

**Town of Porter
Board of Zoning Appeals
Meeting Minutes
July 15, 2009**

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

B. Pledge of Allegiance

C. Roll Call / Determination of Quorum

Present: Mr. Kremke, Mr. Stinson, Mr. Bell, Ms. Nelson, and Mr. Huyser

Absent: None

Also present were Mrs. Mitchell, Mr. Mandon, Mr. Keiser and Mr. Lyp

D. Consideration of Minutes of Previous Meeting

Motion to accept the June 17, 2009 minutes as written was made by Mr. Kremke; second by Mr. Stinson. Motion passed 5 – 0.

E. Audience Participation

None

F. New Business

None

G. Old Business and Matters Tabled

None

H. Preliminary Hearing

Application for variance “requesting building permit for 25’ x 10’ room addition on non-conforming lot” made by Paul and Kira Geiss for the property located at 2935 Market Street in Porter (BZA 10-09).

Mr. Geiss addressed the Board and informed them that the addition would not encroach on the setback. The house occupies 30% of the lot size.

Mr. Bell asked what the existing building on the lot was. Mr. Geiss said that the building is used for storage. The septic system is on the west side of the property (in front of the house. The septic system is basically under the stone parking area (see drawing). Mr. Bell wanted to know what the exact ratio of lot to house structure was. Mr. Keiser and Mr. Mandon said that they can take a closer look at it and figure out a more exact number (than given by the applicant).

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Mr. Huyser asked about the roof line. The applicant stated that the roof line will not be any higher.

Mr. Keiser asked about the addition. The applicant stated that the addition will house a bedroom and a recreation room. Mr. Keiser recommended to the applicant that he needed to contact the Health Department because of the septic system. The house currently has three bathrooms.

Ms. Nelson asked how far the addition will be from the existing building. Mr. Geiss thinks that there will be 10 feet between the buildings.

Motion to set the application to public hearing in August was made by Bell; second Mr. Stinson. Motion passed 5 – 0.

Mr. Kremke – yes
Mr. Bell – yes
Mr. Stinson – yes
Mr. Huyser – yes
Ms. Nelson – yes

Mr. Geiss questioned Mr. Keiser what exactly he needed from the Health Department. Mr. Keiser wants to see what the Porter County Health Department recommends regarding the septic. Mr. Lyp requested that Mr. Geiss contact Mr. Keiser with any questions. He would like the applicant to show the plans to the Health Department and see what their suggestions are.

I. Public Hearing

Application for variance to “change direction of front door” made by Jean L. Hanna for the property located at 201 23rd Street in Porter (BZA 08-09).

Application for variance “reducing frontage from 90 feet to 69½ feet.” Made by Jean L. Hanna for the property located at 201 23rd Street in Porter (BZA 08-10).

Public Hearing opened at 7:20 p.m.

Michelle Coslet – 751 Wood Street. Is concerned that this would depreciate her property.

Public Hearing closed at 7:21 p.m.

Ms. Nelson asked about the depth of the property. It is going to be 313 feet.

Mr. Huyser asked why the lot is going to be split into two lots. The applicant stated that down the road they are hoping to sell off the extra lot.

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Mr. Bell asked if the existing buildings will be torn down. The applicant stated that most likely all the building will be torn down. The buildings are in rough shape.

Mr. Mandon wanted to remind the Board of the three conditions to be met in order to grant the variance.

Mr. Lyp suggested that the applicant would still need to go to the Plan Commission to get subdivision approval even if the variance is granted tonight.

Motion to deny the petition to “change the direction of front door” based upon the inability to show practical difficulty was made by Mr. Bell; second Ms. Nelson. Motion passed 5 – 1.

Mr. Kremke – yes
Mr. Bell – yes
Mr. Stinson – no
Ms Nelson – yes
Mr. Huyser – yes

Motion to deny the petition “reducing the frontage from 90 feet to 69 ½ feet” based on inability to show practical difficulty was made by Mr. Bell; second by Mr. Stinson. Motion passed 5 – 0.

Mr. Kremke – yes
Mr. Bell – yes
Mr. Stinson – yes
Ms. Nelson – yes
Mr. Huyser – yes

J. Finding of Fact

None

K. Update from the Board of Zoning Appeals Attorney

None

L. Update from the Board of Zoning Appeals Secretary

None

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M. Adjournment

Motion to adjourn was made by Mr. Stinson; second by Mr. Bell. The Board stood in adjournment at approximately 7:35 p.m.

Henry Huyser
Chairman

Kara Mitchell
Secretary