

**VALPARAISO BOARD OF ZONING APPEALS**  
**Regular Meeting Minutes**  
**March 17, 2021**

The regular meeting of the Valparaiso Board of Zoning Appeals was held at 5:30 p.m. on Wednesday, March 17, 2021 at Valparaiso City Hall, 166 Lincolnway, Valparaiso, Indiana. Remote access was available via livestream on the Valparaiso Now Facebook Page. Mike Micka presided virtually. Beth Shrader acted in person.

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

**MINUTES:**

Diane Worstell made a motion to approve the January 20, 2021 minutes as presented. Kyle Yelton seconded the motion. A voice vote was taken and unanimously carried 5-0.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**VAR21-001** - A petition filed by Brian Thompson. The property is located at 3507 Evans Avenue in the General Residential (GR) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.3030 (D)(2) – Vary the maximum accessory building footprint to allow for an accessory building footprint of 1,196 sq. ft.

Mr. Brian Thompson presented. Currently he has a two-car garage that he would like to expand to a three-car garage with a pavilion in the back. It is all part of a larger project with the intent of adding an inground pool in the future. I am asking for a variance to exceed the maximum accessory building in the defined rear yard from 1,000 maximum sq. ft. to 1,196 sq. ft.

**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 advised neighbor Alan Lehman, 1108 Pine Creek Road, Valparaiso, submitted written correspondence stating he is in support of the petition.

There were no Facebook Live comments.

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

C: Minimal increase.

C: No negative impact on adjacent properties.

**Motion:** Paul Reed made a motion to approve VAR21-001 as presented. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

**VAR21-002** – A petition filed by Joseph & Jennifer Gaudy. The property is located at 502 Napoleon Street in the Neighborhood Conservation-60 (NC-60) Zoning District. The petitioner requests the following variance(s):

- Article 3, Section 3.50(B), Table 3.501 – Vary the minimum rear yard setback to allow for a minimum rear yard setback of 2.14 feet
- Article 3, Section 3.50(B), Table 3.501 – Vary the minimum side yard setback to allow for a minimum side yard setback of 2.18 feet
- Article 3, Section 3.501, Table 3.501 – Vary Maximum Lot Coverage to allow for a lot coverage of 59%.

Ms. Jennifer Gaudy presented. Architect Ted Rahm was also present. Have had issues with the rear portion of their downtown Valparaiso home. They would like to remodel the existing

structure and add a second floor. This is the same footprint as an existing legal-non-conforming section of their home. The total lot coverage increases 7% but the lot lines do not change. This will be a \$300,000 investment into the property and make the home more aesthetically pleasing for the neighborhood.

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 shared written correspondences received:

Susan Skinner, 504 Napoleon Street, Valparaiso is in support of the petition.

Andrea & Daniel Rectenwall, 155 Walnut Street, Valparaiso is in support of the petition.

Deborah & Joe Davies, 507 Napoleon Street, Valparaiso is in support of the petition.

R. Lawrence Steele, 2502 Spyglass Drive, Valparaiso, own 504 Napoleon Street, Valparaiso, and is in support of the petition.

Jacob Duffy, 155 Maple Street, Valparaiso, is concerned with the new amount of impervious surface and what will be done to prevent further flooding.

Melissa & Shawn Griffin, 501 Lafayette Street, Valparaiso, have their own remodeling plan and are concerned this may affect their plans.

There were no Facebook Live comments.

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

Q: Does the petitioner have a plan for the drainage and additional lot coverage concerns?

A: The additional lot coverage is 374 square feet and we feel this will be insignificant. Mecca is the site engineer and they will take great care to manage the water flow properly.

C: Beth Shrader noted that she asked the Engineering department to look into any potential issues with drainage and contact Mr. Duffy if there are any concerns. Staff coordinated with the Gaudy's architect regarding the potential for additional builds by the neighbors and depending on the proximities of the lot lines there may need to be more fire separation. Overall changes are minimal.

Q: Any new addition is not impacting the existing setbacks?

A: Correct.

Motion: Diane Worstell made a motion to approve VAR21-002 as submitted. Approval will enhance the neighborhood and be an upgrade to the property. Kyle Yelton seconded the motion. A roll call vote was taken and unanimously carried 5-0.

#### **STAFF ITEMS:**

Discussion took place regarding remote meetings versus in-person meetings. Consensus was to meet in person, however, also offer a remote option for those that wish to meet remotely.

#### **ADJOURNMENT:**

There being no further business, the March 17, 2021 Board of Zoning Appeals meeting was adjourned at 6:00 p.m.

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Mike Micka, President

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Beth Shrader, Executive Secretary