huyser seconded.

Motion passed 4-0 with a roll call vote.

Mr. Huyser made a motion to approve the amended findings of facts, Mr. Burge seconded.

Motion passed 4-0.

I. Public Hearing-

1. Indiana Land Trust Company, BZA 20-02 Petition to modify or terminate written commitments dated July 17, 2012 and June 17, 2015. Richard Anderson,

representing Indiana Land Trust and the Original owners White Stallion requesting to have the written commitments that are a legal notice on the property removed. Mr. Barry reads Mr. Mandon notes the site has been demolished for the purpose of conversion to luxury apartments. These commitments no longer serve a purpose since the associated use no longer exists.

Public hearing opened at 6:28 pm-There was no one neither in favor or opposition of petition.

Public hearing closed at 6:29 pm

Mr. Huyser made a motion to terminate the written commitments from the property, Mr. Eriksson seconded.

Motion passed 4-0 with a roll call vote.

2. Maria Stamp and Frederick Deters, 2929 Dudley requesting a Developmental Standards Variance, building setback variance of 10.8 ft on the south property line, and a variance for remodel cost greater than 20% of value per year. They are just enclosing what is already there.

Mr. Barry and Mr. Mandon are both in favor of petitioner.

Public hearing opened at 6:34 pm. Miller family, 2949 Dudley, very much in favor of request.

No spoke in opposition.

Public hearing closed at 6:34 pm

Mr. Eriksson made a motion to approve the building setback variance of 10.8 ft on the south property line, and also the variance for remodel cost greater than 20% of value per year, Mr. Burge seconded.

Motion passed 4-0.

Mr. Huyser made a motion to approve the findings of facts as written, Mr. Burge seconded.

Motion passed 4-0.

J. Other Business-

Update from Attorney-nothing

Board Comments-nothing


K. Adjournment- 7:24 pm

Mr. Eriksson made a motion to adjourn the meeting, Mr. Burge seconded the motion

Motion approved 4-0

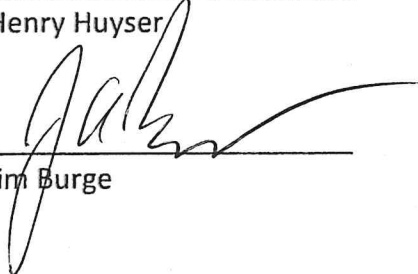


John Kremke, President




James Eriksson, Vice President

Henry Huyser



Jim Burge

Laura Madigan



Tammie Sufana, Secretary