



166 Lincolnway
Valparaiso, IN 46383
(219) 462-1161
Valpo.us

**Kyle Yelton,
President**

Citizen Member
appointed by Mayor
also on Plan Commission
Term 1/1/2022 to 12/31/2025

James Bilder

Citizen Member
appointed by Mayor
and not on Plan Commission
Term 1/1/2023 to 12/31/2026

**Paul Reed,
Vice President**

Citizen Member
appointed by Mayor
and not on Plan Commission
Term 1/1/2025 to 12/31/2028

Hannah Trueblood

Citizen Member
appointed by City Council
and not on Plan Commission
Term 1/1/2024 to 12/31/2027

Sarah Litke

Citizen Member
appointed by Plan Commission
from its membership
Term 1/1/2025 to 12/31/2025

**As a quasi-judicial board,
board members may not be
contacted about any petition
on this agenda or that which
may appear on a future
agenda. Direct any
comments/questions to the
Planning Department.**

STAFF

**Bob Thompson,
Executive Director**

**Mark Worthley,
Attorney**

Valparaiso Board of Zoning Appeals Meeting Agenda

Tuesday, October 21, 2025, 5:30 p.m. CST
City Hall, 166 Lincolnway, Valparaiso, IN 46383
Council Chambers

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Declaration of a Quorum
4. Consideration of Minutes of the previous meeting – September 16, 2025
5. Old Business and Matters Tabled

VAR25-006 (Public Hearing closed 07/15/25)

Petitions filed by Valparaiso Partners, LLC c/o William A. Ferngren, Esq. The petitioner requests a Development Standards variance from Table 9.205 for parking relief for proposed additional square footage/land uses requested on the property (255-259 Indiana Avenue). The zoning classification is CP Central Place.

6. New Business

VAR25-021 (Public Hearing)

A petition filed by Meijer Stores Limited Partnership c/o Atwell, LLC. The petitioner requests the following variances from the Valparaiso Unified Development Ordinance (UDO) pertaining to the construction of a Meijer grocery store and gas station: Section 9.301(A) to reduce standard parking space length; Section 9.403(B) to reduce minimum access spacing for arterial road; Section 9.403(C) to reduce minimum access spacing for opposite side of street; Section 2.406(A) to allow loading and truck access location on the side of the principal building; Section 10.402 to reduce required district bufferyard width along western property line as well as reduce required planting coverage; Section 5.303(D) to reduce required setback for monument sign; Section 11.502(A) to reduce required projection/recess of building footprint; Section 11.503(A) to reduce frequency of architectural features; Section 11.508 to reduce roofline variation; and Section 2.552(B2) to allow corporate colors on gas station canopy. The address is 2801 Calumet Avenue. The zoning classification is CG Commercial General.

UV25-003 (Public Hearing)

A petition filed by Rae L. Benson. The petitioner requests the following variance from the Valparaiso Unified Development Ordinance (UDO): Table 2.201A and Section 2.512(P) to allow a one-chair hair salon as a home occupation. The address is 1154 Marion Street. The zoning classification is NC60 Neighborhood Conservation.

UV25-004 (Public Hearing)

A petition filed by 807 Mound LLC c/o Jon A. Schmaltz, Burke Costanza & Carberry. The petitioner requests the following variances from the Valparaiso Unified Development Ordinance (UDO): Table 2.201A to allow conversion of existing structure into a multifamily residential use that is not associated with the Valparaiso University campus master plan. The address is 807 Mound Street. The zoning classification is CA Campus.

(continued on following page)

VAR25-022 (Public Hearing)

A petition filed by Lee Lane and Carl Lane. The petitioners request the following variances from the Valparaiso Unified Development Ordinance (UDO): Table 3.501 to reduce minimum street yard setback along Erie Street from 20ft to 15.5ft, to reduce minimum street yard setback along Chestnut Street from 20ft to 7ft, to increase the maximum building coverage from 45% to 50%, and to increase the maximum lot coverage from 50% to 59%; Section 2.301 to allow the front steps of the home to extend 5ft into the proposed setback; and Section 9.301 to allow driveway depth to be less than 20ft in length from the garage to the property line and less than 30ft between the garage and the edge of pavement (no sidewalk south side of Chestnut). The address is 254 Erie Street. The zoning classification is NC60 Neighborhood Conservation.

7. Other Business
8. Staff Items
9. Adjournment

Next scheduled meeting: Tuesday, November 18, 2025, 5:30 p.m.

The agenda packet will be posted on the city's website (Valpo.us) approximately one week prior to the meeting. Interested persons desiring to participate in the public hearing process for a petition on the agenda may attend in person or submit written comments (with name, address, and email address/telephone number) to the Planning Department prior to the hearing date (planningdepartment@valpo.us or City Hall address provided above). For questions about a petition or about the meeting in general, contact the Planning Department at planningdepartment@valpo.us, (219) 462-1161, or visit City Hall. The meeting will be livestreamed on the city's website. A recording of the meeting will be posted on the city's website, and meeting minutes will be posted on the city's website once approved.

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply)

- ☐ Use Variance
- ☒ Development Standards Variance
- ☐ Special Exception/Special Use
- ☐ Relief to Administrative Decision
- ☐ Conditional Use
- ☐ Wireless Communications Facility

FILED

K# 65795

APR 16 2025

Hollister

Clerk-Treasurer

For Office Use Only:

Petition #: **VAR25-006**

Application Type: **DEV. STAND.**

Application Filing Fee: **\$150**

Date Filed: **04 / 16 / 2025 orig.**

Meeting: **05 / 20 / 2025**

07 / 15 / 2025

late rev.

SUBJECT PROPERTY INFORMATION

TYPE OR PRINT IN INK

Property Address:

259 Indiana Avenue 255-259
Valparaiso, Indiana 46383

(encompassing 255, 255 1/2, 257, 259)

Subject property fronts on the south

side between (streets) Campbell

& Napoleon

Zoning District: CP

PETITIONER INFORMATION

Applicant Name:

Valparaiso Partners, LLC c/o William A. Femgren, Esq.

Phone:

219-771-0155

Email:

bill@femgrenlaw.com

Address:

570 Vale Park Road, Suite B
Valparaiso, Indiana 46385

PROPERTY OWNER INFORMATION

Applicant Name:

same as petitioner

Phone:

same as petitioner

Email:

same as petitioner

Address:

same as petitioner

9.205 (Mixed Use and Shared Parking.)

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:

Article: <u>9</u> Section: <u>1</u> Paragraph: <u>1</u> Item: <u></u>	Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>
Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>	Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>
Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>	Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>
Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>	Article: <u></u> Section: <u></u> Paragraph: <u></u> Item: <u></u>

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

Lot 3 and 2 1/4 feet on the East side of Lot 3 of a vacated alley in Block 37 as marked and laid down on the plat of the Original Survey of the Town (now City) of Valparaiso, recorded in Miscellaneous Record A, page 353, in the Office of the Recorder of Porter County, Indiana.

ALSO, Lot 4 in Block 37; all that part of Lot 5 in Block 37 lying North of the right-of-way of the Pittsburgh, Fort Wayne and Chicago Railroad as marked and laid down on the plat of the Original Survey of the Town (now City) of Valparaiso recorded in Miscellaneous Record A, page 353, in the Office of the Recorder of Porter County, Indiana.

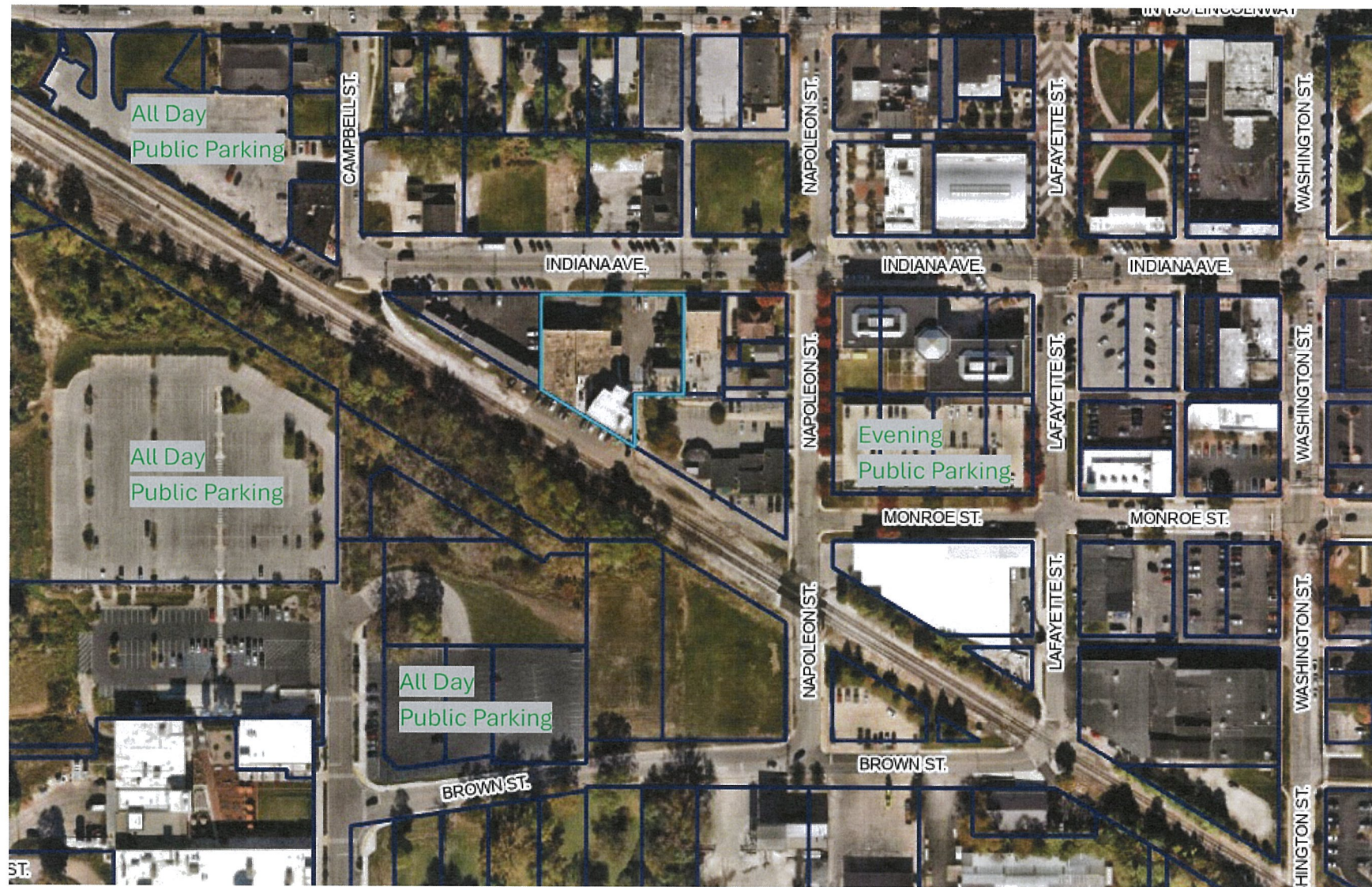
ALSO, a parcel 66 feet in width off the East of that part of Out Lot 16 of the Original Survey of Out Lots to Valparaiso lying North of the right-of-way of the Pittsburgh, Fort Wayne and Chicago Railroad as marked and laid down on the plat of the Original Survey of the Town (now City) of Valparaiso, recorded in Miscellaneous Record A, page 203, in the Office of the Recorder of Porter County, Indiana.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

Multi-building, multi-occupant commercial center with various retail, office, restaurant, residential and other similar types of uses. Recently, Valeros restaurant was opened on-site and the petitioner has proposed roof top addition to the property allowing additional use of space for community events and gathering as a place of public assembly. The petitioner seeks a parking variance. The property includes 30 parking spaces on site. A previous variance was granted for 18 parking spaces. Based on the proposed / existing uses, the petitioner seeks a variance for an additional 66 spaces to accommodate the restaurant and proposed place of public assembly roof top additions.

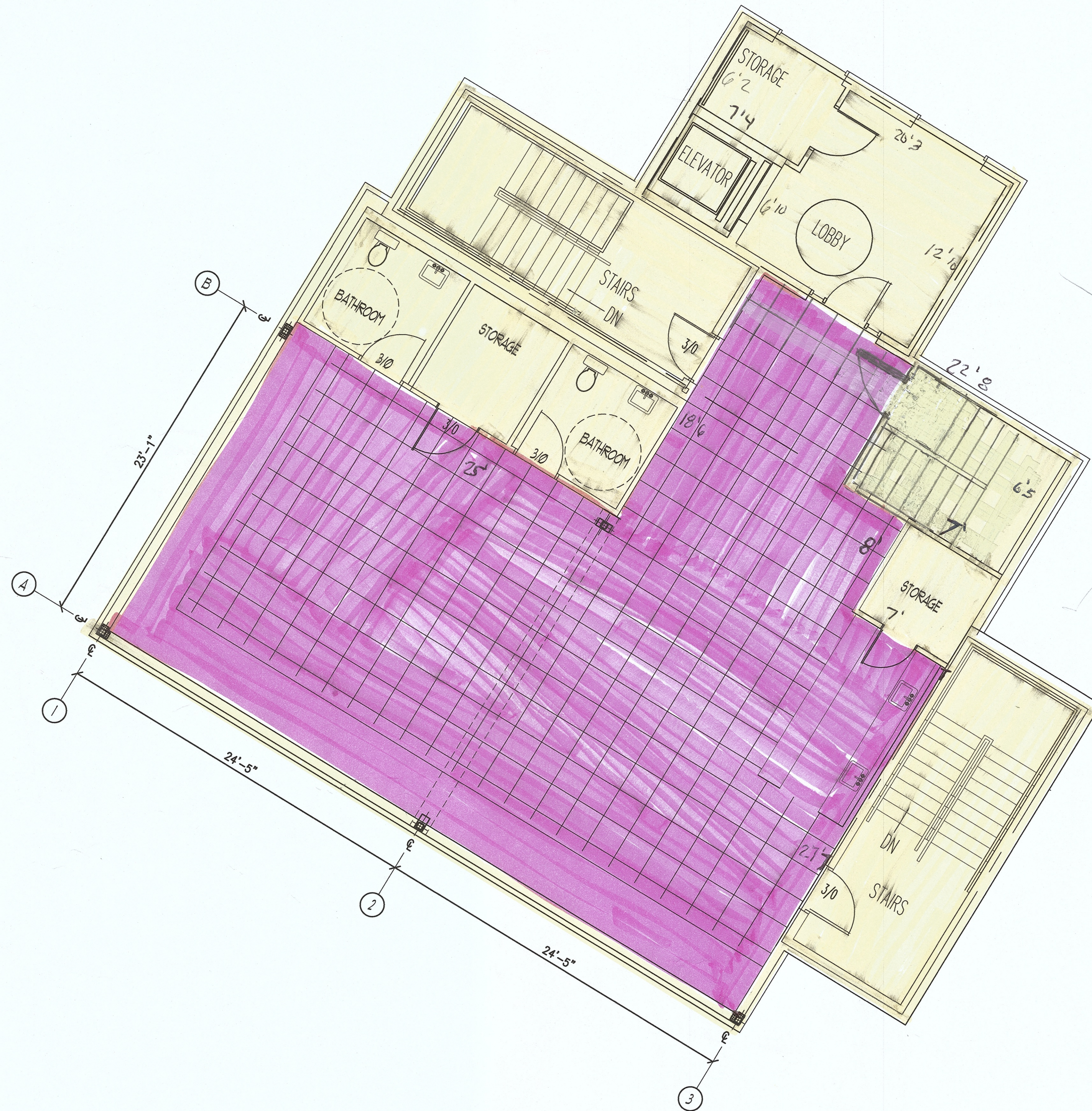
June 13, 2025

SITE PLAN IN CONTEXT



SITE PLAN





MAXIMUM ALLOWABLE LOADS		
COLUMN LINE	VERTICAL (K)	HORIZONTAL (K)
1	7	2
2	14	4
3	7	2

FLOOR PLAN REFERENCE: STEPHEN PEASE ARCHITECT
702 EAST LINCOLNWAY, VALPARAISO, INDIANA
SHEET 4, DATED JANUARY 5, 2021.

DRAFT
05/01/2024



DLZ
DLZ INDUSTRIAL, LLC

316 TECH DRIVE, BURNS HARBOR, INDIANA 46304
TELEPHONE (219) 764-4700 FAX (219) 764-4156



K2 CONSTRUCTION

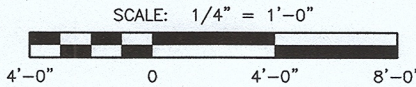
VALPARAISO

INDIANA

ROOF TOP FLOOR PLAN
STOOL POST LOCATIONS

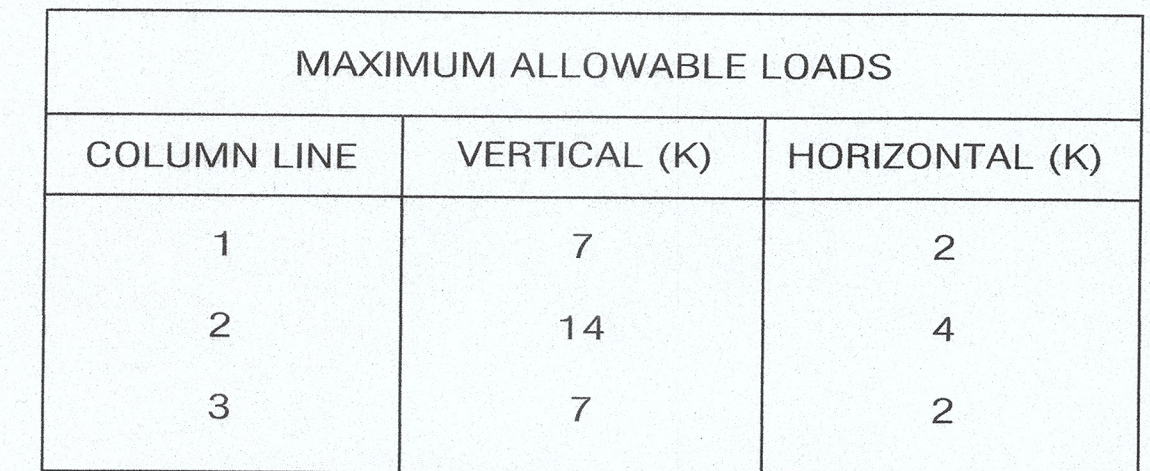
K2 CONSTRUCTION
VALPARAISO PARTNERS BUILDING

DRAWN: MAM	CHK'D: CEA	NO.	REVISION	BY	DATE
DESIGNED: CEA	APPRV'D: CEA	△			
DATE: 04/15/24		△			
SCALE: AS SHOWN		△			
PROJECT NUMBER		△			
2450-8086-90		△			



SHEET 1
OF 3
DRAWING NUMBER

X:\PROJECTS\2024\2450-808690 K2 CONSTRUCTION VALPO DRAWINGS\K2 CONSTRUCTION ROOF DETAILS.DWG



SHEET	1
OF	3
DRAWING NUMBER	



42

112

CAMPBELL ST.

49

INDIANA AVE.

26

31

NAPOLEON ST.

NAPOLEON ST.

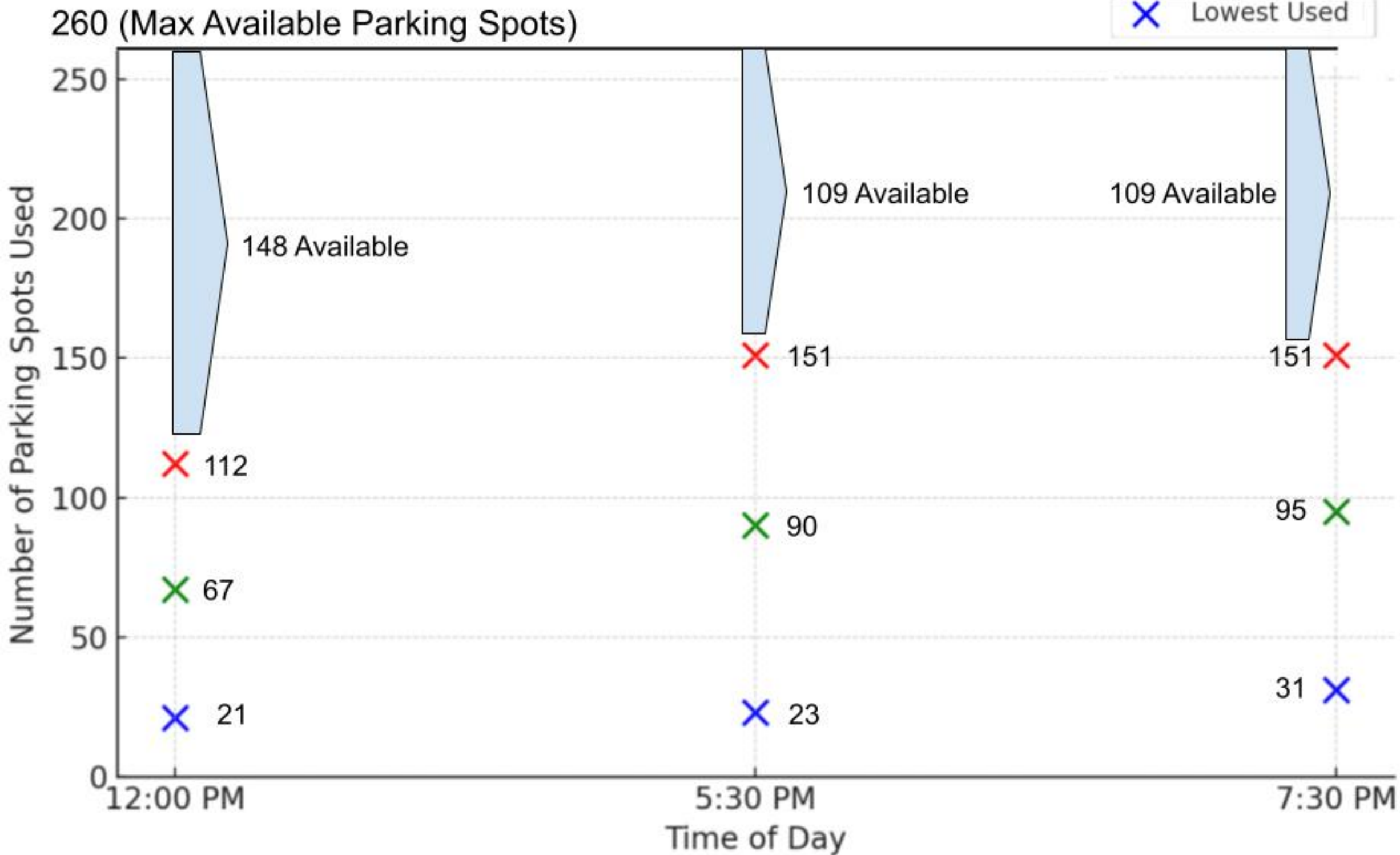
LEON ST.

N 13

Date	Time	Napoleon St.	Indiana Ave.	Franklin House Lot	Lincolnway	257/259 Indiana Ave	Total Cars Parked	253 Parking Lot
Max # of spots:		31	49	112	42	26	260	13
Friday								
7/25/2025	12:00PM	14	17	19	26	9	85	5
7/25/2025	5:30PM	9	15	15	21	12	72	6
7/25/2025	7:30 PM	26	45	20	38	11	140	7
Saturday								
7/26/2025	12:00PM	25	16	25	32	7	105	4
7/26/2025	5:30PM	26	48	20	47	10	151	4
7/26/2025	7:30 PM	26	43	33	38	11	151	2
Sunday								
7/27/2025	12:00PM	6	17	14	12	8	57	4
7/27/2025	5:30PM	26	36	29	36	8	135	3
7/27/2025	7:30 PM	26	42	26	30	5	129	5
Monday								
7/28/2025	12:00PM	1	6	4	10	11	32	8
7/28/2025	5:30PM	4	8	5	15	6	38	5
7/28/2025	7:30 PM	2	5	7	14	3	31	4
Tuesday								
7/29/2025	12:00PM	8	6	10	4	8	36	7
7/29/2025	5:30PM	19	8	24	13	9	73	4
7/29/2025	7:30 PM	23	4	36	8	7	78	6
Wednesday								
7/30/2025	12:00PM	18	21	8	19	10	76	4
7/30/2025	5:30PM	11	14	21	19	9	74	6
7/30/2025	7:30 PM	26	18	35	19	11	109	5
Thursday								
7/31/2025	12:00PM	10	16	15	19	10	70	8
7/31/2025	5:30PM	26	36	31	23	11	127	7
7/31/2025	7:30 PM	26	41	30	36	11	144	3
Friday								
8/1/2025	12:00PM	13	15	24	23	11	86	3
8/1/2025	5:30PM	26	23	26	26	12	113	6
8/1/2025	7:30 PM	26	49	29	34	12	150	4
Saturday								
8/2/2025	12:00PM	23	18	22	19	2	84	3
8/2/2025	5:30PM	26	33	27	34	12	132	8
8/2/2025	7:30 PM	26	48	24	33	12	143	4
Sunday								
8/3/2025	12:00PM	26	14	15	14	8	77	4
8/3/2025	5:30PM	26	18	24	16	6	90	4
8/3/2025	7:30 PM	5	7	32	10	4	58	5
Monday								
8/4/2025	12:00PM	18	11	16	23	9	77	5
8/4/2025	5:30PM	21	3	26	11	5	66	7
8/4/2025	7:30 PM	22	5	35	9	2	73	3
Tuesday								
8/5/2025	12:00PM	18	18	6	20	3	65	9
8/5/2025	5:30PM	24	10	18	15	5	72	5
8/5/2025	7:30 PM	20	10	16	19	8	73	3
Wednesday								
8/6/2025	12:00PM	18	15	4	14	12	63	7
8/6/2025	5:30PM	21	6	10	24	7	68	4
8/6/2025	7:30 PM	15	8	15	8	11	57	5
Thursday								
8/7/2025	12:00PM	11	16	4	16	9	56	5
8/7/2025	5:30PM	20	23	9	19	10	81	6
8/7/2025	7:30 PM	16	26	28	27	10	107	8
Friday								
8/8/2025	12:00PM	11	14	6	20	8	59	4
8/8/2025	5:30PM	21	15	12	25	12	85	4
8/8/2025	7:30 PM	21	31	20	27	11	110	5
Saturday								
8/9/2025	12:00PM	12	7	8	13	9	49	5
8/9/2025	5:30PM	13	10	18	19	10	70	2
8/9/2025	7:30 PM	12	15	21	16	12	76	6
Sunday								
8/10/2025	12:00PM	9	5	7	15	7	43	4
8/10/2025	5:30PM	11	4	9	7	7	38	5
8/10/2025	7:30 PM	4	6	28	9	3	50	6
Monday								
8/11/2025	12:00PM	2	14	24	16	9	65	7
8/11/2025	5:30PM	6	18	32	14	4	74	5
8/11/2025	7:30 PM	8	6	27	13	3	57	4
Tuesday								
8/12/2025	12:00PM	14	24	8	17	8	71	6
8/12/2025	5:30PM	14	15	25	12	11	77	4
8/12/2025	7:30 PM	21	17	45	22	9	114	2
Wednesday								
8/13/2025	12:00PM	2	23	25	23	10	83	8

Date	Time	Napoleon St.	Indiana Ave.	Franklin House Lot	Lincolnway	257/259 Indiana Ave	Total Cars Parked	253 Parking Lot
8/13/2025	5:30PM	25	12	27	23	10	97	6
8/13/2025	7:30 PM	25	13	29	23	12	102	4
Thursday								
8/14/2025	12:00PM	6	15	15	24	9	69	8
8/14/2025	5:30PM	26	30	29	20	11	116	6
8/14/2025	7:30 PM	31	43	30	34	12	150	10
Friday								
8/15/2025	12:00PM	13	15	6	18		52	
8/15/2025	5:30PM	22	46	8	46	14	136	10
8/15/2025	7:30 PM	26	34	27	30	10	127	8
Saturday								
8/16/2025	12:00PM	23	24	7	12	1	67	5
8/16/2025	5:30PM	24	18	8	14	3	67	10
8/16/2025	7:30 PM	24	32	20	17	5	98	26
Sunday								
8/17/2025	12:00PM	25	11	4	19	3	62	2
8/17/2025	5:30PM	22	20	15	13	4	74	8
8/17/2025	7:30 PM	3	1	28	7	3	42	10
Monday								
8/18/2025	12:00 PM	10	8	4	10	5	37	7
8/18/2025	5:30 PM	22	19	6	12	4	63	5
8/18/2025	7:30 PM	1	3	25	6	7	42	4
Tuesday								
8/19/2025	12:00 PM	4	11	14	9	10	48	7
8/19/2025	5:30 PM	13	8	45	21	11	98	8
8/19/2025	7:30 PM	24	16	38	23	9	110	6
Wednesday								
8/20/2025	12:30 PM	4	18	3	16	14	55	7
8/20/2025	5:30 PM	25	16	24	21	8	94	5
8/20/2025	7:30 PM	25	12	28	19	11	95	6
Thursday								
8/21/25	12:00 PM	10	12	4	12	10	48	7
8/21/25	5:30 PM	26	32	24	28	11	121	6
8/21/25	7:30 PM	26	38	29	31	12	136	4
Friday								
8/22/2025	12:00 PM	8	22	32	22	10	94	8
8/22/2025	5:30 PM	26	48	31	30	11	146	6
8/22/2025	7:30 PM	26	42	39	32	12	151	8
Saturday								
8/23/2025	12:00 PM	21	21	38	24	8	112	4
8/23/2025	5:30 PM	23	30	12	30	13	108	5
8/23/2025	7:30 PM	22	28	19	20	10	99	2
Sunday								
8/24/2025	12:00 PM	26	44	17	26	8	121	3
8/24/2025	5:30 PM	5	12	33	12	12	74	2
8/24/2025	7:30 PM	2	7	28	7	3	47	6
Monday								
8/25/2025	12:00 PM	1	12	22	12	10	57	8
8/25/2025	5:30 PM	3	10	20	17	4	54	4
8/25/2025	7:30 PM	1	8	30	14	1	54	5
Tuesday								
8/26/2025	12:00 PM	5	16	16	6	9	52	4
8/26/2025	5:30 PM	15	12	39	22	10	98	6
8/26/2025	7:30 PM	22	21	41	20	6	110	5
Wednesday								
8/27/2025	12:00 PM	7	16	14	15	11	63	7
8/27/2025	5:30 PM	25	16	27	20	8	96	5
8/27/2025	7:30 PM	25	10	25	18	8	86	3
Thursday								
8/28/2025	12:00 PM	14	21	22	17	9	83	7
8/28/2025	5:30 PM	20	34	10	28	12	104	5
8/28/2025	7:30 PM	21	29	15	26	10	101	2
Friday								
8/29/2025	12:00 PM	12	14	37	12		75	4
8/29/2025	5:30 PM	25	38	31	28		122	5
8/29/2025	7:30 PM	25	27	35	32		119	4
Saturday								
8/30/2025	12:00 PM	21	22	34	17	9	103	2
8/30/2025	5:30 PM	25	29	30	25	12	121	3
8/30/2025	7:30 PM	25	18	41	28	11	123	2
Sunday								
8/31/2025	12:00 PM	14	10	9	11	11	55	5
8/31/2025	5:30 PM	10	8	7	10	12	47	4
8/31/2025	7:30 PM	9	7	5	10	10	41	3
Monday								
9/1/2025	12:00 PM	6	5	1	8	1	21	2
9/1/2025	5:30 PM	0	5	9	7	2	23	2
9/1/2025	7:30 PM	1	7	15	7	1	31	2

Parking Availability Within 2 Blocks of 255.5 Indiana Ave.
(North of the Railroad Tracks) 7/25/2025 - 9/1/2025



			SHOPPING CENTER STANDARDS				
(Current Conditions + 1/2 Third Floor used by Restaurant as well as both lower and upper level rooftop)							
Formula	Total SF	Parking Total					
5 spaces / 1,000 SF	17,148	86					
		26	Spaces Onsite per previous Planning Director				
		18	Variance Relief BZA 2021				
		26	On Street / Public Credit				
		16	Deficit Spaces				
			RESTAURANT STANDARDS				
(Current Conditions + 1/2 Third Floor used by Restaurant as well as both lower and upper level rooftop)							
Use	Units/Sq. Ft.	Required Spaces	Weekday			Weekend	
			Night (12AM to 6AM)	Day (6AM to 6PM)	Evening (6PM to 12AM)	Day (6AM to 6PM)	Evening (6PM to 12AM)
Residential	960.00	1.00	1.00	0.60	0.90	0.80	0.90
All Office	8334	25.79	1.29	25.79	2.58	2.58	1.29
All Resturant	5129	68.39	3.19	47.87	61.55	68.39	47.87
All Rooftop	2725	36.33	1.82	25.43	32.7	36.33	25.43
Total	17148.00	131.51	7.30	99.69	97.73	108.10	75.49
						26	Spaces Onsite
						18	Variance Relief BZA 2021
						26	On Street / Public Credit
						38	Deficit Spaces

**Memorandum
Fengren Law Offices, LLC
570 Vale Park Road, Suite B
Valparaiso, Indiana 463835**

Phone: 219-771-0155

E-Mail: bill@fengrenlaw.com

To: Ms. Jessica Gage, Senior Planner
City of Valparaiso

From: William A. Fengren, Esq.
Petitioner - Valparaiso Partners, LLC

Date: October 14, 2025

Re: 255-1/2 - 259 Indiana Avenue
BZA Case VAR25-006

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As always, thank you for your continued review and consideration of the petition. Following the meeting on September 15, 2025, the petitioner continued its analysis of the proposed use and how it fits within the downtown, including impact on parking. In addition, on October 1, 2025 the petitioner met with City staff to discuss its own findings and the information the staff had gathered with respect to the petition.

When considering all the facts and circumstances, staff and the petitioner agreed that the appropriate classification of the property is that of a shopping center. We all recognized the change from the original petition; however, given the overall nature of the property and the uses of the property, shopping center was deemed to be a proper classification.

The next step was determining the shopping center parking requirements for the property. We reviewed and discussed the square footage of the buildings, the land, parking requirements, parking availability, both on and offsite, and the existing parking parameters. In short, it was determined that after evaluation of all those items, the shopping center would be short 16 spaces. From that point, we looked to our real time analysis of parking availability and the actual impact the 16 more spaces. From this analysis, you will see that while we are short spaces, at the times of noon, 5:30 p.m. and 7:30 p.m. there were regularly in excess of 100 spaces available within 2 blocks of the property.

Based on this information and dialogue with staff, we believe the proposed project will blend into the downtown community nicely and be a great addition to our downtown. We appreciate your consideration.

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- ☐ Use Variance
☒ Development Standards Variance
☐ Special Exception/Special Use
☐ Relief to Administrative Decision
☐ Conditional Use
☐ Wireless Communications Facility

Agent:
Atwell, LLC
Keri Williams, P.E.
1250 E. Diehl Road, Suite
300 Naperville IL 60563
kwilliams@atwell.com
781-929-1651

For Office Use Only:

Petition #: VAR25-021
Application Type: DEV. STANDARDS VAR
Application Filing Fee: \$150
Date Filed: 9 / 25 / 2025
Meeting: 10 / 21 / 2025

SUBJECT PROPERTY INFORMATION**TYPE OR PRINT IN INK**

Property Address:

2801 Calumet Avenue
Valparaiso, IN 46383

Subject property fronts on the N/S/Eside between (streets) Calumet Avenue& Vale Park Road & Cumberland Crossing DriveZoning District: CG**PETITIONER INFORMATION**

Applicant Name:

Meijer Stores Limited Partnership

Phone:

317-223-7438

Email:

ross.beyer@meijer.com

Address:

2350 3 Mile Road NW
Grand Rapids, MI 49544

PROPERTY OWNER INFORMATION

Applicant Name:

Luke Land II, LLC / Dan Tursman

Phone:

219-654-4821

Email:

dtursman@lukebrands.com

Address:

3592 North Hobart Road
Hobart, Indiana 46342

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:Article: 5 Section: 300 Paragraph: 3 Item: DArticle: 9 Section: 300 Paragraph: 1 Item: AArticle: 9 Section: 400 Paragraph: 3 Item: BArticle: 9 Section: 400 Paragraph: 3 Item: CArticle: 10 Section: 400 Paragraph: 2 Item: BArticle: 2 Section: 400 Paragraph: 6 Item: A

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

LEGAL DESCRIPTION PER FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 102500019, COMMITMENT DATE: JANUARY 3, 2025

PARCEL 1

PARCEL ID 64-09-12-477-001.000-004
64-09-12-477-004.000-004

LOT 1 AND LOT A IN NORTH CALUMET 2015 SUBDIVISION, AS PER PLAT THEREOF RECORDED OCTOBER 25, 2017 IN PLAT FILE 57-C-1, AS INSTRUMENT NO. 2017-026223 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA; AS AFFECTED BY SURVEY AFFIDAVIT, RECORDED OCTOBER 25, 2017 AS INSTRUMENT NO. 2017-026224.

PARCEL 2

PARCEL ID 64-09-12-478-001.000-004
64-09-12-478-002.000-004
64-10-07-356-001.000-004

LOT 1, LOT A AND LOT B IN CUMBERLAND CROSSING SOUTH SUBDIVISION, AS PER PLAT THEREOF RECORDED APRIL 16, 2020 IN PLAT FILE 58-F-4A, AS INSTRUMENT NO. 2020-008852 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

The project will consist of a 75,000 sf grocery store with a pharmacy pick-up, curbside service, gas station, directional signs, monument signs, and associated parking areas.

Exhibit A - Valparaiso, IN Meijer - Variance Log

Category	#	UDO Code Section	Description	Requirement	Proposed	Notes
Signs	1	5.303-D	Min setback requirement to a paved street, driveway, sidewalk, easement line, property line, or ROW line.	5' setback off of PL and all pavement	apx. 2'	Monument sign along Calumet Avenue
Parking & Access	2	9.301-A	Standard Parking Space Length	20' long	19' long	In parking lot areas
	3	9.403-B	Minimum access spacing for arterial road	200' spacing (speed limit ≤30 mph)	61.3' spacing	Existing southwest curb cut along Vale Park Road (see Drive Aisle Exhibit)
	4	9.403-C	Minimum access spacing for opposite sides of street	75' spacing or aligned	43.5' spacing	Existing Southeast drives along Vale Park Road (see Drive Aisle Exhibit)
Landscaping	5	10.402	Existing adjacent development without buffer yard - next most opaque classification required	40' width	25' width	Along western property line
	6	10.402	Large trees (5) per 200 LF	26 large trees	0 large trees	Along western property line
Loading & Truck Access	7	2.406-A	Loading and truck access to be located behind principal buildings and screened from public rights-of-way	Located behind principal building and screened	Located on side of principal building and screened	On south side of building facing Vale Park Road (see screening rendering)
Architectural Features	8	2.552-B2	The colors of the corporate logo (except white or black) shall not be painted on the canopy or trim outside of the area allowed for signage.	Black or white canopy	White with a blue stripe	Gas station canopy
	9	11.502-A	No building wall shall have an uninterrupted horizontal dimension of more than 80 feet for buildings with footprints 15,000 square feet	Building projections/ recesses of min of 6' and be at least 20'	Building projections of 16' in depth on primary facades, no projects on non-primary facades for maximization of the site	Providing visual hierarchy towards the entrance
	10	11.503-A	Architectural features that create visual interest along the facade shall be provided along its entire length, spaced at intervals of not more than 12 feet in horizontal distance.	Architectural feature every 12' in horizontal distance	Architectural features are 18' on projected areas	
	11	11.508	Along any building facade that is greater than 80 feet in horizontal dimension, flat roof systems shall be designed to vary the apparent building height by at least three feet per 150 feet of horizontal building dimension. Are seperated by no more than 80 feet	Vary parapet by 3' every 150', max 80' apart.	Solid parapet along rear and side of build for maximum screening of rooftop equipment	

Variance from Development Standards
Petitioner's Proposed Findings of Fact
(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner submits that:

- A. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

See attached letter/exhibits.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

See attached letter/exhibits.

- C. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

See attached letter/exhibits.

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each and every one of the elements listed above.



ONE COMPANY.
INFINITE SOLUTIONS.

**Valparaiso, IN – Meijer - Variance from Development
Standards Petitioner's Proposed Findings of Fact**

See attached Exhibit A list of requested variations.

Standards for Variations:

Category: Signs (Variance #1)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The proposed monument sign setback of approximately two feet will not create safety hazards or negatively affect public health, safety, morals, or welfare. The sign will remain outside of the public right-of-way and will not obstruct driver visibility at intersections or driveways. Meijer respectfully requests a variance due to the limitation of space due to the existing property line and existing Fazoli's drive aisle.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The adjacent properties will not be adversely affected. The constrained location requires a closer setback, but the sign remains compatible with the surrounding land uses. The variance will maintain property values and support wayfinding without detracting from neighboring parcels.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Strict adherence to the five-foot setback would push the proposed monument sign into the site, reducing visibility from Calumet Avenue and conflicting with circulation. Limited space between drives, sidewalk, and roadway makes compliance unfeasible while still providing an effective and visible sign.*

Category: Parking & Access (Variances #2, #3, #4)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The requested modifications to parking stall length and access spacing will not endanger the public health, safety, morals, or welfare. The Meijer prototypical 19-foot stall length remains sufficient for vehicle parking. In addition, the proposed 25-foot drive aisle exceeds the minimum required width of 24 feet, ensuring ample space for safe circulation, turning movements, and emergency access. Meijer is proposing to use the existing driveway access points on Vale Park Road and Cumberland crossing. The existing driveway access points safely accommodate ingress*

and egress with adequate visibility for the overall development. Meijer contracted with a traffic consultant to prepare a detailed Traffic Impact Study dated 9/4/25.

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The adjacent uses will not be negatively affected. The existing driveway access points have been in place and function effectively as reviewed in the Traffic Impact Study dated 9/4/25. Maintaining the existing driveway access points avoids unnecessary reconstruction or closure that could create traffic disruptions. Parking spaces at 19-foot in length will not diminish usability or convenience for customers and will not harm the value of the property or adjacent commercial parcels.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Reconfiguring the site to meet spacing standards would require relocation of existing driveway access points along Vale Park Road, which is not feasible due to physical constraints and traffic circulation needs. Similarly, extending all stalls to 20 feet would result in substantial site redesign, reducing parking efficiency without a corresponding public benefit. In addition, the proposed 25-foot drive aisle exceeds the minimum required width, ensuring ample space for safe circulation, turning movements, and emergency access.*

Category: Landscaping (Variance #5, #6)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The proposed buffer width of 25 feet in width along the western property line and reduction in large trees will not endanger public health, safety, morals, or welfare. The proposed buffer will provide adequate screening, landscaping, and separation between properties. The proposed landscaping within the buffer provides attractive screening without interfering with the existing overhead electric lines and preserves community welfare while balancing site constraints.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The reduced buffer width will not adversely impact adjacent property values. Along the west property line, there is an existing apartment development (Vale Park Village) which has detached garages, fencing, and shrubs/trees directly abutting the west property line to Meijer. A 25 foot buffer width will include substantial planting and screening of small trees and shrubs, ensuring visual separation and compatibility between developments. This landscape treatment enhances property value while recognizing space limitations.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Strict enforcement of the 40-foot buffer width would significantly reduce developable area and disrupt site circulation and layout. The proposed 25-foot buffer is a reasonable compromise that achieves screening objectives while allowing the site to function effectively for its intended commercial use. Strict enforcement of the large tree ratio would negatively impact the existing overhead electric lines over time. The small trees and shrubs proposed on the western buffer will ensure visual separation and compatibility between the developments.*

Category: Loading & Truck Access (Variance #7)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The proposed loading and truck access, located on the south side of the principal building with screening, will not endanger public health, safety, morals, or welfare. A bermed landscape island has been provided between the Meijer gas station and the Meijer Grocery truck dock to screen visibility of the truck docks from Vale Park Road (see screening rendering). The proposed loading and truck access location supports safe circulation and efficient site operations without adverse community impacts.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The location of the loading and truck access with screening, maintains compatibility with adjacent properties. Along the west property line, there is an existing apartment development (Vale Park Village) which has detached garages, fencing, and shrubs/trees directly abutting the west property line to Meijer. Screening preserves aesthetics and limits visual impacts, ensuring adjacent property values are not negatively affected.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Strict enforcement requiring loading and truck access solely behind the principal building is not feasible given site constraints and circulation needs. Placement on the south side of the building facing Vale Park Road provides an efficient layout that maintains required screening while allowing the site to function effectively for its intended commercial use.*

Category: Architectural Features (Variance #8)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The canopy will be predominantly white with a thick blue line. The additional color will not be injurious to the public health, safety, morals and general welfare of the community.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The additional color will match the signage used throughout the site creating harmony and will not negatively impact adjacent property values.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Strict enforcement of code would create a disconnect between the Meijer site signage and logo and create a visual disconnect.*

Category: Architectural Features (Variance #9, #10)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *The building dimensions will not create safety hazards or negatively affect public health, safety morals or welfare. The building has a projection of 16' on primary facades creating greater depth at larger intervals emphasizing the visual hierarchy toward the building entrance. Nonprimary facades do not use building projects to maximize the use of land toward publicly accessed areas. The architectural features will not create safety hazards or negatively affect public health, safety morals or welfare. The architectural features increase to a spacing of 18' all allow more fenestration in key interior spaces increasing public health. The architectural features are at 18' on the adjacent façade to create visual symmetry.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The adjacent properties will not be adversely affected. The projects along the primary facades provide visual interest to adjacent properties. The nonprimary facades utilize lighting and architectural features to break up façade. The adjacent properties will not be adversely affected. The additional glazing will increase the overall appearance of the building.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Adding building projects or recesses would increase building size and cost creating a hardship. Strict adherence to the zoning ordinance of a maximum spacing of architectural features to 12' would decrease natural light in interior spaces that us currently maximized per the floorplan.*

Category: Architectural Features (Variance #11)

1. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

Response: *Parapet design will not create safety hazards or negatively affect public health, safety morals or welfare. The rear and sides of the building are designed to maximize rooftop equipment screening.*

2. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Response: *The adjacent properties will not be adversely affected. The overall design of parapets maximizes screening while features different building amenities with increased parapet heights.*

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

Response: *Strict adherence to the zoning ordinance would create building material cost and engineering fees creating a hardship.*

From: [Jessica Gage](#)
To: "Mary Mehling"; [Keri Williams](#)
Cc: [Bob Thompson](#); [Renee Demonja-Johnston](#)
Subject: RE: Variance submittal, supporting documentation (2801 Calumet Avenue)
Date: Tuesday, October 7, 2025 1:04:00 PM
Attachments: [image002.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)

Hi, Mary and Keri. I'll make this monument sign info part of the file. JG



Jessica Gage, AICP
Senior Planner

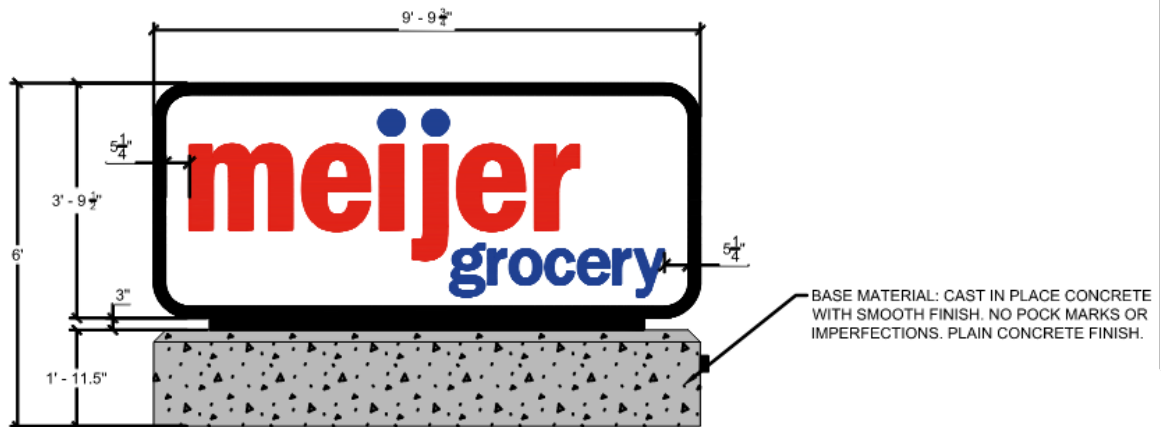
Email: jgage@valpo.us
Phone: (219) 462-1161 x3323
166 Lincolnway, Valparaiso, IN 46383
Valpo.us

From: Mary Mehling <mmehling@atwell.com>
Sent: Tuesday, October 7, 2025 10:19 AM
To: Jessica Gage <jgage@valpo.us>; Keri Williams <kwilliams@atwell.com>
Cc: Bob Thompson <bthompson@valpo.us>; Renee Demonja-Johnston <rjohnston@valpo.us>
Subject: RE: Variance submittal, supporting documentation

Hi Jessica,

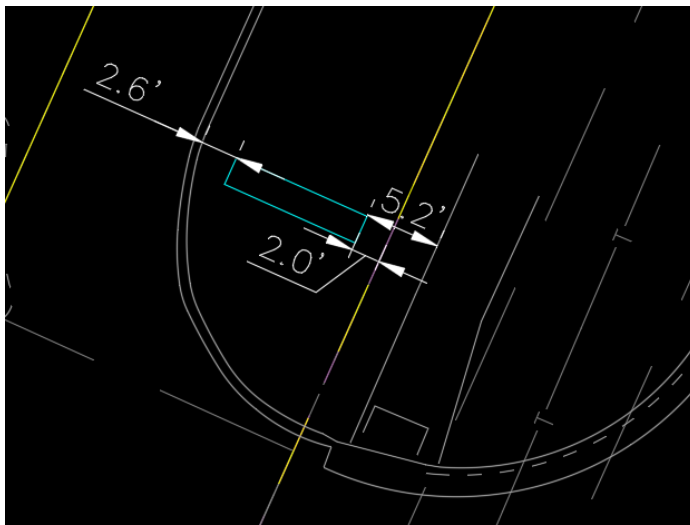
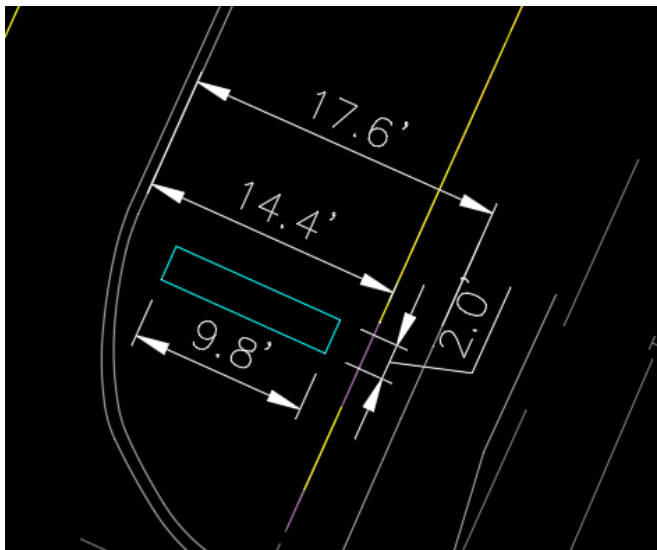
Thank you so much for sending the Public Notice information over, we greatly appreciate it.

The space between the back of curb for the parking lot of Fazoli's and property line is 14.45'.
The space between the back of curb for the parking lot of Fazloi's and the sidewalk on Calumet is 17.65'.
The sign is 9.8' long x 2.0' wide x 6.0' high and I have attached an image of the sign below.



GROCERY MONUMENT SIGN

CALCULATED 37.2 S.F.
TOTAL 37.2 S.F.



Thank you,

Mary Mehling, P.E.

Project Engineer

ATWELL, LLC

440.394.0440 Office

216.324.2445 Mobile

From: Jessica Gage <jgage@valpo.us>

Sent: Monday, October 6, 2025 5:31 PM

To: Mary Mehling <mmehling@atwell.com>; Keri Williams <kwilliams@atwell.com>

Cc: Bob Thompson <bthompson@valpo.us>; Renee Demonja-Johnston <rjohnston@valpo.us>

Subject: RE: Variance submittal, supporting documentation

Thank you. Files were added to submittal. Do you have additional information to share regarding the monument sign and is proposed location along Calumet? I see it on the site plan. The Board would benefit from understanding what space is there between the Fazoli's curb and the back of sidewalk, monument sign size proposed, etc. JG



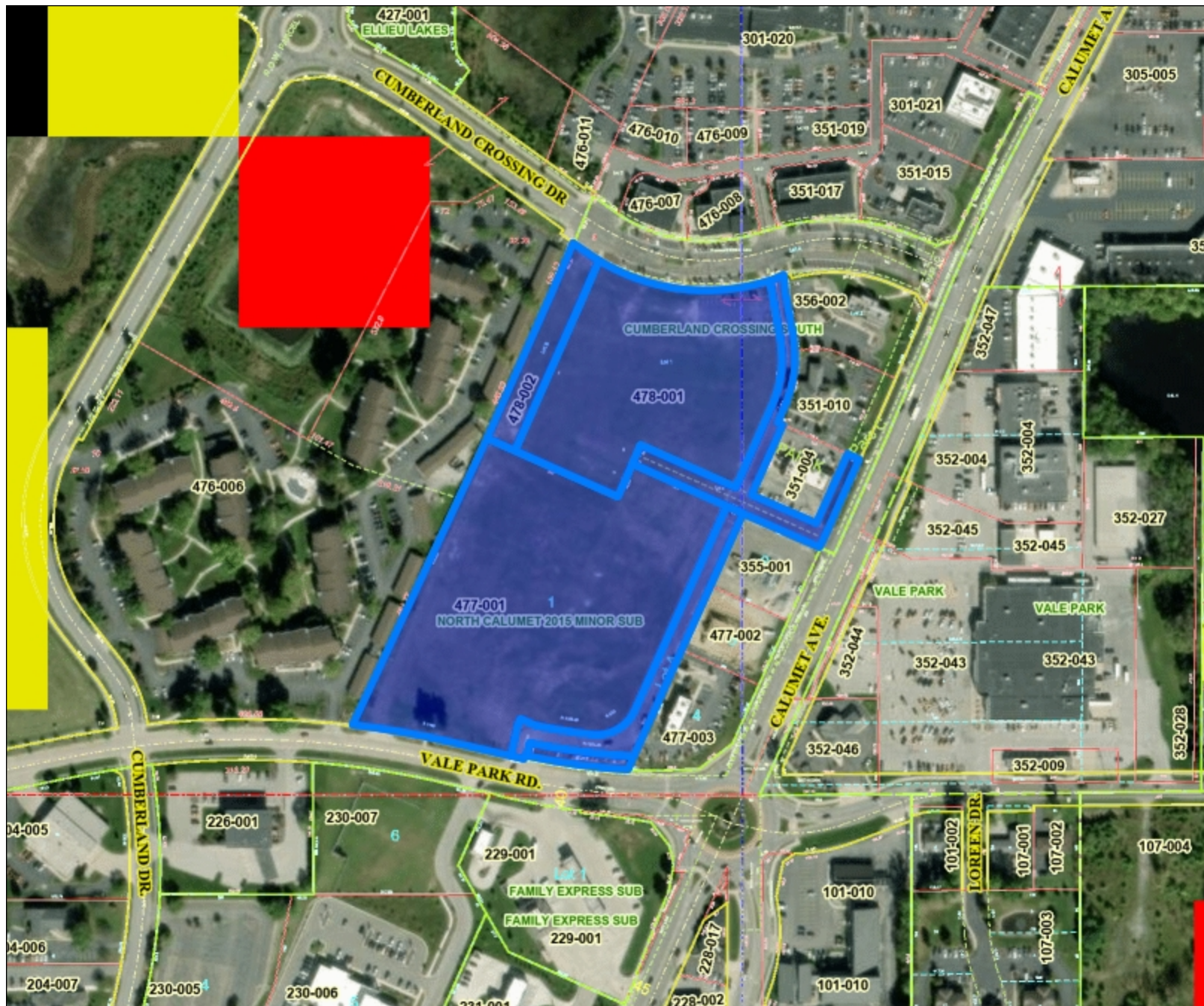
Jessica Gage, AICP
Senior Planner

Email: jgage@valpo.us

Phone: (219) 462-1161 x3323

166 Lincolnway, Valparaiso, IN 46383

Valpo.us

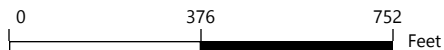


Legend

- Road
- Railroad
- Water
- Coincident Boundaries**
 - Condo Line
 - Corp Line
 - County Line
 - Forest Line
 - Geo Twp Line
 - Indian Line
 - Lot Line
 - Lot Line Vac
 - Misc Line
 - Parcel Line
 - Pavement
 - Pol Twp Line
 - Railroad Centerline
 - Railroad ROW
 - Road Centerline
 - Road ROW
 - Section Line
 - Sub Line 400
 - Water Line
 - Wildlife Line
- Subdivision
- Parcel

Parcels

Web Print: 09/10/2025



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



LEGEND

	PROPERTY LINE		PAINTED STOP BAR W/ STOP SIGN
	PROPOSED 6" CONCRETE CURB & GUTTER		TRAFFIC FLOW ARROWS
	PROPOSED SIDEWALK		PROPOSED SIGN
	PROPOSED CONCRETE		PROPOSED FIRE LANE SIGN
	PROPOSED HEAVY DUTY ASPHALT PAVEMENT		PARKING ROW COUNT
	PROPOSED STANDARD DUTY ASPHALT PAVEMENT		ADA PARKING SPACE
	DRIVE-THRU STACKING		SIDEWALK RAMP
	PROPOSED LIGHT POLE		

NOTES

1. NO DIMENSION MAY BE SCALED. REFER UNCLAR ITEMS TO THE ENGINEER FOR INTERPRETATION.
2. DIMENSIONS AND/OR COORDINATES ARE TO BACK OF CURB, FACE OF BUILDING (FACE OF PRECAST), EDGE OF PAVEMENT OR CENTER OF STRUCTURE OR SIGN. VERIFY BUILDING DIMENSIONS WITH ARCHITECTURAL DRAWINGS.
3. BUILDING SLABS, UNDERBED THICKNESS AND LOCATIONS ARE SHOWN FOR REFERENCE. VERIFY WITH STRUCTURAL DRAWINGS.
4. REFER TO SHEET C500 AND C501 FOR STRIPING/SIGNAGE, AND PARKING COUNT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING TO ACCOMPLISH ALL WORK INDICATED ON PLANS AND PERFORM REQUIRED COMPACTION OPERATIONS.
6. PROVIDE ADEQUATE BARRICADES AT DRIVES, ENTRANCES, EXCAVATIONS AND OTHER OPENINGS TO KEEP OUT UNAUTHORIZED PERSONS AND FOR PUBLIC SAFETY AND TRAFFIC CONTROL. SAFETY PROVISIONS OF APPLICABLE LAWS SHALL BE OBSERVED AT ALL TIMES. BARRICADES LEFT IN PLACE AT NIGHT SHALL BE LIGHTED.
7. NO EQUIPMENT OR MATERIAL STORAGE IS PERMITTED IN THE RIGHT-OF-WAY.
8. WORK SHALL CONFORM TO THE REQUIREMENTS OF MEIJER STANDARD SPECIFICATIONS, AND GOVERNING AGENCIES HAVING JURISDICTION. GRADING, PAVING AND MATERIALS SHALL COMPLY WITH THE STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AS WELL AS PROJECT SPECIFICATIONS AND DRAWINGS. IN CASE OF DISCREPANCIES BETWEEN REQUIREMENTS, THE MORE STRINGENT SHALL APPLY.
9. EXTERIOR CONCRETE SLABS ADJACENT TO BUILDING SHALL BE PLACED ON 4" STRUCTURAL BASE, UNLESS NOTED OTHERWISE. DESIGNER SHALL VERIFY THICKNESS OF CRUSHED STONE FILL IS ADEQUATE BELOW PAVEMENT SECTIONS BASED ON THE GEOTECHNICAL REPORT FOR THE SPECIFIC SITE. REFER TO THE STRUCTURAL DRAWINGS FOR INFORMATION ON THE GARDEN CENTER SLAB.
10. AGGREGATE TO EXTEND 12" BEYOND BACK OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED. SEE DETAIL C4 AND D1 ON SHEET C701.

SITE DATA

EXISTING PARCEL SUMMARY

PARCEL ID	GROSS LOT AREA	ZONING
64-09-12-478-001.000-004	7.08 ACRES	CG
64-09-12-478-001.000-004	6.76 ACRES	CG

PROPOSED AREA SUMMARY

AREA	GROSS AREA
MEIJER GROCERY	11.21 ACRES
KIOSK GAS STATION	0.92 ACRES
CUMBERLAND CROSSING DEDICATION	1.70 ACRES

MAIN STORE SQUARE FOOTAGE

DEPARTMENT	SQUARE FOOTAGE
TOTAL INSIDE BUILDING	74,586

GAS STATION SQUARE FOOTAGE

DEPARTMENT	SQUARE FOOTAGE
mEXPRESS KIOSK	384

PARKING SUMMARY

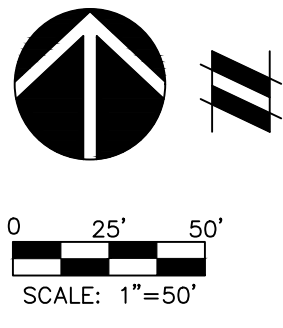
PARKING REQUIRED PER ORDINANCE:	276 SPACES
PARKING PROVIDED:	297 SPACES
PARKING DEFERRED:	0 SPACES
BARRIER FREE PARKING:	29 SPACES
GROCERY PICKUP:	7 SPACES
TOTAL PARKING:	297 SPACES

GROCERY PARKING:	295 SPACES
mEXPRESS PARKING:	2 SPACES

BENCHMARKS

SOURCE BENCHMARK: COORDINATES SHOWN HEREON ARE PER INDIANA STATE PLANE WEST ZONE (NAD83) 2011 ADJUSTMENT. IN US SURVEY FEET. ELEVATIONS SHOWN HEREON ARE PER NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) IN US SURVEY FEET

REFER TO ALTA SURVEY FOR ADDITIONAL BENCHMARK(S)



REV.	DATE	DESCRIPTION
R01	08.22.25	SITE REVIEW 1

FOR REFERENCE ONLY
NOT FOR CONSTRUCTION

MEIJER STORE #000
2801 CALUMET AVE.
VALPARAISO, IN 46383

OVERALL LAYOUT PLAN

ISSUED FOR:	MM/DD/YY
PERMIT	MM/DD/YY
BID	MM/DD/YY
CONSTRUCTION	MM/DD/YY

PROJECT MANAGER	DESIGNER
KW	XX

JOB NO.
25000384

LANDSCAPE REQUIREMENTS SUMMARY

ITEM	REQUIREMENT	QTY REQUIRED	QTY PROVIDED	FORMULA
SEC. 10.301 ON-LOT LANDSCAPING	ON-LOT LANDSCAPING MAY BE DISTRIBUTED AROUND THE LOT. LARGE TREES: 9 PER ACRE, SMALL TREES: 18 PER ACRE, SHRUBS: 50 PER ACRE	LARGE TREES: 57 SMALL TREES: 114 SHRUBS: 317	LARGE TREES: 16 SMALL TREES: 13 SHRUBS: 96 DUE TO SITE LIMITATIONS	LARGE TREES: 9 X 6.33 AC = 56.97 SMALL TREES: 18 X 6.33 AC = 113.94 SHRUBS: 50 X 6.33 AC = 316.5
SEC. 10.303 OPEN SPACE LANDSCAPING	OPEN SPACE LANDSCAPING MAY BE DISTRIBUTED AROUND THE AREA OF OPEN SPACE. TREES MUST BE GIVEN ADEQUATE ROOM FOR HEALTHY GROWTH AND STABILITY. DETENTION AREAS SHALL BE COUNTED AS OPEN SPACE FOR THE PURPOSES OF LANDSCAPING REQUIREMENTS	LARGE TREES: 10 PER ACRE SMALL TREES: 15 PER ACRE SHRUBS: 40 PER ACRE	LARGE TREES: 10 SMALL TREES: 15 SHRUBS: 41	LARGE TREES: 10 X 1.02 AC = 10.2 SMALL TREES: 15 X 1.02 AC = 15.3 SHRUBS: 40 X 1.02 = 40.8
SEC. 10.304 PARKING LOT LANDSCAPING	PARKING LOT LANDSCAPING SHALL BE EVENLY DISTRIBUTED WITHIN INTERIOR PARKING LOT ISLANDS OR WITHIN ISLANDS IN ENTRANCE AND CIRCULATION DRIVES.	LARGE TREES: 37 SHRUBS: 136 PERENNIALS OR ORNAMENTAL GRASSES: 74	LARGE TREES: 37 SHRUBS: 134 PERENNIALS: 134	LARGE TREES: 295 / 8 SPACES = 37 SHRUBS: 295 / 4 SPACES = 74 PERENNIALS OR ORNAMENTAL GRASSES: 295 / 4 SPACES = 74
PARKINGLOT ISLANDS LANDSCAPING	MINIMUM 9 FT x 18 FT, WITH ONE SHADE TREE, SHRUBS AND GROUND COVER.	SEE PLAN	SEE PLAN	N/A
PARKINGLOT ISLANDS LANDSCAPING SIZE	AREA OF PLANTING ISLANDS. ONE PLANTING ISLAND OF AT LEAST 324 SQUARE FEET IN AREA SHALL BE PROVIDED FOR EACH 16 SPACES IN THE PARKING LOT. NO PLANTING ISLAND SHALL BE LESS THAN 18 FEET IN DEPTH, AND NO END CAP LANDSCAPE ISLANDS FOR DOUBLE-LOADED PARKING SPACES SHALL BE LESS THAN 36 FEET IN DEPTH AND NO LESS THAN 9 FEET IN WIDTH. AS MEASURED FROM THE OUTSIDE OF THE CURB TO THE OUTSIDE OF THE OPPOSITE CURB.	5,974 SF	6,030 SF	295 SPACES / 16 X 324 SF = 5,974 SF
SEC. 10.401 BUFFERYARDS (WEST)	CLASS C: WIDTH 25 FEET LARGE TREES (5) PER 200 LF SMALL TREES (5) PER 100 LF SHRUBS (45) PER 100 LINEAR FEET	LARGE TREES: 26 SMALL TREES: 62 SHRUBS: 469	LARGE TREES: 0 SMALL TREES: 98 SHRUBS: 69 DUE TO SITE LIMITATIONS	LARGE TREES: 1042 LF / 200 LF X 5 = 26 SMALL TREES: 1042 LF / 100 LF X 45 = 469
SEC. 10.405 STREET BUFFERYARD STANDARDS (NORTH) CUMBERLAND CROSSING DRIVE	CLASS C: WIDTH 30 FEET LARGE TREES (5) PER 200 LF SMALL TREES (5) PER 100 LF SHRUBS (45) PER 100 LINEAR FEET	LARGE TREES: 11 SMALL TREES: 21 SHRUBS: 187	LARGE TREES: 10 SMALL TREES: 12 SHRUBS: 187 DUE TO SITE LIMITATIONS	LARGE TREES: 415 LF / 200 LF X 5 = 10.37 SMALL TREES: 415 LF / 100 LF X 5 = 20.75 SHRUBS: 415 LF / 100 LF X 45 = 186.75
SEC. 10.405 STREET BUFFERYARD STANDARDS (SOUTH) VALE PARK DRIVE	CLASS C: WIDTH 30 FEET LARGE TREES (5) PER 200 LF SMALL TREES (5) PER 100 LF SHRUBS (45) PER 100 LINEAR FEET	LARGE TREES: 10 SMALL TREES: 19 SHRUBS: 166	LARGE TREES: 6 SMALL TREES: 18 SHRUBS: 166 DUE TO SITE LIMITATIONS	LARGE TREES: 368 LF / 200 LF X 5 = 9.2 SMALL TREES: 368 LF / 100 LF X 5 = 18.4 SHRUBS: 368 LF / 100 LF X 45 = 165.6

MEIJER LANDSCAPE NOTES

- COORDINATE PLACEMENT OF PLANTS WITH UTILITY LOCATIONS AND SIGHT LINES TO BUILDING. MAKE ADJUSTMENTS AS REQUIRED TO AVOID PLANTING OVER THE UTILITIES AND/OR WITHIN SIGHTLINES TO ALL MEIJER BUILDING SIGNAGE.
- THE CENTER OF LARGE ISLANDS IS TO BE SIX INCHES HIGHER THAN TOP OF CURB. ENSURE ALL ISLANDS ARE SLOPED FOR POSITIVE DRAINAGE.
- ALL AREAS THAT REQUIRE SEEDING SHALL RECEIVE 4" MINIMUM TOPSOIL, UNLESS NOTED OTHERWISE.
- SEED ALL AREAS INDICATED ON THE LANDSCAPE PLAN, THE SOIL EROSION CONTROL PLAN AND ALL DISTURBED AREA. REVIEW AREAS OF SEEDING WITH CONSTRUCTION MANAGER PRIOR TO ANY SEEDING. ANY AREAS DISTURBED BY THE CONTRACTOR WHICH ARE BEYOND THE LIMITS OF GRADING AND EARTHWORK SHALL BE SEEDDED AT NO ADDITIONAL COST TO THE OWNER.
- TOPSOIL SHALL BE TESTED AND AMENDED AS NECESSARY DURING FINAL GRADING AND PREPARATION FOR SEEDING.
- APPLY STARTER FERTILIZER (16-32-4) AT 250 POUNDS/ACRE TO SEEDDED AREAS.
- ALL LANDSCAPE ISLANDS SHALL BE 3" DEEP SHREDDED HARDWOOD MULCH EXCEPT AS NOTED. PLACE MULCH OVER WEED BARRIER FABRIC AND TREAT WITH PRE-EMERGENT HERBICIDE.

LAWN AREA SEED MIXTURE TYPE A

COMMON NAME	PROP BY WEIGHT	PERCENT PURITY	PERCENT GERMINATION
KENTUCKY BLUE GRASS	20%	95%	85%
IMPROVED TURF-TYPE TALL FESCUE	70%	95%	85%
PERENNIAL RYE GRASS	10%	95%	85%
Application Rate	8 LBS/1000 FT ²		

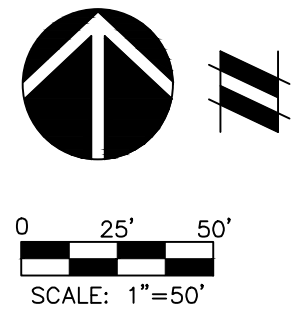
NON-LAWN AREA SEED MIXTURE TYPE B

COMMON NAME	PROP BY WEIGHT	PERCENT PURITY	PERCENT GERMINATION
KENTUCKY BLUE GRASS	30%	95%	85%
KENTUCKY 31 FESCUE	40%	95%	85%
PERENNIAL RYE GRASS	30%	95%	85%
Application Rate	5 LBS/1000 FT ²		

BENCHMARKS

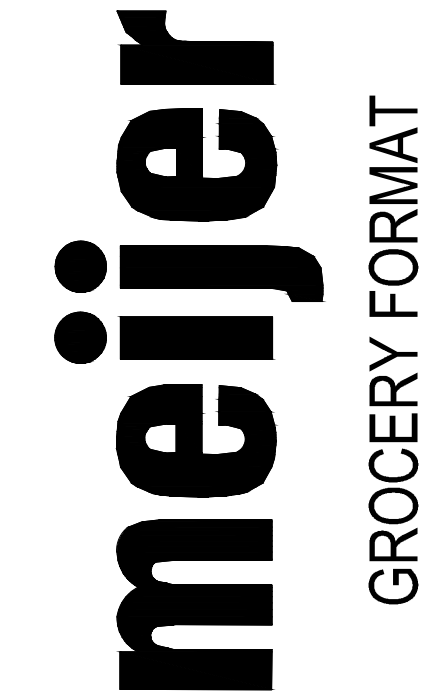
SOURCE BENCHMARK: COORDINATES SHOWN HEREON ARE PER INDIANA STATE PLANE WEST ZONE (NAD83) 2011 ADJUSTMENT, IN US SURVEY FEET. ELEVATIONS SHOWN HEREON ARE PER NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) IN US SURVEY FEET

REFER TO ALTA SURVEY FOR ADDITIONAL BENCHMARK(S)



PLANT LIST

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING	REMARKS	MATURE HEIGHT
LARGE TREES							
	AF	14	ACER RUBRUM 'FRANKSRED' / RED SUNSET MAPLE	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	40 - 60' HEIGHT 35-45' SPREAD
	NW2	8	NYSSA SYLVATICA 'AFTERBURNER' / AFTERBURNER	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	40 - 60' HEIGHT 25' SPREAD
	QP	12	QUERCUS PHELLOS / WILLOW OAK	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	60' HEIGHT 40-60' SPREAD
	QS	9	QUERCUS SHUMARDII / SHUMARD RED OAK	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	60' HEIGHT 40-50' SPREAD
	UP3	23	ULMUS AMERICANA 'PRINCETON' / PRINCETON AMERICAN ELM	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	80' HEIGHT 60-70' SPREAD
	UV	14	ULMUS AMERICANA 'VALLEY FORGE' / VALLEY FORGE AMERICAN ELM	2.5' CAL. 12' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	80' HEIGHT 60-70' SPREAD
SMALL TREES							
	AG	10	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' / AUTUMN BRILLIANCE APPLE SERVICEBERRY	1.5' CAL. 8' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	20-25' HEIGHT 10-20' SPREAD
	CA2	11	CERCIS CANADENSIS 'ACE OF HEARTS' / ACE OF HEARTS EASTERN REDBUD	1.5' CAL. 8' HT.	AS SHOWN	FULL, WELL SHAPED, SINGLE-STEM	20-30' HEIGHT 15-30' SPREAD
	CA	10	CERCIS CANADENSIS 'APPALACHIAN RED' / APPALACHIAN RED EASTERN REDBUD	1.5' CAL. 8' HT.	AS SHOWN	FULL, WELL SHAPED, SINGLE-STEM	20-30' HEIGHT 15-30' SPREAD
	CG	9	CHIONANTHUS VIRGINICUS 'GRANCY GREYBEARD' / GRANCY GREYBEARD WHITE PRINGETREE	1.5' CAL. 8' HT.	AS SHOWN	FULL, WELL SHAPED, SINGLE-STEM	12-20' HEIGHT 12-20' SPREAD
	PC2	50	PICEA ABIES 'CUPRESSINA' / CUPRESSINA NORWAY SPRUCE	1.5' CAL. 6' HT.	6' OC	FULL TO GROUND	20-30' HEIGHT 5-6' SPREAD
	PT	48	PINUS MUGO 'TANNENBAUM' / TANNENBAUM MUGO PINE	1.5' CAL. 6' HT.	6' OC	FULL TO GROUND	12-15' HEIGHT 10-12' SPREAD
	SR	18	SYRINGA RETICULATA / JAPANESE TREE LILAC	1.5' CAL. 8' HT.	AS SHOWN	SINGLE LEADER-HEALTHY, GOOD FORM	20-30' HEIGHT 15-20' SPREAD
SHRUBS							
	AGE	20	ABELIA X GRANDIFLORA 'EDWARD GOUCHER' / GLOSSY ABELIA	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	3 - 6' HEIGHT
	AGR	33	ABELIA X GRANDIFLORA 'ROSE CREEK' / ROSE CREEK ABELIA	3 GAL. 24" HT.	5' O.C.	FULL HEAD	3 - 6' HEIGHT
	AK	74	ABELIA X GRANDIFLORA 'KALEIDOSCOPE' / KALEIDOSCOPE GLOSSY ABELIA	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	3 - 6' HEIGHT
	FGD	13	FOTHERGILLA GARDENII / DWARF FOTHERGILLA	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	2 - 3' HEIGHT
	IH	53	ILEX CRENATA 'HETZI' / HETZI JAPANESE HOLLY	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	3 - 6' HEIGHT
	IH2	60	ILEX CRENATA 'HELLERI' / HELER JAPANESE HOLLY	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	3 - 6' HEIGHT
	IGH	112	ILEX GLABRA / INKBERRY HOLLY	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	5 - 8' HEIGHT
	IV	157	ILEX VOMITORIA / YALPON HOLLY	3 GAL. 24" HT.	5' O.C.	FULL EVEN HEAD	3 - 6' HEIGHT
	ID	69	ILEX X ACQUIPERNYI 'MESCHICK' / DRAGON LADY HOLLY	4' HT.	6' O.C.	HEALTHY GOOD FORM	6 - 10' HEIGHT
	IVH	79	ITEA VIRGINICA 'HENRY'S GARNET' / HENRY'S GARNET SWEETSPICE	3 GAL. 24" HT.	5' O.C.	FULL TO GROUND	3 - 6' HEIGHT
	TN	26	THUJA OCCIDENTALIS 'NIGRA' / BLACK ARBORVITAE	10 GAL. 6' HT	8' OC	FULL TO GROUND	20' HEIGHT
PERENNIALS							
	CD	6	CARYOPTERIS X CLANDONENSIS 'DARK KNIGHT' / DARK KNIGHT BLUEBEARD	1 GAL., 12" HT.	5' O.C.		
	CM2	6	COREOPSIS X 'MOONBEAM' / MOONBEAM TICKSEED	1 GAL., 12" HT.	2.5' O.C.		
	EE2	9	EUPHORBIA EPITHYMOIDES / CUSHION SPURGE	1 GAL., 12" HT.	2.5' O.C.		
	GG	7	GAILLARDIA X GRANDIFLORA / BLANKETFLOWER	1 GAL., 12" HT.	3' O.C.		
	LB	54	LIRIOPE MUSCARI 'BIG BLUE' / BIG BLUE LILYTURF	1 GAL., 12" HT.	3' O.C.		
	MP	43	MONARDA DIDYMA 'PARDON MY PURPLE' / PARDON MY PURPLE BEE BALM	1 GAL., 12" HT.	3' O.C.		
	RG2	12	RUDBECKIA FULGIDA SULLIVANTII 'GOLDSTURM' / GOLDSTURM CONEFLOWER	1 GAL., 12" HT.	3' O.C.		
	SC	28	SALVIA NEMOROSA 'CARADONNA' / CARADONNA MEADOW SAGE	1 GAL., 12" HT.	4' O.C.		
	SA2	3	SEDUM X 'AUTUMN JOY' / AUTUMN JOY SEDUM	1 GAL., 12" HT.	3' O.C.		
GROUND COVERS							
	M2		MULCH (BARK)			3' DEPTH	
	TYPA	50,531 SF	TYPE A / SEED MIX	SEED		LAWN SEED MIX	
	TYPB	43,431 SF	TYPE B / SEED MIX	SEED		NON LAWN SEED MIX	



REV.	DATE	DESCRIPTION
R01	08.22.25	SITE REVIEW 1

FOR REFERENCE ONLY
NOT FOR CONSTRUCTION

MEIJER STORE #000
2801 CALUMET AVE.
VALPARAISO, IN 46383

LANDSCAPE PLAN

ISSUED FOR:	
PERMIT:	MM/DD/YY
BID:	MM/DD/YY
CONSTRUCTION:	MM/DD/YY

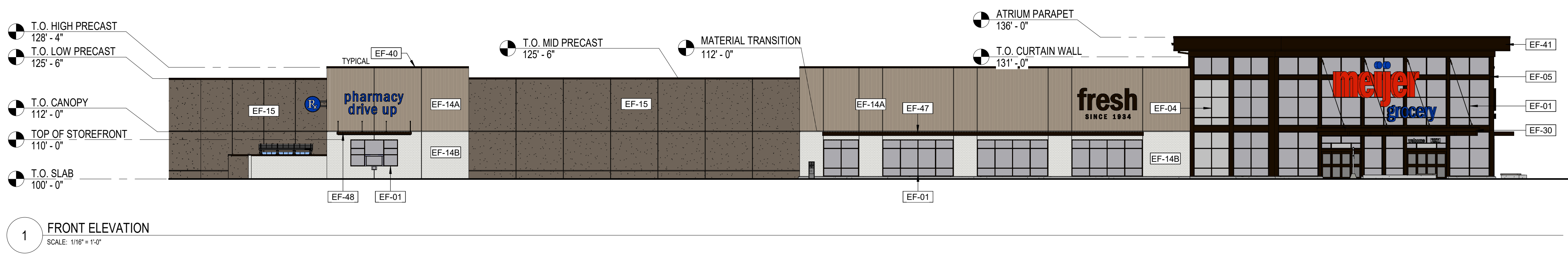
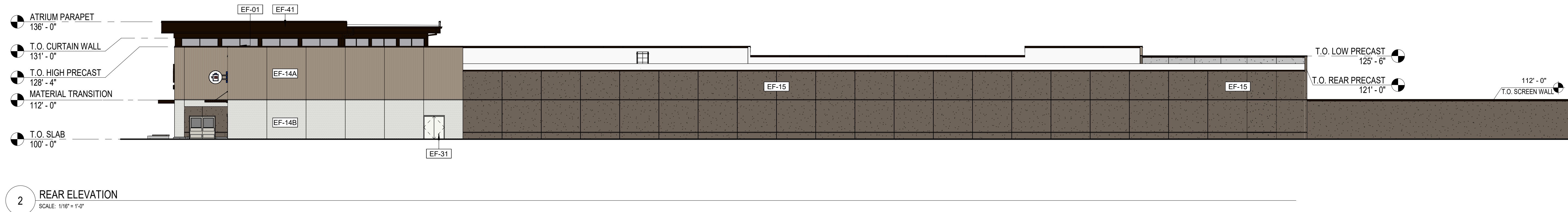
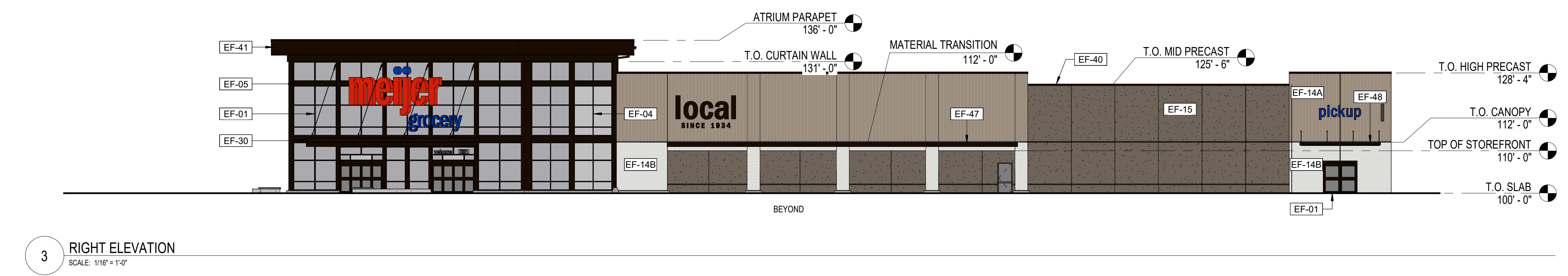
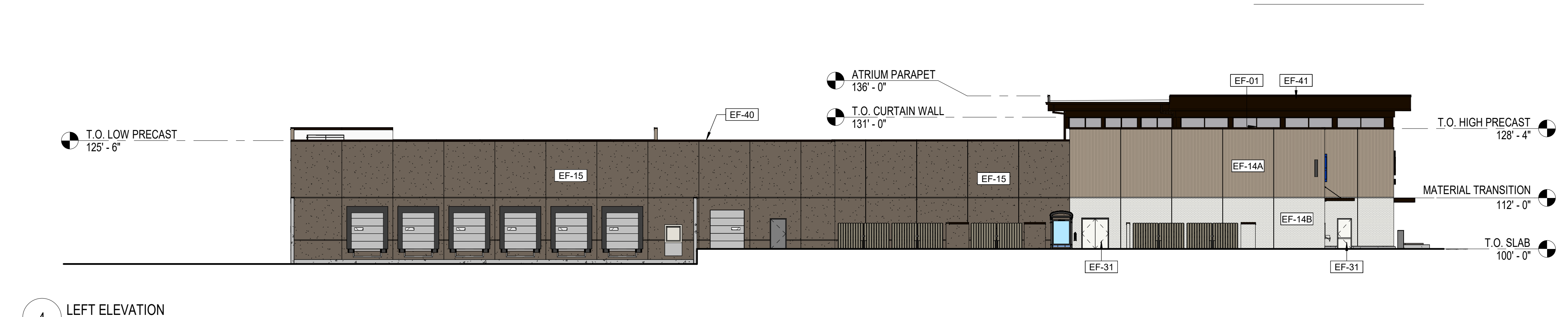
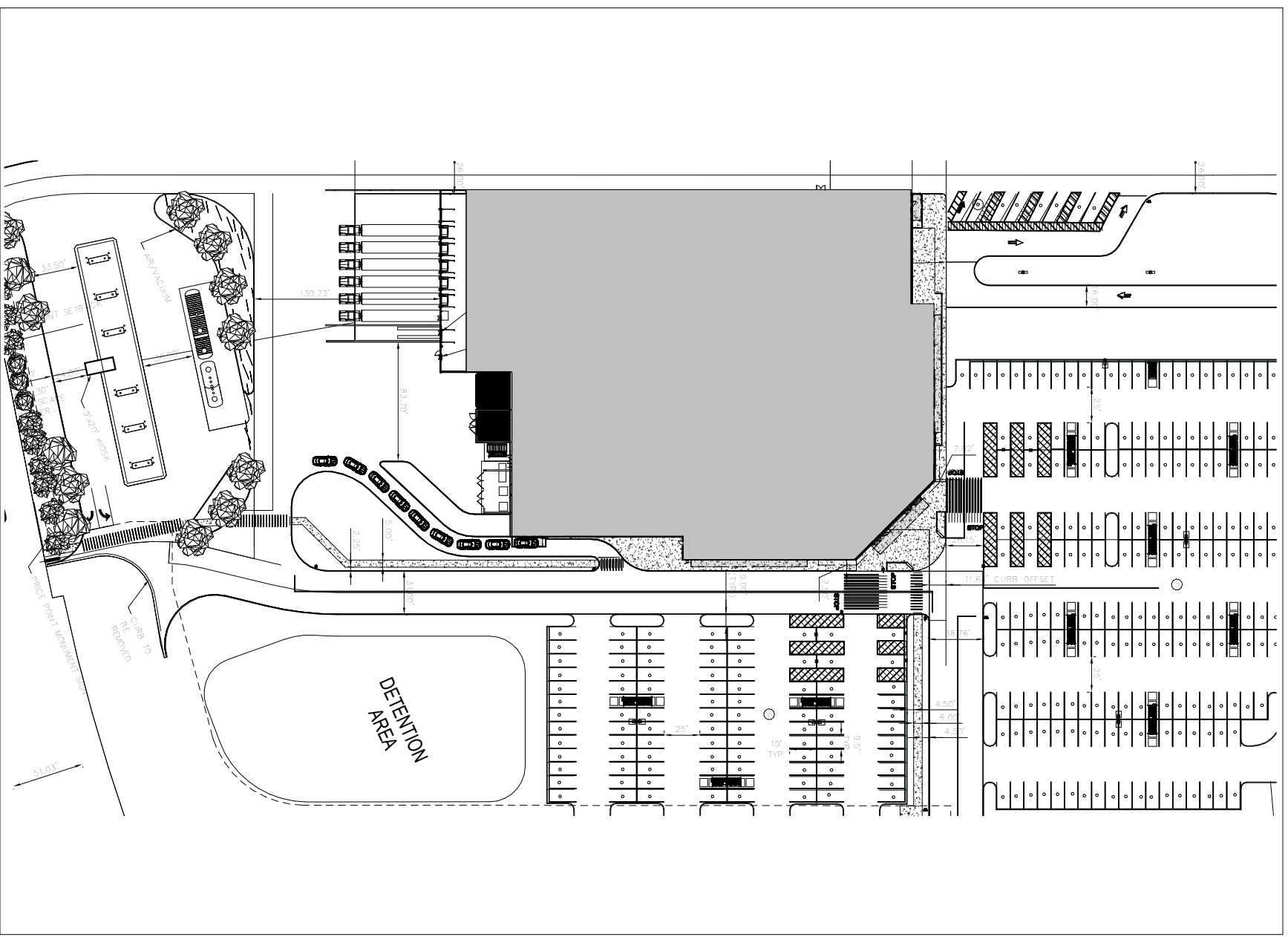
PROJECT MANAGER:	DESIGNER:
KW	XX

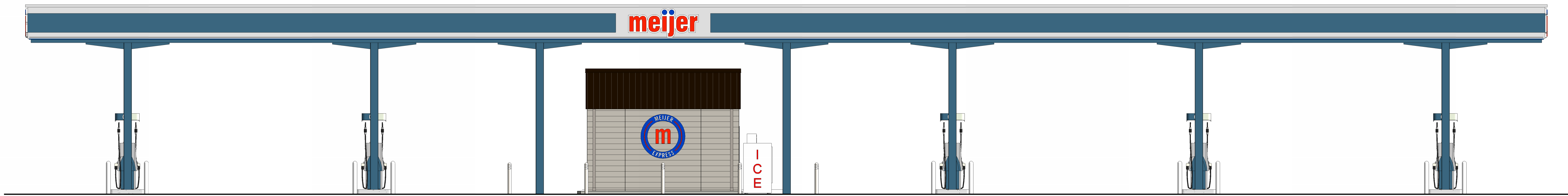
JOB NO.
25000384

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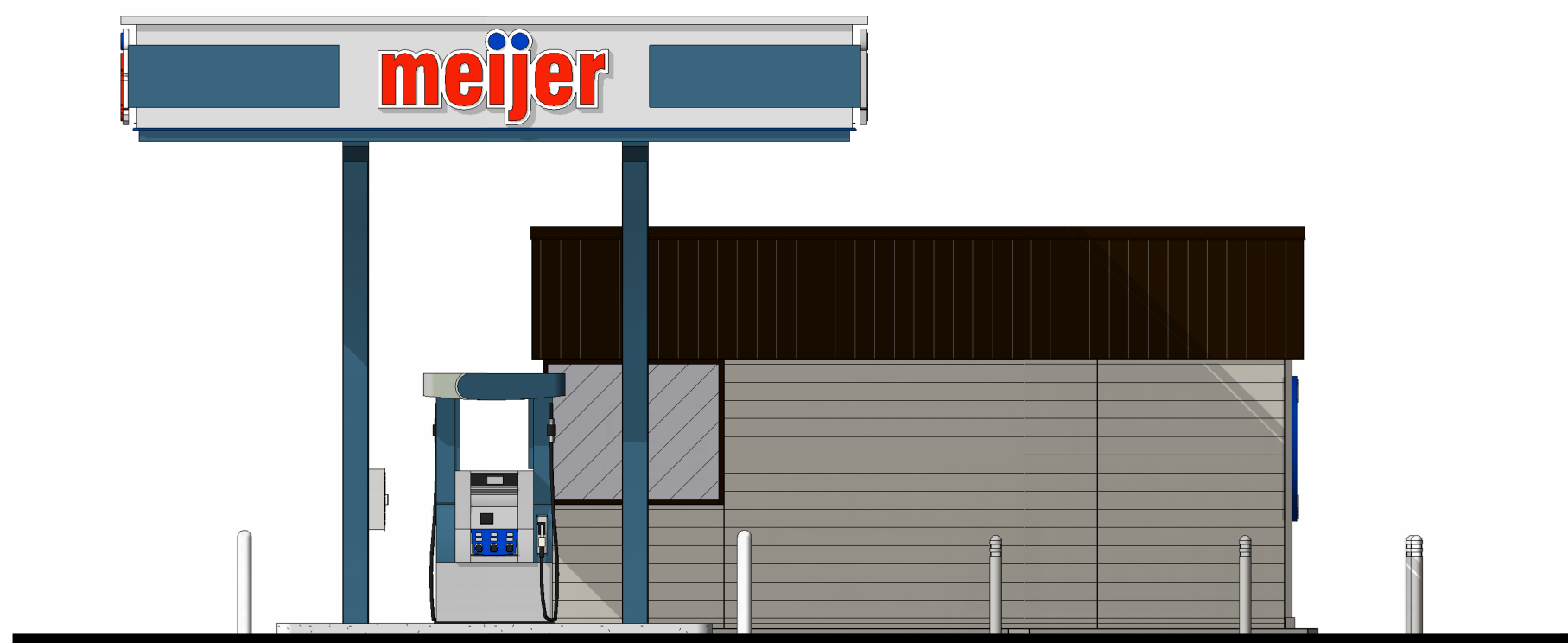


RENDERING MATERIAL & FINISH LEGEND			
MARK	ITEM	COLOR/FINISH	MANUFACTURER/NOTES
EF-01	ENTRANCES, DOORS AND STOREFRONTS	DARK BRONZE ANODIZED ALUMINUM FRAME SM68 CRYSTAL GRAY GLAZING	<varies>
EF-04	ENTRANCES, DOORS AND STOREFRONTS	DARK BRONZE ANODIZED ALUMINUM FRAME SM68 CRYSTAL GRAY GLAZING WITH #3 FERRO BLACK TINT 100%	TUBELITE STOREFRONT GUARDIAN GLASS GLAZING
EF-05	ENTRANCES, DOORS AND STOREFRONTS	DARK BRONZE ANODIZED ALUMINUM CLOSURE TO MATCH FRAMES	TUBELITE STOREFRONT
EF-11	INSULATED PRECAST CONCRETE WALL (TEXTURED CONCRETE)	AP FORMLINER - EIFS #10 SW 7015 REPOSE GRAY	SHERWIN WILLIAMS
EF-13	INSULATED PRECAST CONCRETE WALL (WOOD PLANK PATTERN)	AP FORMLINER - CUSTOM MEIJER WOOD #516 SW 7016 DONVETAL GRAY	SHERWIN WILLIAMS
EF-14A	INSULATED PRECAST CONCRETE WALL (TEXTURED CONCRETE)	SW 7038 TONY TAUPE	AP FORMLINER - MEIJER FLUTE
EF-14B	INSULATED PRECAST CONCRETE WALL (BRICK IMPRINTED)	SW 7042 SHOJI WHITE	AP FORMLINER - MODULAR BRICK VELOUR (CONCAVE) #101A
EF-15	INSULATED PRECAST CONCRETE WALL (TEXTURED CONCRETE)	SW 7028 GRIFFIN	AP FORMLINER - EIFS #410
EF-20	SECTIONAL OVERHEAD DOORS	WHITE	--
EF-21	FIELD PAINTED CONCRETE FOUNDATION WALL "CURBS"	MATCH ADJACENT WALL COLOR	SHERWIN WILLIAMS
EF-30	FIELD PAINTED STEEL *STEEL FRAMING AT ENTRANCES AND CANOPIES *METAL DECK AT CANOPIES *STEEL HANGER ASSEMBLIES AT CANOPIES *GUARDRAILS	MEIJER BRONZE	SHERWIN WILLIAMS PRO INDUSTRIAL MULTI SURFACE ACRYLIC
EF-31	<varies>	<varies>	SHERWIN WILLIAMS
EF-40	SHEET METAL FLASHING AND TRIM EDGE FLASHING AND COUNTER FLASHING AT CANOPIES *COPING AND EDGE FLASHING AT ROOF AND PARAPET *PAINTED UTILITIES	DARK BRONZE ANODIZED ALUMINUM	--
EF-41	<varies>	DARK BRONZE ANODIZED ALUMINUM	<varies>
EF-46	UC-500 FLAT SEAM VENTED SOFFIT METAL PANEL	DARK BRONZE ANODIZED ALUMINUM	HOLCIM - ELEVATE
EF-47	DARK BRONZE PAINTED FINISH	CANTILEVER LOUVER CANOPY - 12" FASCIA	METAL-TECH ALUMINUM CANOPY SYSTEMS
EF-48	DARK BRONZE PAINTED FINISH	SOLID-DECK CANOPY WITH TIE-BACKS - 12" FASCIA	METAL-TECH ALUMINUM CANOPY SYSTEMS
EF-70	WOOD GATE	PREMIUM SOLID STAIN - BEACHWOOD SATIN	PGP PROLUXE SIK 710
EF-71	FUEL CANOPY GRAPHIC FILM	SHADOW BLUE 177	3M
EF-72	FUEL ISLAND CANOPY	SOG GREY	ALPOLIC
EF-73	EYEBROW LIGHTING	SOG GREY	ALPOLIC
EF-75	FUEL CANOPY COLUMNS	SW/150 ENDLESS SEA	SHERWIN WILLIAMS





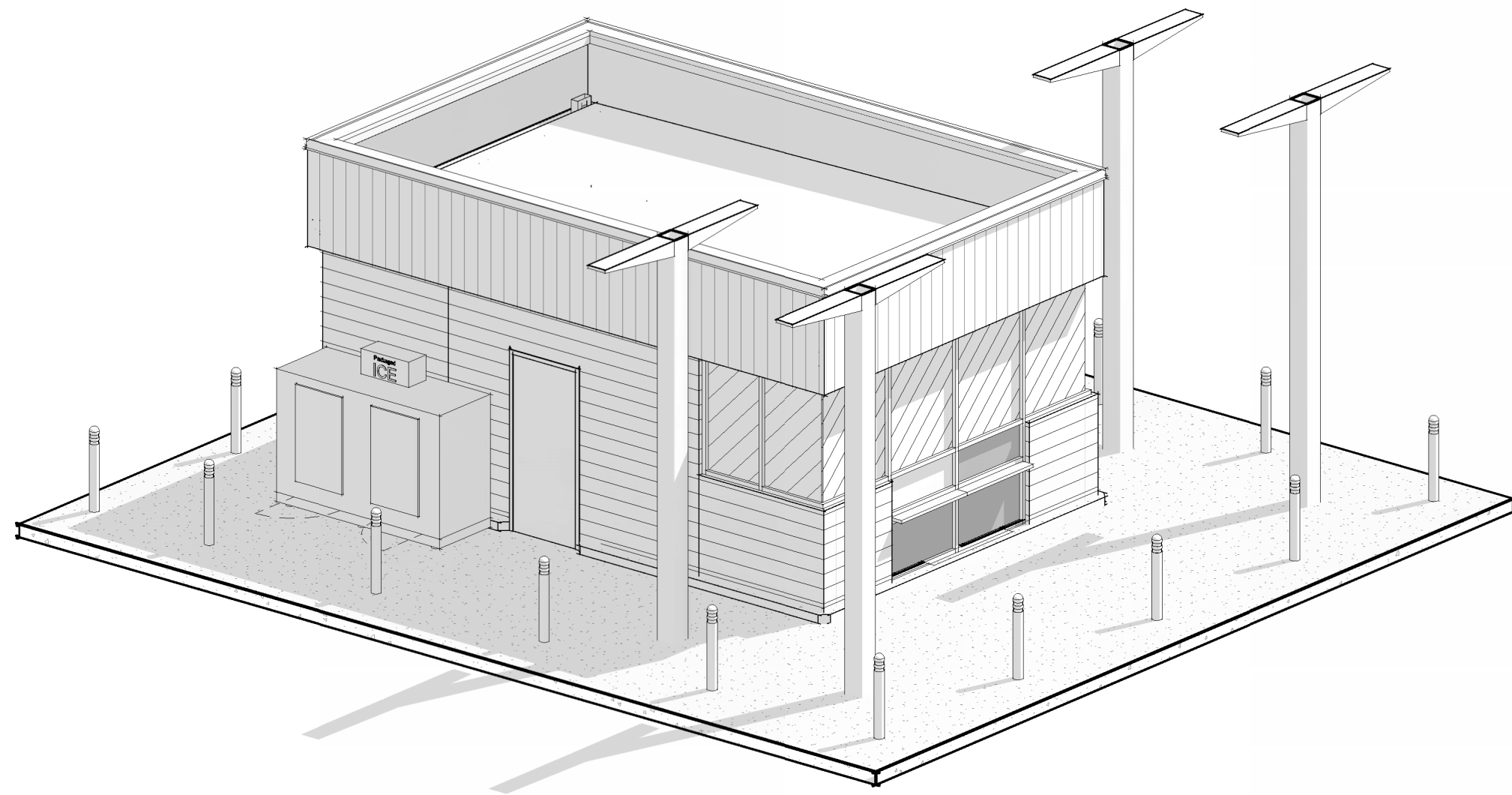
REAR ELEVATION



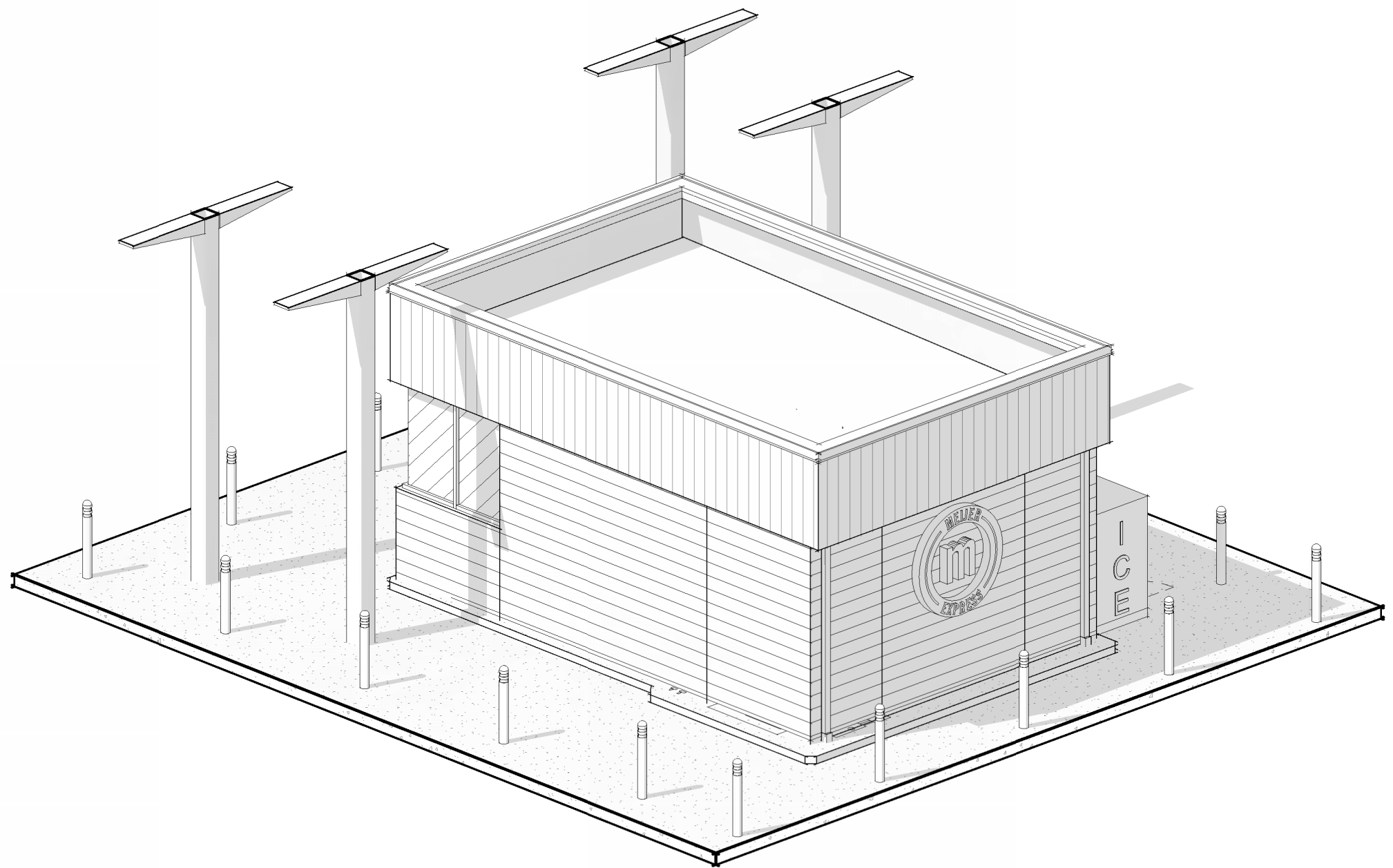
RIGHT ELEVATION



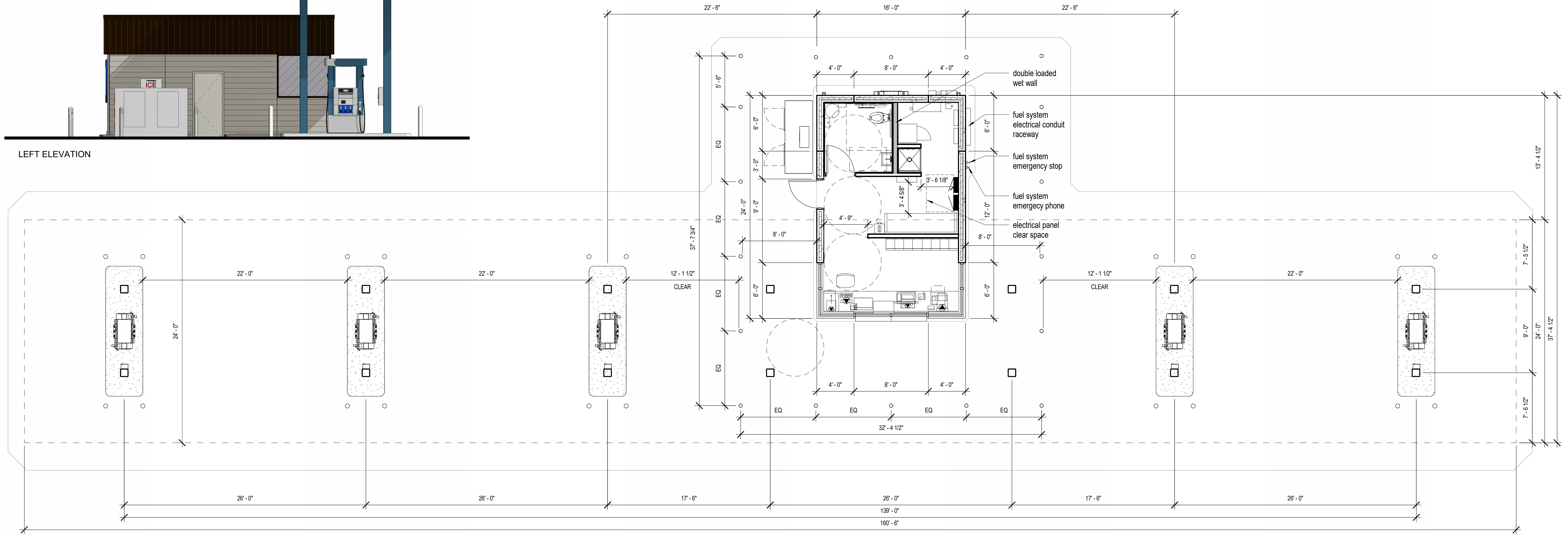
LEFT ELEVATION



LEFT HAND FRONT AXON



RIGHT HAND REAR AXON



OVERALL FLOOR PLAN



FRONT ELEVATION WITH FUEL CANOPY

[narrate]

2 WEST 6TH STREET, SUITE 100
TULSA, OK 74119
918.587.2282
WWW.NARRATEDESIGN.COM

meijer

mEXPRESS PROTOTYPE

REV.	DATE	DESCRIPTION
13719	3/15/2024	MCT 13719
R03	5/17/2024	Maintenance MCT 13871
R04	7/19/2024	Maintenance MCT 14008

NOT FOR
CONSTRUCTION:
FOR REFERENCE
ONLY

Prototype Posting: 31 January 2025

MEIJER mEXPRESS #000
STREET ADDRESS
CITY, STATE, ZIP CODE

Test 3
11 April 2025

ISSUED FOR:	
PERMIT	MM/DD/YY
BID	MM/DD/YY
CONSTRUCTION	MM/DD/YY

PROJECT MANAGER	DESIGNER
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08 NO.
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A-001

UV25-003

R 67 614

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- ☒ Use Variance
☐ Development Standards Variance
☐ Special Exception/Special Use
☐ Relief to Administrative Decision
☐ Conditional Use
☐ Wireless Communications Facility

For Office Use Only:

Petition #

FILEDApplication Type: **USE VAR.**Application Filing Fee: **\$200**Date Filed: **SEP 15 2025**Meeting: **10/21/25**

Clerk-Treasurer

SUBJECT PROPERTY INFORMATION**TYPE OR PRINT IN INK**

Property Address:

1154 Marion
Valparaiso IN 46383Subject property fronts on the North side of Marionside between (streets) Yellowstone& MiltonZoning District: NC 60**PETITIONER INFORMATION**

Applicant Name:

Rae L Benson

Phone:

219-309-0312

Email:

n/a

Address:

1154 Marion
Valparaiso IN 46383**PROPERTY OWNER INFORMATION**

Applicant Name:

Same as Petitioner

Phone:

Email:

Address:

Same as Petitioner

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:Article: 2 Section: 201 Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

CLARBORNE SUB UNIT 1 LOT 3

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

One Chair salon Convert Family room Hours will be Tuesday-Thursday 10:00 a.m. to 6:00 p.m.
Friday 9:00 a.m. to 2:00 p.m. Approximately 7 or less clients per day Only one customer at a
time There will be no retail sales

Less than 10% of the gross floor area of the home will be used. The owner of the home is the
salon operator. There will be no employees. There is no entrance dedicated to the salon
operation. No alterations are being made to the exterior of the building. There is no outdoor
storage for the business. There is no display of business products visible from the exterior of the
home. No deliveries are required to be made to the home for the business. There are no
commercial vehicles involved with the business. The business will not create or cause any noise,
odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to
neighboring properties. The business is not dangerous to life, personal safety or property any
more than any other activity ordinarily carried on with respect to a dwelling unit used solely for
residential purposes. Existing driveway has sufficient room for customer parking There will be no
signage.

Use Variance
Petitioner's Proposed Findings of Fact
(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner Submits that:

- A. The proposed use variance will not be injurious to the public health, safety, morals, and general welfare of the community because:

No employees
One customer at a time
No signage
Hours Tuesday-Thursday - 10-6 Friday 9-2
Days working – Tuesday through Friday
Operation does not cause any smell, noise, or traffic for neighbors to deal with

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

There will be no physical change to the exterior of the house. To the person driving by they will not know it is a business.

- D. The need for the use variance arises from the following condition peculiar to the property involved, which is:

Requesting a hair salon in Petitioner's home in a residential neighborhood NC 60 zoning.
Petitioner has been doing hair for 40 years.

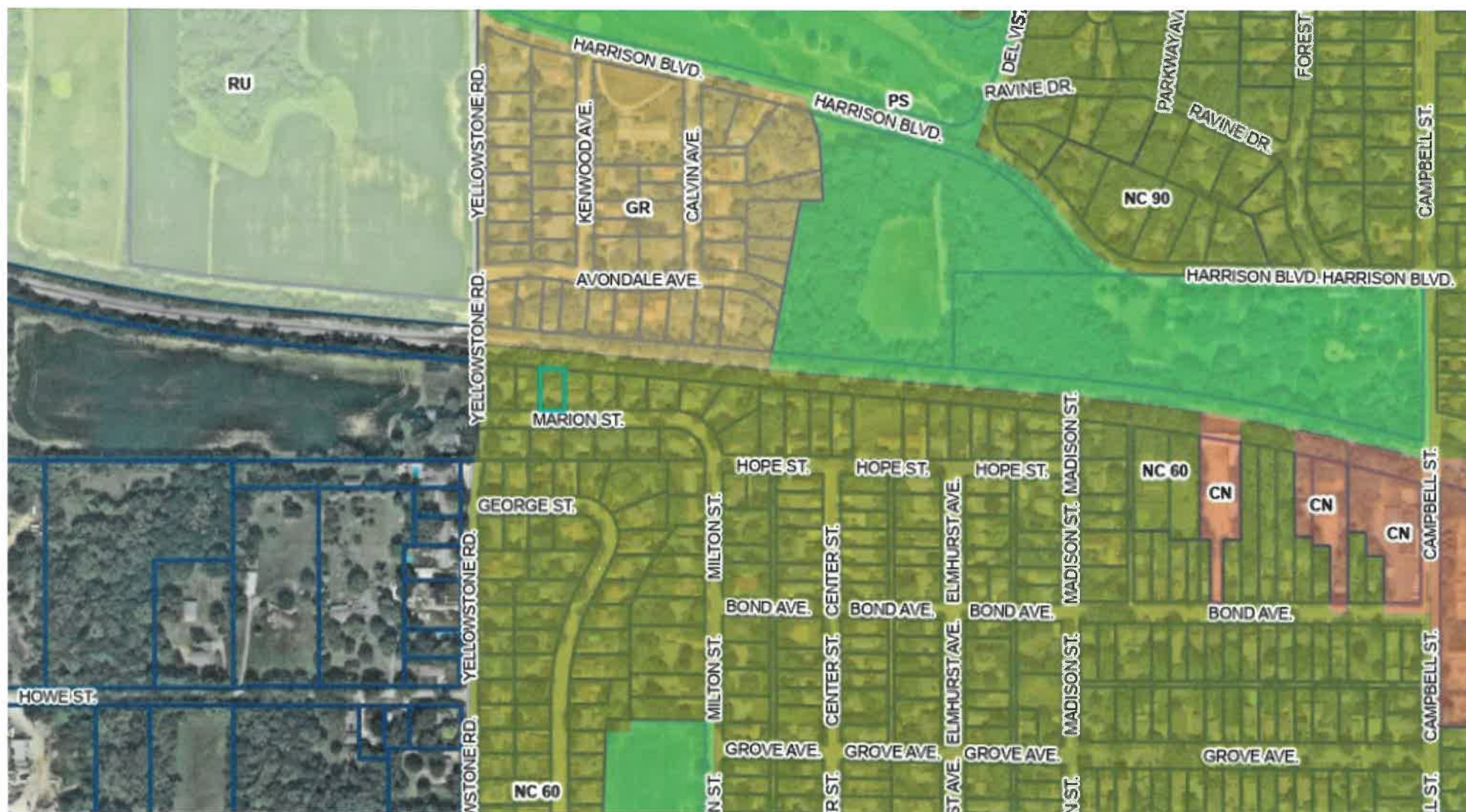
- E. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

Single mom raising a special needs child * Child needs 24/7 caring * Difficult to transport to work all items required for care of child * Current building is poorly insulated which results in higher utility bills and difficult to keep temperature regulated for comfort of customer and child * Roof leaks * monthly rent continues to increase * other facilities do not have accommodations to safely take child to work with Petitioner * other facilities are more expensive and higher insurance * Future of lease renewal uncertain

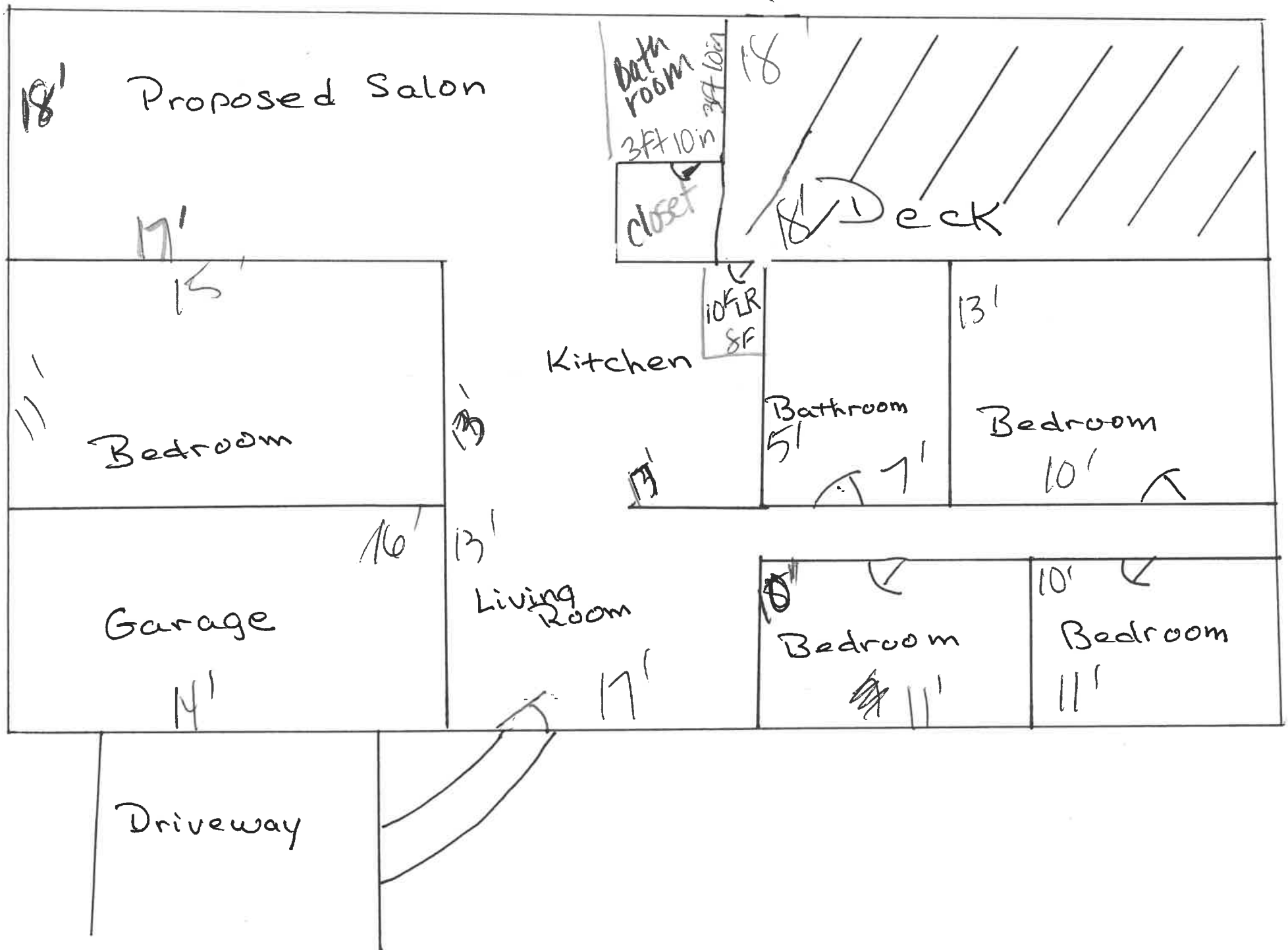
- F. Approval of the proposed use variance does not interfere substantially with the comprehensive plan adopted by the City of Valparaiso because:

This is not a business with multiple employees or any exterior changes to draw attention to the business. The casual observer and neighbors will not notice that it has a business inside.

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed above.







PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- ☒ Use Variance
☐ Development Standards Variance
☐ Special Exception/Special Use
☐ Relief to Administrative Decision
☐ Conditional Use
☐ Wireless Communications Facility

For Office Use Only:

Petition #: UV 25-004
Application Type: USE VARIANCE
Application Filing Fee: \$200
Date Filed: 10 / 08 / 25 *
Meeting: 10 / 21 / 25

SUBJECT PROPERTY INFORMATION**TYPE OR PRINT IN INK**

Property Address:

807 Mound Street
Valparaiso, IN 46383

Subject property fronts on the Northside between (streets) ~~S. Greenwich St.~~ LALFIELD& Linwood AveZoning District: ~~Exempt, Private Academy or College~~
CA, CAMPUS**PETITIONER INFORMATION**

Applicant Name:

807 Mound LLC

Phone:

219-628-2928

Email:

welterrealestate@gmail.com

Address:

260 Franklin Street, Suite 403
Valparaiso, IN 46383

PROPERTY OWNER INFORMATION

Applicant Name:

The Lutheran University Association, Inc.

Phone:

219-464-6703

Email:

Address:

1700 Chapel Drive
Valparaiso, IN 46383

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:

Article: <u>2</u> Section: <u>201</u> Paragraph: <u>A</u> Item: <u>(TABLE)</u>	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____	Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

LOTS NUMBERED 5 AND 6 IN BLOCK TWO (2) IN LINWOOD PARK SUBDIVISION, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF RECORDED IN MISCELLANEOUS RECORD "I", PAGE 151, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

The petitioner, 807 Mound Street LLC, proposes to redevelop the existing vacant fraternity building located at 807 Mound Street into an attainable multi-family residential building containing approximately 10 to 12 condominium units. The property consists of two platted lots currently zoned CA – Campus and is owned by Valparaiso University, which has decommissioned and discontinued use of the structure.

The existing building was originally constructed in 1969 for fraternity housing affiliated with the University. The building has been vacant for several years and is not suitable for reuse under current CA zoning, which limits residential occupancy to housing related to the mission of the University. The proposed project will repurpose the structure for long-term residential ownership through interior renovation and adaptive reuse while maintaining the existing footprint and height.

Exterior improvements will include façade upgrades, new landscaping, and general site enhancements. The redevelopment will comply with all applicable building, life safety, and accessibility codes, including updated fire protection and stormwater management systems. Condominium governance will ensure long-term maintenance and stable occupancy.

The surrounding area—also owned by the University—is being sold to a separate developer for new workforce housing, creating a compatible and coordinated residential environment. This proposed condominium redevelopment complements that broader plan by restoring an existing structure, eliminating vacancy, and providing attractive owner-occupied housing near the University and downtown Valparaiso.

Use Variance
Petitioner's Proposed Findings of Fact
(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner Submits that:

- A. The proposed use variance will not be injurious to the public health, safety, morals, and general welfare of the community because:

Approval of this use variance will not be injurious to the public health, safety, morals, or general welfare of the community. The property currently contains a vacant, well-maintained but aging former fraternity house that has been unoccupied for several years. Redevelopment will bring the building into full code compliance with modern fire-safety, accessibility, and storm-water standards, and will include new landscaping and aesthetic improvements. Conversion to condominium residences will reduce overall occupancy compared with the prior fraternity use, resulting in lower traffic and noise levels. Long-term condominium association governance will ensure continued upkeep, neighborhood stability, and responsible ownership. Collectively, these improvements enhance safety, appearance, and quality of life in the surrounding neighborhood.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

The use and value of adjacent properties will not be affected in a substantially adverse manner. Parcels to the north, south, east, and west are vacant or residential, most of which are included in the planned workforce-housing redevelopment of nearby University-owned land. The project will retain the existing building footprint and height while improving the façade, landscaping, and site design. These upgrades will visually and functionally complement the surrounding residential redevelopment, providing a consistent scale and character. No evidence suggests any adverse market impact; to the contrary, reinvestment and removal of long-term vacancy will likely enhance surrounding property values.

- D. The need for the use variance arises from the following condition peculiar to the property involved, which is:

The need for the variance arises from conditions peculiar to the property. The site consists of two platted lots developed in 1969 with a single structure specifically designed for fraternity housing. Its layout—multiple bedrooms, shared baths, and common living areas—makes it impractical for offices, classrooms, or other institutional uses permitted in the CA District. Continued use under CA zoning would require university affiliation, which is no longer possible because the University has decommissioned and is selling the building. Its proximity to emerging residential redevelopment and distance from the academic core further distinguish it from typical campus property. These unique physical and situational characteristics make strict application of CA zoning unreasonable.

- E. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

Strict application of the zoning ordinance would result in an unnecessary hardship. Once the University transfers ownership, the CA-Campus designation prohibits residential use unless it is directly related to the institution's mission. Because the structure was purpose-built for housing and cannot be feasibly converted to any other CA-permitted use, the property would remain vacant and economically non-viable. Conversations with the University confirm that no institutional or educational reuse is feasible. Allowing multi-family residential occupancy is the only reasonable means of preserving and reactivating the building without demolition or extensive structural alteration.

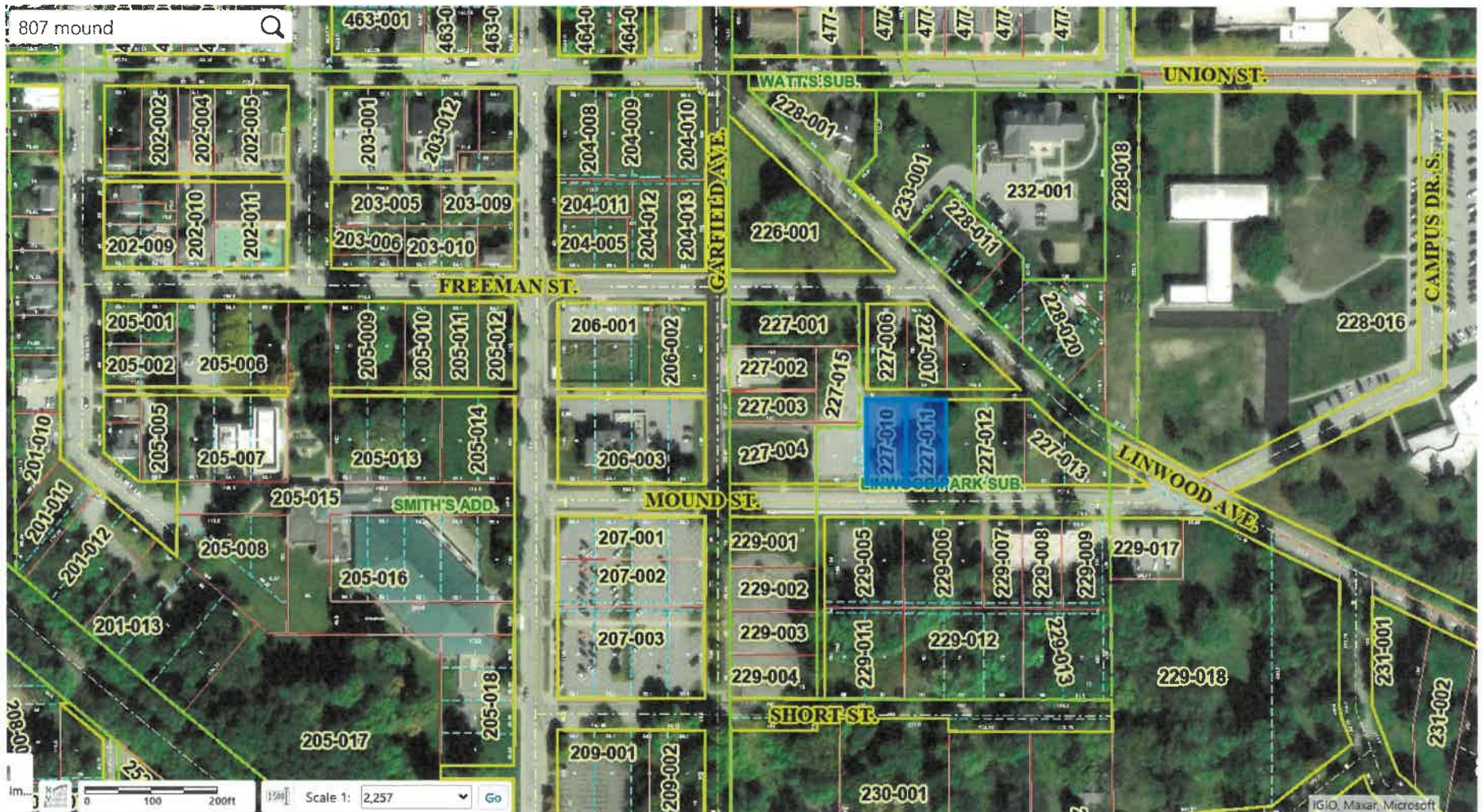
- F. Approval of the proposed use variance does not interfere substantially with the comprehensive plan adopted by the City of Valparaiso because:

Approval of this use variance does not interfere substantially with, and in fact advances, the City's Comprehensive Plan. The 2013 Plan emphasizes adaptive reuse of underutilized institutional structures, infill redevelopment, and diversification of housing types near the University. It identifies the "University Fringe" as an area appropriate for transitional, mixed residential development to strengthen the local housing market and revitalize obsolete buildings. The proposed condominium conversion directly implements these goals by repurposing a decommissioned campus facility into quality owner-occupied housing within walking distance of employment and educational centers. The project also aligns with the adjacent workforce-housing initiative and contributes to a balanced, sustainable neighborhood fabric envisioned in the Plan.

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed above.

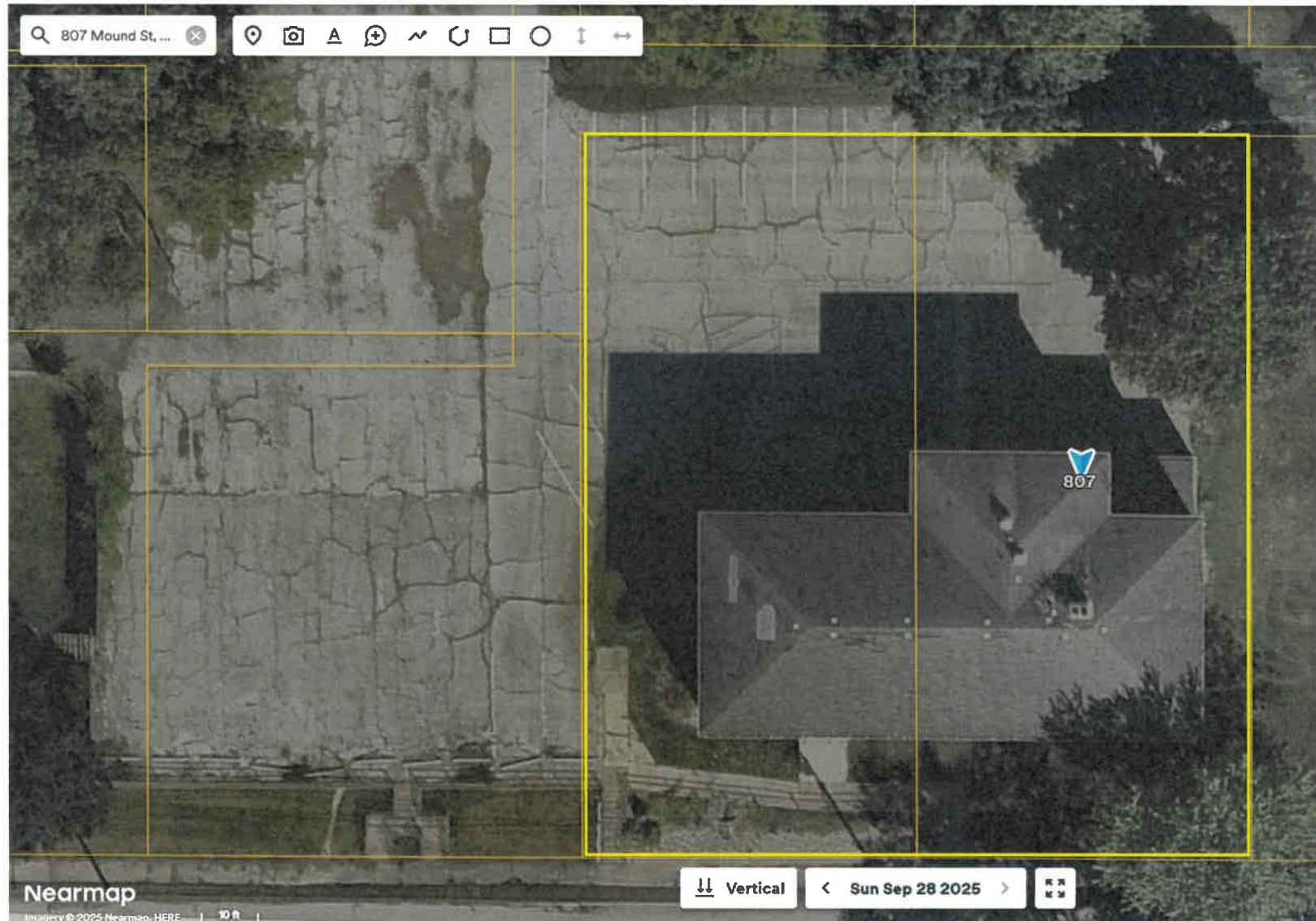
UV25-004 807 MOUND STREET

VICINITY MAP



UV25-004 807 MOUND STREET

CURRENT SITE LAYOUT



UV25-004 807 MOUND STREET

SOUTH ELEVATION



UV25-004 807 MOUND STREET

EAST AND SOUTH ELEVATIONS



UV25-004 807 MOUND STREET

NORTH AND WEST ELEVATIONS



PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- ☐ Use Variance
☒ Development Standards Variance
☐ Special Exception/Special Use
☐ Relief to Administrative Decision
☐ Conditional Use
☐ Wireless Communications Facility

FILED

SEP 19 2025

For Office Use Only:

Petition #: **VAR25-022**

Application Type: **DEV. STANDARDS VAR**

Application Filing Fee: **\$50**

Date Filed: **9 / 19 / 2025**

Meeting: **10 / 21 / 25**

SUBJECT PROPERTY INFORMATION

Clerk-Treasurer

TYPE OR PRINT IN INK

Property Address:

254 Erie Street, Valparaiso, IN 46383

Subject property fronts on the North

side between (streets) Academy

& Napoleon

Zoning District: NC 60

PETITIONER INFORMATION

Applicant Name:

Lee Lane and Carl Lane

Phone:

219-755-0404

Email:

lee@glblegal.com

Address:

419 S. 100 W.
Kouts, IN 46347

PROPERTY OWNER INFORMATION

Applicant Name:

Fred W. Litke Revocable Living Trust

Phone:

219-465-8988

Email:

fred.litke@comcast.net

Address:

207 Napoleon Street
Valparaiso, IN 46383

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:

Article: 3 Section: 3.501 Paragraph: See Attached Item: See Attached
Article: 2 Section: 2.301 Paragraph: See Attached Item: See Attached
Article: 9 Section: 9.301 Paragraph: See Attached Item: See Attached
Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

The West 58 feet of Lot 1 in Block 42 of the Original Survey of Portersville (now the City of Valparaiso) as per plat thereof, recorded in Deed Record "A", page 13, in the Office of the Recorder of Porter County, Indiana and the East 8.25 feet of the original alley vacated per Ordinance 16, 2025 per Valparaiso City Council Meeting on August 11, 2025.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

Construction of a single family residence.

PETITIONERS: Lee Lane and Carl Lane

PROPERTY ADDRESS: 254 Erie Street, Valparaiso, Indiana 46383

1.) Petitioners are requesting Development Standards Variances from:

(1) Section 3.501 Single Family Lot and Building Standards in the NC 60 District:

- A. To reduce the front setback from 20 feet to 15.5 feet for the building (house), enclosed porch and open porch, which is a greater setback than the average setback on the block.
- B. To reduce the rear setback from 20 feet to 7 feet for the residence and garage; and to allow for 1 basement egress window at the rear of the house that would require a reduction in the setback to 4 feet (if considered together with the Green R.O.W area along Chestnut – the residence and garage would have a 22 foot setback from the road and the window well would have a 19 foot setback from the road), which is a greater setback than the average setback on the block.
- C. To increase the maximum building coverage area from .45 to .50 (if Green R.O.W. on Chestnut is included in the calculation, then building coverage would be .40)
- D. To increase the maximum lot coverage area from .50 to .59 (if Green R.O.W. on Chestnut is included in the calculation, then lot coverage would be .53)

(2) Section 2.301 Exceptions to Yard Standards/Table 2.301 – Steps 4 feet or less

- A. To increase the permitted encroachment for front steps from a 5-foot encroachment into the front yard to a 9-foot encroachment into the front yard, which is a greater setback than the average setback on the block.

(3) Section 9.301

- A. To reduce the driveway length requirement from Chestnut Street to the garage from 30 feet to 22 feet, which is a greater setback than the average setback on the block.

2.) The UDO states that the average lot size in the NC 60 District is 7,000 square feet. The 254 Erie Street Lot is only 4,066 square feet. Due to the small size of the lot, it is extremely difficult to construct a home that fits on the lot and fits with the character of the subdivision without variances from the setback and lot coverage standards in the UDO. Petitioners are seeking to construct a home that is substantially similar in setbacks and size to the existing homes on the block.

The block that the 254 Erie Street Lot sits on is unique in that all the homes have garages that back up to Chestnut Street – not to another lot and not to an alley. There is a large, approximately 15-foot grass area that is part of the City's Right-of-Way located between the lots and Chestnut Street. All of the lot owners on this block have landscaped this Right-of-Way area and it expands the green space associated with each of the lots on the block. Therefore, even though the 254 Erie Street Lot is only 4,066 square feet – practically speaking, with the additional green space, the lot is approximately 5,026 square feet – and using this area would mean the building coverage area would only be .40 and the lot coverage area would only be .53.

The existing homes on the block have all been grandfathered into the UDO standards, and the Petitioners are seeking to construct a home that has approximately the same front, rear and front step setbacks as the existing homes on the block.

Petitioners are proposing to build a 1 ½ story home that has approximately 1286 square feet of living space on the main level, plus 2 bedrooms and a bathroom upstairs. The exact design has not been finalized and is pending a determination on the variances. The intent, however, is to design a house that fits the character of the neighborhood.

VARIANCE FROM DEVELOPMENT STANDARDS

PETITIONERS' PROPOSED FINDINGS OF FACT

Petitioner submits that:

- A. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:

The granting of the variances: (1) will allow for the construction of a single family residence that fits in with the character of the existing homes on the block; (2) will not interfere with visibility of vehicles along either Erie Street or Chestnut Street; (3) will not in any way inhibit access for fire protection and emergency responders; (4) will not substantially block solar access of abutting properties; and (5) will not cause drainage onto abutting properties or rights-of-way greater than the previous house located on the Lot and the intent is to use permeable pavers in every area where it is possible.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

Approval of the petition allows for construction of a home that: (1) fits well into the neighborhood and shares similar setbacks and lot coverage as the other homes on the block; (2) takes into consideration the aesthetics of the property; and (3) is in harmony with the neighboring properties and the other homes in the community.

- C. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

(1) The 254 Erie Street Lot is only 4,066 square feet, while the UDO states that the average size of a lot in the NC 60 District is 7,000 square feet; and (2) the house that was originally built on the 254 Erie Lot was grandfathered into compliance with the UDO and condemnation of that house left an unusually small lot that creates practical difficulties to building in conformity with the existing UDO standards.

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each and every one of the elements listed above.

CHESTNUT STREET

49.5' R-O-W

(298)

10.7

5/8"x24" REBAR
WITH MCMAHON CAP
SET AT GRADE

66.25 N 89° 59' 25" W

75.3

5/8"x24" REBAR
WITH MCMAHON CAP
SET AT GRADE

8.25

8.25

(95)
PATIO

58.00

(194)
DRIVEWAY

7.0

EGRESS

(1296)
HOUSE

(542)
GARAGE

PARCEL # 64-09-24-302-003.000.004
LIXIE FRED W. REVOCABLE LIVING TRUST
(SUBJECT PARCEL)
(VACANT)
0.09 ACRES

PARCEL # 64-09-24-30
ROBERT D. & RITA
DCC # 2004-0

61.38

61.38 S 00° 08' 35" W

6.0

(144)
PORCH

(70)
ENC. PORCH

6.0

61.38 N 00° 08' 35" E

16

PINCHED IRON PIPE
FOUND AT GRADE
(HELD PER RD.2)

(62) WALKWAY

19.5'

58.00

59'52"
(HELD PER RD.4)

0.8

66.25 S 89° 59' 25" E

16.3

5/8"x24" REBAR
WITH MCMAHON CAP
SET AT GRADE

ERIE STREET

49.5' R-O-W

T-004
106

: RD.2

	<u>Sq. Ft</u>
House	1,296
GARAGE	542
FRONT PORCH	144
FRONT PATIO	70
WALKWAY	62
DRIVEWAY	194
REAR PATIO	95

2,403 lot coverage requested

4,066 SF LOT
5,080 SF W/GREEN R.O.W. ON CHESTNUT

LOT COVERAGE CALCULATION

$$2,403 \div 4,066 = 59\%$$

$$2,701 \div 5,080 = 53\% \text{ (w/green R.O.W. included)} \\ \text{(+ part of driveway in R.O.W.)}$$

	<u>Sq. Ft</u>
House	1,296
Garage	542
Front Porch	144
Front Patio	70

2,052 bldg coverage requested

BUILDING COVERAGE CALCULATION

$$2,052 \div 4,066 = 50\%$$

$$2,350 \div 5,080 = 46\% \text{ (w/green R.O.W. included)}$$