

MEETING AGENDA

Valparaiso Board of Zoning Appeals
Wednesday, April 20, 2022, 5:30 PM
Valparaiso City Hall – Council Chambers

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Meeting Minutes
4. Old Business
5. New Business

UV22-003/SE22-003B – A petition filed by T-Mobile Central LLC (Insite RE, Inc. as agent) for a temporary 100' monopole wireless telecommunication facility at 205 Billings St. in Commercial Neighborhood (CN) zone.

1. Use Variance - Table 2.551 B to allow a minor telecommunications facility in CN zone
2. Variances from Special Use Standards in Section 2.551:
 - 2.551 (E)(3) to allow placement in side yard
 - 2.551 (E)(4) to reduce the setback from approximately 110' to 40'
 - 2.551 (E)(5) to eliminate requirement for visual screening at base
 - 2.551 (E)(7) to eliminate requirement for collocation capacity

UV22-002/VAR22-004 – A petition filed by Allan Svihlik for Signarama to allow a light industrial use and install a sign on an existing water tower at 405 Elm St in Commercial Neighborhood (CN) zone.

1. Use Variance – Table 2.201 (B) to allow a sign manufacturer (a light industrial use) in CN zone
2. Development Standards Variance – Section 5.303 (2) to allow a sign not expressly permitted in a Commercial District

SE22-002/VAR22-005 – A petition filed by Porter County Museum Foundation c/o Todd Leeth to expand the Porter County Museum at 20 Indiana Ave, a public assembly use, in the Central Business District (CBD).

1. Special Exception – Table 2.201 (A) to allow a museum in the CBD
2. Development Standards Variances
 - Section 2.516 (D)(1) to allow a place of public assembly on the ground floor
 - Section 2.516 (C)(1)(b)(ii) to allow a place of public assembly on a lot of less than three acres

7. Staff Items

8. Adjournment

Michael Micka, *President – Board of Zoning Appeals*

Beth Shrader, *Planning Director*

Next Meeting: **May 18, 2022**

Interested persons can view the public hearing Live on the City of Valparaiso Website, www.valpo.us or via web conference at <https://bit.ly/3KpjlQi>

****Requests for alternate formats please contact Beth Shrader at bshrader@valpo.us or (219) 462-1161. ****

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 #: _____

Application Type: _____

Application Filing Fee: _____

Date Filed: ____/____/____

Meeting: ____/____/____

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

Property Address:

205 Billings Street

Subject property fronts on the Billingsside between (streets) Franklin& CalumetZoning District: CG**PETITIONER INFORMATION**

Applicant Name:

T-Mobile Central LLC (Insite RE, Inc. as agent)

Phone:

773-960-8781

Email:

shinkle@insite-inc.com

Address:

Insite RE, Inc.
1S660 Midwest Road'
Suite 140
Oakbrook Terrace, IL 60181
Ray Shinkle**PROPERTY OWNER INFORMATION**

Applicant Name:

City of Valparaiso

Phone:

219-462-6174

Email:

schen@valpo.us

Address:

205 Billings Street
Valparaiso, IN 46383**SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:**Article: 2 Section: 2.551 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. _____)

That part of lot One Hundred and Sixty-Nine (169) in Powell's addition in the Town (now City) of Valparaiso, described as follows: Commencing Three Hundred Sixteen and Fourteen Hundred (316.14) feet West and Four Hundred and Thirty-Three (433) feet South of the North Quarter Post of Section Twenty-Four (24), Township Thirty-Five (35) North, Range Six (6) West (being of the North line of Billings Street) to the East line of Franklin Street, thence North long the East line of said Franklin Street Two Hundred and Thirty-Five (235) feet to the North line of said Lot One Hundred and Sixty-Nine (169); Thence East along the North line of said lot to a point North of the place of commencement; thence South to the place of beginning.

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

The city needs to paint its water tank and the lease requires T-Mobile (who is a current tenant on the tank as a wireless facility) to temporarily relocate their facilities. This relocation requires the erection of a 100' temporary tower to go up 30 days ahead of the painting and come down 30 days when the painting is complete. The painting is expected to take 120 days, so the temp tower should be up for no longer than six months.

Please read and sign the following statement:

I, the Petitioner (and Property Owner, if separate), understand that I and/or my representative must be present at the public hearing. Should I fail to appear, the BZA, in my absence, may consider and take action on my Petition. If the Petitioner is not the owner of the property that is the basis of this Petition, the signature of the Property Owner(s) constitutes authorization for the Petitioner to speak and act on behalf of the Property Owner(s). The Petitioner certifies that neither the Petitioner nor any attachments or exhibits submitted contains any known intentional misrepresentations or intentionally misleading statements. All information submitted is accurate, true, and correct to the best of the Petitioner's knowledge. The providing of false and/or inaccurate information on this Petition or during any proceedings before the BZA may result in the denial of the request or the revocation of the request, should a Petition be granted. Similarly, if as part of any granted Petition, the BZA places any restrictions and/or limitations, I acknowledge that my failure to comply with such restrictions/limitations shall be grounds to revoke any granted Petition. The Petitioner acknowledges that it bears the obligation to mail notice of any Public Hearing to all property owners within 300 feet of the property that is the subject of this Petition. Any errors by the Petitioner may result in the Petition being delayed, denied, or revoked.

Bryan Donley
Signature of Petitioner

Bryan Donley

Printed Name

Signature of Property Owner

Signature of Property Owner

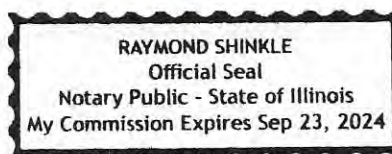
Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared:

Bryan Donley, and acknowledge the execution of the
foregoing document, this 4th day of April, 2022.

Raymond Shinkle
NOTARY PUBLIC

Raymond Shinkle
Type or Print name of Notary

My Commission Expires: 9/23/24
Resident of Deppre County



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:

The temporary tower will not be injurious to the health, safety, morals, and general welfare of the community because T-Mobile has been an existing tenant on this property since 2003. They are only erecting this tower temporarily while the water tank is being painted. The temp tower has a passing structural report and will not pose a danger. Once the water tank painting is complete, T-Mobile will move back to its lease location on top of the tank at 129 feet.

- 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 the area adjacent to the property will not be affected in a substantially adverse manner because this is just a temporary facility and will come down once the water tank painting is complete.

- 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:

If T-Mobile is not allowed to relocate temporarily for the water tank painting, the city will not be able to paint the tank.

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.

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:

The temporary tower will not be injurious to the health, safety, morals, and general welfare of the community because T-Mobile has been an existing tenant on this property since 2003. They are only erecting this tower temporarily while the water tank is being painted. The temp tower has a passing structural report and will not pose a danger. Once the water tank painting is complete, T-Mobile will move back to its lease location on top of the tank at 129 feet.

- 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 the area adjacent to the property will not be affected in a substantially adverse manner because this is just a temporary facility and will come down once the water tank painting is complete.

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

If T-Mobile is not allowed to relocate temporarily for the water tank painting, the city will not be able to paint the tank.

- 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:

If T-Mobile is not allowed to relocate temporarily for the water tank painting, the city will not be able to paint the tank.

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

No. This is just a temporary facility and not permanent. This is needed for the city to paint its water tank and once complete, T-Mobile will move back to its existing lease area and be compliant with the city zoning code for wireless antenna facilities.

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

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

Petitioner Submits that:

- A. The special use will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory because:

No it will not since this is just a temporary facility.

- B. There is no practicable alternative location where the use is permitted as-of-right within one-quarter mile of the parcel proposed for development, or, if such a location exists, the proposed location is more favorable in terms of providing a needed community service to a population that has limited mobility because:

T-Mobile needs to be as close to it's existing lease area as possible while not interfering with the tank painting.

- C. The approval of the special use will not create a critical mass of similar special uses that is likely to tend to discourage permitted uses by making the vicinity less desirable for them because:

No since this is just temporary and related to the city tank painting requirement.

- D. The special use is conducted in a manner that is not materially more disruptive to adjacent properties than other permitted uses in the district unless the special use is temporary and the duration of the use is limited to minimize the impact because:

(Include any proposed conditions of approval to ensure that this requirement is satisfied.)

Not any more than the water tank painting will disrupt the adjacent properties. Both are needed.

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

DRIVING DIRECTIONS

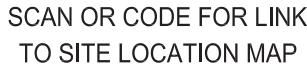
FROM T-MOBILE OFFICE:

- GET ON I-88 E
- TAKE I-294 S AND I-80 E TO IN-51 S/US-6 E/RIPLEY ST IN LAKE STATION. TAKE EXIT 15A FROM I-80 E
- FOLLOW IN-51 S, STATE RTE 130 AND HARRISON BLVD TO BILLINGS ST IN VALPARAISO



SCAN OR CODE FOR LINK
TO SITE LOCATION MAP

- GET ON I-88 E
- TAKE I-294 S AND I-80 E TO IN-51 S/US-6 E/RIPLEY ST IN LAKE STATION. TAKE EXIT 15A FROM I-80 E
- FOLLOW IN-51 S, STATE RTE 130 AND HARRISON BLVD TO BILLINGS ST IN VALPARAISO



SCOPE OF WORK

GROUND SCOPE OF WORK:

1. REMOVAL OF EXISTING FENCE POSTS AT DESIGNATED TEMPORARY TOWER LOCATION DURING WATER TANK PAINTING & INSTALLED BACK AT THE END OF THE PROJECT.
2. INSTALLATION OF ROLLED CHAIN LINK FABRIC TO EXISTING FENCE POST FOR TEMPORARY ATTACHMENT. SPAN OF EXISTING CHAIN LINK FENCE AT DESIGNATED LOCATION TO BE PEELED OFF & ROLLED DURING WATER TANK PAINTING.
3. INSTALLATION OF PROTECTIVE COVERING FOR EXISTING EQUIPMENT WITHIN THE T-MOBILE LEASE AREA.
4. INSTALLATION OF POWER, AAV & ELECT. GROUNDING CONDUITS FROM EXISTING LEASE AREA.
5. INSTALLATION OF (2) HCS 2.0 TRUNK CABLES FROM BOTTOM OVPs TO TOWER BREAKOUT BOXES. TRUNK CABLES TO BE ROUTED ON PVC SLEEPERS WITH GRATING COVER & STRAPPED ALONG OUTSIDE OF MONOPOLE SHAFT.

TOWER SCOPE OF WORK:

1. INSTALLATION OF 100FT STEEL MONOPOLE WITH 24'x24' BALLAST FOUNDATION AT DESIGNATED LOCATION. INSTALLATION OF LOW-PROFILE PLATFORM WITH HANDRAILS AT MONOPOLE.
2. REMOVAL OF EXISTING T-MOBILE ANTENNAS, RRU_s AND COAX CABLES AT TOP OF WATER TANK. REMOVAL OF EXISTING ANTENNA POD MOUNT ON TOP OF WATER TANK.
3. INSTALLATION OF (3) FFVW-65C-R3 OCTO ANTENNAS, (3) AEHC MASSIVE MIMO ANTENNAS, (3) AHFIC RRU_s, (3) AHLOA RRU_s AND (2) HCS 2.0 CABLE BREAKOUT BOXES/PENDANTS ON LOW-PROFILE PLATFORM.
4. INSTALLATION OF HYBRID JUMPER CABLES FROM TOWER BREAKOUT BOXES/PENDANTS TO SECTOR RRU_s AND AEHC ANTENNAS. INSTALLATION OF RF JUMPER CABLES FROM SECTOR RRU_s TO OCTO ANTENNAS.
5. INSTALLATION OF SECTOR GROUND BAR & GROUNDING SYSTEM AT LOW PROFILE PLATFORM.

TOWER SCOPE OF WORK:

1. INSTALLATION OF 100FT STEEL MONOPOLE WITH 24'x24' BALLAST FOUNDATION AT DESIGNATED LOCATION. INSTALLATION OF LOW-PROFILE PLATFORM WITH HANDRAILS AT MONOPOLE.
2. REMOVAL OF EXISTING T-MOBILE ANTENNAS, RRUs AND COAX CABLES AT TOP OF WATER TANK. REMOVAL OF EXISTING ANTENNA POD MOUNT ON TOP OF WATER TANK.
3. INSTALLATION OF (3) FVV-65C-R3 OCTO ANTENNAS, (3) AEHC MASSIVE MIMO ANTENNAS, (3) AHFJ RRUs, (3) AHLOA RRUs AND (2) HCS 2.0 CABLE BREAKOUT BOXES/PENDANTS ON LOW-PROFILE PLATFORM.
4. INSTALLATION OF HYBRID JUMPER CABLES FROM TOWER BREAKOUT BOXES/PENDANTS TO SECTOR RRUs AND AEHC ANTENNAS. INSTALLATION OF RF JUMPER CABLES FROM SECTOR RRUs TO OCTO ANTENNAS.
5. INSTALLATION OF SECTOR GROUND BAR & GROUNDING SYSTEM AT LOW PROFILE PLATFORM.



SITE ADDRESS
205 BILLINGS ST.,
VALPARAISO, IN 46383

SITE COORDINATES
(SITE COORDINATES AND GROUND ELEVATIONS
OBTAINED FROM 1A LETTER DATED 12/3/2021)

TEMPORARY TOWER: N 41° 28' 38.002" (LATITUDE)
W 87° 03' 32.45" (LONGITUDE)
808.15' AMSL (GROUND ELEVATION AT TEMPORARY TOWER BASE)

PROPERTY OWNER OR REP.	RF
ZONING	NETWORK
CONSTRUCTION	CONTRACTOR
OPERATIONS	SITE ACQUISITION

<u>SHEET NO.</u>	<u>SHEET TITLE</u>	<u>REV. NO.</u>
T-1	TITLE SHEET	0
C-1	OVERALL SITE PLAN	0
C-2	ELEVATION	0
C-3	ANTENNA & RRU MOUNTING DETAILS	0
C-4	DETAILED PLANS	0
C-5	ANTENNA & CABLE SCHEDULE	0
C-6	ANTENNA & EQUIPMENT INFORMATION	0
C-7	EQUIPMENT & CABLE INFORMATION	0
C-8	CABLE SUPPORT DETAILS	0
C-9A	RF DATA CONFIGURATION SHEET	0
C-9B	RF DATA CONFIGURATION SHEET	0
C-10	MANDATORY SIGNAGE & POSTING	0
E-1	ELECTRICAL NOTES, CABLE ROUTING PLAN	0
E-2	GROUNDING NOTES, ANTENNA GROUNDING PLAN	0
E-3	GROUNDING DETAILS	0
N-1	NOTES	0
N-2	NOTES	0

ILLINOIS DESIGN FIRM REGISTRATION NO.: 184.002139
1125 REMINGTON RD., SCHAUMBURG, IL 60173
PHONE: 847-490-8200; FAX: 847-490-8225
www.kcscorp.com



SEEMESH M. SETHI
REGISTERED
N° 10200312
STATE OF INDIANA
PROFESSIONAL ENGINEER

Seemesh Sethi

SIGNATURES: _____

DATE: 3/11/22 EXPIRES: 7/31/22

Evans Ave

Billings St

Evans St

205 BILLINGS ST.,
VALPARAISO, IN 46383

Image © 2021 CNES / Airbus

APPLICABLE CODES

- INTERNATIONAL BUILDING CODE, LATEST EDITION
- NATIONAL ELECTRICAL CODE, LATEST EDITION

APPLICANT

T—MOBILE L.L.C.
1400 OPUS PLACE, SUITE 700
DOWNERS GROVE, IL 60515
PHONE: 425-302-1000
FAX:

CONSTRUCTION CONTACT: CHRISTOPHER LYTLE
PHONE NO.:

OPERATIONAL CONTACT:
PHONE NO.:

UNDERGROUND
SERVICE ALERT
CALL TOLL FREE
1-800-892-0123
THREE WORKING DAYS BEFORE YOU DIG

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY
ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A
DULY REGISTERED ENGINEER UNDER THE LAWS OF THE
STATE OF INDIANA.



CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED IN FIELD. IF SIGNIFICANT DEVIATIONS OR DETERIORATION ARE ENCOUNTERED AT THE TIME OF CONSTRUCTION, A REPAIR PERMIT WILL BE OBTAINED AND CONTRACTOR SHALL NOTIFY STRUCTURAL ENGINEER IMMEDIATELY.

SITE IS UNOCCUPIED AND NOT FOR HUMAN
HABITATION. HANDICAP ACCESS NOT REQUIRED.

THE DRAWINGS ARE FULL ON 11"x17" SHEET SIZE AND ARE NOT REDUCED IN SIZE U.N.O.

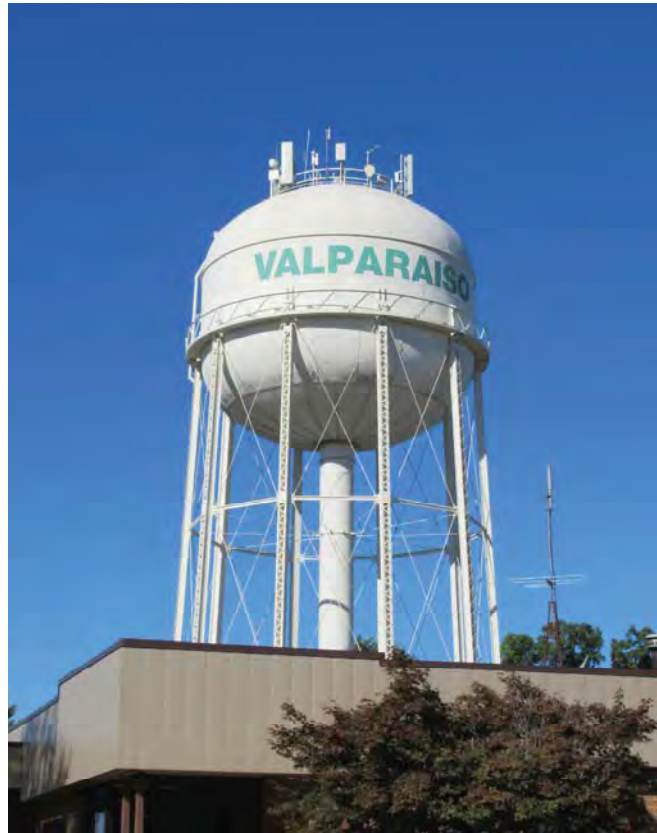
THESE PLANS HAVE BEEN PREPARED FOR THE PURPOSE OF DESIGN AND DETAILING OF ANY AND ALL CIVIL AND ELECTRICAL ENGINEERING ASPECT OF THIS PROJECT,

205 BILLINGS ST.,
VALPARAISO, IN 46383

Drawing Title:

TITLE SHEET

Project Number:	Drawn by: PA
	Date:
Client Project Number:	Checked by:
	Date:
Scale:	Approved by: MS
	Date:
Drawing Number	
T-1	

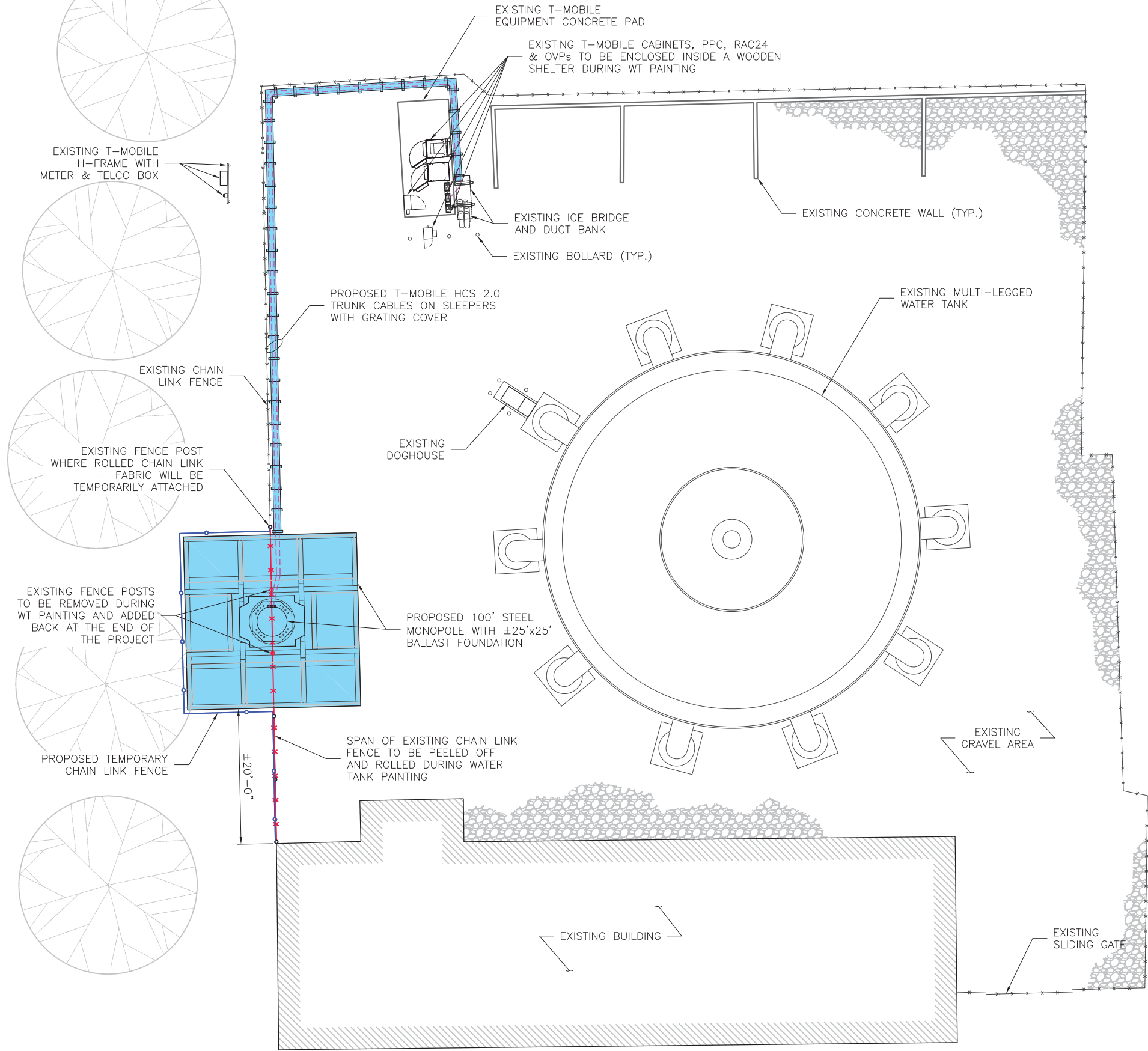


VALPARAISO WATER TANK
TEMPORARY RELOCATION

- PROJECT NOTES:
- SITE PLAN WAS PREPARED USING FIELD MEASUREMENTS, GOOGLE EARTH IMAGERY AND T-MOBILE CH28780A L600 FCDs DATED 08-30-2019.
 - PROPOSED EQUIPMENT & ANTENNA INSTALLATION IS BASED ON PASSING STRUCTURAL ANALYSIS OF TEMPORARY TOWER PREPARED BY FULLERTON ENGINEERING DATED 02/28/2022.
 - SITE FOR TEMPORARY TOWER LOCATION WILL BE GRADED AND CLEARED. SITE WILL BE RESTORED TO ITS ORIGINAL STATE AT THE END OF THE PROJECT.
 - EXISTING CHAIN LINK FENCE POSTS AT BALLAST FOUNDATION LOCATION WILL BE REMOVED, AND ADDED BACK AT THE END OF THE PROJECT.
 - EXISTING SPAN OF CHAIN LINK FABRIC FROM EXISTING BUILDING TO DESIGNATED FENCE POST LOCATION WILL BE PEELED OFF AND ROLLED DURING WATER TANK PAINTING. SAME SPAN WILL BE UNROLLED AND RESTORED TO ITS ORIGINAL STATE AT THE END OF THE PROJECT.
 - EXISTING VINES & STUMPS ALONG THE PEELED FENCE SECTION WILL BE REMOVED. INTERFERENCE WITH MATURE LANDSCAPING SHOULD BE AVOIDED.

LEGEND:

	NEW INSTALLATION
	TO BE REMOVED
	TO BE RELOCATED



T-Mobile

1400 OPUS PLACE, SUITE 700
DOWNERS GROVE, IL 60015
PHONE:
FAX:

KCS CORPORATION
CONSULTING ENGINEERS
ILLINOIS DESIGN FIRM REGISTRATION NO.: 184.002139
1125 REMINGTON RD., SCHAMBURG, IL 60173
PHONE: 847-490-8200; FAX: 847-490-8225
www.kscorp.com

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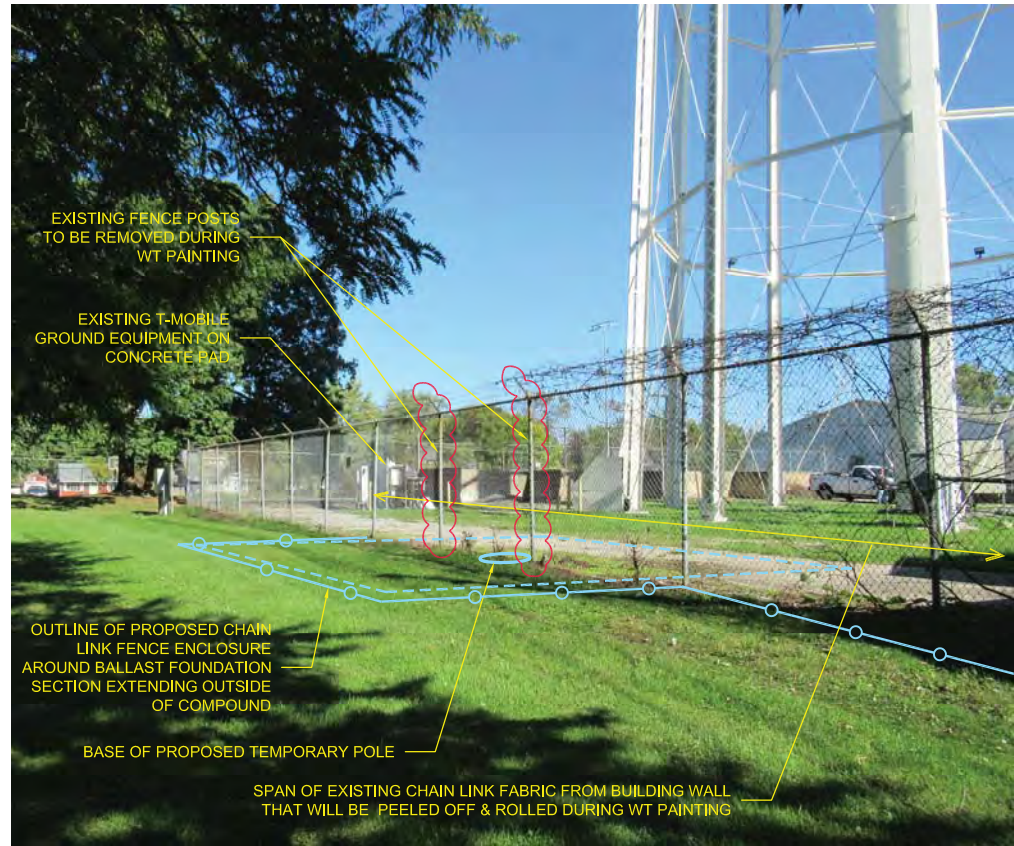
SEEMESH M. SETHI
REGISTERED
N° 10200312
STATE OF INDIANA
PROFESSIONAL ENGINEER
SIGNATURES: *Seemesh M. Sethi*
DATE: 3/11/22 EXPIRES: 7/31/22

0	ISSUED FOR PERMIT	3/11/22
B	ISSUED FOR REVIEW	12/6/21
A	ISSUED FOR REVIEW	11/1/21
REV.	DESCRIPTION	DATE

CH28780A
VALPARAISO WT
(TEMPORARY RELOCATION)
205 BILLINGS ST.,
VALPARAISO, IN 46383

Drawing Title:
OVERALL SITE PLAN

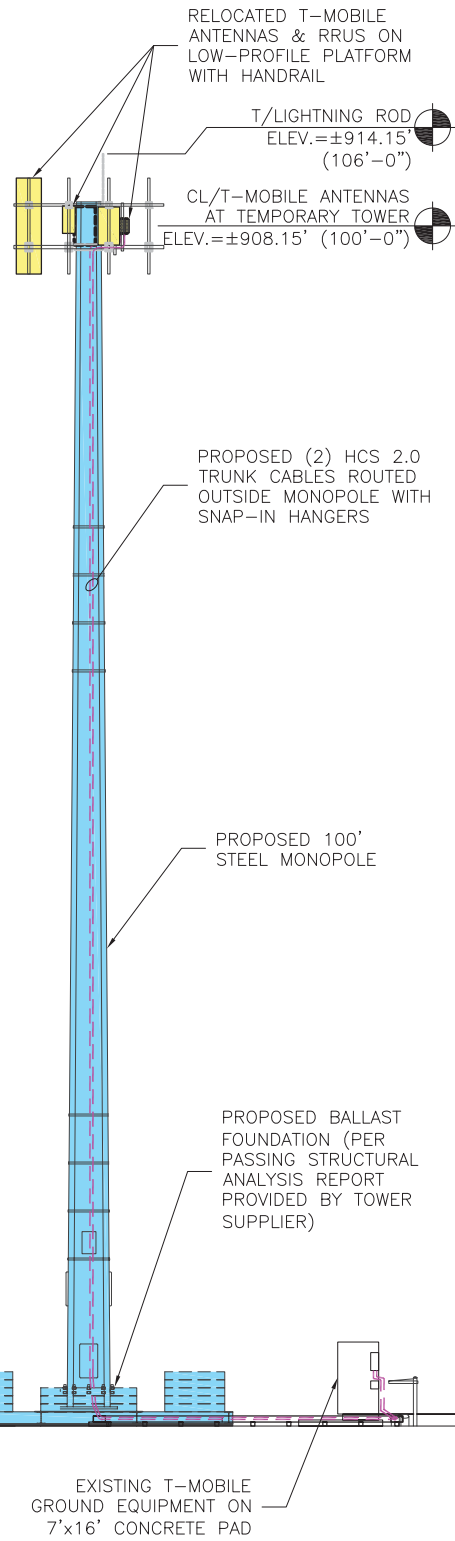
Project Number:	Drawn by: PA
Client Project Number:	Date:
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Drawing Number	Date:
C-1	



PROPOSED TEMPORARY POLE LOCATION
AT EXISTING WEST FENCE

NOTE:
PROPOSED EQUIPMENT AND ANTENNA INSTALLATION IS BASED ON
PASSING STRUCTURAL ANALYSIS OF PROPOSED TOWER PREPARED
BY FULLERTON ENGINEERING DATED 02/28/2022.

- LEGEND:
- NEW INSTALLATION
 - TO BE REMOVED
 - TO BE RELOCATED



EXISTING T-MOBILE ANTENNAS
& RRUS ON WT TOP RAILING
(TO BE RELOCATED)

T/HIGHEST POINT ON WATER
TOWER (CITY ANTENNA)
ELEV.=±954.80' (145.35')

CL/T-MOBILE ANTENNAS AT
WT BALCONY RAILING
ELEV.=±939.25' (129.80')

T/WATER TANK
ELEV.=±936.86' (127.41')

T/BALCONY
HANDRAIL
ELEV.=±908.15'
(98.70')

EXISTING CHAIN
LINK FENCE

T/GRADE AT
WT BASE
ELEV.=±809.45'
(0.0')

① NORTH ELEVATION (FACING SOUTH)
C-2 SCALE: 1/16" = 1'-0"

T-Mobile

1400 OPUS PLACE, SUITE 700
DOWNERS GROVE, IL 60015
PHONE:
FAX:

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HEREIN WITHOUT THE WRITTEN PERMISSION
OF KCS CORPORATION IS PROHIBITED.

SEEMESH M. SETHI
REGISTERED
N° 10200312
STATE OF
INDIANA
PROFESSIONAL ENGINEER
SIGNATURES:
DATE: 3/11/22 EXPIRES: 7/31/22

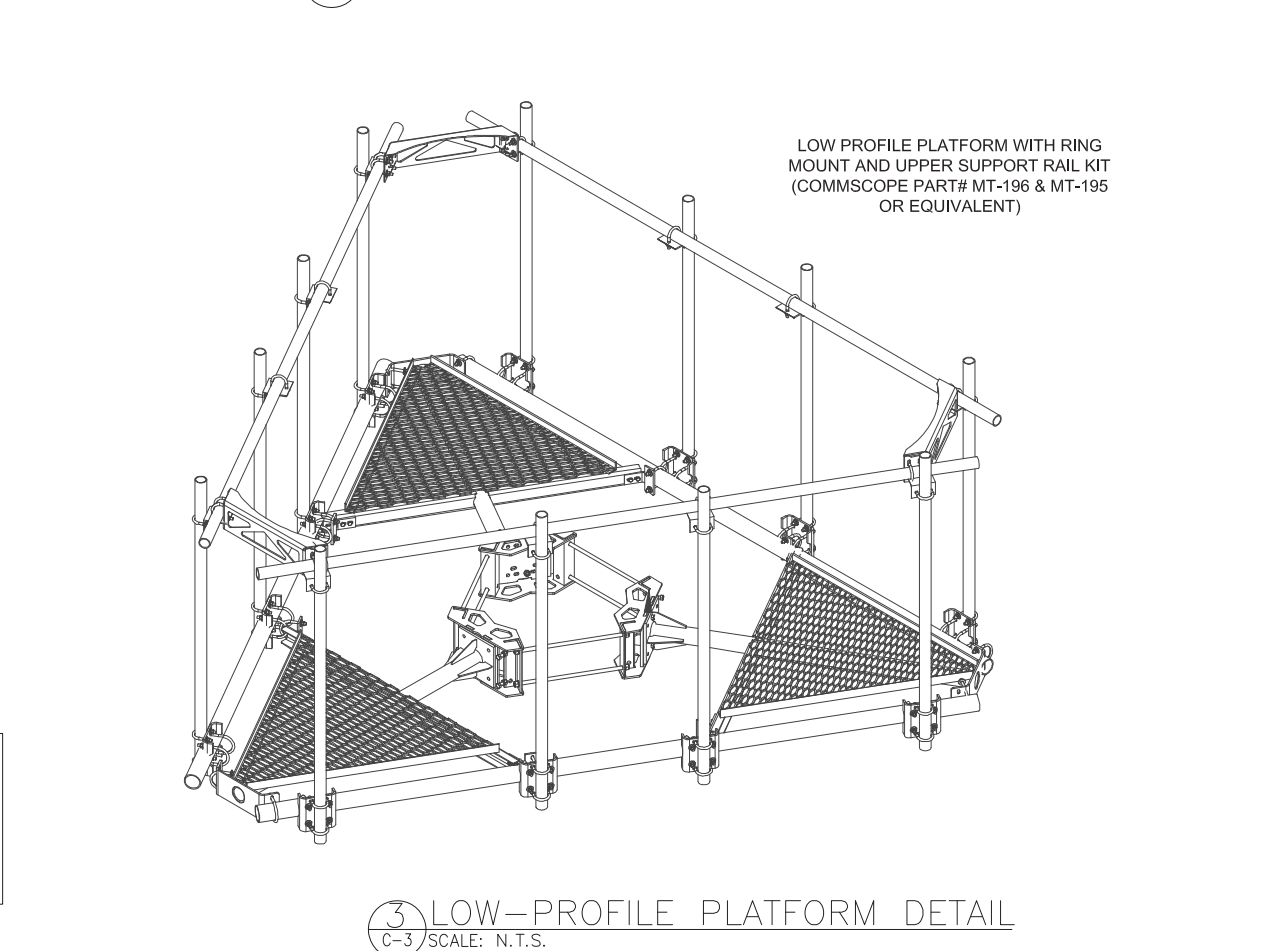
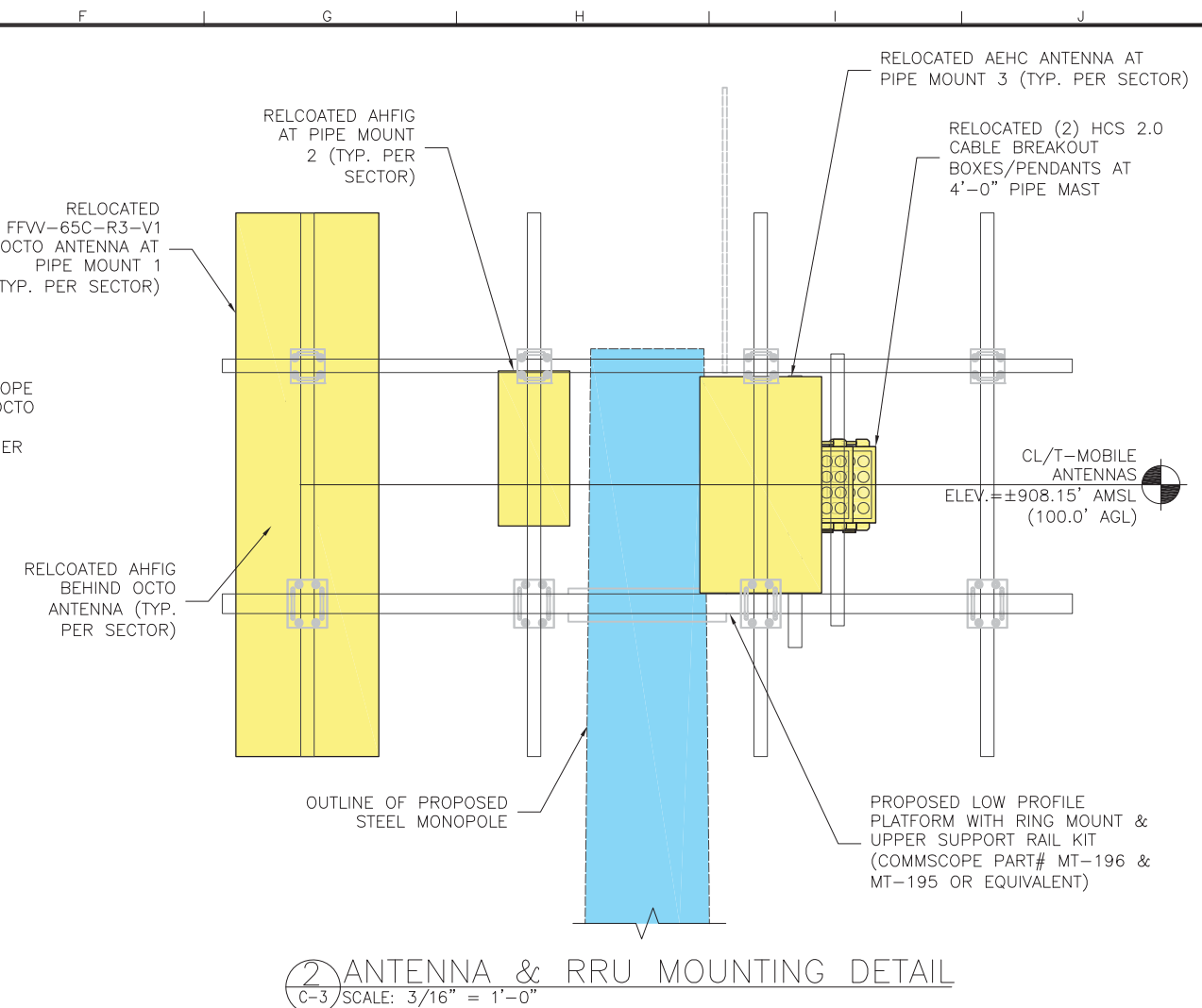
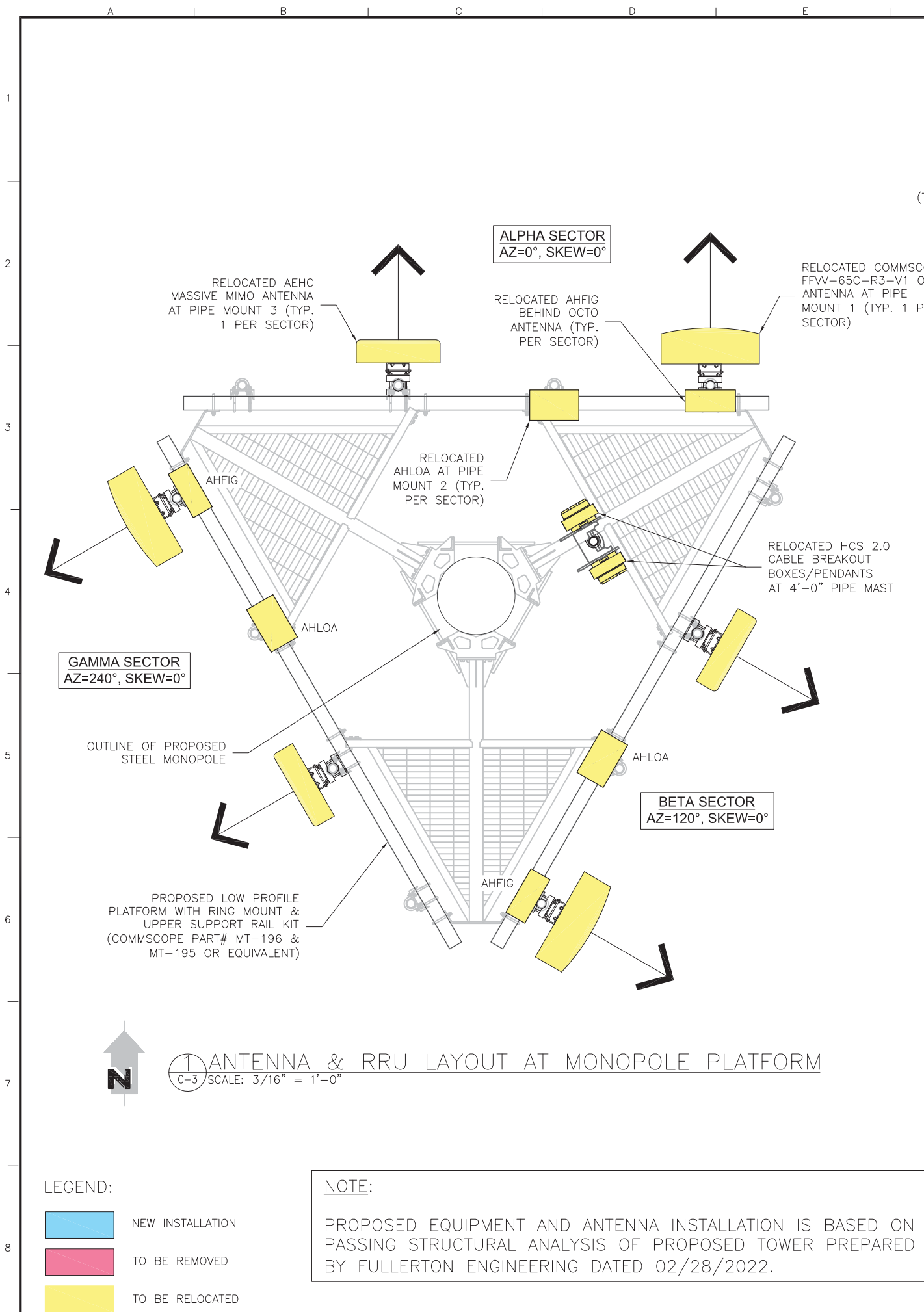
REV.	DESCRIPTION	DATE
0	ISSUED FOR PERMIT	3/11/22
B	ISSUED FOR REVIEW	12/6/21
A	ISSUED FOR REVIEW	11/1/21

CH28780A
VALPARAISO WT
(TEMPORARY RELOCATION)
205 BILLINGS ST.,
VALPARAISO, IN 46383

Drawing Title:
ELEVATION

Project Number:	Drawn by: PA
Client Project Number:	Date:
Scale:	Checked by:
Drawing Number	Approved by: MS
	Date:

C-2



T-Mobile
1400 OPUS PLACE, SUITE 700
DOWNERS GROVE, IL 60015
PHONE: 847-490-8200; FAX: 847-490-8225
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SEEMESH M. SETHI
REGISTERED PROFESSIONAL ENGINEER
N° 10200312
STATE OF INDIANA
SIGNATURE: *Seemesh M. Sethi*
DATE: 3/11/22 EXPIRES: 7/31/22

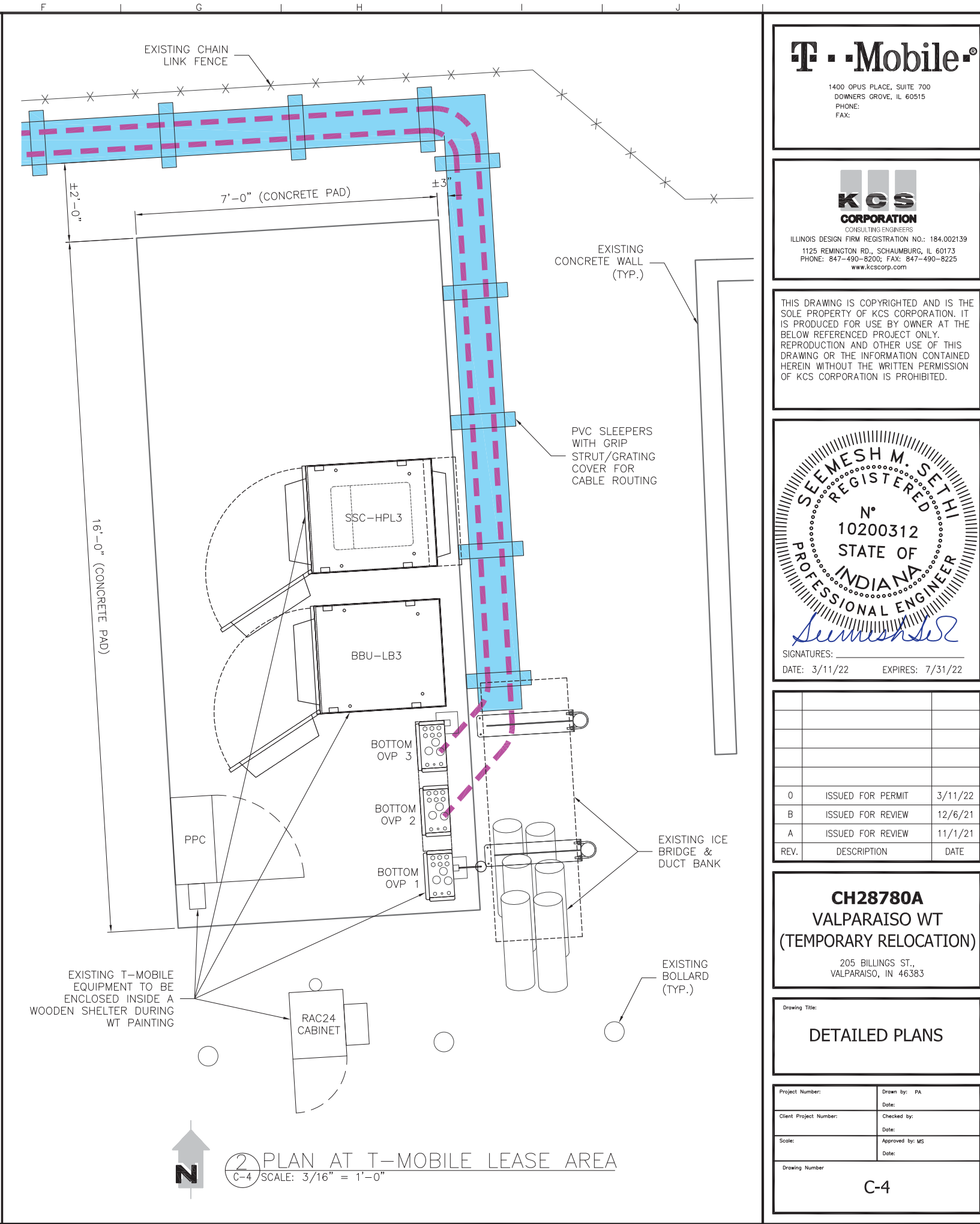
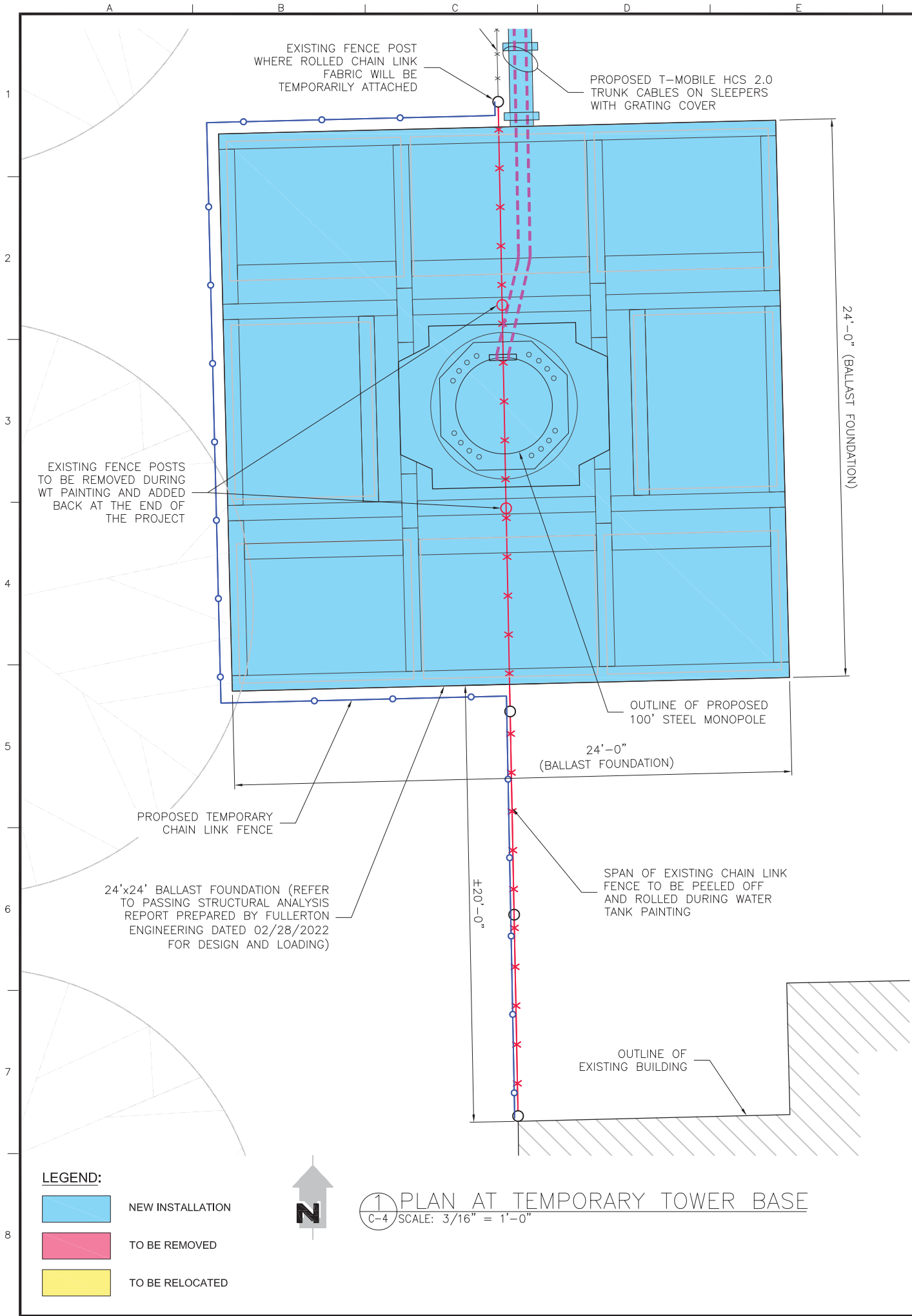
REV.	DESCRIPTION	DATE
0	ISSUED FOR PERMIT	3/11/22
B	ISSUED FOR REVIEW	12/6/21
A	ISSUED FOR REVIEW	11/1/21

CH28780A
VALPARAISO WT
(TEMPORARY RELOCATION)
205 BILLINGS ST.,
VALPARAISO, IN 46383

Drawing Title:
**DETAILED PLANS,
ANTENNA & RRU
MOUNTING DETAIL**

Project Number:	Drawn by: PA
Client Project Number:	Checked by:
Scale:	Approved by: MS
Drawing Number:	Date:

C-3



T-Mobile

1400 OPUS PLACE, SUITE 700
DOWNERS GROVE, IL 60015
PHONE:
FAX:

KCS CORPORATION
CONSULTING ENGINEERS
ILLINOIS DESIGN FIRM REGISTRATION NO.: 184.002139
1125 REMINGTON RD., SCHAMBURG, IL 60173
PHONE: 847-490-8200; FAX: 847-490-8225
www.kscorp.com

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF KCS CORPORATION. IT IS PRODUCED FOR USE BY OWNER AT THE BELOW REFERENCED PROJECT ONLY. REPRODUCTION AND OTHER USE OF THIS DRAWING OR THE INFORMATION CONTAINED HEREIN WITHOUT THE WRITTEN PERMISSION OF KCS CORPORATION IS PROHIBITED.

SEEMESH M. SETHI
REGISTERED
N° 10200312
STATE OF INDIANA
PROFESSIONAL ENGINEER
Seemesh M. Sethi
SIGNATURES:
DATE: 3/11/22 EXPIRES: 7/31/22

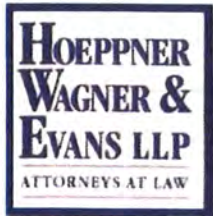
REV.	DESCRIPTION	DATE
0	ISSUED FOR PERMIT	3/11/22
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CH28780A
VALPARAISO WT
(TEMPORARY RELOCATION)
205 BILLINGS ST.,
VALPARAISO, IN 46383

Drawing Title:
DETAILED PLANS

Project Number:	Drawn by: PA
Client Project Number:	Date:
Scale:	Checked by:
Drawing Number	Date:
Approved by: MS	

C-4



File Mark Stamp
FILED

MAR 18 2022

Della Taylor
Clerk-Treasurer

RECEIPT FOR FILING

1. Porter County Museum Foundation
Application for Special Use and Developmental Standard Variance

(See Below)

2. Attachments:

- a) Application for Special Use and Developmental Standard Variance
- b) Findings of Fact – Developmental Standard Variance
- c) Findings of Fact – Special Use
- d) List of Variances
- e) Property Owner List

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:		For Office Use Only:	
This application is being submitted for: (Check all that apply).		Petition #: _____	
☐ Use Variance		Application Type: _____	
☐ Development Standards Variance		Application Filing Fee: _____	
☒ Special Exception/Special Use		Date Filed: ____/____/____	
☐ Relief to Administrative Decision		Meeting: ____/____/____	
☐ Conditional Use			
☐ Wireless Communications Facility			
SUBJECT PROPERTY INFORMATION		TYPE OR PRINT IN INK	
Property Address: _____		Subject property fronts on the _____	
		side between (streets): _____	
		& _____	
		Zoning District: _____	
PETITIONER INFORMATION			
Applicant Name: _____		Address: _____	
Porter County Museum Foundation			
Phone: _____			
219-464-4961			
Email: _____			
tleeth@hwelaw.com/kkopf@hwelaw.com			
PROPERTY OWNER INFORMATION			
Applicant Name: _____		Address: _____	
Phone: _____			
219-464-4961			
Email: _____			
tleeth@hwelaw.com/kkopf@hwelaw.com			
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:			
Article _____	Section _____	Paragraph _____	Item _____
Article _____	Section _____	Paragraph _____	Item _____
Article _____	Section _____	Paragraph _____	Item _____
Article _____	Section _____	Paragraph _____	Item _____

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 #: _____

Application Type: _____

Application Filing Fee: _____

Date Filed: ____/____/____

Meeting: ____/____/____

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

Property Address:

20 Indiana Avenue
Valparaiso, IN 46383Subject property fronts on the South
side between (streets) Washington Street
& Franklin Street on Indiana AvenueZoning District: CBD**PETITIONER INFORMATION**

Applicant Name:

Porter County Museum Foundation

Phone:

219-464-4961

Email:

tleeth@hwelaw.com/kkopf@hwelaw.com

Address:

20 Indiana Avenue
Valparaiso, IN 46383**PROPERTY OWNER INFORMATION**

Applicant Name:

Porter County Museum Foundation

Phone:

219-464-4961

Email:

tleeth@hwelaw.com/kkopf@hwelaw.com

Address:

20 Indiana Avenue
Valparaiso, IN 46383**See Attached****SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:**

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

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

That part of Lot 1, in Block 28, in the Original Survey of the Town, now City, of Valparaiso, as per plat thereof recorded in Deed Record "A," page 13, in the Office of the Recorder of Porter County, Indiana, more particularly described as follows: Beginning at the Northeast corner of said Lot 1; thence South 00° 00' 43" East along the East line of said Lot 1, a distance of 69.27 feet; thence South 89° 58' 13" West parallel with the North line of said Lot 1, a distance of 43.85 feet; thence North 00° 12' 14" East, a distance of 69.27 to the North line of said Lot 1; thence North 89° 58' 13" East along the North line of said Lot 1, a distance of 43.59 to the place of beginning. Containing 0.07 Acres more or less all in Porter County, Indiana.

More commonly known as 20 Indiana Avenue, Valparaiso, Indiana 46383.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. ⁰¹_____)

Expansion of Porter County Museum use of the overall building for artifact-focused exhibits and other museum uses and related ancillary uses. The Porter County Museum Foundation currently owns the property and uses a portion of the building for storage, some of which will continue.

Please read and sign the following statement:

I, the Petitioner (and Property Owner, if separate), understand that I and/or my representative must be present at the public hearing. Should I fail to appear, the BZA, in my absence, may consider and take action on my Petition. If the Petitioner is not the owner of the property that is the basis of this Petition, the signature of the Property Owner(s) constitutes authorization for the Petitioner to speak and act on behalf of the Property Owner(s). The Petitioner certifies that neither the Petitioner nor any attachments or exhibits submitted contains any known intentional misrepresentations or intentionally misleading statements. All information submitted is accurate, true, and correct to the best of the Petitioner's knowledge. The providing of false and/or inaccurate information on this Petition or during any proceedings before the BZA may result in the denial of the request or the revocation of the request, should a Petition be granted. Similarly, if as part of any granted Petition, the BZA places any restrictions and/or limitations, I acknowledge that my failure to comply with such restrictions/limitations shall be grounds to revoke any granted Petition. The Petitioner acknowledges that it bears the obligation to mail notice of any Public Hearing to all property owners within 300 feet of the property that is the subject of this Petition. Any errors by the Petitioner may result in the Petition being delayed, denied, or revoked.

Signature of Petitioner

Todd A. Leeth/Katie L. Kopf

Printed Name

Signature of Property Owner

Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared:

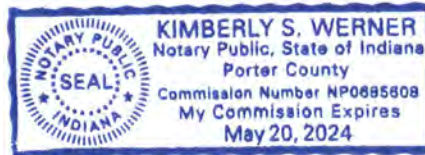
Todd A. Leeth

and acknowledge the execution of the foregoing document, this 18 day of March 2022.

NOTARY PUBLIC

My Commission Expires: _____
Resident of _____ County

Type or Print name of Notary



DEVELOPMENT STANDARD VARIANCE AND SPECIAL USE REQUESTS

Porter County Museum Foundation

Special Use – Museum and ancillary uses within the Central Business (CBD) District		§2.201 (Table 2.201A)
Places of Public Assembly – CBD District		§2.516 D(1)
Code:	Shall not be located on ground floor	
Proposed:	To be located on ground floor	
Places of Public Assembly – Minimum Lot Sizes		§2.516 C(1)(b)(ii)
Code:	3 acres	
Proposed:	Less than 3 acres	

HOEPPNER WAGNER & EVANS LLP ATTORNEYS AT LAW	City of Valparaiso	
	Board of Zoning Appeals Application	
	Petitioner:	Porter County Museum Foundation
	Date:	March 18, 2022
	Public Hearing: April 20, 2022	

**CITY OF VALPARAISO
BOARD OF ZONING APPEALS**

PETITIONER'S PROPOSED FINDINGS OF FACT

Petitioner: Porter County Museum Foundation

Legal Description: That part of Lot 1, in Block 28, in the Original Survey of the Town, now City, of Valparaiso, as per plat thereof recorded in Deed Record "A," page 13, in the Office of the Recorder of Porter County, Indiana, more particularly described as follows: Beginning at the Northeast corner of said Lot 1; thence South 00° 00' 43" East along the East line of said Lot 1, a distance of 69.27 feet; thence South 89° 58' 13" West parallel with the North line of said Lot 1, a distance of 43.85 feet; thence North 00° 12' 14" East, a distance of 69.27 to the North line of said Lot 1; thence North 89° 58' 13" East along the North line of said Lot 1, a distance of 43.59 to the place of beginning. Containing 0.07 Acres more or less all in Porter County, Indiana.

Location: 20 Indiana Avenue, Valparaiso, Indiana 46383

Current Zoning: Central Business (CBD) District

Petition: Development Standards Variances:

- | | |
|--|-----------------|
| 1. Places of Public Assembly
CBD District | Sec. 2.516 D(1) |
|--|-----------------|

Code:	shall not be located on ground floor
Proposed:	to be located on ground floor

2. Places of Public Assembly
Minimum Lot Sizes

Sec. 2.516 C(1)(b)(ii)

Code: 3 acres
Proposed: Less than 3 acres

Case No.:

The above named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for development standards variances to allow for the expansion of Porter County Museum for the use of the overall building for artifact-focused exhibits and other museum uses and related ancillary uses, all in accordance with general plans filed with the City pursuant to the provisions set forth above and found in the Unified Development Ordinance. After conducting a public hearing pursuant to I.C. 37-7-4-920 *et seq.* and the Unified Development Ordinance, and after hearing Petitioner's arguments and evidence in support of the variances, remonstrance and opposition or the opportunity for the receipt thereof, and comments, reports or recommendations of staff and others, the Board of Zoning Appeals for the City of Valparaiso, Indiana now finds as follows:

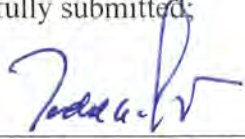
FINDINGS:

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - a. Access to and enjoyment of all abutting property is not made difficult or frustrated by the granting of the variances.
 - b. The granting of the variances will not alter the essential character of the locality.
 - c. The granting of the variances will not adversely affect the safety of vehicular traffic by reducing or obstructing the line of sight at intersections of public or private roads or driveways.

- d. The variances will not adversely affect the aesthetic appeal of the subject property or any neighboring property or buildings located thereon. The Petitioner plans to utilize space currently occupied by Aster + Gray to create a stable environment for the museum's collection of artifacts for the benefit of the general public.
- 2. The use and value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:
 - a. The granting of the variances will not in any recognizable way encroach on the enjoyment or use of the surrounding properties.
 - b. The granting of the variances will secure or preserve adequate light, air, convenience of access, and safety from fire and other dangers.
 - c. There will be no substantial change in the use of the property that will result if the variances are granted.
 - d. The granting of the variances will preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the community and City.
 - e. The granting of the variances is the most restrictive and the minimum relief available to the Petitioner.
- 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties because:
 - a. The circumstances and conditions existing on or about Petitioner's property which prevent conformance with the Unified Development Ordinance and requiring the variances are not self-created.
 - b. The use must be located on the first floor because the building is only a single story. The expansion will allow for the enlargement of a bathroom suite to meet ADA compliance, and will provide a benefit to the general public for its ease of accessibility.

- c. It is impractical for a quasi-governmental non-profit organization to operate a museum in an urban downtown location on 3 acres or more of real estate.

Respectfully submitted:

By: 

Todd A. Leeth/Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

Attorneys for Petitioner

This Instrument Prepared By:

Todd A. Leeth
Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

**HOEPPNER
WAGNER &
EVANS LLP**
ATTORNEYS AT LAW

X:\Porter County Museum-TAL\Matter Name -x\Documents\Findings of Fact 2022-03-18.docx

**CITY OF VALPARAISO
BOARD OF ZONING APPEALS**

**PETITIONER'S PROPOSED FINDINGS OF FACT
SPECIAL USE**

Petitioner: Porter County Museum Foundation

Legal Description: That part of Lot 1, in Block 28, in the Original Survey of the Town, now City, of Valparaiso, as per plat thereof recorded in Deed Record "A," page 13, in the Office of the Recorder of Porter County, Indiana, more particularly described as follows: Beginning at the Northeast corner of said Lot 1; thence South 00° 00' 43" East along the East line of said Lot 1, a distance of 69.27 feet; thence South 89° 58' 13" West parallel with the North line of said Lot 1, a distance of 43.85 feet; thence North 00° 12' 14" East, a distance of 69.27 to the North line of said Lot 1; thence North 89° 58' 13" East along the North line of said Lot 1, a distance of 43.59 to the place of beginning. Containing 0.07 Acres more or less all in Porter County, Indiana.

Location: 20 Indiana Avenue, Valparaiso, Indiana 46383

Current Zoning: Central Business (CBD) District

Petition: Special use in the Central Business (CBD) District for a place of public assembly

Case No.:

The above named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for a special use in the Central Business (CBD) District for a place of public assembly to allow for the expansion of Porter County Museum for the use of the overall building for artifact-focused exhibits and other museum uses and related ancillary uses, all in accordance with general plans filed with the City pursuant to the provisions set forth above and found in the Unified Development Ordinance. After conducting a public hearing pursuant to I.C. 37-7-4-920 *et seq.* and the Unified Development Ordinance,

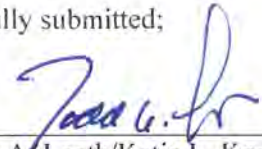
and after hearing Petitioner's arguments and evidence in support of the special use, remonstrance and opposition or the opportunity for the receipt thereof, and comments, reports or recommendations of staff and others, the Board of Zoning Appeals for the City of Valparaiso, Indiana now finds as follows:

FINDINGS:

1. The special use will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory because:
 - a. Access to and enjoyment of all abutting property is not made difficult or frustrated by the grant. The Petitioner plans to utilize space currently occupied by Aster + Gray to create a stable environment for the museum's collection of artifacts for the benefit of the general public.
 - b. The grant will not alter the essential character of the locality. The Porter County Museum has existed directly east across from Franklin Street for the past 47 years, and has garnered national attention as an award-winning institution that provides educational benefit to Valparaiso and Porter County residents.
 - c. The grant will not adversely affect the aesthetic appeal of the subject property or any neighboring property or buildings located thereon, nor will the grant in any recognizable way encroach on the enjoyment or use of the surrounding properties. The reuse of the space for museum purposes will add to the character of the CBD through the institution's continued work helping visitors develop a greater sense of place.
2. There is no practicable alternative location where the use is permitted as-of-right within one-quarter mile of the parcel proposed for development, or, if such a location exists, the proposed location is more favorable in terms of providing a needed community service to a population that has limited mobility because:
 - a. The proposed location is situated at the intersection of Indiana Avenue and Franklin Street, which is close to the historical Porter County Courthouse square and the Porter County Jail where Petitioner currently maintains the museum.
 - b. The building located at the proposed location is the first ADA-compliant space in the Porter County museum's 105-year history of being located in downtown Valparaiso.
 - c. The granting of the variances is the most restrictive and the minimum relief available to the Petitioner.
3. The approval of the special use will not create a critical mass of similar special uses that is likely to tend to discourage permitted uses by making the vicinity less desirable for them because:

- a. The proposed special use is the only history-focused institution of its kind in downtown Valparaiso, and is a great compliment to other venues on the Indiana Avenue corridor, and within the CBD.
 - b. Granting the variances allows for more beneficial use of the property without detrimentally affecting safety or aesthetics of the current building. The expansion will allow for the enlargement of a bathroom suite to meet ADA compliance, and will provide a benefit to the general public for its ease of accessibility.
4. The special use is conducted in a manner that is not materially more disruptive to adjacent properties than other permitted uses in the district unless the special use is temporary and the duration of the use is limited to minimize the impact because:
- a. Parking has never been an issue at the current location directly east of the proposed site for the past 47 years of operation. The current street parking and free parking lots nearby have accommodated the visitors well, with no disruptions to adjacent property owners.

Respectfully submitted;

By: 

Todd A. Leeth/Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

Attorneys for Petitioner

This Instrument Prepared By:

Todd A. Leeth
Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

**HOEPPNER
WAGNER &
EVANS LLP**
ATTORNEYS AT LAW

X:\Porter County Museum-TAL\Matter Name -\Documents\Findings of Fact - Special Use 2022-03-17.docx



PORTER COUNTY MUSEUM FOUNDATION

20 Indiana Avenue, Valparaiso, IN 46383 • (219) 510.1916 • mypoco.org

March 2022

Board of Zoning Appeals, City of Valparaiso
166 W. Lincolnway
Valparaiso, IN 46383

Application Exhibit No. 1

BOARD OF TRUSTEES

CHAIR

Joanne Urschel

TREASURER

Kathryn McMillan

SECRETARY

Ellen Kapitan

TRUSTEES

Brandi Anstine
Gretchen Buggeln
Kathleen Evans
Ruth Johnston
Kevin Kerr
Carlos Rivero

POCO MUSE STAFF

EXECUTIVE DIRECTOR

Kevin M. Pazour

DESIGN & FABRICATION

Jacob Just

COLLECTIONS MANAGER

Asa Kerr

VISITOR EXPERIENCE

Quinn Albert

PROPOSED REUSE

Reuse of 20 E. Indiana Avenue entirely for museum purposes will provide the first climate-controlled, ADA-accessible space in our institution's long history. This building is a benefit to the general public for its ease of accessibility and is a stable environment for our collection of artifacts thanks to its control of temperature and relative humidity. The following is a quick summary of the proposed use of each internal space:

Main Gallery

This gallery will be used for a semi-permanent, artifact-focused exhibit we have tentatively titled, *Porter County: A to Z*. We plan to change out artifacts on a regular basis, but the overall theme would remain for at least five years. This exhibit will tell the general story of Valparaiso and Porter County through artifacts in our collection.

Cain Gallery

The Cain Gallery will showcase artwork from our permanent collection and will change out every periodically. We also anticipate partnership opportunities in this space with the Valparaiso Creative Council, Spring into the @rts, and other local organizations.

Montague/Urschel Gallery

We have retained the Montague/Urschel name for what will serve as our temporary exhibit gallery. This space will host a history-focused exhibit for approximately eight months and an art-focused exhibit for approximately four months of a calendar year. Our planned inaugural exhibit for this space is a collaboration with Chicago's Field Museum and other regional partners to spotlight art of the Calumet Region.

Collection/Art Storage

A high-density shelving solution has been developed to store most of our collection when it is not on display. This area will not be accessible to the general public during regular hours, but we plan to showcase it on special ticketed behind-the-scenes tours.

PHYSICAL CHANGES

There is one major and two minor physical changes in our reuse of the Aster & Gray space. The major change is renovating the bathroom suite so that the west bathroom is enlarged to meet ADA compliance. Minor changes include rebuilding an interior 5' 5" wall at the east end of the Local Art Gallery that Aster & Gray removed in 2019 and creating a 6' finished opening between the Montague/Urschel Gallery and the Main Gallery. This will help create flow between public spaces and establish a much better sightline between the north entrance and south exit.

HISTORY

The Porter County Museum, known now as the PoCo Muse, was founded by the Porter County Historical Society on September 24, 1916. The collection of artifacts was first amassed by residents of all twelve townships in Porter County to celebrate Indiana's Centennial in downtown Valparaiso.

Over the last 105 years, the artifacts of the museum's collection have remained in the county seat and have been displayed in Valparaiso's Carnegie Library (1916-1937), Porter County's Courthouse (1938-1973), and Porter County's 1871 Jail (1975-2020). Our intended reuse of 20 E. Indiana Avenue for the purpose of preserving and showcasing this collection will be the museum's fourth official home.

Trustees of the Porter County Museum Foundation (a successor organization to the Porter County Historical Society) acquired the building at 20 E. Indiana Avenue in 2017 from 1st Source Bank with the intention of connecting it to the properties at 16 and 18 Indiana Avenue in a larger, now-defunct project. The south portion of 20 E. Indiana Avenue was initially used as the museum's programming space (2017-2020) before it became the Montague/Urschel Gallery (2021-2022). Aster & Gray has existed as an income-generating tenant in the north portion of the building since August 2017 and have now moved to another space at 118 Lincolnway in Valparaiso.



A rendering of how the condensable storage shelving will function within 20 E. Indiana Avenue

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 22-002 / VK 22-004Application Type: USE VARIANCE
DEV. STANDARDS VARIANCE

Application Filing Fee: _____

Date Filed: 03 / 18 / 22Meeting: 04 / 20 / 22**SUBJECT PROPERTY INFORMATION**

TYPE OR PRINT IN INK

Property Address:

405 ELM STREETSubject property fronts on the SOUTHside between (streets) ELM& POPLARZoning District: INL**PETITIONER INFORMATION**

Applicant Name:

ALLAN SVIHLIK

Address:

276 W 100 N
VALPARAISO, IN 46385

Phone:

219.280.0031

Email:

sandy@paragoninstall.com**PROPERTY OWNER INFORMATION**

Applicant Name:

JEFFREY SVIHLIK

Address:

280 LARWICK CIRCLE
VALPARAISO, IN 46385

Phone:

219.616.7613

Email:

inparagon@aol.com**SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:**Article: 2 Section: 201B Paragraph: _____ Item: _____Article: 5 Section: 303 Paragraph: 2 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: _____

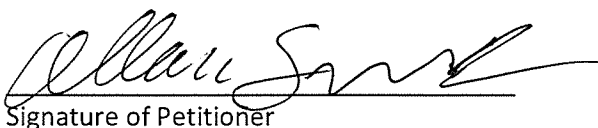
LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

1ST ADD NVALPO BLK 6 & BLK 5 EX LOTS
2 & 3 & VAC STS & ALLEYS

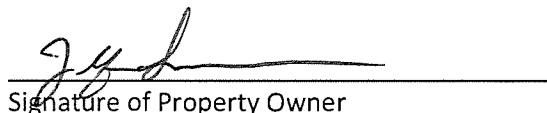
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. A) EXHIBIT A1 & EXHIBIT A2

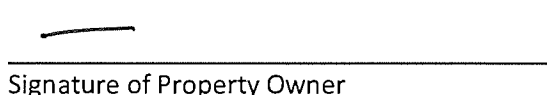
Please read and sign the following statement:

I, the Petitioner (and Property Owner, if separate), understand that I and/or my representative must be present at the public hearing. Should I fail to appear, the BZA, in my absence, may consider and take action on my Petition. If the Petitioner is not the owner of the property that is the basis of this Petition, the signature of the Property Owner(s) constitutes authorization for the Petitioner to speak and act on behalf of the Property Owner(s). The Petitioner certifies that neither the Petitioner nor any attachments or exhibits submitted contains any known intentional misrepresentations or intentionally misleading statements. All information submitted is accurate, true, and correct to the best of the Petitioner's knowledge. The providing of false and/or inaccurate information on this Petition or during any proceedings before the BZA may result in the denial of the request or the revocation of the request, should a Petition be granted. Similarly, if as part of any granted Petition, the BZA places any restrictions and/or limitations, I acknowledge that my failure to comply with such restrictions/limitations shall be grounds to revoke any granted Petition. The Petitioner acknowledges that it bears the obligation to mail notice of any Public Hearing to all property owners within 300 feet of the property that is the subject of this Petition. Any errors by the Petitioner may result in the Petition being delayed, denied, or revoked.


Signature of Petitioner

ALLAN SVIHLIK
Printed Name


Signature of Property Owner


Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared:

ALLAN SVIHLIK & JEFFREY SVIHLIK, and acknowledge the execution of the
foregoing document, this 17 day of MAR, 2022.


NOTARY PUBLIC

SANDRA PENDERGRASS
Type or Print name of Notary

My Commission Expires: 02.15.24
Resident of PORTER County



AFFIDAVIT OF CONSENT OF PROPERTY OWNER

(To be presented with application for Board of Zoning Appeals)

JEFFREY SVIHLIK being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That JEFFREY SVIHLIK ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes ALLAN SVIHLIK ("Petitioner") to seek the relief sought in the Petition filed before the BZA. Petitioner is further authorized to commit to any reasonable restriction requested by the BZA or proposed by the Petitioner.

[Signature]
Property Owner

March 17, 2022
Date

Property Owner

Date

Subscribed and sworn to before me this 17TH day of MARCH, 20 22.

[Signature]
Notary Public

My Commission:

02.15.24
Date



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:

IT'S SIGNAGE ON WATERTOWER
READING: SIGNARAMA
HOPEPRINTS.COM

- 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:

IT'S SIGNAGE ON AN ALREADY EXISTING
WATER TOWER THAT HAS BEEN THERE
SINCE 1948. THERE WILL BE NO
CHANGE IN VALUE OR HAVE ANY ADVERSE
AFFECT TO PROPERTIES ADJACENT TO
PROPOSED VARIANCE PROPERTY.

- 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:

FILED VARIANCE PER BETH SHRADER
"ZONING ORDINANCE INL"
CURRENT SIGNAGE ORDINANCE IS
ANTIQUATED.

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.

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:

MANUFACTURING SIGNS WILL NOT CREATE OR CONSTITUTE A NUISANCE TO SURROUNDING PROPERTY OWNERS. THE ONLY CHANGE TO BUILDING WILL BE THE ADDITION OF SIGNAGE TO THE BUILDING WHICH HAS ALREADY BEEN PERMITTED & APPROVED.

- 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:

USING THE ALREADY EXISTING BUILDING (FORMERLY ZONED AS INL) AS AN INL PROPERTY WILL HAVE NO ADVERSE AFFECT ON VALUE OF SURROUNDING PROPERTIES. THERE WILL BE NO NOISE VIOLATIONS OR ANY ENVIRONMENTAL CONCERNS.

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

PROPERTY IS CURRENTLY ZONED CN - APPROVAL FOR INL USE WILL NOT PRODUCE ANY ELEVATED NOISE LEVELS, ODDOR, SMOKE OR ANY OBJECTIONABLE WASTE MATERIALS. PROPERTY WILL CONTINUE TO CONDUCT BUSINESS SIMILARLY TO HOW IT OPERATES TODAY.

- 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:

APPROVAL WILL INCREASE REVENUE AND CREATE JOBS. PARAGON INSTALLATIONS AND AMERICAN DIRECT SALES HAS CONDUCTED BUSINESS IN THIS ZONE (711 GARFIELD & 405 ELM) AS A SIGN INSTALLER/MANUFACTURER FOR YEARS. OUR DECISION TO PURCHASE A NATIONAL FRANCHISE IS TO CREATE NAME RECOGNITION AND TO BETTER SERVE THE LOCAL COMMUNITY.

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

UPON APPROVAL, THERE WILL BE NO CHANGE TO PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE TO THE COMMUNITY.

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

- 405 ELM ST.

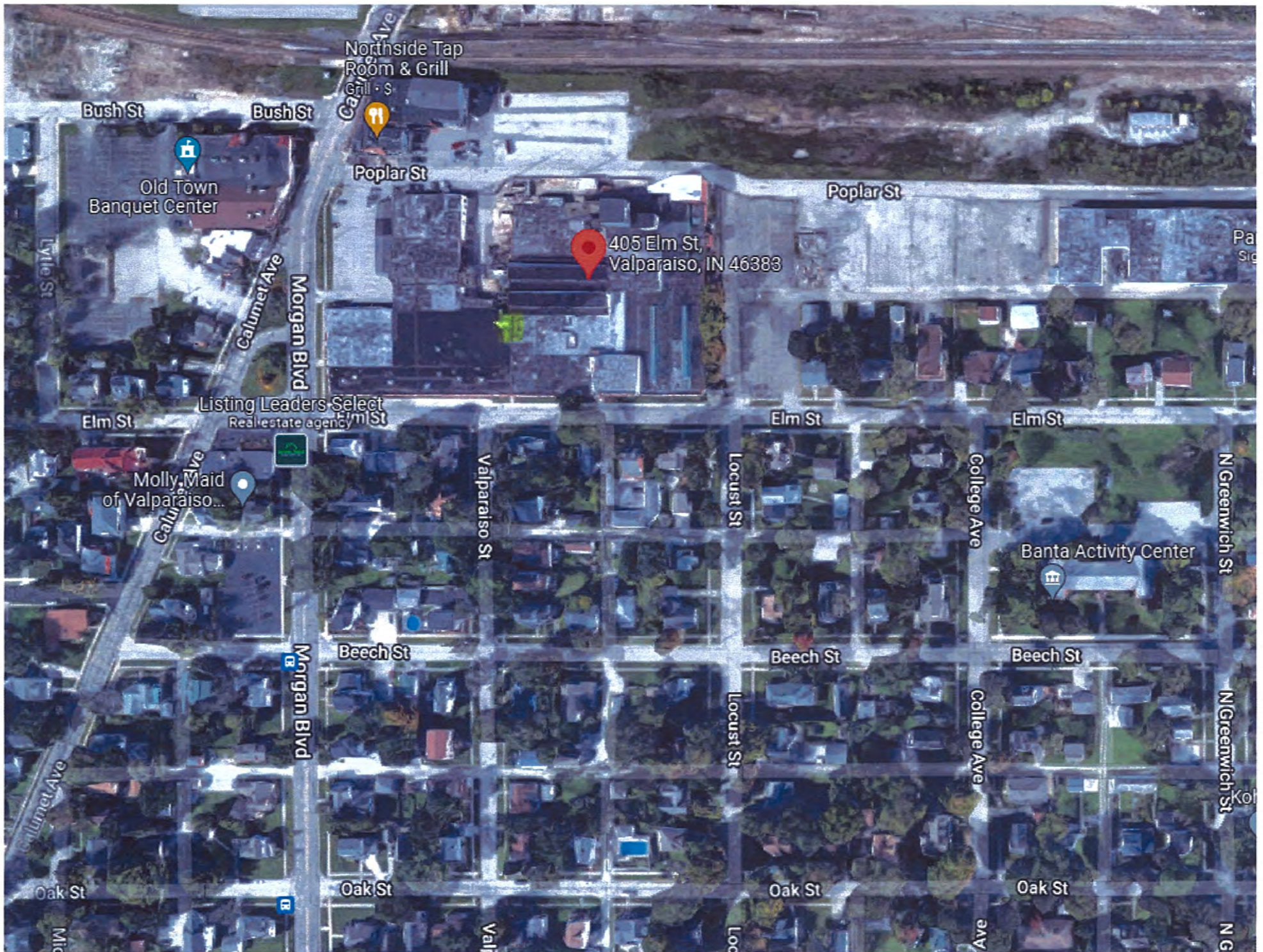


EXHIBIT A

Mar 16, 2022



28.65'W

Signarama

5.22'H

28.65'W

hopeprints.com

3.77'H

Product	Size	Qty:	Sides	Notes:
Vinyl Decal	28.65' x 5.22'	1	1	
Vinyl Decal	28.65' x 3.77'	1	1	



Signarama
The way to grow your business.

405 Elm Street, Valparaiso, IN 46383

Approval states that contents of this proof are correct and the responsibility of the client

Please review art for accuracy in:

Dimension • Layout • Spelling • Color

Phone: 219-786-0171

Design By: Nathan Elliott

Approval Signature: _____

Date: _____

www.signarama-valparaiso.com



EXHIBIT A1

08 Morgan Blvd
Alparaiso, Indiana
[View on Google Maps](#)



EXHIBIT A2