

VALPARAISO BOARD OF ZONING APPEALS
Regular Meeting Minutes
May 19, 2021

The regular meeting of the Valparaiso Board of Zoning Appeals was held at 5:30 p.m. on Wednesday, May 19, 2021 at Valparaiso City Hall, 166 Lincolnway, Valparaiso, Indiana. Remote access was available via livestream on the Valparaiso City Website. Mike Micka presided.

Members present were Paul Reed, Kyle Yelton, Byron Martin, and Mike Micka. Also present were Beth Shrader, Carley Lemmon, Attorney Patrick Lyp, and petitioners. Diane Worstell arrived after roll call.

MINUTES:

Paul Reed made a motion to approve the April 21, 2021 minutes as presented. Kyle Yelton seconded the motion. A voice vote was taken and unanimously carried 4-0.

OLD BUSINESS:

None.

NEW BUSINESS:

VAR21-006 – A petition filed by Beth Wrobel. The property is located at 2401 Valley Dr in the Business Park (BP) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.403 (F)(3) – To vary the maximum accessory structure height to allow for an accessory structure height of 19' 8 ¾".

Ms. Beth Wrobel presented. HealthLinc would like to build an accessory structure to house their mobile van as well as accommodate extra need in giving vaccinations. The mobile unit's height is 14.5 feet requiring a 16-foot overhead door. Because of this the structure is up to 19 feet 8 ¾".

Public Hearing: Beth Shrader asked if any of the public would like to speak in favor of or in opposition of this petition. Ms. Shrader also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

Q: What is the exact location of the building?

A: Centered at the north of the property. A site design was provided in the Member's packets.

Q: There are a number of trailer units on the property now. What is their purpose?

A: Currently those are for help with the Covid vaccines and will be removed once that is no longer needed.

Q: Are there landscaping requirements that go with this?

A: Plan were submitted with landscaping and will create a buffer to the north. No variances were requested for landscaping. There is no landscape buffer requirement to the west because the adjacent parcel is also Business Park Zoning.

Q: Is this a separate lot?

A: No. It has all been joined with HealthLinc's existing lot.

Staff advised a thorough review of the plan was made and height is the only variance needed.

Motion: Paul Reed made a motion to approve VAR21-006 o vary the maximum accessory structure height to allow for an accessory structure height of 19' 8 ¾" as presented and based on the proposed findings of fact. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

VAR21-007 – A petition filed by Stephanie Edwards. The property is located at 3400 Venice Dr in the Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

- Article 3, Section 3.501(B), Table 3.501 – To vary the maximum lot coverage to allow for a maximum lot coverage of 44.34%.

Ms. Stephanie Edwards presented. We would like to install an inground pool at our home. We were approved through our homeowner's association. It will be a 16x32-foot pool with a concrete apron surrounding it.

Public Hearing: Beth Shrader asked if any of the public would like to speak in favor of or in opposition of this petition. Ms. Shrader also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

Q: Will the entire yard be fenced?

A: Yes. We will also have an auto cover.

Motion: Paul Reed made a motion to approve VAR21-007 to vary the maximum lot coverage to allow for a maximum lot coverage of 44.34% as presented and based on proposed findings of fact. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

VAR21-008 – A petition filed by Jason Lynn c/o Todd A. Leeth, 103 Lincolnway, Valparaiso, IN 46383. The property is located at 306 Glendale Blvd in the General Residential (GR) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.303(D)(2) – To vary the maximum accessory building footprint to allow for an accessory building footprint of 1,040.40 Sq. Ft.

Attorney Katie Kopf presented. Mr. Jason Lynn was also present. There is an existing home on the property that is .42 acres in size. The petitioner purchased the property and has been renovating the home. The owner would like a variance to allow for an 1,040 square-foot accessory building to allow for a garage and carport.

Public Hearing: Beth Shrader asked if any of the public would like to speak in favor of or in opposition of this petition. Ms. Shrader also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time.

Via webinar comments – Joe Arredondo – why is a variance being requested after the structure has already been built, and is there a fine for doing so?

Attorney Kopf's rebuttal:

When Mr. Lynn started his renovations, he visited the building department for proper permits and his understanding was that a variance was not needed. It has since been discovered that a variance is necessary.

Ms. Shrader advised written correspondence was received Mary Brown, 305 Stanley Street, Valparaiso stating the home has been beautifully renovated.

The public hearing was closed, and questions/comments were heard from the Members.

C: Attorney Lyp noted that there is a difference of opinion between the petitioner and the Building Department regarding the initial contact with Mr. Lynn.

C: Ms. Shrader advised there is no current fee schedule for a situation such as this.

Q: Is this home owner-occupied?

A: No.

Q: Were building permits received?

A: No, the understanding was that if the petitioner was replacing an existing material then a building permit was not necessary. The garage was there originally so we thought replacing it was permitted.

Q: Is on street parking permitted at this location on Glendale Blvd?

A: Not directly in front of this property.

Motion: Diane Worstell made a motion to approve VAR21-008 to vary the maximum accessory building footprint to allow for an accessory building footprint of 1,040.40 square feet as presented and based on the proposed findings of fact. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

VAR21-009 – A petition filed by Matthew Stechly. The property is located at 210 Carter Ct in the Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.303(D)(6) – To vary the requirement for the accessory structure to match materials of the principal structure to allow for an accessory structure with metal siding.

Mr. Matthew Stechly presented. Carter Court is a private drive with four to five homes existing on it. He has lived at this location for 10 years and is now financial able to construct an accessory structure to be his hobby shop. 30x30 accessory building. Due to cost, he needs to have a metal structure. Color will match the home. There are other accessory structures in his immediate area, so his request is not unique to this street.

Public Hearing: Beth Shrader asked if any of the public would like to speak in favor of or in opposition of this petition. Ms. Shrader also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time

Beth Shrader noted the following written correspondences:

Larry & Sherry Dravies, 2905 Tanager Avenue, Valparaiso, are in support of this petition.

Darryl Kellerman, neighbor, is in support of this petition.

Steven & Deborah Zulich, 457 N 211 E., Valparaiso, are in support of this petition.

Dennis Putnam, 209 Carter Court, Valparaiso, is in support of this petition.

The public hearing was closed, and questions/comments were heard from the Members.

Q: What type of roof will the structure have?

A: Metal.

Q: Will there be a drive to the structure?

A: Currently it is grass, but we are considering other hardscape options for the future.

Motion: Paul Reed made a motion to approve VAR21-009 to vary the requirement for the accessory structure to match materials of the principal structure to allow for an accessory structure with metal siding as presented and based on the proposed findings of fact. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

STAFF ITEMS:

Fines - Attorney Lyp advised that the current City policy is that as long as a property owner acknowledges they are in default and they are working to correct the issue then there is no fine.

Errors - Attorney Lyp commented occasionally a petitioner will suggest that the City made an error. In those situations, we will want to make sure we get the input from the department that is suggested of making the error.

ADJOURNMENT:

There being no further business, the May 19, 2021 Board of Zoning Appeals meeting was adjourned at 6:10 p.m.

Mike Micka, President

Beth Shrader, Executive Secretary