

MEETING AGENDA

Valparaiso Board of Zoning Appeals
Tuesday, July 17th, 2018 7:00 PM
City Hall, 166 W. Lincolnway

1. Roll Call
2. Adoption of June 19th, 2018 Meeting Minutes
3. Old Business

NONE

4. New Business

VAR18-012 A petition filed by, Stephen J. Eddy, 23600 Roosevelt Road, South Bend, IN. The petitioner requests a variance from Article 2, Section 2.302, of the Valparaiso Unified Development Ordinance, to vary the permitted materials for residential fencing. The property is located at 1701 Eisenhower, in the Suburban Residential (SR) Zoning District.

VAR18-013 A petition filed by, Jason C. Gilliana, 4501 Airport Drive, Unit 101, Valparaiso, IN. The petitioner requests a variance from Article 11, Section 11.305, of the Valparaiso Unified Development Ordinance, to vary the required front yard building setback. The property is located at 4601 Airport Drive, in the Heavy Industrial (INH) Zoning District.

VAR18-014 A petition filed by David and Pamela Gring, 155 Carrington Circle, Valparaiso, IN. The petitioner requests a variance from Article 3, Section 3.501, of the Valparaiso Unified Development Ordinance, to vary the maximum building height of 35 feet, to allow for a maximum building height of 40 feet. The property is located at 1006 Center Street, in the Neighborhood Conservation (NC-60) Zoning District.

UV18-002 A petition filed by Prisoner & Community Together, Inc. (PACT, Inc.), 2056 S. State Rd. 2, Valparaiso, IN. The petitioner requests a use variance from Article 2, Section 2.201, of the Valparaiso Unified Development Ordinance, to allow for an Office Use to be permitted within the Urban Residential (UR) Zoning District. The property is located at 505 Don Hovey, in the Urban Residential (UR) Zoning District.

5. Adjournment

Michael Micka, President – Board of Zoning Appeals

Tyler Kent, Planning Director

Next Meeting: August 21st, 2018

FILED

JUN 21 2018

Sharon Emmons
Clerk-Treasurer

Petition #: VAR 18-012

PETITION TO
VALPARAISO BOARD OF ZONING APPEALS

The Petition shall be filed in duplicate with the City Clerk-Treasurer a minimum of 25 days prior to the date of the next Board of Zoning Appeals ("BZA") meeting. The BZA meets every third Tuesday of the month at 7:00 PM in City Hall, 166 Lincolnway, Valparaiso. The Petitioner and/or his/her representative must be present at the public hearing. The filing fee must be paid to the City Clerk-Treasurer upon filing a complete Petition. Please submit nine (9) copies of this petition.

PLEASE COMPLETE THE FOLLOWING:

The undersigned Petitioner and owner(s) of real estate, identified within this application as property within the jurisdiction of the City, respectfully petition the Board of Zoning Appeals to consider;

- ☐ 1. Relief to an Administrative decision. (Exhibit No. ☐)
- ☒ 2. Variance(s) from the development standards.
- ☐ 3. Variance of the use from the terms of the Zoning Ordinances.
- ☐ 4. Petition for Special Exception.
- ☐ 5. Special Exception from Home Occupation.
- ☐ 6. Conditional Use.

In support of an application for Variance(s) from the Development Standards, the Petitioner states that the granting of such request:

- ☒ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☒ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☒ Petitioner will comply with all ordinance parking requirements.

In support of an application for a Use Variance, the Petitioner states that the granting of such request:

- ☐ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☐ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☐ Arise from a condition peculiar to the property;

- ___ Arises from unnecessary hardships if the Zoning Ordinance is strictly applied; and
- ___ Does not interfere substantially with the Comprehensive Plan adopted.
- ___ Petitioner will comply with all ordinance parking requirements.

In Support of an application for Special Exception, the Petitioner states that the granting of such request:

- ___ Will not generate excessive vehicular traffic on minor residential streets;
- ___ Will not create vehicular parking or traffic problems;
- ___ Appropriate access roads, drives, utilities, drainage, facilities, and other necessary facilities have been or will be installed;
- ___ Will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the expected use;
- ___ Will comply with the requirements of the district in which proposed use is to be located.
- ___ Petitioner will comply with all ordinance parking requirements.

In support of such application for Special Exception for Home Occupation, Petitioner states:

- ___ That no person other than members of the family residing on the premises will be engaged in the home occupation.
- ___ That the use of the dwelling unit for home occupation will be clearly incidental and subordinate to its use for residential purposes and not more than 25% of the floor area of the dwelling will be used in the conduct of the home occupation.
- ___ That there will be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign-such sign not exceeding two square feet in area, non-illuminated and containing only the name and nature of the business.
- ___ That no home occupation will be conducted in any accessory building.
- ___ That there will be no sales area unless specifically permitted by the BZA.
- ___ That no traffic will be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation will be met by required or permitted parking spaces, and will not be in the front yard.
- ___ That no equipment or process will be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses which can be detected off premises.

PETITIONER:

STEPHEN J. EDDY 23600 ROOSEVELT SOUTH BEND, IN 46614 574-289-9353
 Name (Please Print) Address Phone

OWNER OF SUBJECT PROPERTY:

PATRICK + MONICA BROOKS 1701 EISENHOWER VALPARAISO, IN 46383 219-331-8624
 Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY: 1701 EISENHOWER VALPARAISO, IN 46383
 Subject property fronts on the NORTH side between (streets) ROOSEVELT + CROCKETT
 in the _____ Zoning District.
SUBURBAN RESIDENTIAL

Legal Description of Subject Property: (Exhibit No. A)

DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No. B)

Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or
Administrative Relief is sought:

Article: 2 Section: 302 Paragraph: E Item: 2
: : : :
: : : :
: : : :

Attach a Site Plot Plan drawn to scale showing:

- a. scale
- b. lot: shape, location, dimension, and area
- c. existing improvements on the lot (including, structures, sidewalks, & driveways)
and the percent coverage of improvements on the lot
- d. distance for lot lines, right-of-way lines, or easements to any structure for: front,
back and side yards

Please fill in:

Front Setback 40' Rear Setback 8' Side Setbacks NA/NA Lot Coverage 18.7%
Height 5'

The powers and duties of the Board of Zoning Appeals are provided for and limited by Enabling Acts in Indiana Code 36-7-4-900 et. eq.. The public hearing procedures are similar to a courtroom hearing. Although it is not required that the Petitioner represented by legal counsel, information and documentation pertaining to the petitioner should be prepared as if it were to become part of a court hearing. **Although the office of the City Planner is available to assist the Petitioner, it is the Petitioner's responsibility to request and prepare the appropriate variance petition.** The Planning Department can be contacted Monday-Friday between 8:30 – 4:30 at (219) 462-1161.

Petitions will not be scheduled for public hearing unless all legal and procedural requirements have been met.

STAFF USE ONLY

Date Received _____

- ____ Names and Addresses of property owners within 300 feet provided
- ____ Signature notarized
- ____ Site Plan attached
- ____ Legal Description (Not Abbreviated) Provided
- ____ Petition Filed Complete
- ____ Written Description of Project
- ____ Petitioners Affidavit of Notice
- ____ Findings of Fact
- ____ Photo's of Property (Staff Request)
- ____ Landscape Plan (Staff Request)

Date approved for Public Hearing _____, _____

BZA Application Fees

____ Use Variance	\$200
☒ Single Family Development Standards Variance	\$50
____ Commercial Development Standards Variance	\$150
____ Special Exception/Special Use	\$200
____ Relief to an Administrative Decision	\$200
____ Special Meeting	\$1000
____ Conditional Use	\$100
____ Wireless Communications Facility Special Use – Major	\$500
____ Wireless Communications Facility RF Tech Study Fee	\$ Actual cost of study

TOTAL FEE _____

Affidavit of Consent of Property Owner

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

STEPHEN J EDDY, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That PATRICK + MONICA BROOKS ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes STEPHEN J. EDDY ("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.

Monica Brooks
Property Owner

6-20-2018
Date

AS
Property Owner

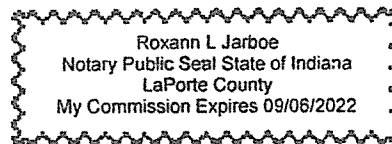
6-20-18
Date

Subscribed and sworn to before me this 20 day of June, 20 18.

Roxann L Jarboe
Notary Public

My Commission:

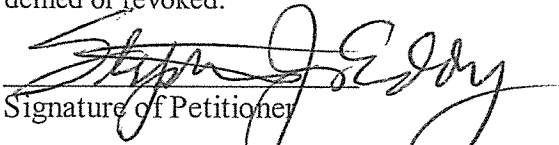
9/16/2022
Date



Certificate of Petitioner

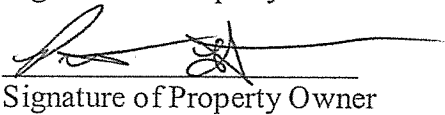
Please read and sign the following statement:

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.

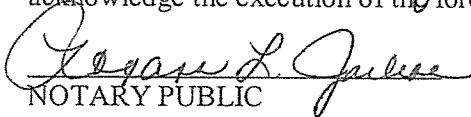

Signature of Petitioner

STEPHEN J. EDDY
Printed Name


Signature of Property Owner

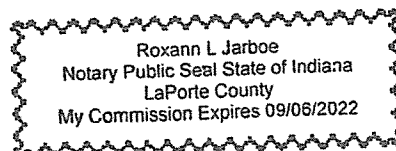

Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared: Stephen Eddy, Monica Brooks, Patricia Brooks and acknowledge the execution of the foregoing document, this 20 day of June 2018.


NOTARY PUBLIC

My Commission Expires: 6/6/2022
Resident of Spencer County

ROXANN L. JARBOE
Type or Print name of Notary



SURROUNDING PROPERTY OWNER LIST

List the name and address of all property owners who have received notification below
(Use Additional Sheets if Necessary): **ATTACHED**

ATTACHED

(Please Print)

NameAddressThis image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Variance from Development Standards
Findings of Fact
(Please Print)

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: _____

PROPERTY LINE FENCE : MAIN PURPOSE :
CHILD PROTECTION FROM NEIGHBORHOOD
ANIMALS AND SAFETY, NO CHANGE FROM
STANDARD FENCE DESIGN

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: _____

THIS IS A COMMON USE PROPERTY LINE
FENCE

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

PROPOSED WIRE FENCE TO ALLOW SUNLIGHT
IN FOR PROPOSED PLANTING OF GRAPE VINES
AND BLUEBERRY BUSHES. WOOD FENCE WOULD
BLOCK LIGHT AND DETERIORATE WITH BUSH/VINE
CONTACT. NORTH AND EAST SIDES ALREADY

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.

HAVE MATURE BUSHES AND FENCE WILL NOT BE
VISIBLE DUE TO BUSH GROWTH, FENCE AESTHETICALLY
BETTER THAN ALLOWED CHAIN LINK FENCING

COPY

Exhibit A

2015-030604
STATE OF INDIANA
PORTER COUNTY
FILED FOR RECORD
12/22/2015 11:56 AM
JON MILLER, RECORDER
REC FEE: 18.00
PAGES: 2

Property Number:
64-10-18-176-012.000-004

Tax Mailing Address:
1701 EISENHOWER AVE
VALPARAISO IN 46383-3213

hmstd

WARRANTY DEED

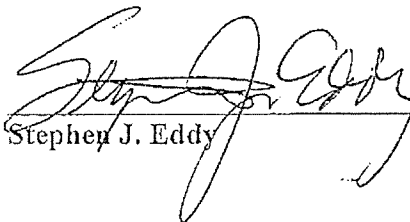
THIS INDENTURE WITNESSETH that **Stephen J. Eddy and Joan E. Eddy, Husband and Wife**, Grantors, of Porter County, in the State of Indiana, **Convey and Warrant to Patrick Howard Brooks and Monica A. Brooks Husband and Wife**, Grantees, of Porter County, in the State of Indiana, for the sum of ten dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate located in Porter County, in the State of Indiana:

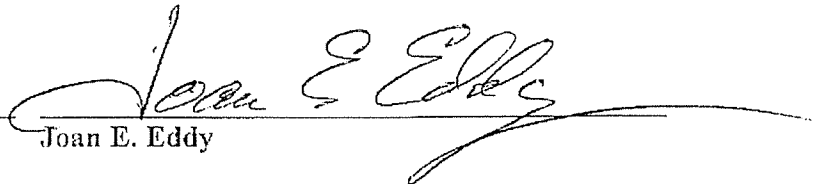
Lot 34, Whitcomb 1st Addition to the City of Valparaiso, as per plat thereof, recorded in Miscellaneous Record 17, page 247, in the Office of the Recorder of Porter County, Indiana

Commonly known as: 1701 Eisenhower Avenue
Valparaiso, Indiana 46383-3213

SUBJECT TO the terms, covenants conditions, restrictions and limitations of any instrument of record affecting the use or occupancy of said real estate; roads and highways; streets and alleys; limitations by fences and/or other established boundary lines; ditches and drains; easements; zoning, building and subdivision control ordinances and amendments thereto; special assessments, if any, and real estate taxes for the year 2015 payable in 2016 and thereafter.

IN WITNESS WHEREOF, Stephen J. Eddy and Joan E. Eddy, Husband and Wife, have executed this WARRANTY DEED on this 21st day of December, 2015.


Stephen J. Eddy


Joan E. Eddy

(Warranty Deed - 1701 Eisenhower Avenue - Page 1 of 2)

HOLD FOR GREATER INDIANA TITLE COMPANY

IN 000731

ELIGIBLE FOR
FILING WITH THE
COUNTY AUDITOR,
PORTER COUNTY
ASSESSOR

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

Dec 22 2015

Vicki Urbanik

AUDITOR PORTER COUNTY

MP

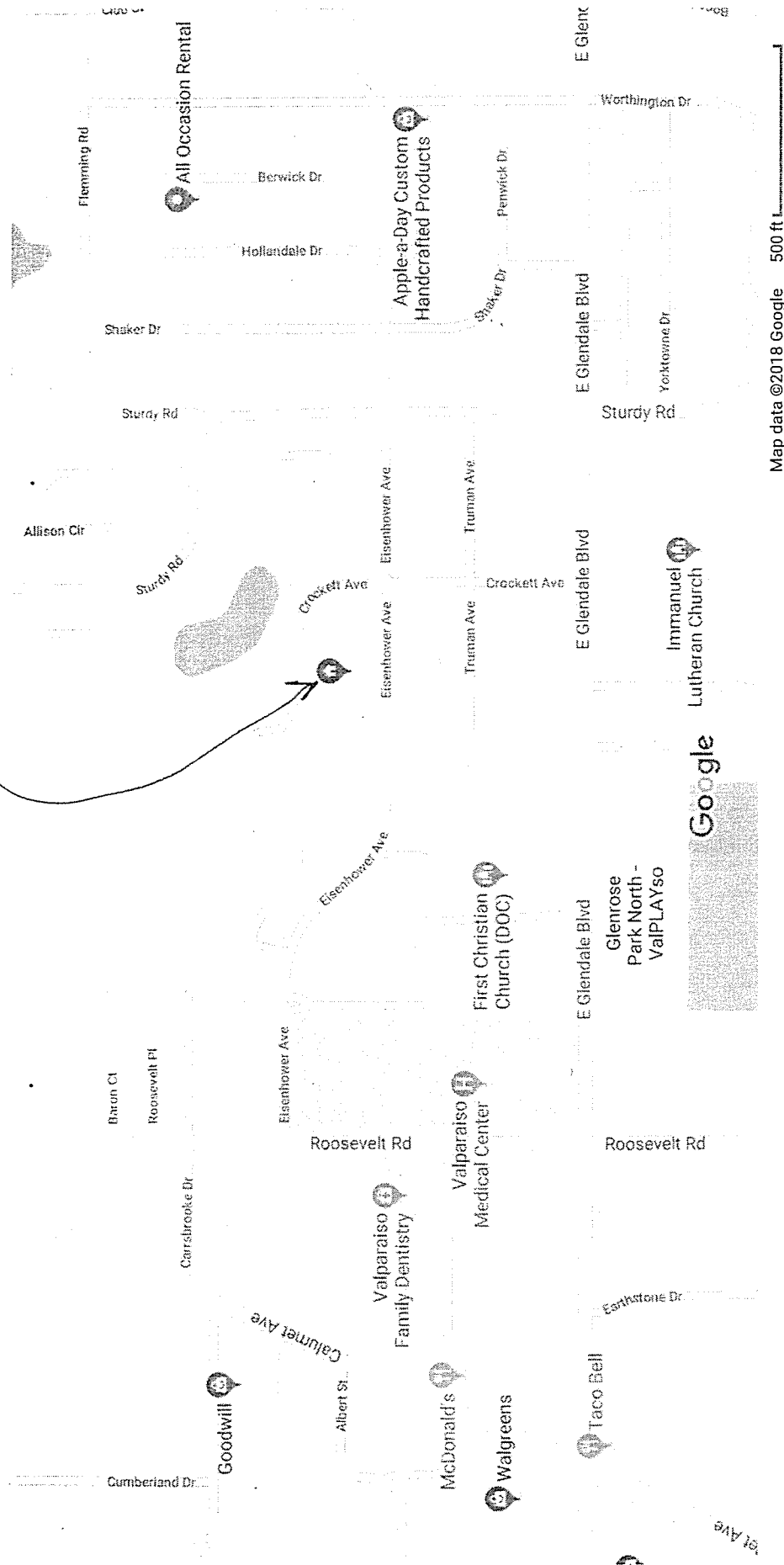
15
1/1

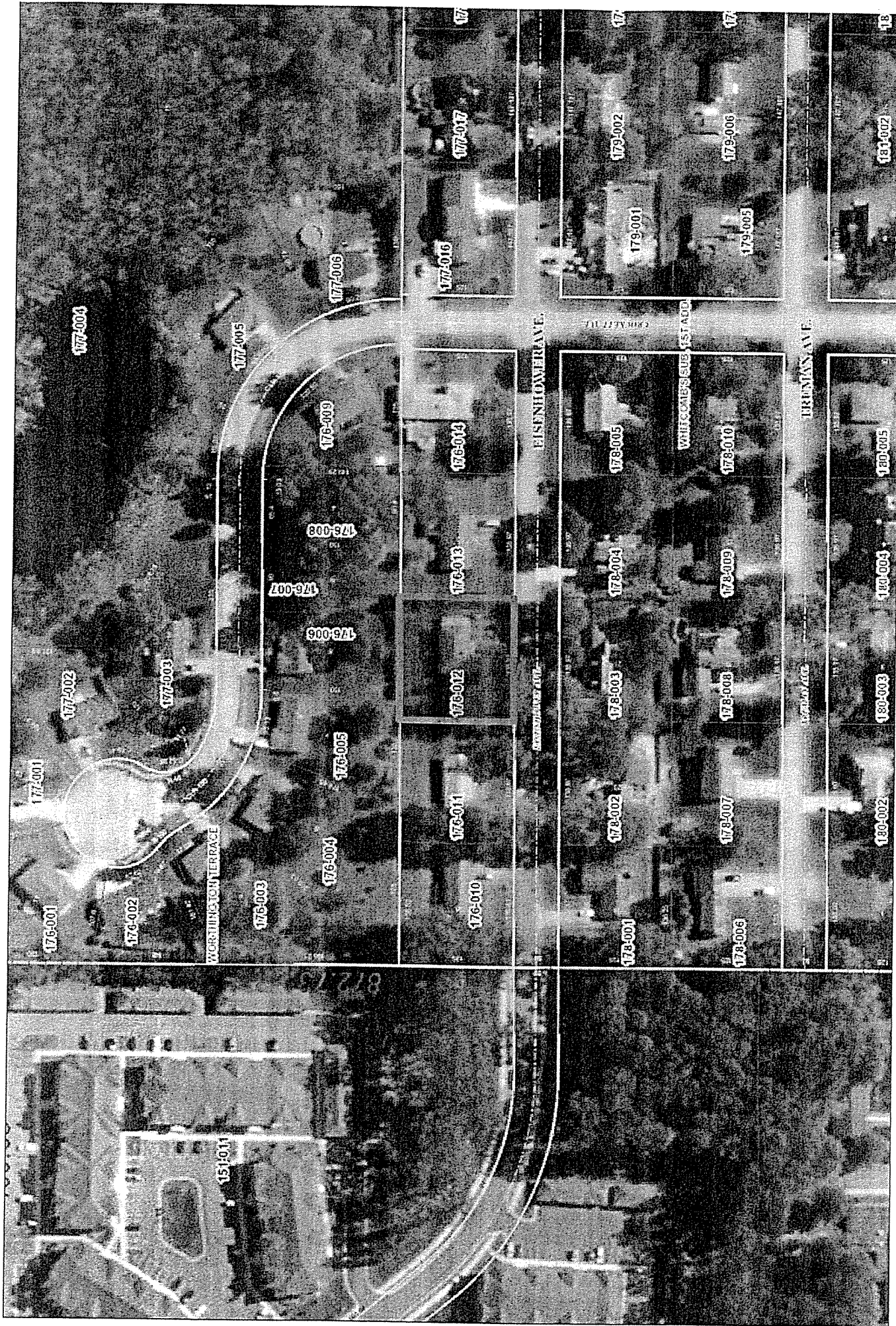
Exhibit "B"

The petitioner is requesting a variance from the Development standards for residential fencing. The current standard allows chain link fencing material at side and rear property lines. The street side fencing is wood picket meeting the design standard. We are requesting the fence design be wood posts at 8'-0" O.C., double landscape timber base and wood top rail with 2" X 4" welded wire fencing material. All wood treated and stained. Fence will meet height requirement at 5'-0". Petitioner believes new fence more esthetically pleasing than chain link alternative.

Google Maps

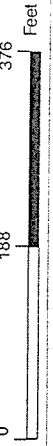
1701 EISENHOWER





Enter Map Title...

Web Print: 06/19/2018



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.



Petitioner Property Owner:

641018176012 **Owner:** *Brooks Patrick Howard & Monica A/H&*
Owner Address: *1701 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1701 Eisenhower Ave Valparaiso IN 46383*

Property owners within 300 feet of property line of petitioner:

641018176010 **Owner:** *Lawson David*
Owner Address: *1601 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1601 Eisenhower Ave Valparaiso IN 46383*

641018176011 **Owner:** *Larder Florence M*
Owner Address: *1603 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1603 Eisenhower Ave Valparaiso IN 46383*

641018176013 **Owner:** *Cardwell Wayne K*
Owner Address: *1703 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1703 Eisenhower Ave Valparaiso IN 46383*

641018176014 **Owner:** *McGriffin Angela M*
Owner Address: *2101 Crockett Ave Valparaiso IN 46383*
Site Address: *2101 Crockett Ave Valparaiso IN 46383*

641018178001 **Owner:** *MacLean Janie L*
Owner Address: *1602 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1602 Eisenhower Ave Valparaiso IN 46383*

641018178002 **Owner:** *Volk Paul N*
Owner Address: *1604 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1604 Eisenhower Ave Valparaiso IN 46383*

641018178003 **Owner:** *McNamara Richard D III & Vianne M/H*
Owner Address: *1702 Eisenhower Ave Valparaiso IN 46383*
Site Address: *1702 Eisenhower Ave Valparaiso IN 46383*

641018178004 **Owner:** *Iceman Christopher R & Kimberly E/H*
Owner Address: *2571 Doc John Dr Fairbanks AK 99709*
Site Address: *1704 Eisenhower Ave Valparaiso IN 46383*

641018178005 **Owner:** *Ward Virginia L & Grcich Kenneth M*
Owner Address: *2002 Crockett Ave Valparaiso IN 46383*
Site Address: *2002 Crockett Ave Valparaiso IN 46383*

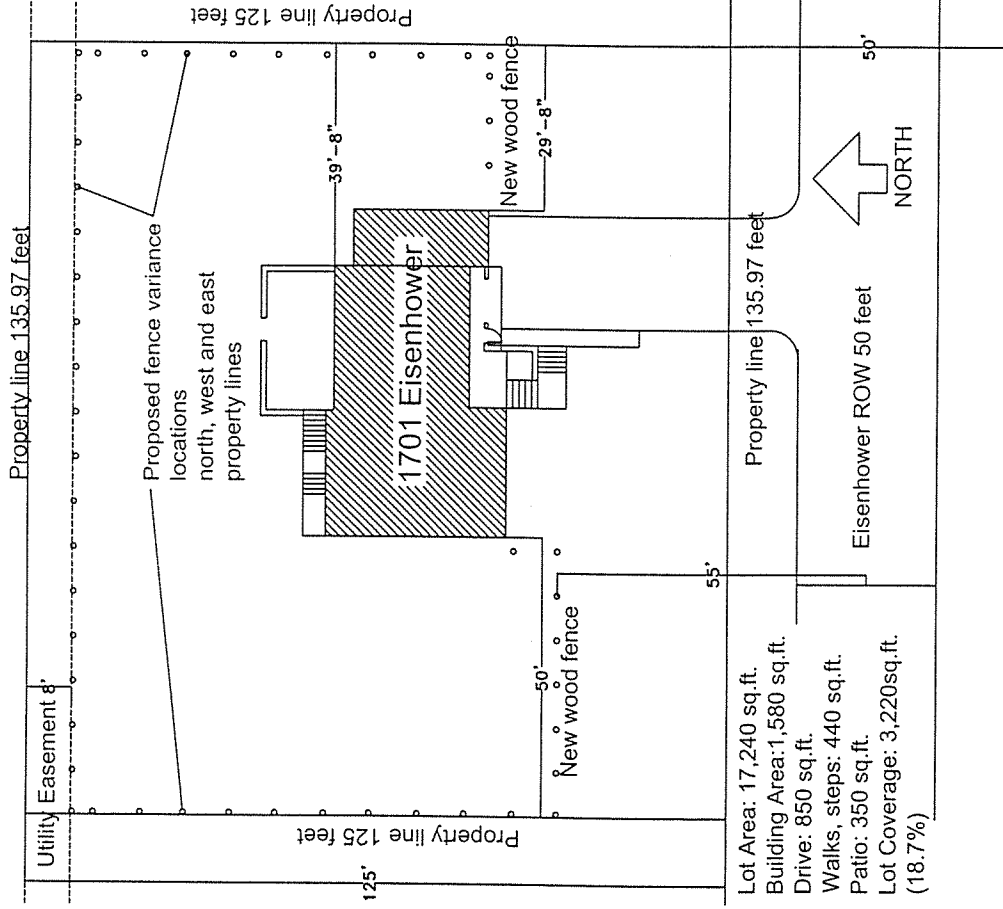
641018178006 **Owner:** *Dugan Mark H & Lorice A*
Owner Address: *1601 Truman Ave Valparaiso IN 46383*
Site Address: *1601 Truman Ave Valparaiso IN 46383*

641018178007 **Owner:** *Jennings Robert F & Carol A/H&W*
Owner Address: *1603 Truman Ave Valparaiso IN 46383*
Site Address: *1603 Truman Ave Valparaiso IN 46383*

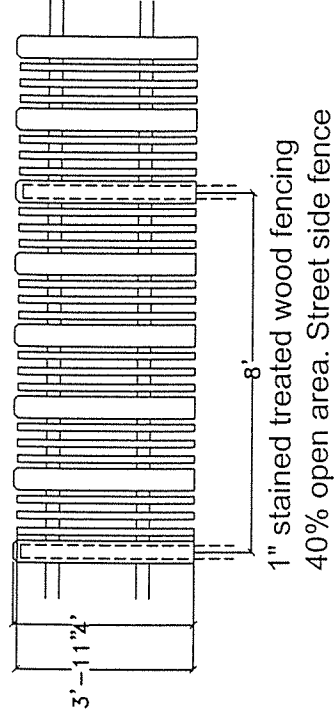
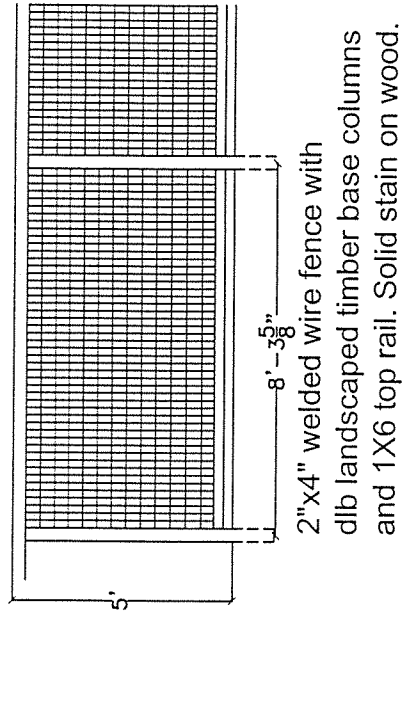
641018178008 **Owner:** *Bernat David A & Pamela/H&W*
Owner Address: *1701 Truman Ave Valparaiso IN 46383*
Site Address: *1701 Truman Ave Valparaiso IN 46383*

641018178009	Owner: <i>Reuter Steven L & Wanda L</i>
Owner Address:	<i>1703 Truman Ave Valparaiso IN 46383</i>
Site Address:	<i>1703 Truman Ave Valparaiso IN 46383</i>
641018178010	Owner: <i>Kellogg Michael S & Nancy C</i>
Owner Address:	<i>2001 Crockett AVE Valparaiso IN 46383</i>
Site Address:	<i>2001 Crockett Ave Valparaiso IN 46383</i>
641018151001	Owner: <i>PGO LLC</i>
Owner Address:	<i>320 E 90th Dr Merrillville IN 46410</i>
Site Address:	<i>1503 Roosevelt Rd Valparaiso IN 46383</i>
641018176009	Owner: <i>Celsor Willie L & Virginia D/H&W</i>
Owner Address:	<i>2103 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2103 Crockett Ave Valparaiso IN 46383</i>
641018176008	Owner: <i>Beschinski Richard J</i>
Owner Address:	<i>2105 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2105 Crockett Ave Valparaiso IN 46383</i>
641018176007	Owner: <i>Barber Peggy J</i>
Owner Address:	<i>2107 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2107 Crockett Ave Valparaiso IN 46383</i>
641018176006	Owner: <i>Macy Larry E & Heyward R</i>
Owner Address:	<i>2109 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2109 Crockett Ave Valparaiso IN 46383</i>
641018176005	Owner: <i>Kelly Matthew T</i>
Owner Address:	<i>PO Box 1460 Valparaiso IN 46384</i>
Site Address:	<i>2111 Crockett Ave Valparaiso IN 46383</i>
641018176004	Owner: <i>Williams Susan L</i>
Owner Address:	<i>2113 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2113 Crockett Ave Valparaiso IN 46383</i>
641018176003	Owner: <i>Dickason Mary R M 1/2 & Morris Matt</i>
Owner Address:	<i>15212 Beam St Noblesville IN 46060</i>
Site Address:	<i>2201 Crockett Ave Valparaiso IN 46383</i>
641018177005	Owner: <i>Johnston Madeline M</i>
Owner Address:	<i>2106 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2106 Crockett Ave Valparaiso IN 46383</i>
641018177004	Owner: <i>Day William R & Christina L/H&W</i>
Owner Address:	<i>1649 Hayes Leonard Rd Valparaiso IN 46385</i>
Site Address:	<i>Sturdy Rd Valparaiso IN 46383</i>
641018177003	Owner: <i>Tylenda Michael</i>
Owner Address:	<i>2110 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2110 Crockett Ave Valparaiso IN 46383</i>
641018177002	Owner: <i>Smith Billie M & Phyllis J</i>
Owner Address:	<i>2202 Crockett Ave Valparaiso IN 46383</i>
Site Address:	<i>2202 Crockett Ave Valparaiso IN 46383</i>





SCALE: 1/32" = 1' - 0"



SCALE: 1/4" = 1' - 0"

Brooks Residence Fence Variance
 1701 Eisenhower Ave
 Valparaiso, IN 46383

drawn :	sjl	Drawing No.
checked:	sjl	S1
plot S.F.:	.	
Issue Date:	06/18/18	
project no.		

FILED

JUN 22 2018

Sharon Emerson Sherburt

Petition #: VAR 18-013

Clerk-Treasurer PETITION TO
VALPARAISO BOARD OF ZONING APPEALS

The Petition shall be filed in duplicate with the City Clerk-Treasurer a minimum of 25 days prior to the date of the next Board of Zoning Appeals ("BZA") meeting. The BZA meets every third Tuesday of the month at 7:00 PM in City Hall, 166 Lincolnway, Valparaiso. The Petitioner and/or his/her representative must be present at the public hearing. The filing fee must be paid to the City Clerk-Treasurer upon filing a complete Petition. Please submit nine (9) copies of this petition.

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- ☐ 1. Relief to an Administrative decision. (Exhibit No. ☐)
- ☒ 2. Variance(s) from the development standards.
- ☐ 3. Variance of the use from the terms of the Zoning Ordinances.
- ☐ 4. Petition for Special Exception.
- ☐ 5. Special Exception from Home Occupation.
- ☐ 6. Conditional Use.

In support of an application for **Variance(s) from the Development Standards**, the Petitioner states that the granting of such request:

- ☒ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☒ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☒ Petitioner will comply with all ordinance parking requirements.

In support of an application for a **Use Variance**, the Petitioner states that the granting of such request:

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_____ Arises from unnecessary hardships if the Zoning Ordinance is strictly applied; and
 _____ Does not interfere substantially with the Comprehensive Plan adopted.
 _____ Petitioner will comply with all ordinance parking requirements.

In Support of an application for **Special Exception**, the Petitioner states that the granting of such request:

☐ Will not generate excessive vehicular traffic on minor residential streets;
☐ Will not create vehicular parking or traffic problems;
☐ Appropriate access roads, drives, utilities, drainage, facilities, and other necessary facilities have been or will be installed;
☐ Will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the expected use;
☐ Will comply with the requirements of the district in which proposed use is to be located.
☐ Petitioner will comply with all ordinance parking requirements.

In support of such application for **Special Exception for Home Occupation**, Petitioner states:

_____ That no person other than members of the family residing on the premises will be engaged in the home occupation.

____ That the use of the dwelling unit for home occupation will be clearly incidental and subordinate to its use for residential purposes and not more than 25% of the floor area of the dwelling will be used in the conduct of the home occupation.

____ That there will be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign-such sign not exceeding two square feet in area, non-illuminated and containing only the name and nature of the business.

That no home occupation will be conducted in any accessory building.

That there will be no sales area unless specifically permitted by the BZA.

_____ That no traffic will be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation will be met by required or permitted parking spaces, and will not be in the front yard.

_____ That no equipment or process will be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses which can be detected off premises.

PETITIONER:

Jason C. Gilliana	4501 Airport Dr., Unit 101, Valparaiso, IN 46383	219-405-0217
Name (Please Print)	Address	Phone

OWNER OF SUBJECT PROPERTY:

4501 Airport, LLC	4501 Airport Dr., Unit 101, Valparaiso, IN 46383	219-405-0217
Name (Please Print)	Address	Phone

ADDRESS OF SUBJECT PROPERTY: 4601 Airport Dr, Valparaiso, IN 46383
 Subject property fronts on the North side between (streets) N 325 E and Industrial Drive
 in the INH Zoning District.

Legal Description of Subject Property: (Exhibit No.____)
Lot 6 Airport Industrial Park East

**DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No. __)**

Replat of Lot 6 into 3 Individual Lots Requesting Building Setback Variance

Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or
Administrative Relief is sought:

Article: 11 Section: 305 Paragraph: 1 Item: 1
:_____ :_____ :_____ :_____
:_____ :_____ :_____ :_____

Attach a Site Plot Plan drawn to scale showing:

- a. scale
- b. lot: shape, location, dimension, and area
- c. existing improvements on the lot (including, structures, sidewalks, & driveways)
and the percent coverage of improvements on the lot
- d. distance for lot lines, right-of-way lines, or easements to any structure for: front,
back and side yards

Please fill in:

Front Setback 65/25 Rear Setback 15 Side Setbacks 10 / _____ Lot Coverage 75
Height 36

The powers and duties of the Board of Zoning Appeals are provided for and limited by Enabling Acts in Indiana Code 36-7-4-900 et. eq.. The public hearing procedures are similar to a courtroom hearing. Although it is not required that the Petitioner represented by legal counsel, information and documentation pertaining to the petitioner should be prepared as if it were to become part of a court hearing. **Although the office of the City Planner is available to assist the Petitioner, it is the Petitioner's responsibility to request and prepare the appropriate variance petition.** The Planning Department can be contacted Monday-Friday between 8:30 – 4:30 at (219) 462-1161.

Petitions will not be scheduled for public hearing unless all legal and procedural requirements have been met.

STAFF USE ONLY

Date Received _____

- ____ Names and Addresses of property owners within 300 feet provided
- ____ Signature notarized
- ____ Site Plan attached
- ____ Legal Description (Not Abbreviated) Provided
- ____ Petition Filed Complete
- ____ Written Description of Project
- ____ Petitioners Affidavit of Notice
- ____ Findings of Fact
- ____ Photo's of Property (Staff Request)
- ____ Landscape Plan (Staff Request)

Date approved for Public Hearing _____, _____

BZA Application Fees

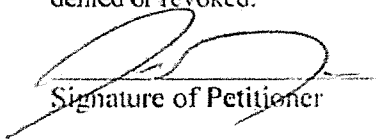
____ Use Variance	\$200
____ Single Family Development Standards Variance	\$50
☒ Commercial Development Standards Variance	\$150
____ Special Exception/Special Use	\$200
____ Relief to an Administrative Decision	\$200
____ Special Meeting	\$1000
____ Conditional Use	\$100
____ Wireless Communications Facility Special Use – Major	\$500
____ Wireless Communications Facility RF Tech Study Fee	\$ Actual cost of study

TOTAL FEE \$150.00

Certificate of Petitioner

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

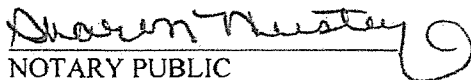
Jason C. Gilliana

Printed Name


Signature of Property Owner
KEVIN S. CARLSON, VP
WMB CORP. MANAGER

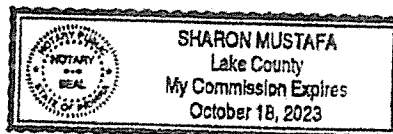
Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared: Kevin Carlson VP of Manager, and acknowledge the execution of the foregoing document, this 20 day of June 2018.


NOTARY PUBLIC

My Commission Expires: 10.18.23
Resident of LAKE County

SHARON MUSTAFA
Type or Print name of Notary



Affidavit of Consent of Property Owner

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

Kevin S. Carlson, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That 4501 Airport, LLC ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Jason C. Gilliana ("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
KEVIN S. CARLSON VP
WMB CORP. MANAGER

6-20-18
Date

Property Owner

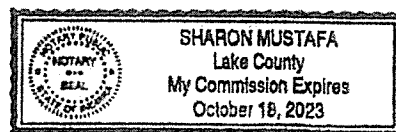
Date

Subscribed and sworn to before me this 20 day of June, 2018.

[Signature]
Notary Public

My Commission:

10.18.23
Date



Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

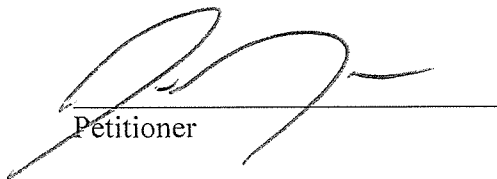
(To be presented to Board of Zoning Appeals staff or attorney at Public Hearing)

Jason C. Gilliana, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the Authorized Agent (agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana
2. That on the 10th day of July, 2018, did mail at least ten 10 (10) days prior to the scheduled Public Hearing postage paid, by certified mail, return receipt requested, a letter explaining the proposed change, time, date and place of hearing and attached hereto, to all of the property owners within three hundred (300) feet from the lot lines of described real estate, as follows.

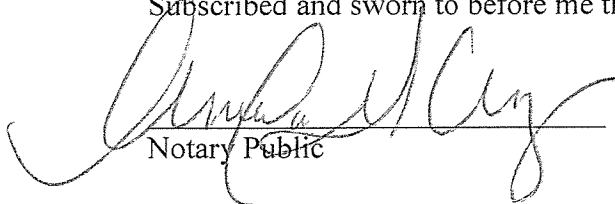
(Please attach legal description)

List the name the address of all property owners who have received notification on page 10.


Petitioner

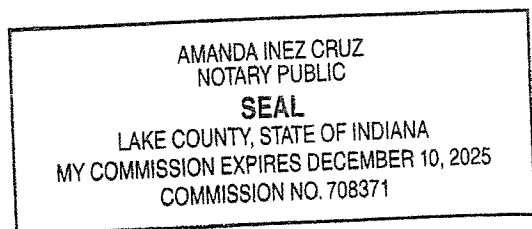
6-20-18
Date

Subscribed and sworn to before me this 20 day of June, 2018.


Notary Public

My Commission Expires

12-10-2025
Date



SURROUNDING PROPERTY OWNER LIST

List the name and address of all property owners who have received notification below
(Use Additional Sheets if Necessary):

(Please Print)

Name

Address

Airport Porter County Municipal Auth. 4207 Murvhill Rd, Valparaiso, IN 46383

Williamsburg Manor MHC, LLC 2257 Montdale Dr, Valparaiso, IN 46383

Gilliana Pools, LLC 4501 Airport Dr, Valparaiso, IN 46383

Lifestyle Properties, LLC 2501 Chicago St, Valparaiso, IN 46383

Gibson Family Properties, LLC 5000 Terry Lake Rd, Hamilton, IN 46742

Blum Bette Kay Trustee Trust #1115 152 E. 50 S. Valparaiso, IN 46383

LARKN, LLC 4701 Airport Dr, Valparaiso, IN 46383

Journal Pre-proof

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THE UNIVERSITY OF CHICAGO

Variance from Development Standards
Findings of Fact
(Please Print)

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 will mirror the set back dimensions
of all currently constructed adjacent
buildings.

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 will mirror the set back dimensions
of all currently constructed adjacent
buildings.

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

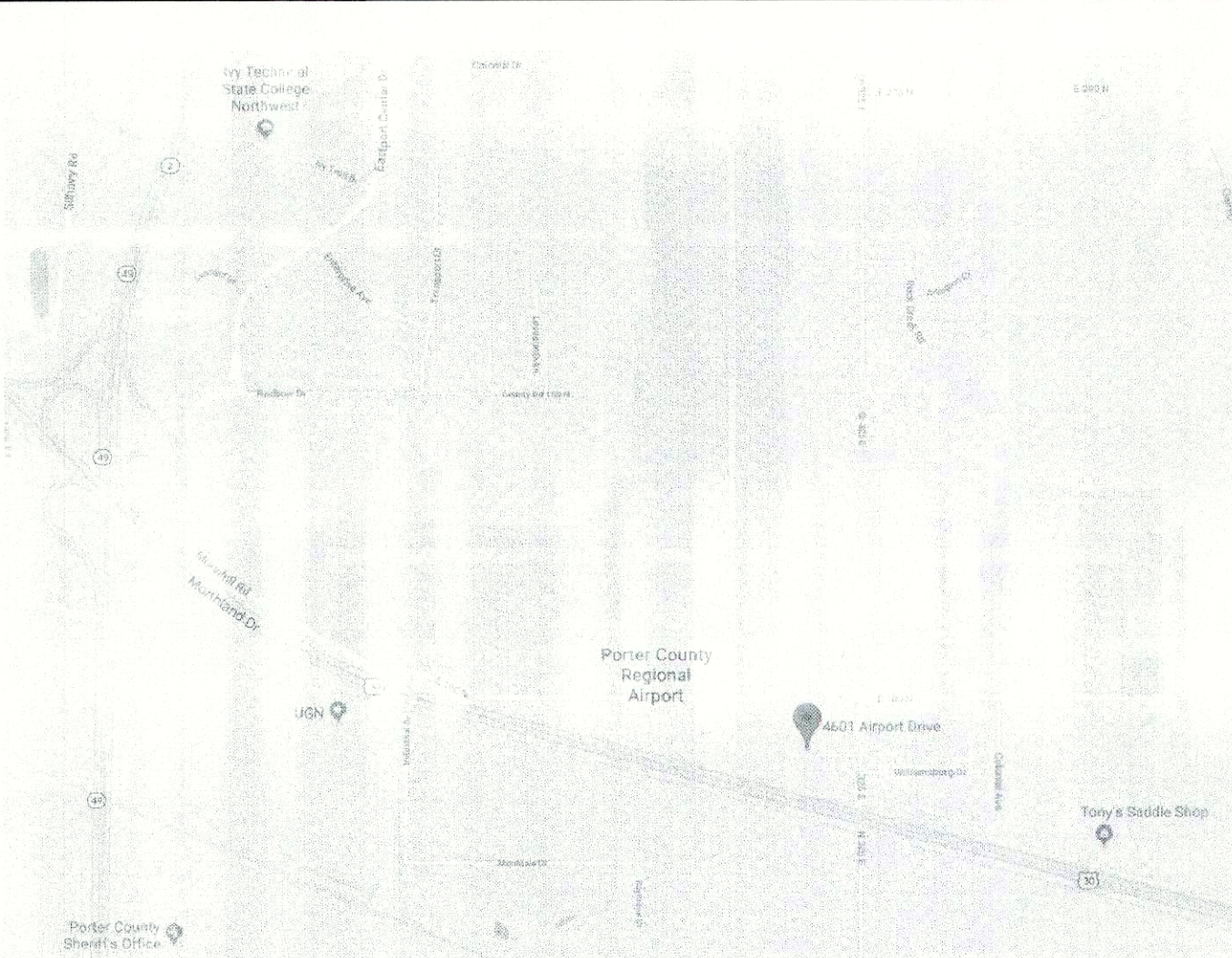
It would substantially reduce the
buildable area of the lot.

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.

Replat of Lot 6 in Airport Industrial Park East to the City of Valparaiso, Indiana

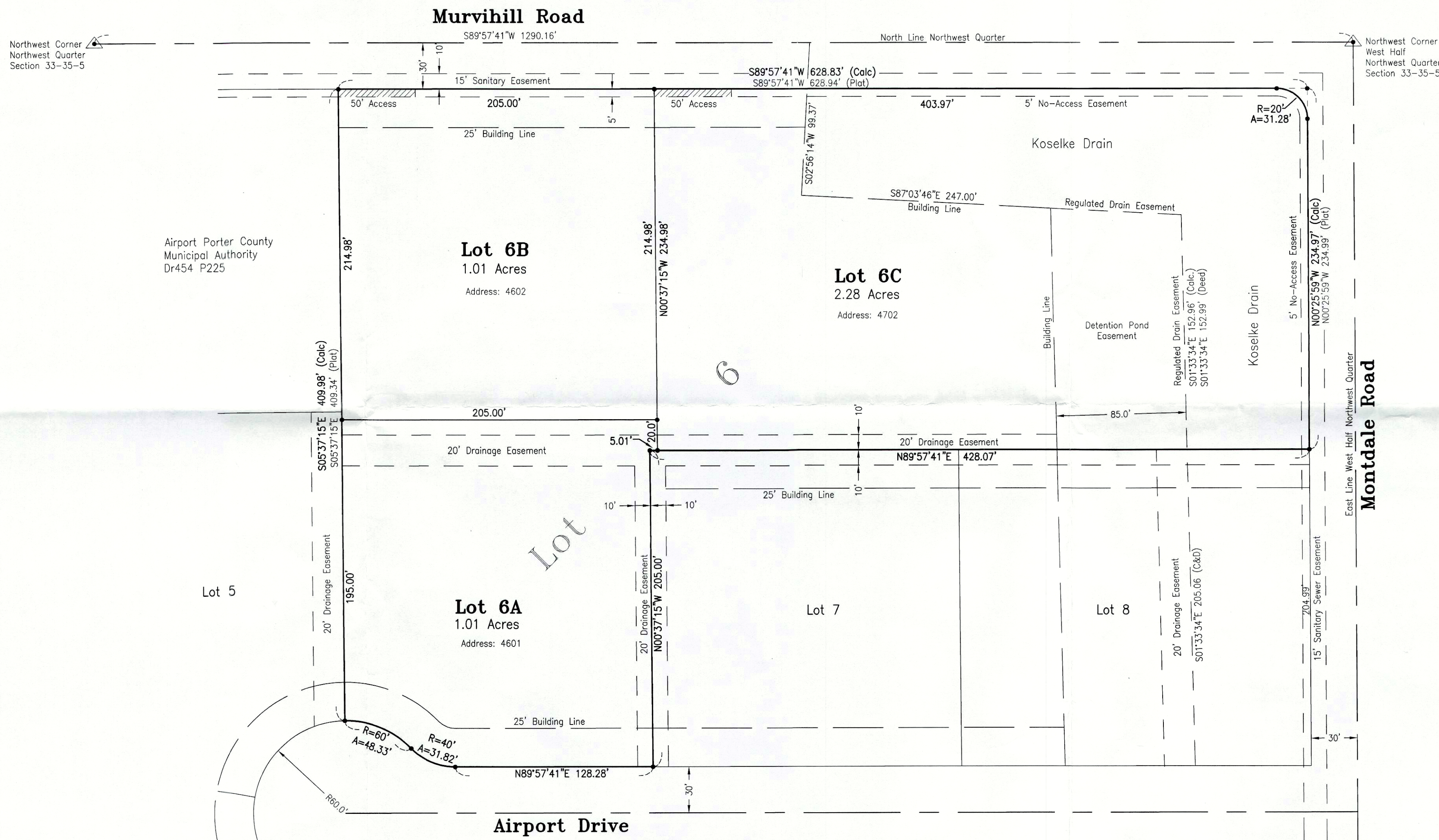
Legal Description:

Lot 6 in Airport Industrial Park East, as Recorded in Plat File 51-C-4, in the Office of the Recorder of Porter County, Indiana.



Vicinity Map

NTS



ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAPS, PANEL # 18127C02100, DATED SEPTEMBER 30, 2015, THE SCALED LOCATION OF THE PARCEL SHOWN HEREON IS IN ZONES "X". ZONE "X" IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

SURVEY REFERENCE:

This Plat is based on the recorded Plat of Airport Industrial Park East as Recorded in Plat File 51-C-4.

SURVEYOR'S CERTIFICATE:

I, David J. Tiemens, hereby certify that I am a Land Surveyor, licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge, this plat conforms to the Requirements of part IV, Article XXVII of the City of Valparaiso Zoning Ordinance, and Ordinance No. 18, 1974, as amended; that the markers and monuments shown on the plat actually exist; and that their location, size, type and material are accurately shown.

DAVID J. TIEMENS, REG. LAND SURVEYOR #29900020

MONUMENTS: • Symbol indicates where a 5/8"Ø Iron Rebar 24" in length is set w/ 29900020 I.D. Cap.



50 25 0 50
SCALE - FEET

Deed of Dedication

It, the undersigned, 4501 AIRPORT LLC, owner of the real estate shown and described herein, do hereby certify that We have laid off plat and subdivided said real estate in accordance with the attached plat. This subdivision shall be known and designated as the REPLAT OF LOT 6 IN AIRPORT INDUSTRIAL PARK EAST. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are hereby established as shown on this plat. There are strips of ground (VARIES) feet in width as shown on this plat and marked "easement", reserved for the use of public utilities for the installation of main, poles, ducts, lines, and wires, subject at all times to the proper authorities and to easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and to the rights of the other lots in the subdivision.

The Real Estate shown and described herein is subject to certain Covenants and Restrictions known as Declaration of Covenants and Restrictions for the Replat of Lot 6 in Airport Industrial Park East on the _____ day of _____, 20____, as Document No. _____ in the Office of the Recorder of Porter County, Indiana and any and all amendments or revisions thereto. Said Declaration of Covenants and Restrictions as set forth therein and shall be binding on all parties, and all persons claiming by, under, or through them.

In Addition to all Rights, Restrictions, and Covenants contained in the declaration of Covenants for the Replat of Lot 6 in Airport Industrial Park East ("Declaration"), the following are made part of this Plat.

1. Creation of the Association: As soon as practical following the recordation of the Declaration and this plat, the owner/developer shall create a Property Owners Association ("Association") and shall cause the Association to be incorporation as a non-profit corporation.

2. Maintenance and Ownership of Detention Pond Easement: According to the terms of the Declaration and this plat The Detention Pond Easement will be conveyed to the Association. The Association will be responsible for the maintenance of the Outlot depicted on this plat and the facilities located on said Easement, including, but not limited to, maintenance of the Storm water management facilities and detention basin. Such maintenance is to include the maintenance and repair of the drainage control structures and culverts therewith. Should the City of Valparaiso or any of its departments (Collectively "City") determine that the Association is not fulfilling its obligation with respect to said Easement, the City will notify the Association in writing of its alleged deficiencies specifically setting forth the action deemed necessary by the City to correct any such alleged deficiency. The Association shall inspect the Easement to verify the items listed in the City's writing and shall in good faith proceed with correcting the same. Should the Association fail to remedy the items listed by the City, the City shall have the right, after written notice to the Association, to enter the Easement to perform the necessary maintenance for which the City shall be entitled to recover from the owners of the lots in the Replat of Lot 6 in Airport Industrial Park East its actual costs incurred in performing such work, including administrative, legal, engineering fees, and interest costs. The City may utilize assessment process or litigation to recover said costs directly from the Replat of Lot 6 in Airport Industrial Park East and the denominator is the total number of lots in the Replat of Lot 6 in Airport Industrial Park East.

By: 4501 AIRPORT, LLC, Kevin S. Carlson, Vice President, WMB Corp, its Manager

STATE OF INDIANA)
COUNTY OF PORTER) SS:

Before me, a Notary Public, in and for the said County and State, personally appeared 4501 AIRPORT, LLC, Kevin S. Carlson, Vice President, WMB Corp, its Manager, acknowledged the execution of the foregoing instrument as their voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of, _____.

Notary Public _____

Printed Name: _____

My Commission Expires: _____

Plat Committee Certificate

Under authority provided by Indiana Code 36-7-4-etc. enacted by the General Assembly of the State of Indiana and Ordinance adopted by the Common Council of the City of Valparaiso, this plat was given approval by the City as follows: Approved by the Valparaiso Plat Committee at a regular meeting held on _____.

VALPARAISO PLAT COMMITTEE

Tyler Kent

Tim Burkman

Vicki Thrasher

Plan Commission Certificate

Under authority provided by Indiana Code 36-7-4-etc. enacted by the General Assembly of the State of Indiana and Ordinance adopted by the Common Council of the City of Valparaiso, this plat was given approval by the City as follows: Approved by the Valparaiso Plan Commission at a regular meeting held on _____.

VALPARAISO PLAN COMMISSION

President - Bruce Berner

Executive Director - Tyler Kent

SHEET NO. Secondary Plat		SCALE 1"=50'		Replat of Lot 6 in Airport Industrial Park East		DESIGNED		Tiemens Land Surveying, Inc. provides this drawing and data, regardless of form, as the property of the client and/or recipient. The client and/or recipient agrees to the fullest extent of the law to indemnify and hold Tiemens Land Surveying, Inc. harmless for any and all claims, damages, losses, and expenses, including reasonable attorneys' fees, arising out of or from the use of this drawing or data without prior written consent by Tiemens Land Surveying, Inc.		NO.		DATE		REVISION	
		DATE 6/5/2018						DRAWN DUT		CHECKED DUT		527 North Halleck Street, Suite E DeMotte, Indiana 46310 Phone: 219-987-2828		Tiemens Land Surveying, Inc.	
PROJECT NO. 2018-		Valparaiso, Indiana													

Petition #: VAKIP-014

**PETITION TO
VALPARAISO BOARD OF ZONING APPEALS**

The Petition shall be filed in duplicate with the City Clerk-Treasurer a minimum of 25 days prior to the date of the next Board of Zoning Appeals ("BZA") meeting. The BZA meets every third Tuesday of the month at 7:00 PM in City Hall, 166 Lincolnway, Valparaiso. The Petitioner and/or his/her representative must be present at the public hearing. The filing fee must be paid to the City Clerk-Treasurer upon filing a complete Petition. Please submit nine (9) copies of this petition.

PLEASE COMPLETE THE FOLLOWING:

The undersigned Petitioner and owner(s) of real estate, identified within this application as property within the jurisdiction of the City, respectfully petition the Board of Zoning Appeals to consider;

- ☒ 1. Relief to an Administrative decision. (Exhibit No.)
- ☒ 2. Variance(s) from the development standards.
- ☐ 3. Variance of the use from the terms of the Zoning Ordinances.
- ☐ 4. Petition for Special Exception.
- ☐ 5. Special Exception from Home Occupation.
- ☐ 6. Conditional Use.

In support of an application for **Variance(s) from the Development Standards**, the Petitioner states that the granting of such request:

- ☒ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☒ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☒ Petitioner will comply with all ordinance parking requirements.

In support of an application for a **Use Variance**, the Petitioner states that the granting of such request:

- ☐ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☐ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☐ Arise from a condition peculiar to the property;

____ Arises from unnecessary hardships if the Zoning Ordinance is strictly applied; and
____ Does not interfere substantially with the Comprehensive Plan adopted.
____ Petitioner will comply with all ordinance parking requirements.
In Support of an application for **Special Exception**, the Petitioner states that the granting of such request:

____ Will not generate excessive vehicular traffic on minor residential streets;
____ Will not create vehicular parking or traffic problems;
____ Appropriate access roads, drives, utilities, drainage, facilities, and other necessary facilities have been or will be installed;
____ Will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the expected use;
____ Will comply with the requirements of the district in which proposed use is to be located.
____ Petitioner will comply with all ordinance parking requirements.

In support of such application for **Special Exception for Home Occupation**, Petitioner states:

____ That no person other than members of the family residing on the premises will be engaged in the home occupation.
____ That the use of the dwelling unit for home occupation will be clearly incidental and subordinate to its use for residential purposes and not more than 25% of the floor area of the dwelling will be used in the conduct of the home occupation.
____ That there will be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign-such sign not exceeding two square feet in area, non-illuminated and containing only the name and nature of the business.
____ That no home occupation will be conducted in any accessory building.
____ That there will be no sales area unless specifically permitted by the BZA.
____ That no traffic will be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation will be met by required or permitted parking spaces, and will not be in the front yard.
____ That no equipment or process will be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses which can be detected off premises.

PETITIONER:

DAVID & PAMELA GRING 155 LIPPINGTON CIRCLE, VALPARAISO 219-309-5102
Name (Please Print) Address Phone

OWNER OF SUBJECT PROPERTY:

CENTER STREET VALPO PARTNERS 6370 Ameriplex Dr. St. 110 (219) 613-1236
Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY: 1006 CENTER STREET, VALPARAISO, IN 46385
Subject property fronts on the EAST side between (streets) BOND STREET & HOPE STREET
in the NC Zoning District.
- NEIGHBORHOOD CONSERVATION

Legal Description of Subject Property: (Exhibit No.)

CHAUTAUQUA PK LOT 11 BLK 6

**DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No.)**

CONSTRUCTION OF A NEW THREE STORY RESIDENCE WITH
AN ATTACHED GARAGE TOTALING APPROXIMATELY 2,300
SQUARE FEET OF LIVABLE SPACE.

Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or
Administrative Relief is sought:

Article: 3 Section: 501 Paragraph: B Item: Table 3.501

: : : :
: : : :

Attach a Site Plot Plan drawn to scale showing:

- a. scale
- b. lot: shape, location, dimension, and area
- c. existing improvements on the lot (including, structures, sidewalks, & driveways)
and the percent coverage of improvements on the lot
- d. distance for lot lines, right-of-way lines, or easements to any structure for: front,
back and side yards

Please fill in:

Front Setback 20.0' Rear Setback 73' Side Setbacks 7.25' / 7.25' Lot Coverage 4 - 18.5%
Height 40

The powers and duties of the Board of Zoning Appeals are provided for and limited by Enabling Acts in Indiana Code 36-7-4-900 et. eq.. The public hearing procedures are similar to a courtroom hearing. Although it is not required that the Petitioner represented by legal counsel, information and documentation pertaining to the petitioner should be prepared as if it were to become part of a court hearing. **Although the office of the City Planner is available to assist the Petitioner, it is the Petitioner's responsibility to request and prepare the appropriate variance petition.** The Planning Department can be contacted Monday-Friday between 8:30 – 4:30 at (219) 462-1161.

Petitions will not be scheduled for public hearing unless all legal and procedural requirements have been met.

STAFF USE ONLY

Date Received _____

- ____ Names and Addresses of property owners within 300 feet provided
- ____ Signature notarized
- ____ Site Plan attached
- ____ Legal Description (Not Abbreviated) Provided
- ____ Petition Filed Complete
- ____ Written Description of Project
- ____ Petitioners Affidavit of Notice
- ____ Findings of Fact
- ____ Photo's of Property (Staff Request)
- ____ Landscape Plan (Staff Request)

Date approved for Public Hearing _____, _____

BZA Application Fees

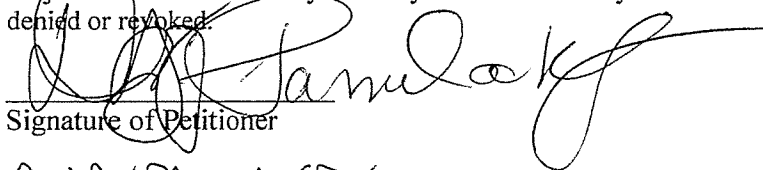
☒ Use Variance	\$200
☒ Single Family Development Standards Variance	\$50
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____ Relief to an Administrative Decision	\$200
____ Special Meeting	\$1000
____ Conditional Use	\$100
____ Wireless Communications Facility Special Use – Major	\$500
____ Wireless Communications Facility RF Tech Study Fee	\$ Actual cost of study

TOTAL FEE \$50.00

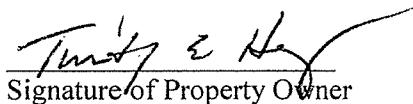
Certificate of Petitioner

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.

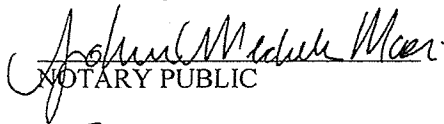

Signature of Petitioner

DAVID & PAMELA EWING
Printed Name


Signature of Property Owner

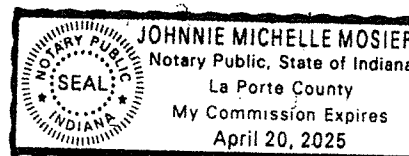
Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared: Timothy E. Healy, and acknowledge the execution of the foregoing document, this 22 day of June, 2018.


NOTARY PUBLIC

Johnnie Michelle Mosier
Type or Print name of Notary

My Commission Expires: April 20, 2025
Resident of Laporte County



Affidavit of Consent of Property Owner

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

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

1. That CENTER STREET Valpo Partners ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes DAVID & PAMELA BRING ("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.

Tim Healy
Property Owner

6/22/18
Date

Property Owner

Date

Subscribed and sworn to before me this 22 day of June, 2018.

Johnnie Michelle Mosier
Notary Public Johnnie Michelle Mosier

My Commission:

April 20, 2025
Date



**NOTICE OF PUBLIC HEARING
CITY OF VALPARAISO BOARD OF ZONING APPEALS**

Dear Property Owner:

This letter is to notify that the City of Valparaiso Board of Zoning Appeals will conduct a public hearing on Petition Number _____ on the 17th day of JULY, 2018 at 7:00 p.m. at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Board of Zoning Appeals action (insert action here) VARIANCE FROM THE DEVELOPMENT STANDARDS.

The petitioner for the requested action is DAVID & PAMELA GRING of the (address here) 155 CHAPINTON CIRCLE, VALPARAISO, IN 46385. The property is located in the NEIGHBORHOOD CONSERVATION Zoning District. The subject parcel is located at (Address or Location) 1006 CENTER ST, VALPARAISO and includes the following tract of land:

Legal Description

(Please type the street address and legal description here or attaché to the letter)

You are sent this notice as a property owner within 300 feet of the parcel. Your view on this petition may be submitted in writing to the Planning Director, or you will be given an opportunity to be heard at the above-mentioned time of the Public Hearing. All interested parties are invited to attend. To review the petition and detailed site plans, please contact the Planning Department between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Correspondence to:

Tyler Kent, Planning Director

City of Valparaiso

166 Lincolnway

Valparaiso, IN 46383

Phone: (219) 462-1161 Fax: (219) 464-4273

Email: tkent@valpo.us

(all electronic mail must include name, address, and telephone number)

Respectfully,

Petitioner

DAVID L. GRING

Petitioner

Pamela K Gring

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

(To be presented to Board of Zoning Appeals staff or attorney at Public Hearing)

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

1. That he/she is the _____ (agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana
2. That on the ____ day of _____, _____, did mail at least ten 10 (10) days prior to the scheduled Public Hearing postage paid, by certified mail, return receipt requested, a letter explaining the proposed change, time, date and place of hearing and attached hereto, to all of the property owners within three hundred (300) feet from the lot lines of described real estate, as follows.

(Please attach legal description)

List the name the address of all property owners who have received notification on page 10.

Petitioner

Date

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

My Commission Expires

Date

Legal Description:

CHAUTAUQUA PK LOT 11 BLK 6

SURROUNDING PROPERTY OWNER LIST

List the name and address of all property owners who have received notification below
(Use Additional Sheets if Necessary):

(Please Print)

Name

Address

(SEE EXHIBIT A)

EXHIBIT A

TSC_Alternate_Parcel_Number	TSC_Owner1	TSC_Owner1_Address	TSC_Site_Address	TSC_Legal_Description
64-09-23-226-005.000-004	Adams Richard & Roberts Elizabeth M	758 Bond Ave Valparaiso IN 46385	758 Bond Ave Valparaiso IN 46385	Chautauqua Park W66' Of Lots 8 & 9 Blk 12
64-09-23-206-001.000-004	AIMS Properties LLC	588 Queenswood Rd N Valparaiso IN 46385	714 Center St Valparaiso IN 46385	Chautauqua Park Lot 14 Blk 7
64-09-23-206-002.000-004	Albright Justin T	712 Center St Valparaiso IN 46385	712 Center St Valparaiso IN 46385	Chautauqua Park Add Lot 13 Blk 7 Dr493 P444
64-09-23-204-003.000-004	Bailey Gordon S	1013 Elmhurst Ave Valparaiso IN 46385	1013 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 1 Blk 6
64-09-14-456-009.000-004	Biesen Matthew	1050 Marion St Valparaiso IN 46385	1050 Marion St Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 9
64-09-23-206-007.000-004	Bray Andrew & Merlin/JT	713 Elmhurst Ave Valparaiso IN 46385	713 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 1 Blk 7
64-09-14-481-001.000-004	Buehrle Danette L	758 Hope St Valparaiso IN 46385	758 Hope St Valparaiso IN 46385	W60 E315 Wof Madison St Sof RR, Nof Hope Ave 14-35-6 .20A
64-09-23-203-009.000-004	Center Street Valpo Partners LLC	6370 Ameriplex Dr Ste 110 Portage IN 46368	1007 Center St Valparaiso IN 46385	Chautauqua PK S1/2 Lot 2 & All Lot 3 Blk 1
64-09-23-203-009.000-004	Center Street Valpo Partners LLC	6370 Ameriplex Dr Ste 110 Portage IN 46368	1001 & 1003 Center St Valparaiso IN 46385	Chautauqua PK Lots 6 & 7 Blk 1
64-09-23-203-006.000-004	Center Street Valpo Partners LLC	6370 Ameriplex Dr Ste 110 Portage IN 46368	1011 & 1009 Center St Valparaiso IN 46385	Chautauqua PK Lots 1,2 Exst1/2 Lot 2 Blk 1
64-09-23-204-001.000-004	Center Street Valpo Partners LLC	6370 Ameriplex Dr Ste 110 Portage IN 46368	1004-1012 Center St Valparaiso IN 46385	Chautauqua PK Lots 10,11,12,13& 14 Blk 6
64-09-23-226-001.000-004	Chess Paula R & Vandermolten Hannah	1014 Elmhurst Ave Valparaiso IN 46385	1014 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 14 Blk 12 99-2085
64-09-14-456-014.000-004	Deeter Dennis L & Carol S/H&W	858 Hope St Valparaiso IN 46385	858 Hope St Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 14
64-09-23-203-008.000-004	Ellis Eric J	1005 Center St Valparaiso IN 46385	1005 Center St Valparaiso IN 46385	Chautauqua PK Lots 4 & 5 Blk 1
64-09-23-204-004.000-004	Flory Linda E	1011 Elmhurst Ave Valparaiso IN 46385	1011 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lots 2 & 3 Blk 6
64-09-23-204-008.000-004	Gallegos Alonso	1002 Center St Valparaiso IN 46383	1002 Center St Valparaiso IN 46385	Chautauqua Park Lot 9 Blk 6 .151A
64-09-23-203-002.000-004	Gast Donna K	955 Hope St Valparaiso IN 46385	955 Hope St Valparaiso IN 46385	Chautauqua PK Blk 1 Lot 13 E1/2 Dr494 P43
64-09-23-206-009.000-004	Grady Fred W	709 Elmhurst Ave Valparaiso IN 46385	709 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 3 & N10 Lot 4 Blk 7 Dr413 P52
64-09-23-226-002.000-004	Hanchar Cynthia E	1012 Elmhurst Ave Valparaiso IN 46385	1012 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 13 & N6 Lot 12 Blk 12
64-09-14-456-017.000-004	Henson Terri L	14903 N 86th Dr Peoria AZ 85381	852 Hope St Valparaiso IN 46383	Parc In E60 W1321 S RR Sw Se 14-35-6 .23A
64-09-14-456-013.000-004	Jasper Beverly L	950 Hope St Valparaiso IN 46385	950 Hope St Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 13 Dr397 P363
64-09-14-481-003.000-004	Kadletz Christopher & Stephanie/H&W	754 Hope St Valparaiso IN 46383	754 Hope St Valparaiso IN 46383	Par In Se As Desc Dr412 P93 14-35-6 .27AC
64-09-23-204-005.000-004	Kingsland Raka	1007 Elmhurst Ave Valparaiso IN 46385	1007 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 4 Blk 6
64-09-23-226-006.000-004	Klein Tammy Lynn	758 Bond Ave Valparaiso IN 46385	758 Bond Ave Valparaiso IN 46385	Chautauqua Park Lots 8 & 9 Ex W66 Blk 12
64-09-14-481-002.000-004	Kuder Kenneth H & Barbara	756 Hope St Valparaiso IN 46385	756 Hope St Valparaiso IN 46383	Parcel In E1/2 Se Desc Dr277 P102 14-35-6 .16A
64-09-14-456-012.000-004	Lomas Matthew G & Deborah L/H&W	952 Hope St Valparaiso IN 46385	952 Hope St Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 12
64-09-23-226-003.000-004	Marvel Joshua D & Emma Louisa	1008 Elmhurst Ave Valparaiso IN 46385	1008 Elmhurst Ave Valparaiso IN 46383	Chautauqua Park Lot 11 & Lot 12 Ex N6 Blk 12
64-09-23-203-005.000-004	Massom Richard J & Mary Ann	956 Bond Ave Valparaiso IN 46385	956 Bond Ave Valparaiso IN 46385	Chautauqua Park Lots 8&9 Blk 1
64-09-23-203-004.000-004	Massom Richard J & Mary Ann	956 Bond Ave Valparaiso IN 46385	1006 Milton St Valparaiso IN 46385	Chautauqua Park Lot 10 Blk 1
64-09-23-205-007.000-004	Miller Judith L	708 Milton St Valparaiso IN 46385	708 Milton St Valparaiso IN 46383	Chautauqua Park Lot 12 & S1/2 Lot 13 Blk 2 Dr494 P242
64-09-23-205-007.000-004	Moe Christopher J & Lorrie/H&W	1008 Milton St Valparaiso IN 46385	709 Center St Valparaiso IN 46385	Chautauqua Park Lot 3 & S10 Lot 2 Blk 2 Dr455 P119
64-09-14-456-016.000-004	Nelson Thomas E & Judith A	854 Hope St Valparaiso IN 46385	854 Hope St Valparaiso IN 46385	Chautauqua Park All Lots 11 & 12 Blk 1
64-09-23-228-002.000-004	Orcutt Steven R & Stephanie A/H&W	710 Elmhurst Ave Valparaiso IN 46385	710 Elmhurst Ave Valparaiso IN 46385	E70WJ261 S RR Set1/4 Aka L22 Marshalls Manor Unrec Sub14-35-6 .25A
64-09-23-206-004.000-004	Rider Michael S	708 Center St Valparaiso IN 46385	708 Center St Valparaiso IN 46385	Chautauqua Park Lots 11,12 & 13 Blk 13
64-09-23-205-001.000-004	Rouse Kasey Nicole	955 Bond Ave Valparaiso IN 46385	955 Bond Ave Valparaiso IN 46385	Chautauqua Park Lot 11 Blk 7 Dr428 P403
64-09-23-204-009.000-004	Sheel Kimberly J	1000 Center St Valparaiso IN 46383	1000 Center St Valparaiso IN 46385	Chautauqua Park N 1/2 Lot 13 & All Lot 14 Blk 2 Dr493 P260
64-09-23-205-006.000-004	Silheavy Jeffrey J & Tracy L/H&W	951 Bond Ave Valparaiso IN 46385	951 Bond Ave Valparaiso IN 46385	Chautauqua Park Lot 8 Blk 6 .151A
64-09-23-226-004.000-004	Smith Steven M & Laura B/H&W	1006 Elmhurst Ave Valparaiso IN 46385	1006 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 1 & Lot 2 Ex S10 Blk 2
64-09-23-206-003.000-004	Sutter Dana L	710 Center St Valparaiso IN 46385	710 Center St Valparaiso IN 46383	Chautauqua Park Lot 10 Blk 12 Dr454 P370
64-09-14-456-010.000-004	Tolliver Jerry L & Bonnie J	956 Hope St Valparaiso IN 46385	956 Hope St Valparaiso IN 46385	Chautauqua Park Lot 12 Blk 7
64-09-14-456-015.000-004	VAO LLC	217 Lincolnway Valparaiso IN 46383	856 Hope St Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 10
64-09-23-206-008.000-004	Vivian Steven D & Theresa/H&W	711 Elmhurst Ave Valparaiso IN 46385	711 Elmhurst Ave Valparaiso IN 46385	E140 W1191 S Gt-RR 14-35-6 .56A Dr489 P106 F-9
64-09-23-228-001.000-004	Von Feldt Darren	42266 Yancey Ter Ashburn VA 20148	714 Elmhurst Ave Valparaiso IN 46383	Chautauqua Park Lot 2 Blk 7 Dr439 P281
64-09-23-204-006.000-004	Whiteside Gregory & Detraz Jeffrey	1005 Elmhurst Ave Valparaiso IN 46385	1005 Elmhurst Ave Valparaiso IN 46385	Chautauqua Park Lot 14 Blk 13 Doc # 2001-008115
64-09-23-203-001.000-004	Wilson Ronald Carey & Nancy J	1010 Milton St Valparaiso IN 46385	1010 Milton St Valparaiso IN 46385	Chautauqua Park Lot 5 Blk 6
64-09-14-456-011.000-004	Wirick Paul & Stacy J/H&W	954 Hope St Valparaiso IN 46385	954 Hope St Valparaiso IN 46385	Chautauqua Park W1/2 Lt 13 Blk 1
64-09-23-204-007.000-004	Zalaker Jennifer Ashley	1001 Elmhurst Ave Valparaiso IN 46385	1001 Elmhurst Ave Valparaiso IN 46385	Clarborne Sub Unit 2 Lot 11
				Chautauqua Park Lots 6 & 7 Blk 6

Variance from Development Standards
Findings of Fact
(Please Print)

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: _____

THERE IS A NEGLIGIBLE DIFFERENCE BETWEEN THE
HEIGHT RESTRICTION FROM THE CITY OF VALDARAO AND
THE ACTUAL HEIGHT OF THE SINGLE FAMILY RESIDENCE.

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 GRADE/TOPOGRAPHY OF THE PROPERTY IS UNIQUE AND
THE FLOOR PLAN/ELEVATION CONFORMS WITH OTHER
HOUSES IN THE NEIGHBORHOOD.

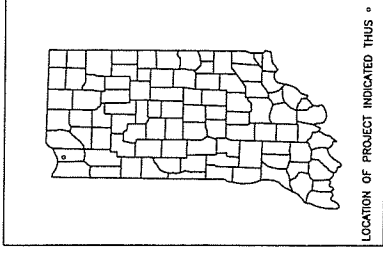
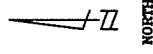
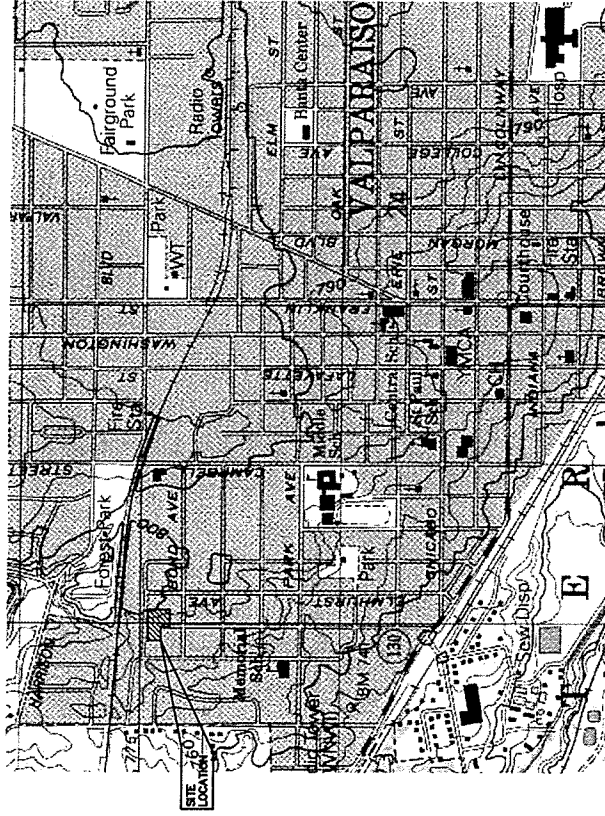
C. The strict application of the terms of the zoning ordinance will result in particular difficulties in the use of the property included in the proposed variance because: _____

THE GRADE OF THE PROPERTY IS UNIQUE, CALLING FOR
THE GARAGE TO BE LOCATED UNDER THE HOME, WITH
LIVING SPACE ABOVE. TO ACHIEVE THE FINISHED SQUARE
FEET, HEIGHT NEEDS TO BE ADDED TO THE HOME.

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.

REPLAT CHAUTAUQUA PARK

CITY OF VALPARAISO
VALPARAISO, INDIANA



LOCATION OF PROJECT INDICATED THUS

LEGAL DESCRIPTION:
LOTS 1, 2, AND 3 OF BLOCK 1 AND LOTS 10, 11, 12, 13 AND 14 OF BLOCK 6,
ALL IN CHAUTAUQUA PARK, AS RECORDED IN PLAT FILE 14-A-4 IN THE
OFFICE OF THE RECORDER OF DEEDS, FORTY COUNTY, INDIANA.

REVISION DATE:
6/5/17
7/5/17

VICINITY MAP (NOT TO SCALE)

DRAWING LIST:

- COVER SHEET
- SHEET 1 - PLAN VIEW OF EXISTING CONDITIONS
- SHEET 2 - OVERALL PLAN VIEW OF IMPROVEMENT
- SHEET 3 - CENTER STREET PROFILE & CROSS SECTION
- SHEET 4 - STANDARD DETAILS
- SHEET 5 - STANDARD DETAILS
- SHEET 6 - STANDARD DETAILS

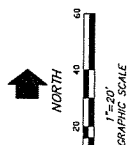
NOTES:

- GENERAL CONSTRUCTION SPECIFICATIONS FOR CHAUTAUQUA
PARK CENTER ST DEVELOPMENT ATTACHED.
- FOLLOW VALPARAISO CITY UTILITIES SPECIFICATIONS FOR
MATERIAL AND INSTALLATION.

OWNER/DEVELOPERS
SUNNY PROPERTIES INC.
1015 N. 14TH ST.
VALPARAISO, IN 46384
(219) 461-7433

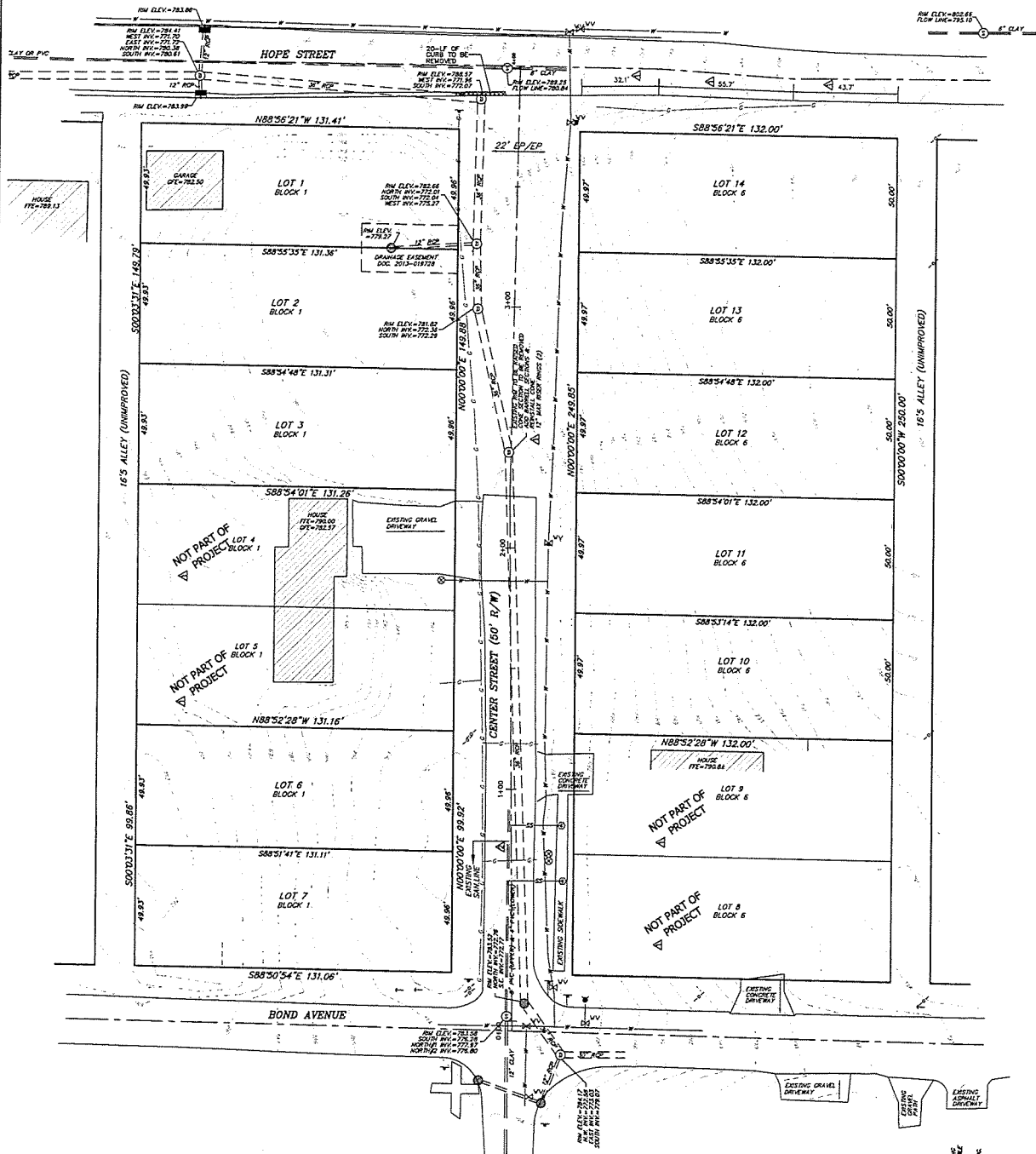


DUNELAND GROUP
ENGINEERING & SURVEYING
1015 N. 14TH ST.
VALPARAISO, IN 46384
CHESTER, INDIANA 46304
219-425-1007 fax 219-425-1244
E-Mail: dg@dunelandgroup.com



LEGEND:

- ADDRESS (XXX)
- EXISTING STORM WATER MANHOLE
 - EXISTING SANITARY MANHOLE
 - EXISTING SIGN
 - STORMWATER INLET
 - PROPOSED SANITARY MANHOLE
 - PROPOSED DRAINAGE INLET
 - PROPOSED STREET SIGN
 - EXISTING GAS LINE
 - EXISTING WATER LINE
 - EXISTING FIRE HYDRANT
 - EXISTING GUY ANCHOR
 - EXISTING WATER SERVICE VALVE
 - EXISTING UTILITY POLE
 - SANITARY LINE LATERAL
 - PROPOSED SANITARY LINE
 - PROPOSED EXCAVATED AREA



DUNELAND GROUP
ENGINEERING & SURVEYING
1498 POPE COURT
CHESTERTON, INDIANA 46304
219-226-1000
E-MAIL: g@ddunelandgroup.com

CHAUTAUQUA PARK

PLAN VIEW OF EXISTING CONDITIONS

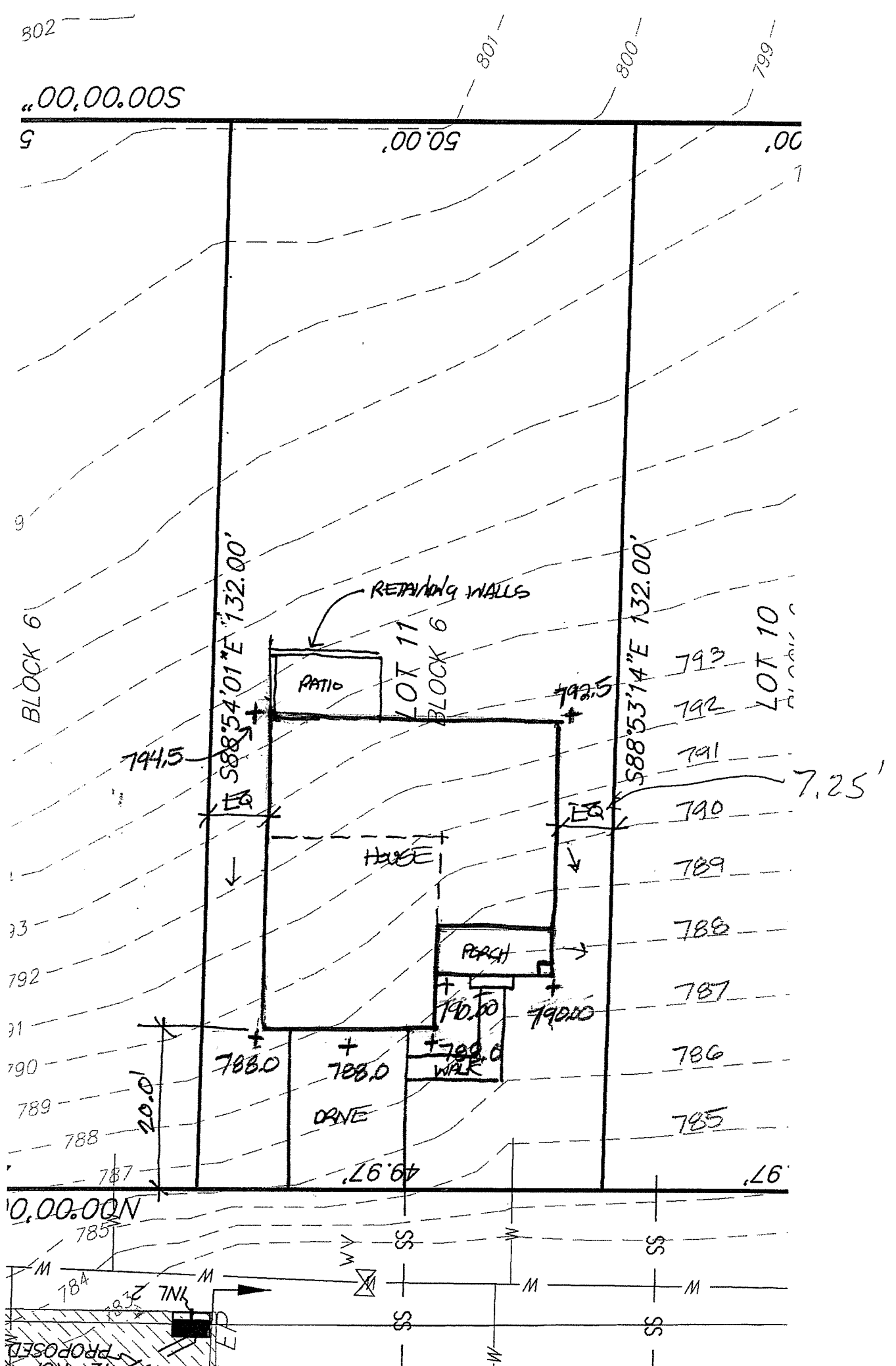
REVISION		DATE	BY	DATE	BY	DATE	BY
1	DATE REVISION TO DRAWINGS PER CITY COMMENTS	6/25/17	SCC	6/25/17	SCC	6/25/17	SCC
2	MAKE REVISION TO DRAWINGS PER CITY COMMENTS	7/3/17	AK	7/3/17	AK	7/3/17	AK

DRW: JAD
DATE: 06/27/17
HORIZ. SCALE: 1"=50'
VERT. SCALE: N/A
PROJECT STATUS: REVIEW

SHEET 1
PROJECT NUMBER: 27656.001
DRAWING NUMBER: 27656.001-1

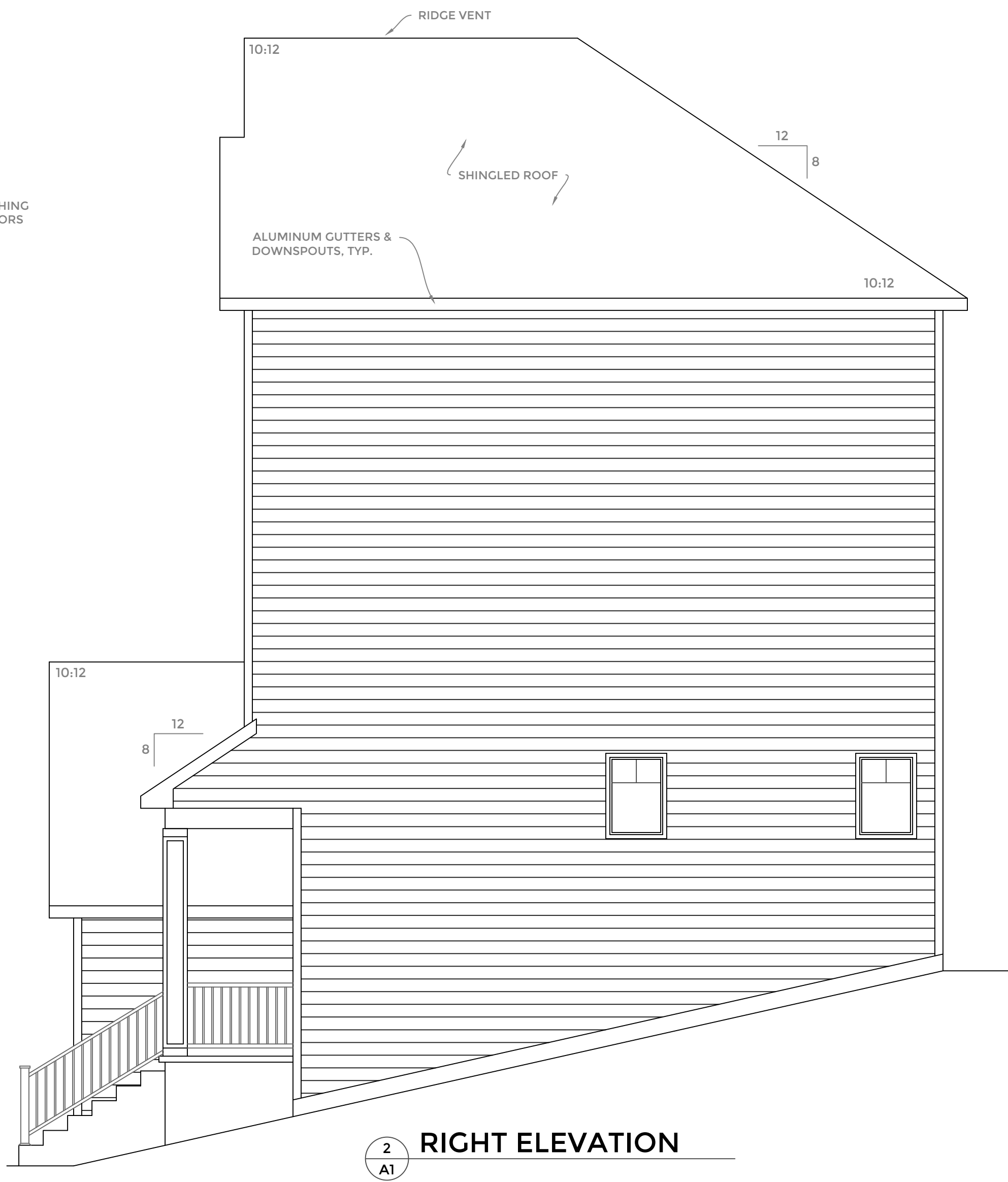
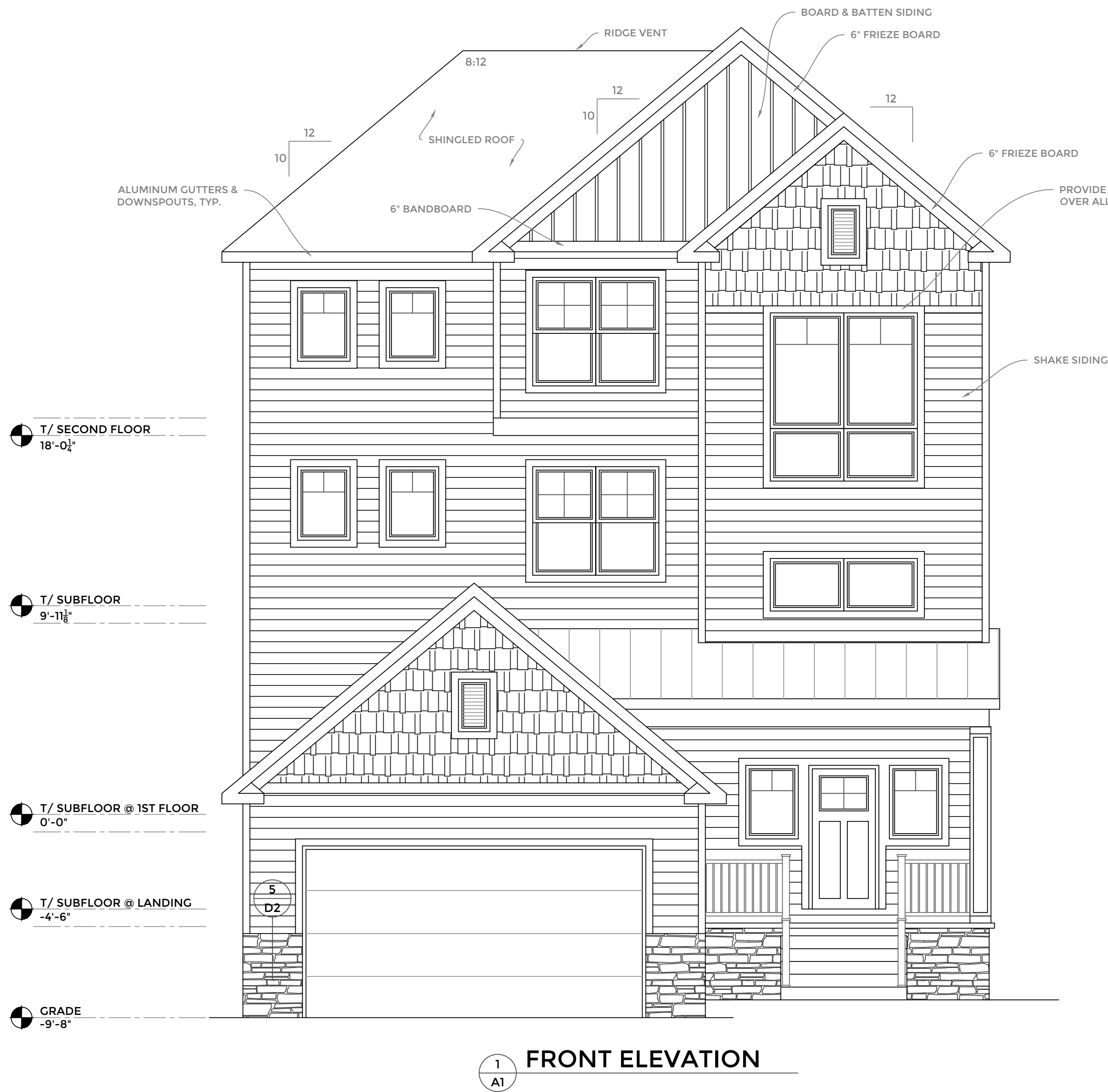
DISCLAIMER
THIS DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

SITE PLAN/CONCEPT PLAN - PG. 2



Project Description:

Construction of a new three story residence with an attached garage totaling approximately 2,800 square feet of livable space.



GENERAL ELEVATION NOTES

1. CONTRACTOR NOTE:
ALL TRADES MUST CONFORM TO CURRENT EXISTING CODES APPLYING TO THIS PROJECT. CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE EXECUTING ANY WORK. REPORT ANY DISCREPANCIES AT ONCE.
DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
2. WINDOW AND PATIO DOOR DESIGNATIONS INDICATES "ANDERSEN" MANUFACTURED WINDOWS. COORDINATE WINDOW AND DOOR MANUFACTURER WITH OWNER FOR EXACT SIZES AND TYPES.
3. TEMPERED GLAZING SHALL BE INSTALLED WHERE BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
4. PROVIDE DRIP CAPS AT ALL WINDOWS, DOORS, AND RAKES. WRAP EAVE RETURN WITH RAIN GUTTER AND FLASH AS REQ'D.

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGE

BASEMENT PLAN - 288 SQ. FT.
MAIN FLOOR PLAN - 946 SQ. FT.
SECOND FLOOR PLAN - 793 SQ. FT.
THIRD FLOOR PLAN - 793 SQ. FT.

A1
ELEVATIONS
FRONT, RIGHT

ISSUE FOR:

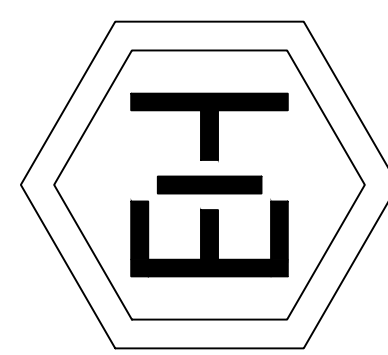
5/9/18 - PRELIM. REVIEW

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ELEMENT
HOMES

CENTER ST. SPEC HOME
LOT T.B.D.

ADDRESS T.B.D.



ISSUE FOR:

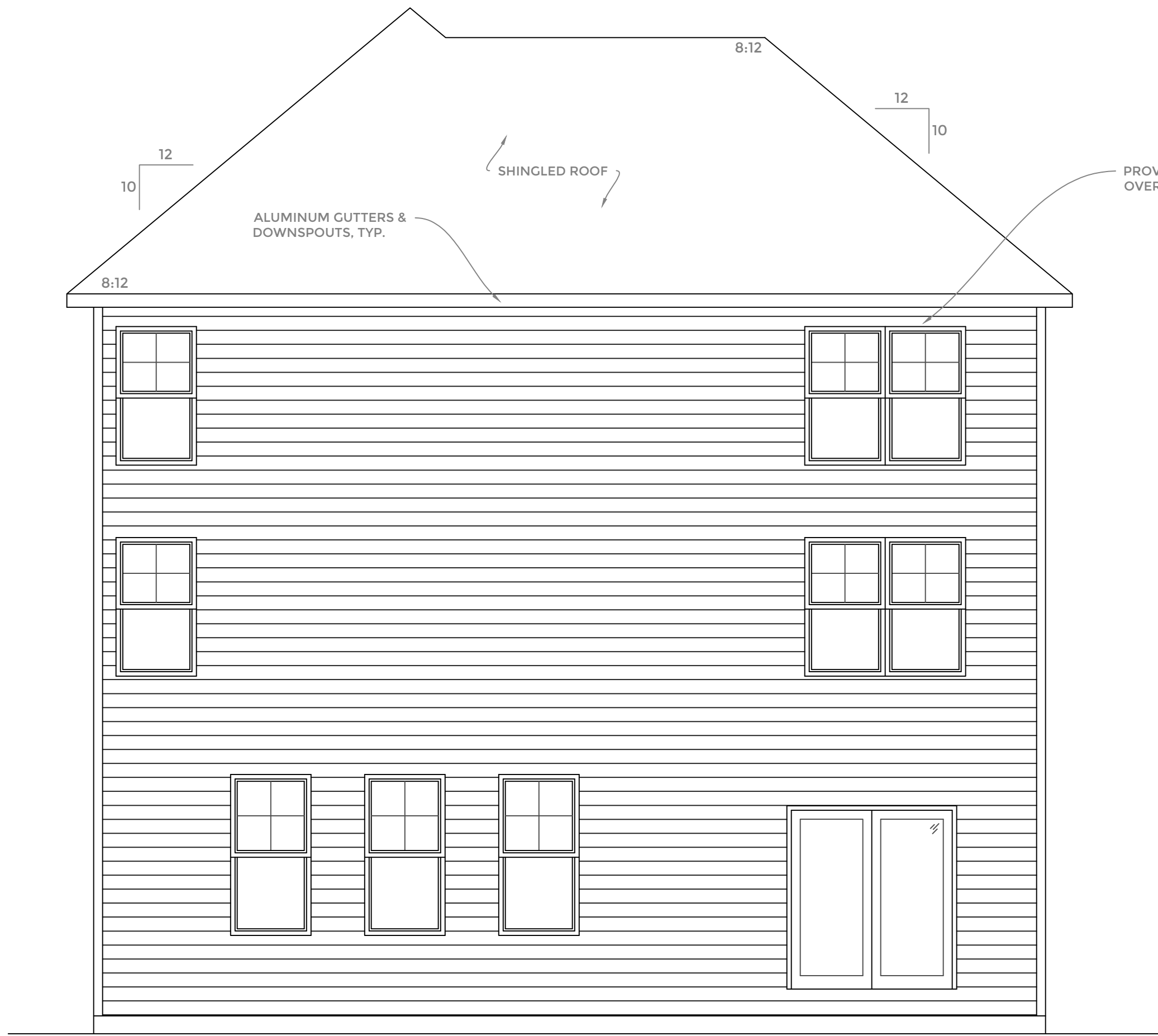
5/9/18 - PRELIM. REVIEW

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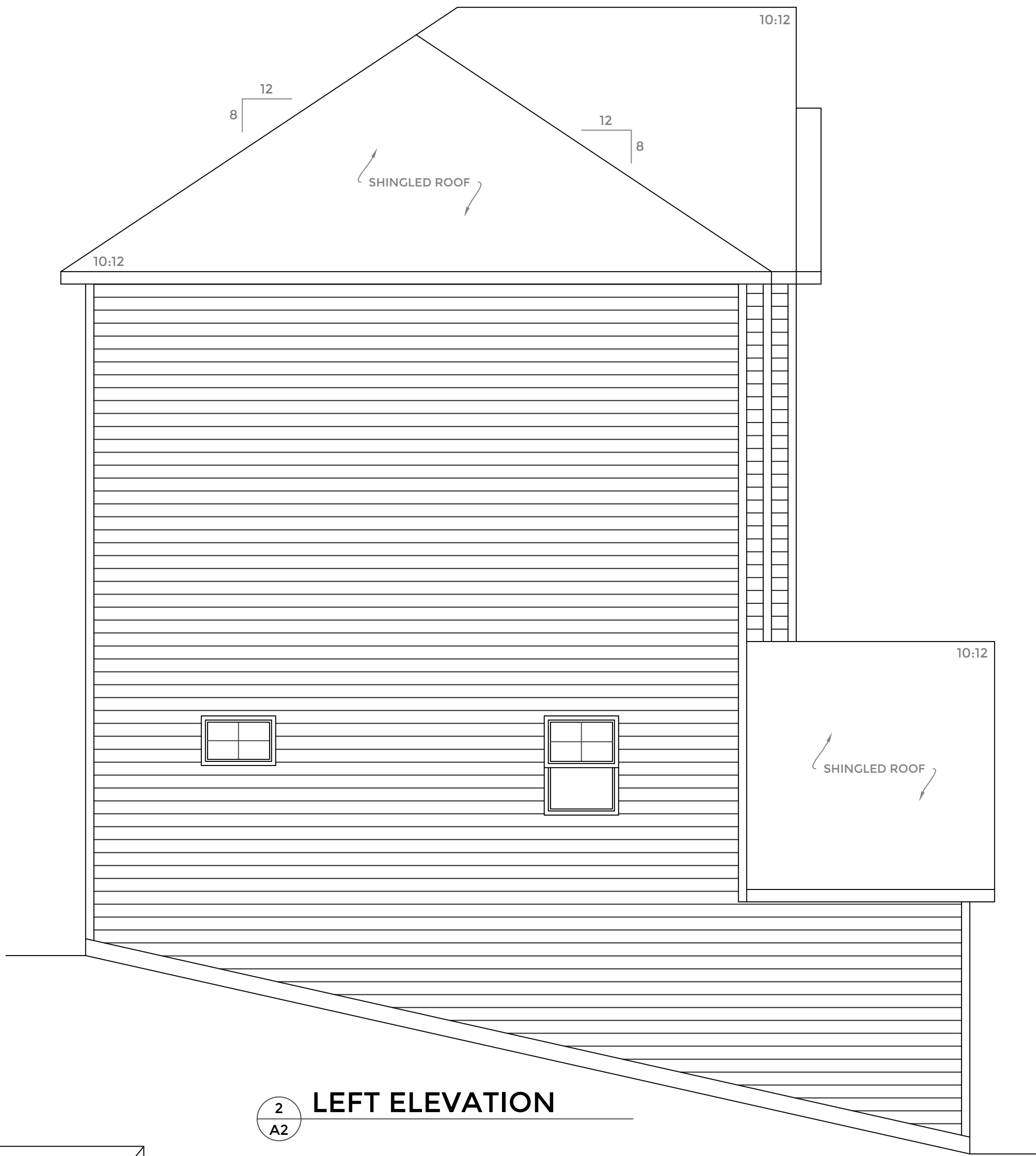
SQUARE FOOTAGE

BASEMENT PLAN - 288 SQ. FT.
MAIN FLOOR PLAN - 946 SQ. FT.
SECOND FLOOR PLAN - 793 SQ. FT.
THIRD FLOOR PLAN - 793 SQ. FT.

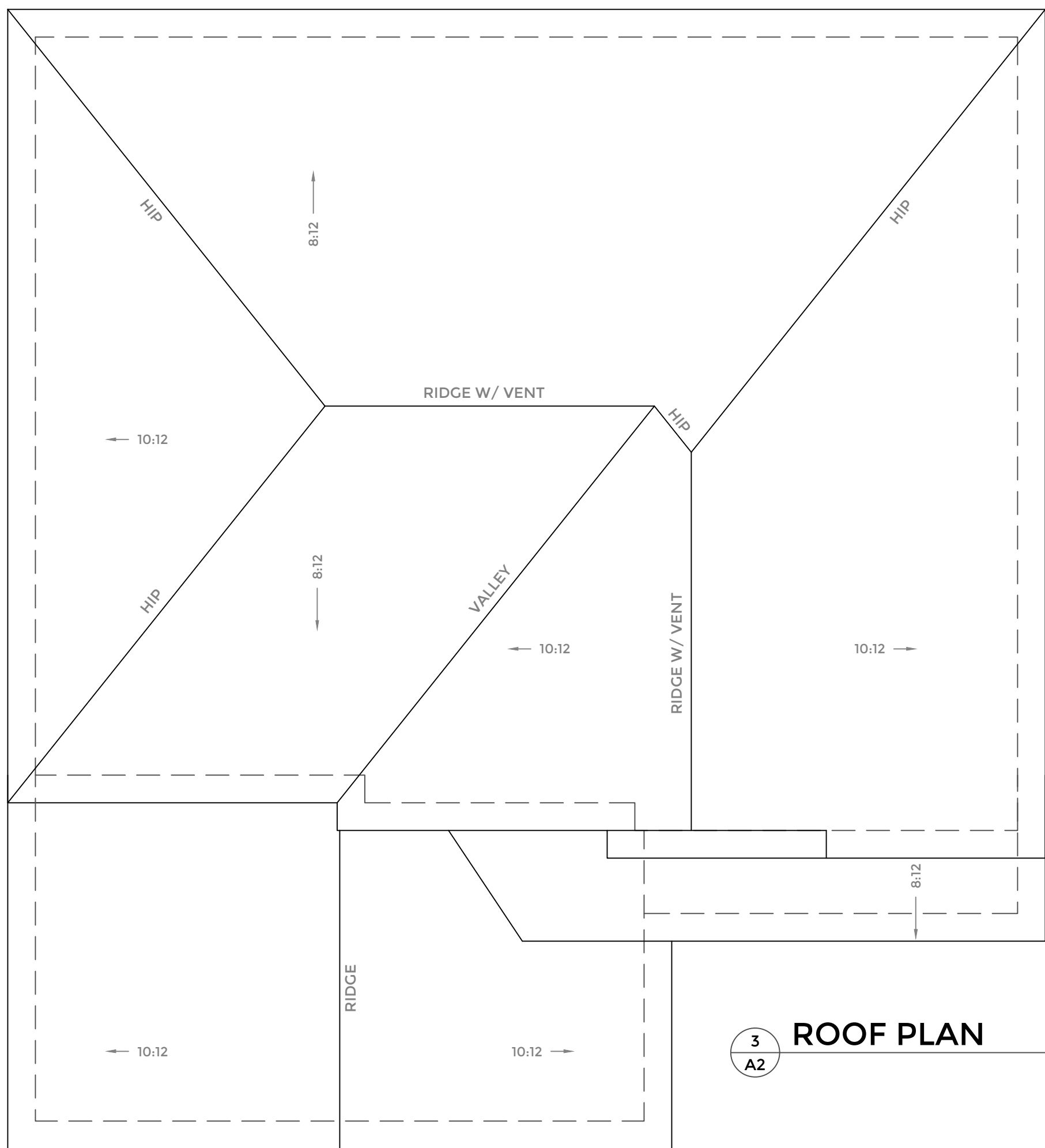
SCALE: 1/4" = 1'-0"



1
A2
REAR ELEVATION



2
A2
LEFT ELEVATION



3
A2
ROOF PLAN

GENERAL ELEVATION NOTES

- CONTRACTOR NOTE:
ALL TRADES MUST CONFORM TO CURRENT EXISTING CODES APPLYING TO THIS PROJECT. CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE EXECUTING ANY WORK. REPORT ANY DISCREPANCIES AT ONCE. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
- WINDOW AND PATIO DOOR DESIGNATIONS INDICATES "ANDERSEN" MANUFACTURED WINDOWS. COORDINATE WINDOW AND DOOR MANUFACTURER WITH OWNER FOR EXACT SIZES AND TYPES.
- TEMPERED GLAZING SHALL BE INSTALLED WHERE BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
- PROVIDE DRIP CAPS AT ALL WINDOWS, DOORS, AND RAKES. WRAP EAVE RETURNS WITH RAIN GUTTER AND FLASH AS REQ'D.

GENERAL ROOF NOTES (RAFTERS)

- USE SPRUCE-PINE-FIR NO. 2 FOR ROOF RAFTERS.
- HIP OR VALLEY RAFTERS EXCEEDING 24'-0" IN LENGTH SHALL BE 1 5/4" WIDE LVL MEMBERS x RAFTER DEPTH PLUS 2" DEEP.
- ALL HIP VALLEY CRIPPLE JACKS SHALL BE INSTALLED AND SHALL BE EQUAL IN DEPTH AND SPACING TO MAIN RAFTER FRAMING INTO HIP OR VALLEY RAFTER.
- VERTICAL RIDGE SUPPORT USED FOR START OF FRAMING AS MARKED BY (*) SHALL BE LEFT IN PLACE AND SHALL BE MADE UP OF (2)2"x8" IN T-FRAME MODE. IT SHALL BEAR ON FLAT 2"x8" EXTENDED OVER BEARING WALL OR OVER 6 CEILING JOISTS.
- COLLAR TIES SHALL BE INSTALLED PER LOCAL GOVERNING BUILDING CODES.
- WHERE HIP RAFTERS FRAME PERPENDICULAR TO CEILING JOISTS PROVIDE SOLID BLOCKING AT 8'-0" O.C. BETWEEN JOISTS FOR A DISTANCE OF 10'-0" FROM EXTERIOR WALL.
- ROOF VENTS TO BE LOCATED ON REAR FACES OF ROOFS WHERE POSSIBLE (SEE PLAN).
- THE TOTAL NET FREE VENTILATING AREA SHALL BE 1 TO 300, WITH 50% TO 80% OF REQUIRED VENTILATING AREA PROVIDED BY ROOF VENT UNITS (PER IRC R806.2).
- ATTIC ACCESS OPENINGS SHALL BE PROVIDED TO ATTIC AREAS THAT EXCEED 30 SQ. FT. & HAVE A VERTICAL HEIGHT OF 30" OR GREATER. THE ROUGH-FRAMED OPENING SHALL NOT BE LESS THAN 22"x30", WITH A 30" MINIMUM UNOBSTRUCTED HEADROOM IN THE ATTIC SPACE ABOVE THE OPENING (PER IRC R807.1).

Petition #: UV18-002

**PETITION TO
VALPARAISO BOARD OF ZONING APPEALS**

The Petition shall be filed in duplicate with the City Clerk-Treasurer a minimum of 25 days prior to the date of the next Board of Zoning Appeals ("BZA") meeting. The BZA meets every third Tuesday of the month at 7:00 PM in City Hall, 166 Lincolnway, Valparaiso. The Petitioner and/or his/her representative must be present at the public hearing. The filing fee must be paid to the City Clerk-Treasurer upon filing a complete Petition. Please submit nine (9) copies of this petition.

PLEASE COMPLETE THE FOLLOWING:

The undersigned Petitioner and owner(s) of real estate, identified within this application as property within the jurisdiction of the City, respectfully petition the Board of Zoning Appeals to consider;

- ☐ 1. Relief to an Administrative decision. (Exhibit No. ☐)
- ☐ 2. Variance(s) from the development standards.
- ☒ 3. Variance of the use from the terms of the Zoning Ordinances.
- ☐ 4. Petition for Special Exception.
- ☐ 5. Special Exception from Home Occupation.
- ☐ 6. Conditional Use.

In support of an application for **Variance(s) from the Development Standards**, the Petitioner states that the granting of such request:

- ☐ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☐ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☐ Petitioner will comply with all ordinance parking requirements.

In support of an application for a **Use Variance**, the Petitioner states that the granting of such request:

- ☒ Will not be injurious to the health, safety, morals, and general welfare of the community;
- ☒ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☒ Arise from a condition peculiar to the property;

- ☒ Arises from unnecessary hardships if the Zoning Ordinance is strictly applied; and
- ☒ Does not interfere substantially with the Comprehensive Plan adopted.
- ☒ Petitioner will comply with all ordinance parking requirements.

In Support of an application for **Special Exception**, the Petitioner states that the granting of such request:

- ☐ Will not generate excessive vehicular traffic on minor residential streets;
- ☐ Will not create vehicular parking or traffic problems;
- ☐ Appropriate access roads, drives, utilities, drainage, facilities, and other necessary facilities have been or will be installed;
- ☐ Will make a substantial contribution to the neighborhood environment and will not infringe on the rights of properties in the vicinity of the expected use;
- ☐ Will comply with the requirements of the district in which proposed use is to be located.
- ☐ Petitioner will comply with all ordinance parking requirements.

In support of such application for **Special Exception for Home Occupation**, Petitioner states:

☐ That no person other than members of the family residing on the premises will be engaged in the home occupation.

☐ That the use of the dwelling unit for home occupation will be clearly incidental and subordinate to its use for residential purposes and not more than 25% of the floor area of the dwelling will be used in the conduct of the home occupation.

☐ That there will be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign-such sign not exceeding two square feet in area, non-illuminated and containing only the name and nature of the business.

☐ That no home occupation will be conducted in any accessory building.

☐ That there will be no sales area unless specifically permitted by the BZA.

☐ That no traffic will be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation will be met by required or permitted parking spaces, and will not be in the front yard.

☐ That no equipment or process will be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses which can be detected off premises.

PETITIONER: (PACT, INC)

Prisoner & Community Together, Inc 2056 S. State Rd, Uuparaiso, IN 46385
 Name (Please Print) Address Phone 219-465-1100

OWNER OF SUBJECT PROPERTY:

Prisoner & Community Together Inc, 2056 S. State Rd, Uuparaiso, IN 46385
 Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY: 505 DON HOVEY, VALPARAISO, IN 46383

Subject property fronts on the NORTH side between (streets) DON HOVEY & AXE AVE
 in the UR Zoning District.

Legal Description of Subject Property: (Exhibit No.)

The EAST 110 feet of the west 209 feet of Block 24 of Council's
Addition of 1883 to the City of Valparaiso, as per plat thereof
recorded in Miscellaneous Record "E", page 534, in the office of
the Recorder of Porter County, Indiana.

**DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No.)**

There will be no additions or alterations to the building. The
former owner used the property for music lessons + recitals. Peter
will be using the property in a similar matter for offices
and small group meetings

Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or
Administrative Relief is sought:

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

Attach a Site Plot Plan drawn to scale showing:

- a. scale
- b. lot: shape, location, dimension, and area
- c. existing improvements on the lot (including, structures, sidewalks, & driveways)
and the percent coverage of improvements on the lot
- d. distance for lot lines, right-of-way lines, or easements to any structure for: front,
back and side yards

Please fill in:

Front Setback Rear Setback Side Setbacks / Lot Coverage

Height

The powers and duties of the Board of Zoning Appeals are provided for and limited by Enabling Acts in Indiana Code 36-7-4-900 et. seq.. The public hearing procedures are similar to a courtroom hearing. Although it is not required that the Petitioner represented by legal counsel, information and documentation pertaining to the petitioner should be prepared as if it were to become part of a court hearing. **Although the office of the City Planner is available to assist the Petitioner, it is the Petitioner's responsibility to request and prepare the appropriate variance petition.** The Planning Department can be contacted Monday-Friday between 8:30 – 4:30 at (219) 462-1161.

Petitions will not be scheduled for public hearing unless all legal and procedural requirements have been met.

STAFF USE ONLY

Date Received _____

- ____ Names and Addresses of property owners within 300 feet provided
- ____ Signature notarized
- ____ Site Plan attached
- ____ Legal Description (Not Abbreviated) Provided
- ____ Petition Filed Complete
- ____ Written Description of Project
- ____ Petitioners Affidavit of Notice
- ____ Findings of Fact
- ____ Photo's of Property (Staff Request)
- ____ Landscape Plan (Staff Request)

Date approved for Public Hearing _____, _____

BZA Application Fees

☒	Use Variance	\$200
____	Single Family Development Standards Variance	\$50
____	Commercial Development Standards Variance	\$150
____	Special Exception/Special Use	\$200
____	Relief to an Administrative Decision	\$200
____	Special Meeting	\$1000
____	Conditional Use	\$100
____	Wireless Communications Facility Special Use – Major	\$500
____	Wireless Communications Facility RF Tech Study Fee	\$ Actual cost of study

TOTAL FEE 200⁰⁰

Certificate of Petitioner

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.

Sharon Mortensen, Exec. Director PAET, Inc.

Signature of Petitioner

Sharon Mortensen

Printed Name

Signature of Property Owner

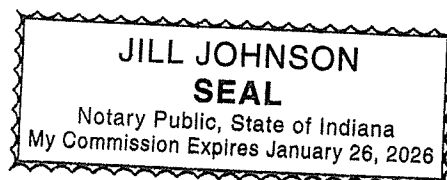
Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared: Sharon Mortensen, and acknowledge the execution of the foregoing document, this 27 day of June, 2018

Jill Johnson
NOTARY PUBLIC

My Commission Expires: 1-26-26
Resident of LaPorte County

Jill Johnson
Type or Print name of Notary



Use Variance Findings of Fact

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:

PACT, Inc. has a 46-year history of working with the local courts and the criminal justice system in Porter County. It plans to move its “Recovery Connection Program” (RCP) from its facility at 254 S. Morgan Street, Valparaiso, Indiana to 505 Don Hovey Street, because of the need for additional space, to house 3-4 offices and a meeting room that will accommodate up to 20 people. The propose site will provide the offices and meeting room without any structural changes.

Normal business hours in Don Hovey Street facility will be 9:00 a.m. – 8:00 p.m., with staff supervision during the entire time the facility is open. While operating on Morgan Street, in an area that includes residences, the RCP had no problems.

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:

PACT will maintain the Don Hovey Street property and plans to make repairs and improvements as needed. PACT’s history shows that it has been a good neighbor wherever its facilities are located. The building and the parking area in the rear will be well-maintained; the RCP is well supervised and does not generate noise; the parking in the rear eliminates the need for those utilizing the facility to park on the streets in the area.

C. The need for the use variance arises from the following condition peculiar to the property involved:

The property at 505 Don Hovey Street is zoned Urban Residential (UR), which is “the highest intensity residential district.” Unified Development Ordinance (UDO) § 1.404. The proposed institutional use, as a “place of public assembly” and/or “public service,” requires “special use review” or “limited use review.” UDO Table 2.201.A. The most recent uses of the building at this address include a church, FOP lodge and a music conservancy/yoga studio. As a practical matter, the proposed use is actually a continuation of the most recent use.

D. 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:

First, the property at issue is ideal for the planned use, with the parking space and the configuration of the building. Second, the building is located on the south side of the larger UR area, next to Don Hovey Street, across the street from a University facility that is non-residential and a City-owned bus facility. Third, based on the Valparaiso Zoning Map, it appears the site is surrounded by property zoned Light Industry, Heavy Industrial, and Campus. Fourth, the proposed use will be consistent with a residential neighborhood in that it will not add to the noise

in the area and those utilizing the facility will not be driving through the heart of the residential area.

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

As indicated above, the building on the lot at issue does not look like a residence and, at least the last three uses were not residential. Further, the lot is on the south edge of the residential area, across the street (Don Hovey Street) from other non-residential uses.

MORTGAGE LOAN INSPECTION PLAT

BY

WILLIAM T. DAVIES SURVEYING

1587 South Carmel Road

Chesapeake, Indiana 46304

(219) 925-4353 FAX (219) 925-2241

DATE

October 18, 1993

PREPARED FOR

First National Bank/Trustors Title Insurance Corporation

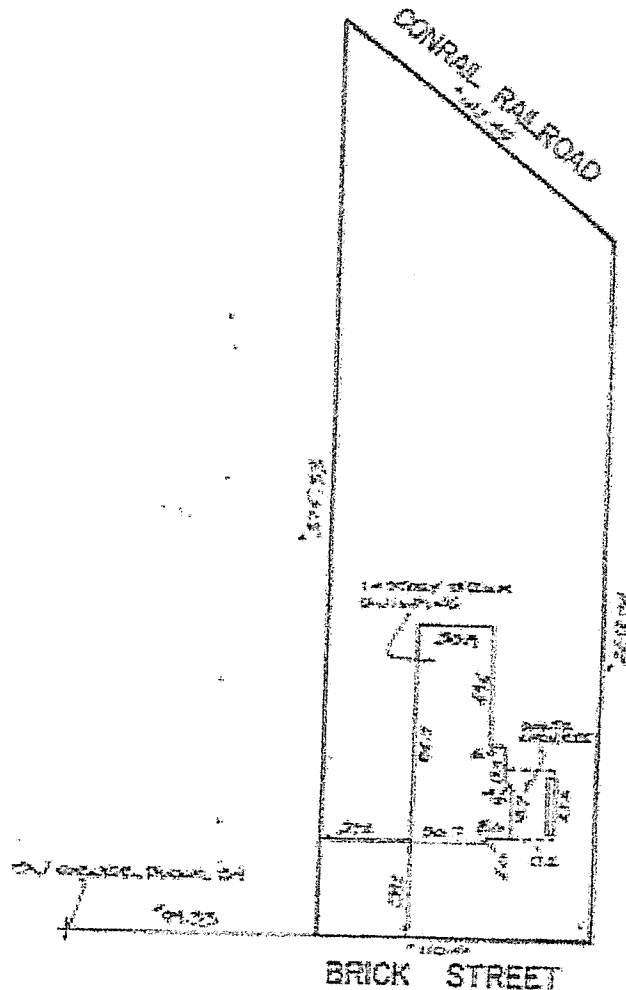
PROPOSED LENDER

FJP Lending Place, Inc.

ADDRESS OF PROPERTY

505 Brick Street, Valparaiso, IN 46303

DESCRIPTION OF PROPERTY: The East 110 feet of the West 209 feet of Block 14 of Council's Addition of 1893 to the City of Valparaiso, as shown in Miscellaneous Record "B", page 334, Porter County, Indiana.



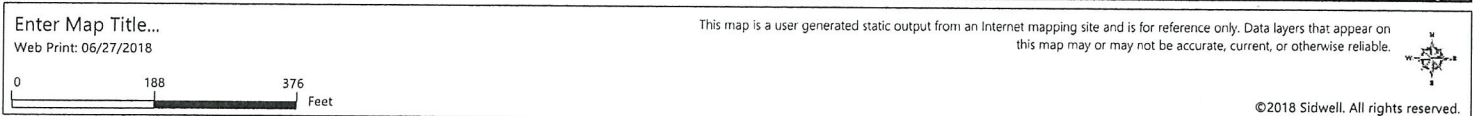
BRICK STREET

PREPARED BY WILLIAM T. DAVIES, SURVEYOR, DATE 10-18-93

STATE OF INDIANA

cc

NOT TO SCALE. THIS IS A SURVEY PLAT. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES. IT IS FOR INFORMATION PURPOSES ONLY.



Web Print: 06/27/2018

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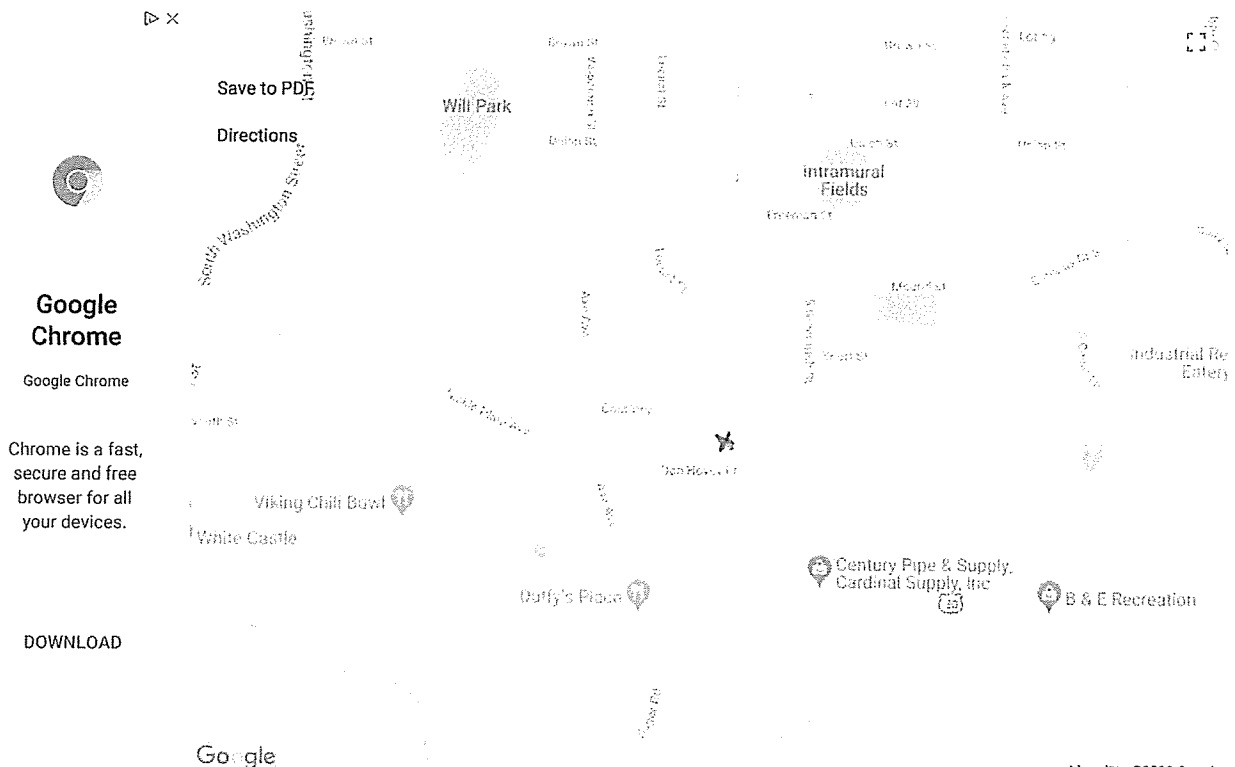
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Valparaiso, Porter County, Indiana on Googlemap



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Travelling to Valparaiso, Indiana? Find out more with this detailed online map of Valparaiso, Porter County, Indiana provided by Google Maps - city plan, satellite map, downtown locations, street view.

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your feedback.

Bowman, Leroy F. Personal Trust	3255 Thornhill Dr Valparaiso, IN 46385
Wilmington Savings Fund Society	8180 E Kaiser Blvd Anaheim, CA 92808
Derrick R. Holman	733 Cyrus St #B Valparaiso, IN 46383
University Lutheran Assoc. Office	Kretzmann Hall 1709 Chapel Dr Valparaiso, IN 46383
Robert Reising	1004 Domke Dr Valparaiso, IN 46383
Rheanna Boender	753 Cyrus St Valparaiso, IN 46383
Vicki Nuss	751 Cyrus St Valparaiso, IN 46383
Robert Kotynski	753 Axe Ave Valparaiso, IN 46383
Michael & Bertha Martin	204 Sunflower Dr Valparaiso, IN 46383
Seramur Construction LLC	10 Washington St Valparaiso, IN 46383
William Steel	756 Cyrus St Valparaiso, IN 46383
Zaragoza Gutierrez	855 Cyrus St Valparaiso, IN 46383
Willard Investments	P.O. Box 81 Valparaiso, IN 46384
Matthew Kelly	P.O. Box 1460 Valparaiso, IN 46384
Robert & Bernice & Donald Arndt	158 High St Valparaiso, IN 46383
Todd & Laura Elliot	1691 E Porter Ave Chesterton, IN 46304
Marie Gonzalez	48 Warren Dr Valparaiso, IN 46385
Robin Hartman	632 Oswego Rd Valparaiso, IN 46385
Thomas & Elizabeth Adamson	137 Alston Ln Sewanee, TN 37375
Lamont Wolfe	756 Cyrus St Valparaiso, IN 46383
Michael Peterman	130 Hillcrest St Hobart, IN 46342
City of Valpo	166 Lincolnway Valparaiso, IN 46383