

Planning Department

166 Lincolnway Valparaiso, IN 46383 Phone: (219) 462-1161 Fax: (219) 464-4273

www.valpo.us

MEETING AGENDA

Valparaiso Board of Zoning Appeals Tuesday, October 15th, 2019, 7:00 PM 653 Hayes Leonard Road

- 1. Roll Call
- 2. Adoption of September 17th, 2019 Meeting Minutes
- 3. Old Business
- 4. New Business

VAR19-015 — A petition filed by Philip E. Hahn, 125 West Division Road, Valparaiso IN, 46385. The petitioner requests a variance from Article 3, Section 3.501, , of the <u>Valparaiso Unified</u> <u>Development Ordinance</u>, to vary the required rear yard setback of (20) twenty feet to allow rear yard setback of (8) eight feet for the construction of a single-family home. The Property is located at 304 Stanley Street in the Neighborhood Conservation 60 (NC-60) Zoning District.

VAR19-017 - A petition filed by James Sirbas, 3538 Calumet Avenue, Valparaiso, IN 46383. The petitioner requests a variance from Article 9, Section 9.303(B)(3), of the <u>Valparaiso Unified Development Ordinance</u>, to vary the required location of the vehicle stacking area, to allow for the vehicle stacking area to be located between the façade of the building and the public street upon which the building fronts. The property is located at 3538 Calumet Avenue in the Commercial General (CG) Zoning District.

VAR19-018 - A petition filed by Bypass Partners, LLC c/o William Ferngren, 570 Vale Park Road, Suite B, Valparaiso, IN 46385. The petitioner requests a variance from Article 5, Section 5.303(3)(2), of the <u>Valparaiso Unified Development Ordinance</u>, to vary the required maximum height of a wall sign, to allow for the wall sign to project two (2) feet above the facia/eave portion of the roof line. The property is located at 255 and 265 Morthland Drive in the Commercial General (CG) Zoning District.

5. Adjournment

Michael Micka, President – Board of Zoning Appeals Tyler Kent, Planning Director

Next Meeting: **November 19th**, **2019**

Petition #: VAK19-015

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 <u>Use Variance</u> , 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 origin from the stiff of the state of the same and the same
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;
Last updated 12/10/15

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:
Philip E. Hahn 125 W. Division Rd (219) 241-8803 Name (Please Print) Address Phone
OWNER OF SUBJECT PROPERTY:
David Wilgus 10132 W 870 th Street, Wanatah, IN (219) 407-788 Name (Please Print) Address Phone
Name (Please Print) Address Address Phone ADDRESS OF SUBJECT PROPERTY: 304 Stanley Street (GIS: 1703 Valparaiso St. Subject property fronts on the side between (streets) in the Zoning District.

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 \$50°°

Legal Description of Subject Property: (Exhibit No.) Part of the Northbast Quarter of the Southwest Quarter of Section Township 35 North, Range le West of the Jacond Principal Meridian in the City of Valparaiso, Porter County Indiana described as beginning at a point 481 feet south of the enter of said section 13 and running themse best 412 and 12 feet; thence North 50 feet; Thence East 412 and 12 feet; thence South 60 feet to the place of Beginning.
DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No) New Construction of a single family 3 bedroom home with attached 3 car garage.
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 <u>20</u> Rear Setback <u>3</u> Side Setbacks 12/18 Lot Coverage 1465 Height 4/240"
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 <u>unless</u> all legal and procedural requirements

Last updated 12/10/15

have been met.

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

defined of fevoked.
Philip & Holm
Signature of Petitioner
PHILIP E- HAHN
Printed Name
David AW days
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: Philip E Hahin	and
acknowledge the execution of the foregoing	document, this 26 day of Hug, 2019.
Lula Bujard	My Commission Expires: Way 142023 Resident of Forter County
Leila T Butord Type or Print name of Notary	•

Affidavit of Consent of Property Owner

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

| Compared Commission: | Commission:

NOTICE OF PUBLIC HEARING CITY OF VALPARAISO BOARD OF ZONING APPEALS

Dear Property Owner:	
This letter is to notify that the City of Valpara public hearing on Petition Number, 20 at 7:00 p.m. at Valp Council Chambers, to consider a request for I action here)	on the day of paraiso City Hall, 166 Lincolnway, City Soard of Zoning Appeals action (insert
The petitioner for the requested action is	of
the (address here) The property is located in the	
The property is located in the	/ Oning Histrict The subject
parcel is located at (Address or Location)includes the following tract of land:	and
or talle.	
Legal Des (Please type the street address and legal	scription description here or attaché to the letter)
You are sent this notice as a property owner we this petition may be submitted in writing to the opportunity to be heard at the above-mentioned interested parties are invited to attend. To revelease contact the Planning Department between through Friday.	e Planning Director, or you will be given an ed time of the Public Hearing. All riew the petition and detailed site plans
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, addres	s, and telephone number)
Respectfully,	
Petitioner Petitione	r

Last updated 12/10/15

Petitioner

Petitioner Affidavit of Proper Public Notice for Public Hearing

	Affidavit of Proper Public	c Notice for Public Hearing
(To be	presented to Board of Zoning Ap	opeals staff or attorney at Public Hearing)
mind and le	, being dully egal age deposes and states:	sworn upon his/her oath, being of sound
2.	has been filed before the Board of Indiana That on theday of(10) days prior to the scheduled I ail, return receipt requested, a let date and place of hearing and atta	(agent, attorney, owner) of the d notice which an application for a variance of Zoning Appeals of the City of Valparaiso,, did mail at least ten 10 Public Hearing postage paid, by certified m ter explaining the proposed change, time, ached hereto, to all of the property owners from the lot lines of described real estate, as
	(Please attach l	egal description)
List the nan	ne the address of all property own	ners who have received notification on page
Petitioner		Date
Subscribed	and sworn to before me this	day of,,
Notary Publ	ic	
My Commis	ssion Expires	
Date		

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:
The year yard setback is adjacent to anopen year yard
forom neighboring property which font to Valgaraiso St.
It is the only property which abouts the proposed
set back adjustment. All Son The structure is 1-60'0",
away from the south east corner of the subject property
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 Overall Value of the single family, new constructor
will be owner occupied, & will be of higher
Value agen the surrounding homes
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:
Due to the overall depth of the inf. 11 Dropents
(60') it is not bost ble to meet both
Front yard & wear yard setbacks.

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.



I CONC. CURB 50 Religion STANLEY STREET The Hahn Residence Site Plan - 364 Stanley Str Scale = 1"= 10.00" CONC. CHEB EXISTING CONC. SIDEWALK U 4.89° 5716" W ~ 120.00 (Drive) Lep. 1001 16-0" 18-0" - Porch -5 00'01'00" 8 60.6 12-0" \$ 00°00'00" 3 Bedroom-Single Family Residence 15 DESIDED 3 Car Garage (1.1/2 Story) N 89°57 16'W~ 120.00'

Proposed Lot Coverage for 304 Stanley Street, Valparaiso

ALLOWABLE BUILDING COVERAGE .45 x 60' X 1	20' = 3,240 SF
Current Building Footprint – House –	1,454 SF
Garage, w/4' add.	1,040 SF
Stoop	108 SF
TOTAL	2.602 SF

2,602 SF < 3,240 SF Building Coverage is <u>less than</u> Allowable 2,602 SF / 7200 SF = .36 Building Coverage < .45 Allowable Coverage

ALLOWABLE TOTAL COVERAGE .5	x 60' X 120' = 3,600 SF
Current Building Footprint (above)	2,602 SF
Driveway 31' X 24' SF =	744 SF
TOTAL	3.346 SF

 $\underline{3}$,346 SF < 3,600 SF Total Coverage is less than Allowable 3,346 SF / 7,200 SF = .465 Total Lot Coverage < .5 Allowable Coverage

LEGAL DESCRIPTION (AS TAKEN FROM CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT ORDER NUMBER CTNW1903823 DATED JULY 5, 2019 AND LAST REVISED JULY 31, 2019 AS REVISION NUMBER 1)

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, DESCRIBED AS BEGINNING AT A POINT 481 FEET SOUTH OF THE CENTER OF SAID SECTION 13 AND RUNNING THENCE WEST 412 AND 1/2 FEET; THENCE SOUTH 60 FEET TO THE PLACE OF BEGINNING,

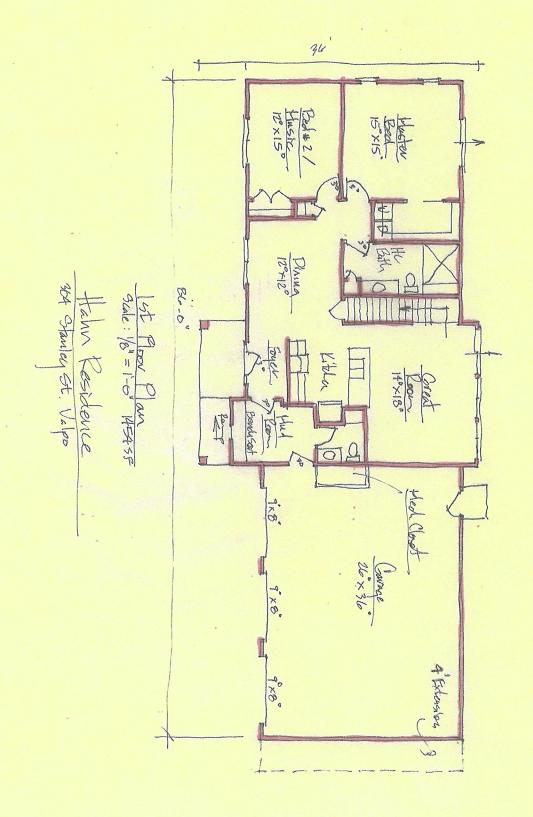
PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE 2ND P.M. IN THE CITY OF VALPARAISO, PORTÉR COUNTY, INDIANA, COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST 1/4 OF THE SOUTHWEST QUARTER; THENCE SOUTH 481.0 FEET; THENCE WEST 280.5 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 68.0 FEET; THENCE NORTH 60 FEET TO THE SOUTH LINE OF A 1.0 FOOT STRIP AS SHOWN ON NORTHVIEW TERRACE 2ND ADDITION; THENCE EAST 68.0 FEET ALONG SAID SOUTH LINE OF SAID 1.0 FOOT STRIP; THENCE SOUTH 60 FEET TO THE POINT OF BEGINNING.

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE 2ND P.M., IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHWEST QUARTER; THENCE SOUTH 481.0 FEET; THENCE WEST 3/6.5 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 66.0 FEET; THENCE NORTH 60 FEET TO THE SOUTH LINE OF A 1.0 FOOT STRIP AS SHOWN ON NORTH/NEW TERRACE 2ND ADDITION; 60 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST, PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 07 MINUTES 14 SECONDS EAST (ASSUMED DESCRIBED IN DOCUMENT NO.2003-044259, RECORDER 0F THE SOUTH WEST QUARTER, A DISTANCE OF 481.00 FEET TO THE NORTHEAST CORNER OF THE HORB TRACT AS PARCEL DESCRIBED HEREIN; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST, A LONG THE NORTH LINE OF SAID HORB TRACT, A DISTANCE OF 160.5 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 14 SECONDS WEST, A DISTANCE OF 60 FEET TO THE NORTH LINE OF SAID HORB TRACT, A DISTANCE OF 160.5 FEET; THENCE 2005-021017, RECORDED JULY 25, 2005, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 08 MINUTES 58 SECONDS SEAST, ALONG SAID POINT OF BEGINNING.

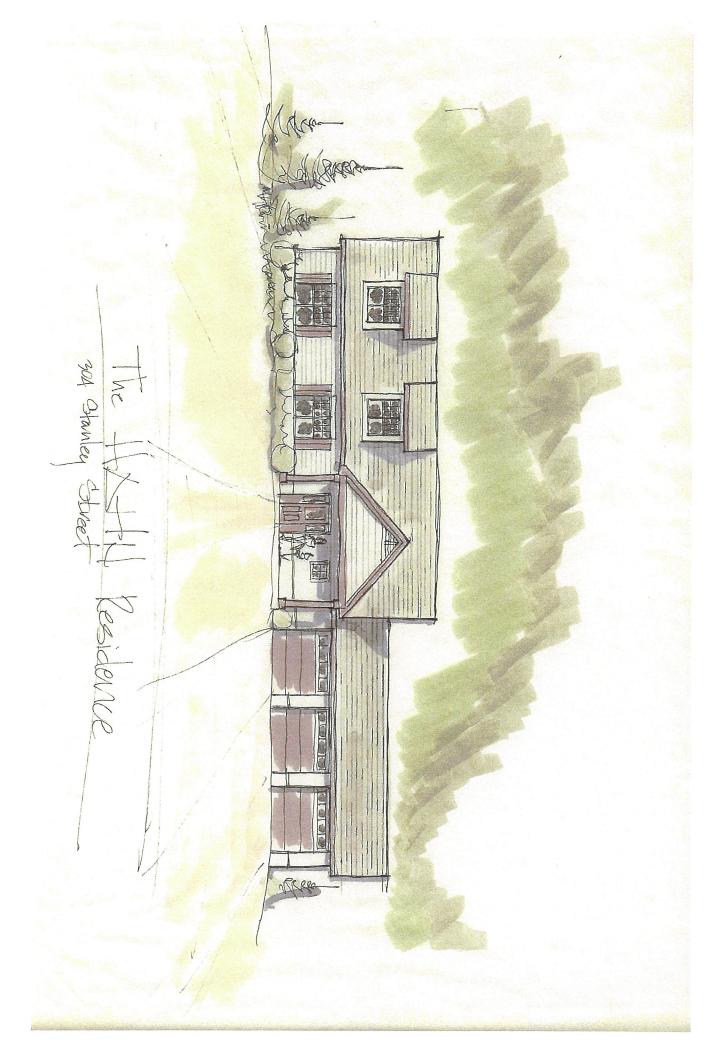




12°×124 SHYL WUI CIAT SAUDIF (C. WH Wall Du Access?

End Flow Plane
Scale: 1/8"=1-0" +5005F

Havin Residence
304 Stanley St. Valpo



Petition #: VAZIO

Self-Apper¹ for the self-appearance of the

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PLEASE COMPLETE THE FOLLOWING:

Last updated 1/16/18

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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.	1. Relief to an Administrative decision. (Exhibit No)
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PETITIONER:
TAMES SIRBAS 3538 CALUMET AVE VAPRO 2/9-772-1653 Name (Please Print) Address Phone
OWNER OF SUBJECT PROPERTY:
DEAN SAVARINO 3510 CALGRET AVE. VALLO 019-746-4614 Name (Please Print) Address Phone
ADDRESS OF SUBJECT PROPERTY:

Legal Description of Subject Property: (Exhibit No) STEPLAN SERVEY LOT H, CHANDANI POINT, IN THE CITY OF VALCARASO,
AS SHOWN IN PLAT FILE 19-B-2 AS AMENDED BY
PLAT FILE 19-3-2A IN PORTER COUNTY EXCEPT THAT
DART CONVEYED TO THE CITY OF VARIABLES IN DEED OF
PART CONTEYED TO THE CITY OF VAPARATIO IN DEED OF DEDICATION RECORDED 1/18/17 AS DOCUMENT NO. 8017-001
DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No)
SURVEY AND WRITTEN DESCRIPTION OF PROFET ATTACHED
in the second of
Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or Administrative Relief is sought: Article: Section: Paragraph: Item:
Please fill in: Front Setback Rear Setback Side Setbacks/ Lot Coverage Height
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Petitions will not be scheduled for public hearing <u>unless</u> all legal and procedural requirements

Last updated 1/16/18

have been met.

STAFF USE ONLY Date Received	14 ² 75 (41)
Date Received 20 2510 3517 M TONG SANGARTO	14 7761
Names and Addresses of property owners within 300 feet provided	A. Alex
Signature notarized	12 TEN 19
Site Plan attached Legal Description (Not Abbreviated) Provided	
Petition Filed Complete	
Written Description of Project	\$ P T 3 T Love
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

\$200
\$50
\$150
\$200
\$200
\$1,000
\$100
\$500
\$ Actual cost of study

TOTAL FEE

Certificate of Petitioner (1997) Stanfor of the rook was a stanfor to

Please read and sign the following statement:

0111

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.

MELISSA R UYLAKI Notary Public - Seal Lake County - State of Indiana Commission Number NP0632920 My Commission Expires Feb 10, 2020

Affidavit of Consent of Property Owner Consent Owner Con

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

MELDIA CYLAKI, beir legal age deposes and states:	ng dully sworn upon his/her oath, being of sound mind and
1. That DEAN SAU	("Owner") (is/are) the legal owner(s) of subject of a Petition before the BZA.
seek the relief sought in the	TEFF S. CowT/ ("Petitioner") to Petition filed before the BZA. Petitioner is further reasonable restriction requested by the BZA or proposed 9 / 19 / 2019
Property Owner	Date Date
Proporty Ouynar	Date
Property Owner Subscribed and sworn to before	\bigcap
Notary Public	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
My Commission: F-10-2020 Date	MELISSA R UYLAKI Notary Public - Seal Lake County - State of Indiana Commission Number NP0632920 My Commission Expires Feb 10, 2020

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)
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OLEANS SEE ATTACHED
Name Address PLEASE SEE ATTACHED
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Variance from Development Standards Findings of Fact

(Please Print) Property and Pro

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:

WE ALE NOT CHANGIGE THE CENERAL USE OF

THE EXISTING PARTING VOT EXCEPT THAT WE ARE

DIRECTING VEHICLES INTO AND EXITING A DRIVE
UP STACKING LANG WITHIN EXISTING TRAFFIC FLOW.

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 IMPENEMENT WILL AID THE PUBLIC IN

MAKINE FASIEF USE OF THE BUSIESS. ALSO, IT

CAN BE CONSDEPED TEMPORARY IN NATURE

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 LOCATION OF THE PROPOSED STACKING LANE

IS I PEAL IN THAT IT WILL PRESENT THE GSED

PARTINE SPACES IN THE RETAIL CENTER. TO MOVE

IT ANYWHERE ELSE WOLLD INCOMINGE USERS.

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

Use Variance Findings of Fact (Please Print)

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:
THERE WILL DE NO CHANGE TO THE GENERAL USE
OF THE PARKING GOT. PLACEPIENT CLOSE TO
CALGMET AVE ALREADY IS DESIGNATED.
the state of the s
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 PLANAGO USE AS A DRIVE-UP STACKING LANG
WILL ACTUALLY PRINT MORE CUSTONSES AND COMMERCE
CORRECT 100-PULL CENTER. LINE OF STAT NOR
CARREAT VISIBILITY ARE APPECTED.
C. The need for the use variance arises from the following condition peculiar to the property involved: THE TENANT SPACE DOE NOT HAVE REAR OF SIDE ACCEST WHERE A DRIVE THRY LANE COULD BE PLACED.
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: IT PLACES THE LIL COSSEE CABIN BUSINESS OF INFORMATION AS OF INFORMATION.
THRY SERVICE IS 79% OF THE COFFEE MARKET.
E. Approval of the proposed use variance does not interfere substantially with the comprehensive plan adopted by the City of Valparaiso because: THE CASE AS PARKING LOT FOR PARKED AND MOUNE VEHICHES
REMAINS UNCHANGED. NO HARM WILL RESULT
FROM GRANTING THE REQUESTED VARIANCES.
The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed above.

Special Exception/Special Use Findings of Fact (Please Print)

will not create vehicular parking and traffic problems to the	le community because.
Suggestion and a second second second second second	*
The second of th	A STATE OF THE STA
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The appropriate access roads, drives, walks, utilities, drain	nage facilities, and other
necessary facilities have been or will be installed explain:	Windle State Of Mile
lecessary facilities have been of will be instance explain.	
7	
	12:44
	¥ .
The special exception/special use will make a substantial of	
neighborhood environment and will not infringe on the rig	ghts of properties in the vicir
of the expected use because:	
<u> </u>	
the state of the s	

Written Description of Project

Lil Coffee Cabin, LLC located at 3538 Calumet Ave. Valparaiso IN 46383, in the Chandana Retail Center located at the northeast corner of Calumet Avenue and Country Club Road is seeking to add a remote drive-up stacking lane along the western most edge of parking lot within the retail center along Calumet Avenue.

It's being called a "remote drive-up" because it's located to the west of the business's retail space and customers will drive up for curbside pickup after placing their order because the space does not have a drive-thru window. This is an important distinction. We believe the point of the code restriction not allowing a drive-thru lane along Calumet Avenue may be a line-of-sight issue and also one of attractiveness. The parking lot is obviously meant to park cars, we are only repositioning those cars to orient in a horizontal lane rather than perpendicular spaces.

A great deal of consideration was given to the location of the stacking lane. The twelve parking spaces we seek to repurpose are perhaps the least used in the center, in fact they are very rarely used. They are furthest away from the tenant spaces. Its important the stacking lane exits with vehicles facing the Lil Coffee Cabin business so they can see where to pull up and park. The exit is purposely placed in the existing parking lot four-way junction so as not to add complexity to maneuvering. In addition, we propose to have a sign on the reverse side of the drive-up menu board so that prospective customers know it's a drive-up service. There is no other sign near the street for the Lil Coffee Cabin business as no space exists in the monument.

To summarize: We understand that stacking along Calumet Avenue and the sign are the two primary zoning ordinance variances we seek to appeal. They are both critical to the success of the business and use of the public. We believe they will not harm or cause inconvenience to any member of the public.

Owner

Realty Income Properties 5 LLC Mockler Aeleah L Kuehl John Edwin & Kuehl Laura M/JT Trumble Tommie L & Peggy A/H&W Paragon Group Kuehl John Edward & Kuehl Laura M/J Verma Amandeep Valpo Development Group Llc Faris Harvey Linda D Heffner Betty Ann Ridgewood Creek Propertyowners Asso Banyan Group LLC Chandana Property Owners Associatio Newman Jay W Shingler Ray C & Susan L/H&W Commericial Property Owner'S Assoc Mercantile Natl Bank Of Ind Tr# 675 Trust FNB 3611 Banyan Group LLC Surgery Center Management LLC Pines Village Retirement Communitie

Edwards Charles J & Judith S

Owner Address

111 W Monroe St Chicago IL 60603 3601 Chimney Hill Ct Valparaiso IN 46383 3507 Calumet Ave Valparaiso IN 46383 1709 Chandana Trl Valparaiso IN 46383 831 Washington St Michigan City IN 46360 3507 Calumet Ave Valparaiso IN 46383 1803 Alice St Valparaiso IN 46383 670 Vlasta Ct Valparaiso IN 46385 1806 Country Club Rd Valparaiso IN 46383 3505 Calumet Ave Valparaiso IN 46383 PO Box 1596 Valparaiso IN 46384 238 Kennedy Ave Schererville IN 46375 PO Box 2302 Valparaiso IN 46384 3602 Chimney Hill Ct Valparaiso IN 46383 3604 Chimney Hill Ct Valparaiso IN 46383 1600 Pointe Dr Apt 2 Valparaiso IN 46383 39 Hillcrest Rd Paul Rake Atty Portage IN 46368 1318 Ballybunion Ct Dyer IN 46311 238 Kennedy Ave Schererville IN 46375 PO Box 69242 West Hollywood CA 90069 3303 Pines Village Cir Valparaiso IN 46383 1802 Country Club Rd Valparaiso IN 46383

Site Address

3500 N Calumet Ave Valparaiso IN 46383 3601 Chimney Hill Ct Valparaiso IN 46383 Bullseye Lake Rd Valparaiso IN 46383 1709 Chandana Trl Valparaiso IN 46385 3809 N Calumet Ave Valparaiso IN 46383 3507 N Calumet Ave Valparaiso IN 46383 1803 Alice St Valparaiso IN 46383 3604 N Calumet Ave Valparaiso IN 46383 1806 Country Club Rd Valparaiso IN 46383 3505 N Calumet Ave Valparaiso IN 46383 Cross Creek Rd Valparaiso IN 46385 1620 Country Club Dr Valparaiso IN 46383 1707 Chandana Trl Valparaiso IN 46383 3602 Chimney Hill Ct Valparaiso IN 46383 3604 Chimney Hill Ct Valparaiso IN 46383 Pond Parcel Valparaiso IN 46383 1610 Pointe Dr Valparaiso IN 46383 3400 N Calumet Ave Valparaiso IN 46383 3510 Calumet Ave Valparaiso IN 46383 1700 Pointe Dr Valparaiso IN 46383 1508 Bullseye Lake Rd Valparaiso IN 46383 1802 Country Club Rd Valparaiso IN 46383

AWNING .

1. THIS SURVEY DOES NOT ADDRESS THE EXISTENCE, IF ANY, OF ITEMS

AND ITEMS NOT READILY VISIBLE DURING A REASONABLE INSPECTION

EXISTENCE OF ITEMS BEYOND THE QUALIFICATION OF SURVEYOR (I.E. WETLANDS, HAZARDOUS MATERIAL)

2. BASIS OF BEARINGS : PER SUBJECT PARCEL DESCRIPTIONO

N 89°54'30° W 126.44'

N 89°54'30° W 126.44'

N 89°54'30° W 126.44'

N 89°54'30° W 126.44'

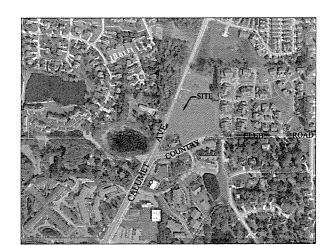
R 3331'03' ROW

60' ROW

IRON ROD/SET W/I.D. CAP

LOT G

IRON ROD



VICINITY MAP

NOTES CORRESPONDING TO SCHEDULE "B" SECTION II:

Chicago Title Insurance Company

- Chicago Title Company, LLC
 Commitment No.: CTNW1807107 Date: Oct. 1, 2018.

 14. Private Ingress/Egress & Private Utility Easement is shown on Plat as blanket Easement for all of Lot H.

 15. Private Ingress/Egress & Private Utility Easement is shown on Plat as blanket Easement for all of Lot H.
- 17. Shown on Plat
- 18. Can not Plot
- Pelition for waiver of Sidewalk Requirements 1991. Sidewalks are now in place along the right of way.
 Agreement for the use of and continued maintenance of Storm water retention basins and appurtenant
- cilities with Lot H listed in agreement
- 21. Easement for Storm Water from the Chandana Development including Lot H to discharge per engineerin design across other property
- 22. Easement for Storm Water from the Chandana Development including Lot H to discharge per engineering
- design across other property.

 23. Temporary Highway Easement was for Calumet Ave. project which has been completed. Easement Expired

SURVEYOR REPORT

This is a Re-tracement Survey of Lot H requested by buyer REFERENCES:

1. Plat of Chandana Point amended

2. Sidwell GIS Map Porter County MONUMENT AVAILABILITY:

Monuments found were in good condition and shown on Plat. THEORY OF LOCATION:

The monuments and improvements were located by traverse and the resulting measurements were within tolerance of the plat dimensions. The resultant survey was utilized to establish the missing corners per description. OBSERVED OCCUPATION OR POSSESSION:

There is no fencing or other visible sign of occupation along the North and East lines of the parcel. The South and West lines of the parcel are bounded by Country Club Road and Calumet Ave. There is a Bank ATM drive thru located on the parcel at the Southwest corner as shown on the Plat. The current owner had no knowledge of any use agreement or easements in place.

DESCRIPTIONS:

There is no apparent gap or overlap with adjacent parcels.

The Survey performed meets the requirements of an Urban Survey per 865 IAC 1-12-7.

The acceptable relative positional accuracy of an Urban Survey is 0.07 feet plus 50 parts per million.

This is to certify that this map or plat and the survey which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes

The fieldwork was completed on October 19, 2018 in accordance with the guidelin set in Title 865 IAC 1-12 (Rule 12).

STATE OF Professional Land Surveyor Indiana Registration Number: LS 29400001

SURVEY VALPARAISO, IN S.P. 3510 - 3540 N. CALUMET AVENUE, AND

SSOCIATES

GROUP | liability con PROPERTIES CHANDANA C er: DEAN'S

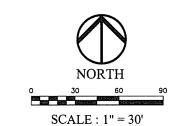
DATE: OCT. 27,2018

JOB NO.: 184213 SHEET 1 of 1

Dean's Properties LLC
Chicago Title Insurance Company

of Table A thereof

This 27th day of Oct., 2018.



FLOOD ZONE NOTE: According to the National Flood Insurance Rate Maps,

LEGEND:

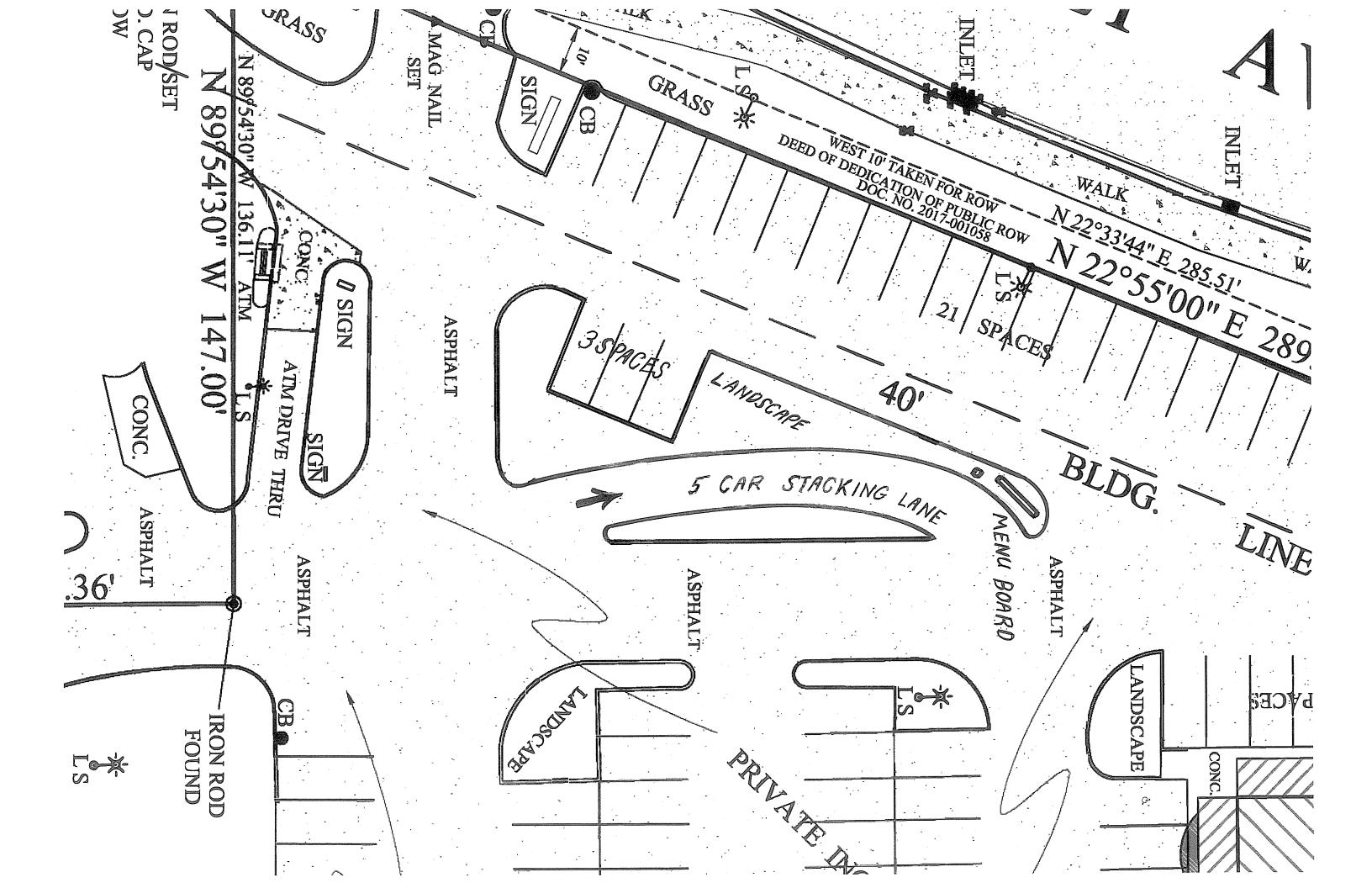
IRON ROD SET W/I.D. CAP

IRON ROD FOUND

LIGHT STANDARD

MANHOLE

CATCH BASIN





Sharen Emma Surpent 11:58 Au Clerk-Treasurer

Petition #: YAR19-018

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;

consider;
1. Relief to an Administrative decision. (Exhibit No)
X 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: \[\begin{align*} \times \text{Will not be injurious to the health, safety, morals, and general welfare of the community; \text{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. \[\text{Y} \] 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 a substantially adverse manner.
conformity with the Zoning Ordinance. Arise from a condition peculiar to the property;

	hardships if the Zoning Ordinan ntially with the Comprehensive I	
Petitioner will comply wi	th all ordinance parking requirer	ments.
In Support of an application for request:	: Special Exception, the Petition	ner states that the granting of such
Will not generate excession will not create vehicular	ve vehicular traffic on minor resi	idential streets;
		ties, and other necessary facilities
— Will make a substantial co	e vicinity of the expected use;	environment and will not infringe
	uirements of the district in which th all ordinance parking requiren	
In support of such application f	or Special Exception for Home	e Occupation, Petitioner states:
That no person other than in the home occupation.	members of the family residing	on the premises will be engaged
That the use of the dwelling	ng unit for home occupation will	
	ntial purposes and not more than	1 25% of the floor area of the
dwelling will be used in the cor		the building or premises, or other
	of such home occupation, other	
	ea, non-illuminated and containing	
the business.		
-	will be conducted in any accessor	
	area unless specifically permitt	-
	erated by such home occupation	
normally be expected in a reside	enual neignbornood and any nee on will be met by required or per	
not be in the front yard.	m will be met by required or per	innitied parking spaces, and win
	cess will be used which creates r	noise, vibration, glare, filmes
	detectable to the normal senses	
	PRETNEES, LLC	
PETITIONER: C/a WIL	LIAN PERNOREN	1:11/2000 - 1
570 1/4	is publication is	bill@ferngran/nw.com
Varper	150, LN 46385	
Name (Please Print)	Address	Phone
OWNER OF SUBJECT PRO	PERTY:	
SANCE		
Name (Please Print)	Address	Phone
ADDRESS OF SUBJECT PR	OPERTY: 25\$-355 k	NORTHLAND DRIVE
Subject property fronts on the \leq	>UTH side between (streets)	LIK RD 2 & HORSEPPHIRE
in the CG Zoning District.		

Legal Description of Subject Property: (Exhibit No)
SEE NYTACHED
DESCRIPTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION,
ADDITION, ALTERATION, OR CHANGE OF USE: (Exhibit No)
ESTABLISHMENT OF SIGNAGE PARAMETERS FOR SIGNS ABONE POOKLING. TO PERMIT
FOR SIENS ABOVE POOKLING, TO PERMIT
SHARE TO PROJECT & FEET NESVE
POSE LINES
Section (3) of the Zoning Ordinance from which a Variance, Special Exception, or Administrative Relief is sought: Article: Section: Paragraph: Item: Paragraph: PEFINITION 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 / Hand Lot Coverage / Height Hand Rear Setback / Side Setbacks / Hand Rear Setback / Side Setbacks / Hand Rear Setback / Hand
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 <u>unless</u> 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
X_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 22	·

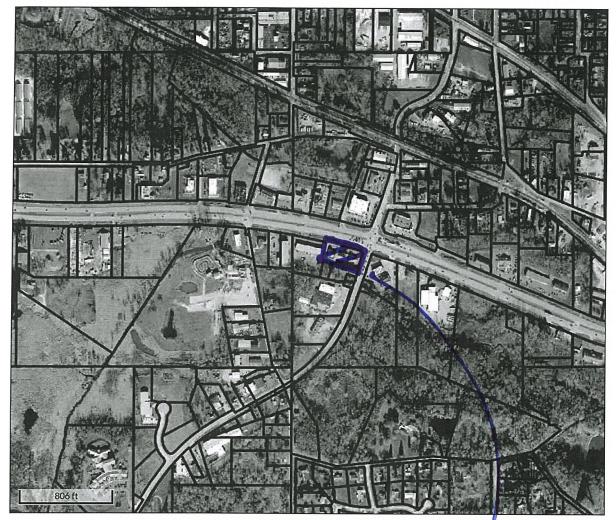
Certificate of Petitioner

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.

The present of the	
Signature of Petitioner	
WILLIAM A. FERNOREN, ME	t=174
Printed Name	
Signature of Property Owner	
Signature of Property Owner	
Subscribed and sworn to before me, a Notary appeared: White February acknowledge the execution of the foregoing of the forego	
and the following of the following of	. /
KIMBERLY A ELSTON NOTA Porter County SEAL: Commission Number 674528	My Commission Expires: 10/21/2013 Resident of County
My Commission Expires	

Type or Print name of Notary



Overview



Legend

☐ Parcels

☐ City Limits

Parcel ID Sec/Twp/Rng

n/a

Property Address 255 MORTHLAND DR **VALPARAISO**

640925151002000004

Class

Restaurant, Cafeteria or Bar

Acreage

Alternate ID 09-25-105-002

Owner Address ByPass Partners LLC 3965 Harrison St Gary IN 46408

District

VALPARAISO (CENTER)

Brief Tax Description

PARCEL IN NW 25-35-6 COUNCILS ADD BLK 44 DESC

DR494 P12.31A

(Note: Not to be used on legal documents)

Date created: 9/20/2019 Last Data Uploaded: 9/19/2019 4:20:29 PM

Developed by Schneider

- PROPERTY

File No.: 17-28273 SCHEDULE A

EXHIBIT A

Parcel I:

Part of Block 44 in Council's Addition of 1883, to the Town (now City) of Valparaiso, more particularly described as follows: A parcel of land in the Northwest Quarter of Section 25, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana, described as commencing at the intersection of the Southerly right-of-way line of U.S. Highway 30 and the West line of said Northwest Quarter, said point being 1118.51 feet North of the Southwest corner of said Northwest Quarter; thence South 78° 2' East, 300 feet along said Southerly right-of-way; thence South 11° 58' West, 300.15 feet to the centerline of a creek; thence North 79° 55' 29" West, 234.87 feet along said creek to said West line; thence North 0° 9' East, 314.74 feet to the point of commencement.

Parcel II

A parcel of land in Block 44, Council's Addition of 1883 to the City of Valparaiso, commencing at the intersection of the Southerly right-of-way line of U.S. Highway 30 (said line being 100 feet South of the centerline of said highway) and the Westerly right-of-way line of State Road 2 (said line being 30 feet West of the centerline of said road); thence Westerly along the South line of U.S. 30 a chord length of 222 feet; thence Southerly parallel to the West line of said State Road 2, 135 feet; thence Easterly parallel to the South line of said U.S. 30, 222 feet to the Westerly right-of-way line of State Road 2; thence Northerly 135 feet to the point of commencement.

Parcel III:

A parcel of land in the Northwest Quarter of Section 25, Township 35 North, Range 6 West bounded and described as follows: Commencing at the intersection of the Southerly right-of-way line of U.S. Highway 30 and the West line of said Northwest Quarter (said point being 1118.51 feet North of the Southwest corner of said Northwest Quarter); thence South 78° 2' East (based on an assumed bearing for said West line as North 0° 00; East), 300 feet to the point of beginning for said parcel; thence continuing along said Southerly right-of-way line of U.S. Highway 30, 101.77 feet more or less, to a point which is 222 feet chord measure along Southerly right-of-way line from the Westerly right-of-way line of State Road 2 and thence Southerly parallel to the West line of State Road 2, 305 feet more or less to the centerline of a creek; thence Westerly along said centerline, 75 feet more or less, to an intersection with line which has bearing of North 11° 58' East and runs through the true point of beginning; thence North 11° 58' East, 300.15 feet to the true point of beginning.

EXCEPTING THEREFROM:

A parcel of land in the Northwest Quarter of Section 25, Township 35 North, Range 6 West, bounded and described as follows: Commencing at intersection of the Southerly right-of-way line of U.S. Highway 30 and the West line of said Northwest Quarter (said point being 1118.51 feet North of the Southwest corner of said Northwest Quarter); thence South 78° 2' East (based on an assumed bearing for said West line as North 0° 00' East) 300 feet; thence continuing along said Southerly right-of-way line of U.S. 30, 101.77 feet in a point which is 222 foot chord measure along said Southerly right-of-way line from the Westerly right-of-way line of State Road 2; thence Southerly parallel to the West line of State Road 2, 135 feet to the true point of beginning for said parcel; thence continuing Southerly along said parallel line 170 feet, more or less, to the centerline of a creek; thence Westerly along said centerline 75 feet, more or less, to an intersection with a line which has a bearing of North 11° 58' East; thence North 11° 58" East, 171 feet, more or less, to an intersection with a line which is at an angle of 87° 14' measured Southwest from the centerline of State Road 2; thence Southeasterly along said line 89 feet, more or less to the true point of beginning.



MODULE SHIELD vith translucent vinyl

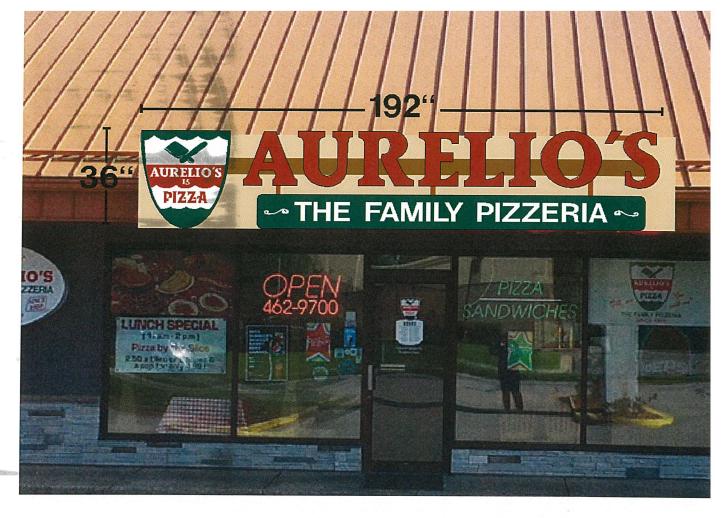
5" BLACK returns with WHITE LED's K RED (3630-73) EN (3630-26)

MODULE - "THE

vith translucent vinyl

5" BLACK returns with WHITE LED's EN (3630-26)

t / 120V L #E154882



1 set of illuminated channel letters overall size 36"high x 192"wide

raceway measures 6"high x 2"depth x 189"long

Aurelios15224 7.8.2019

THIS ARTWORK IS THE SOLE PROPERTY OF



Signing the acceptance area of this drawing, means that you accept all aspects of this layout. This is artwork, dimensions, spelling, colors and specifications.

Customer Acceptance Signature

Dain Salesman

TEL. 219-462-0696 FAX 219-464-7583

swsartwork@comcast.net

ALL DRAWINGS MUST BE SIGNED AND FAXED BACK IN ORDER TO PROCEED WITH YOUR SIGN

BY SIGNING THE DRAWING AND UPON COMPLETION OF THE JOB, YOU THE CUSTOMER ARE ASSUMING RESPONSIBILITY FOR THE PAYMENT WI A TIME FRAME OF 30 DAYS UPON DELIVERY. IF PAYMENT IS NOT MADE IN TIME COLLECTION FEES, REASONABLE ATTORNEYS FEES, AND COURT COST WILL BE IMPOSED. Sign Definitions. The following sign-related definitions shall apply to all provisions of this Ordinance

Animated Sign. Any sign that includes action, motion, or color changes on all or any part of the sign facing, requiring electrical energy, or set in motion mechanically or by movement of the atmosphere. This definition includes signs commonly called bi-view, tri-view, or multi-view signs which alternate or otherwise change displays whether through mechanical or electrical means. An animated sign does not include a clock and/or thermometer display.

Area of Sign. The area or "surface area" of a sign is defined by the smallest perimeter fully enclosing the total surface devoted to the sign's message, together with any ornamentation, embellishment, <u>cutouts</u>, and associated background, excluding any necessary supports or uprights on which the message is placed and excluding any architectural ornamentation. As an aid to interpreting this formulation, the following is to be employed:

- A. if the message is on a surface, structure or frame specifically employed for holding signage, the entire surface area within the frame's border is counted;
- B. if the message is on a door, wall, or other structural part of a building, only that portion of the door, wall, or structure actually devoted to the message and associated symbols and background, if any, is counted.
- C. If a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that if two faces are placed back-to-back and are at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or the area of the larger face if the two faces are of unequal area.

Artisan Sign. An non-illuminated sign not exceeding 8 square feet in area placed on a site during the period that the work is being engaged in, with the permission of the site's owner, displaying the name of the contractor or artisan improving the site or structure on the site.

Campaign Sign. Any sign, poster, billboard, or other outdoor advertisement advocating the election or defeat of a particular candidate for public office, or group of candidates, or political party.

Changeable Copy Sign. A sign wherein provision is made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message. Such message may not be changed more often than daily, except for time and/or temperature displays. A changeable copy sign does not include any sign that meets the definition of a flashing sign.

Chaser Sign. A sign that creates a running effect in a bank of lamps or tubes.

Construction Sign. An non-illuminated sign giving the name or names of principal contractors, architects, and lending institutions responsible for new construction or major renovation on the site where the sign is placed together with other information included thereon authorized by the Building Commissioner in connection with construction operating for a specific project not to exceed 36 square feet in area beginning with the commencement of construction and extending to a date 15 days after the completion of construction operations.

Financier's Sign. An non-illuminated sign not exceeding 8 square feet in area placed on a site during the period of construction or renovation and for 7 days after the completion of the project, with the permission of the site's owner, displaying the name of the person, firm, or financial institution providing the financing for the project.

Flashing Sign. Any sign which contains a continually intermittent light or sequential flashing light source. This definition specifically includes signs that use intermittent lighting changes for the purpose of changing the graphics or copy within the copy area of a sign more often than daily as in an electronic reader board (as herein defined) or message center (as herein defined), except that such reader boards or message centers may display time and/or temperature readings which change more often than daily.

Message Center. A sign that contains a changing message within the copy area that remains on for a specified minimum period of time and blacks out for a specified minimum period of time between

messages. Messages contained on the sign do not travel or appear to travel in any direction.

Electronic Reader Board. A sign which contains a traveling message or a message which appears to be traveling, and usually in a horizontal direction.

Ground Sign. Any sign supported by uprights or braces in or upon the ground and not attached to any building.

Home Occupation Sign. A sign directing attention to a business or professional activity conducted on the same zoning lot in a residential district, containing only the name and occupation of the resident, not to exceed 2 square feet in area, and only as approved by the Board of Zoning Appeals.

Illuminated Sign. A sign designed to give forth artificial light or reflect it from another source. A sign designed to give forth artificial light is an "internally illuminated sign."

Inflatable Display. Any three-dimensional, ambient air-filled object depicting a container, figure, product or product tradedress, whether or not such object contains a message.

Institution Sign. A sign containing information about an on-site institution, such as churches, schools, hospitals, rest homes, private clubs and similar institutions or organizations.

Integral Sign. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface on the wall of a building, or when constructed of bronze or other incombustible materials mounted on the wall of a building.

Off-Premise Sign. A sign attached to a building, the ground, or structure advertising a business, product, service or event conducted, sold, or offered elsewhere than upon the same zoning lot. This definition includes structures commonly called billboards, posterboards, or panels.

Message. A sign's message includes its text, drawings, figures, logo, and any associated background.

Permanent Sign. Any sign which is not a portable sign.

Portable Signs. Any sign not permanently affixed to a building, structure, or the ground such as a sign designed to be moved from place to place, or designed to be removed and re-erected from time to time, or attached directly or through a structure to a chassis equipped with wheel and axle or other means of mobility.

Projecting Sign. Any sign supported by a building or other structure which projects over any street, sidewalk, alley, public way, or public easement more than 12 inches from the face of the building or structure.

Real Estate Sign. A sign pertaining to the sale or lease of the lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof located on such lot or tract of land, during the pending of such sale or lease and for seven days after closing.

Roof Line. The upper edge of any building wall or parapet, exclusive of any tower, chimney, ventilation equipment or utility equipment.

Sign. A name, display, identification, device, notice, figure, painting, drawing, message, placard, poster, word, bulletin board, symbol, letter, numeral, emblem, trademark, flag, or banner, pennant, or other illustration which is affixed to or painted or represented directly or indirectly upon a building, or other outdoor surface, or parcel of land and which directs attention to an object, product, place, activity, person, institution, organization, or business, and is visible from any alley, street, highway, sidewalk, or other public way, whether such is placed out of doors or in windows. The term sign does not include any display of official notices of courts or other public offices, nor the flag, emblem or insignia of a nation, political unit, school, or religious group. The term "sign" shall not include the merchandise, which is for sale on the premises, the packaging or container for such merchandise, or any writings or other symbols on such merchandise, container, or packaging.

Snipe Sign. Any sign (whether attached in any way to a utility pole, tree, traffic control device, or any object, or the ground, or otherwise situated) on

- A. Public property without the consent of the appropriate public body or
- B. Private property without the consent of the owner or occupier thereof.

Wall Sign. A sign mounted on, attached to, or painted or applied on the exterior wall of a building or structure in a plane parallel to that of the supporting wall or structure. Any sign meeting this definition is not a projecting sign.

Wind Sign. Any attention-arresting device, with or without message, or a series of devices such as streamers, and/or pennants, with or without message, designed and fastened in such a manner as to move upon being subjected to pressure by the atmosphere; except that such definition shall not include,

- A. On each building, up to four banners, flags, or pennants, and
- B. On each light standard, one banner, flag, or pennant.

Window Sign. A sign installed on the exterior or on or near the interior of a window for the purpose of viewing from outside the premises.

Bypass Pertners, LLC Valparaiso Board of Zoning Appeals Owner Notice List
Diamond Residential Mortgage Corpor
Antevski Anthony & Nevenka/Jt
Valpo 952 LLC
Waltrust Properties Inc
Centier Bank
State Of Indiana
Valpo 952 LLC
Greider Marilyn J
Hamstra Wilbert Inc
Speedway Superamerica Llc
Valparaiso Investments LLC

Owner Address

582 Oakwood Ave Lake Forest IL 60045 456 Roxbury Rd Valparaiso IN 46385 952 S State Rd 2 Valparaiso IN 46383

PO Box 1159 Real Estate Property Tax Deerfield IL 60015

600 E 84th Ave Merrillville IN 46410

State House Indianapolis IN 46204

952 S State Rd 2 Valparaiso IN 46383

3446 Olympic Ln NW Kennesaw GA 30144

12028 N 200 W Wheatfield IN 46392

539 S Main St C/O Prop Tax Dept Findlay OH 45840

c/o CVS Pharmacy Inc 1 Cvs Dr Woonsocket RI 02895