

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, February 18th, 2020, 7:00 PM Valparaiso City Hall, 166 Lincolnway

- 1. Roll Call
- 2. Adoption of January 21st, 2020 Meeting Minutes
- 5. Old Business

UV19-004/VAR19-019 — A petition filed by Evergreen Real Estate Group c/o Todd Leeth, 103 Lincolnway, Valparaiso IN, 46383. The petitioner requests a use variance from Article 11, Section 11.305 (C)(4) of the <u>Valparaiso Unified Development Ordinance</u>, to allow for Institutional Residential within the US 30 (Morthland Drive) Overlay District. A variance from Article 2, Section 2.518(D), to vary the required installation of a six-foot-high opaque fence constructed between an institutional residential use and lots zoned and or occupied by single-family dwelling units. A variance from Article 3, Table 3.301(B), to vary the Gross Floor Area (FAR) of .431, to allow for a Gross FAR of .68. A variance from Article 3, Table 3.301(B), to vary the NET FAR of .507, to allow for a NET FAR of .77. A variance from Article 3, Table 3.505, to vary the maximum building height of thirty-five (35) feet, to allow for a building height of thirty-six (36) feet. A variance from Article 9, Section 9.201, to vary the required 180 parking spaces, to allow for 90 parking spaces for the use of an Institutional Residential use. A variance from Article 9, Table 9.201, to vary the required six (6) loading berths, to allow for one (1) loading berth. The Property is located at 150 Morthland Dr, in the Commercial General (CG) Zoning District.

6. New Business

VAR20-001- A petition filed by Stephen Pease 702 E. Lincolnway, Valparaiso, IN 46383. The petitioner requests a variance from Article 11, Section 11.506 (1)(A) of the <u>Valparaiso Unified Development Ordinance</u>, to vary the required 60% transparency along the primary façade to allow for a transparency of 47%. A variance from Article 11, Section 11.306, Table 11.306A to vary the required minimum building setback of 30 ft. to allow for a setback of 19 ft. 6in. A variance from Article 11, Section 11.306, Table 11.206(A) to vary the required minimum landscaped yard along R.O.W. of 30 ft. to allow for minimum landscaped yard of 23 ft. The Property is located at 1004 N. Calumet Ave., in the Commercial General (CG) Zoning District.

UV20-001 – A petition filed by Paul Schreiner 454 S. College Ave, Valparaiso, IN 46383. The petitioner requests a use variance from of Article 2, Section 2.201, Table 2.201(A) of the Valparaiso Unified Development Ordinance, to allow for Single-Family Attached within the



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Neighborhood Conservation (NC) Zoning District. The Property is located at 606 Indiana Ave, in the Neighborhood Conservation 60 (NC-60) Zoning District.

7. Adjournment

Michael Micka, President – Board of Zoning Appeals Tyler Kent, Planning Director Next Meeting: **March 17**th, **2020**

VALPARAISO BOARD OF ZONING APPEALS Regular Meeting Minutes January 21, 2020

The regular meeting of the Valparaiso Board of Zoning Appeals was held at 7:00 p.m. on Tuesday, January 21, 2020 in Valparaiso City Hall Council Chambers, located at 161 Lincolnway, Valparaiso. Mike Micka presided.

Members present were Diane Worstell, Melanie Trowbridge, Ryan Wright and President Mike Micka. Byron Martin arrived late. Also present were Tyler Kent, Carley Lemmon, Attorney Patrick Lyp, citizens, and representatives of the press.

MINUTES:

Melanie Trowbridge made a motion to approve the December 17, 2019 minutes as submitted. Ryan Wright seconded the motion. A voice vote was taken and unanimously carried 3-0. (Byron Martin was not present.)

ELECTION OF OFFICERS:

<u>President:</u> Melanie Trowbridge nominated Mike Micka. Ryan Wright seconded the nomination. A voice vote was taken and unanimously carried 4-0. (Byron Martin was present.)

<u>Vice-President:</u> Diane Worstell nominated Melanie Trowbridge. Ryan Wright seconded the nomination. A voice vote was taken and unanimously carried 4-0.

<u>Secretary:</u> Melanie Trowbridge nominated Helene Pierce. Ryan Wright seconded the motion. A voice vote was taken and unanimously carried 4-0.

<u>Legal Counsel</u>: Tyler Kent advised Attorney Patrick Lyp is now on staff and will be acting Counsel for the Board of Zoning Appeals.

OLD BUSINESS:

None.

NEW BUSINESS:

<u>UV19-004/VAR19-019</u> – A petition filed by Evergreen Real Estate Group c/o Todd Leeth, 103 Lincolnway, Valparaiso, IN. The petitioner requests a Use Variance from Article 11, Section 11.305 (C)(4) of the Valparaiso Unified Development Ordinance, to allow for Institutional Residential within it the US30 (Morthland Drive) Overlay District. A variance from Article 2, Section 2.518(D), to vary the required installation of a six-foot-high opaque fence constructed between an institutional residential use and lots zoned and or occupied by single-family dwelling units. A variance from Article 3, Table 3.301(B), to vary the Gross Floor Area (FAR) of .431, to allow for a Gross FAR of .68. A variance from Article 3, Table 3.301(B), to vary the NET FAR of .507, to allow for a NET FAR of .77. A variance from Article 3, Table 3.505, to vary the maximum building height of thirty-five (35) feet, to allow for a building height of thirty-six (36) feet. A variance from Article 9, Section 9.201, to vary the required 180 parking spaces, to allow for 90 parking spaces for the use of an Institutional Residential use. A variance from Article 9, Table 9.201, to vary the required six (6) loading berths, to allow for one (1) loading berth. The property is located at 150 Morthland Drive, in the Commercial General (CG) Zoning District. Attorney Todd Leeth was present. Attorney Patrick Lyp advised the petitioner has requested, in writing, a one (1) month continuance.

Motion: Ryan Wright made a motion to continue UV19-004/VAR19-019 until the February 18, 2020 regular scheduled Board of Zoning Appeals meeting. Melanie Trowbridge seconded the meeting. A roll call vote was taken and unanimously carried 4-0.

<u>VAR19-023</u> – A petition filed by Terry and Harold Howie, 2502 William Drive, Valparaiso, IN. The petitioner requests a variance from Article 2, Section 2.305(C)(2), of the Valparaiso Unified Development Ordinance, to vary the required side yard pool setback of eight (8) feet to allow for a pool setback of six (6) feet. A variance from Article 2, Section 2.302 (A)(3) to vary the required fence height of four (4) feet to allow for a fence height of five (5) feet. The property is located at 2402 William Court, in the Suburban Residential (SR) Zoning District. Mrs. Terry Howie presented. The property at 2402 William Court is in a Trust and our daughter and son-in-law reside in the home. We would like to put a pool in the rear yard, however, because lot rests

on two different streets it is hard to determine where the rear yard is exactly. We will have plenty of vegetation between our yard and the neighbors to provide more than adequate screening. As well, we are requesting a five (5) foot fence because that is what our neighborhood association requires us to have. The configuration will also create a six (6) foot pool set back versus the required eight (8) foot setback.

<u>Public Hearing:</u> Mike Micka asked if any of the public would like to speak in favor of or in opposition of this petition. Mr. Micka also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time.

Mr. Mike Tishman, 2503 William Drive, Valparaiso, is a neighbor to the Howie's and this property and he is in favor of the petition.

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

Q: Have you received approval from your Homeowner's Association?

A: Yes.

C: Carley Lemmon, Assistant City Planner, advised that Manchester Meadows subdivision was developed under the County's jurisdiction and requirements. The Landscape Plan on the northwest side of the property acceptable.

Motion: Melanie Trowbridge made a motion to approve VAR19-023 as presented noting the petitioner's Homeowner's Association has also approved the project. Such approval will not be injurious to the health, safety or public welfare of the community; will not affect the use of the adjacent properties; arises from practical difficulties; and the petitioner will comply with all parking requirements. Ryan Wright seconded the motion. A roll call vote was taken and unanimously carried 4-0.

STAFF ITEMS:

Approval of 2020 Meeting Dates: Tyler Kent advised meeting dates are scheduled for the third Tuesday of each month at 7:00 p.m.

<u>Motion</u>: Byron Martin made a motion to approve the 2020 meeting dates. Melanie Trowbridge seconded the motion. A roll call vote was taken and unanimously carried 4-0.

<u>Meeting Time</u>: Tyler Kent asked Member to consider changing the meeting start time to 5:30 p.m. and vote at a future meeting. February's meeting will be held at 7:00 p.m. and the Members will vote from that meeting forward.

<u>Reappointment</u>: Tyler Kent congratulated Mike Micka on being reappointed to this Board by Mayor Murphy for another four (4) year term.

ADJOURNMENT:

There being no further business, the January 21, 2020 Board of Zoning Appeals meeting was adjourned at 7:18 p.m.

Mike Micka, President

Petition #: VAL 20-001

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.

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

PLEASE COMPLETE THE FOLLOWING:

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

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

Arise from a condition peculiar to the property;

conformity with the Zoning Ordinance.

request:

Arises from unnecessary hardships if the Zoning Ordinan Does not interfere substantially with the Comprehensive I Petitioner will comply with all ordinance parking requires In Support of an application for Special Exception, the Petition request:	Plan adopted. ments.
Will not generate excessive vehicular traffic on minor res Will not create vehicular parking or traffic problems; Appropriate access roads, drives, utilities, drainage, facili have been or will be installed; Will make a substantial contribution to the neighborhood on the rights of properties in the vicinity of the expected use; Will comply with the requirements of the district in which Petitioner will comply with all ordinance parking requires	environment and will not infringe the proposed use is to be located.
In support of such application for Special Exception for Hom	e Occupation, Petitioner states:
That no person other than members of the family residing in the home occupation. That the use of the dwelling unit for home occupation wisubordinate to its use for residential purposes and not more that dwelling will be used in the conduct of the home occupation. That there will be no change in the outside appearance of visible evidence of the conduct of such home occupation, other exceeding two square feet in area, non-illuminated and contain the business. That no home occupation will be conducted in any access. That there will be no sales area unless specifically permit that no traffic will be generated by such home occupation normally be expected in a residential neighborhood and any ne conduct of such home occupation will be met by required or penot be in the front yard. That no equipment or process will be used which creates odors, or electrical interference detectable to the normal senses premises.	Il be clearly incidental and in 25% of the floor area of the fine the building or premises, or other in than one sign-such sign not along only the name and nature of sory building. It is building, and in greater volume than would seed for parking generated by the ermitted parking spaces, and will noise, vibration, glare, fumes,
PETITIONER:	464-7957
Name (Please Print) Address	Phone
	Thone
OWNER OF SUBJECT PROPERTY:	(0.2)
Ellas N-Kalafatis Name (Please Print) Address	(219) 464-080 Phone
	- 11-2-1-
ADDRESS OF SUBJECT PROPERTY:	BILLINGS & LOURT

	PTION OF PROPOSED PROJECT INCLUDING, NEW CONSTRUCTION, ON, ALTERATION, OR CHANGE OF USE: (Exhibit No)
A dministra	of the Zoning Ordinance from which a Variance, Special Exception, or tive Relief is sought: Section: 506 Paragraph: Item: A 60% (260) 366 OF BACE FOR STANDARD FOR ST
a. b. c.	ite Plot Plan drawn to scale showing: scale lot: shape, location, dimension, and area existing improvements on the lot (including, structures, sidewalks, & driveways and the percent coverage of improvements on the lot distance for lot lines, right-of-way lines, or easements to any structure for: front back and side yards
Please fill i Front Setba Height	n: ck 36 Rear Setback 100 Side Setbacks 22/1 5 Lot Coverage
acts in Indiourtroom Information ecome par Petition ariance pe	and duties of the Board of Zoning Appeals are provided for and limited by Enabling ana Code 36-7-4-900 et. eq The public hearing procedures are similar to a learing. Although it is not required that the Petitioner represented by legal counsel, and documentation pertaining to the petitioner should be prepared as if it were to of a court hearing. Although the office of the City Planner is available to assist er, it is the Petitioner's responsibility to request and prepare the appropriate tition. The Planning Department can be contacted Monday-Friday between 8:30 – 462-1161.

Last updated 1/16/18

1/16/2020 Sidwell's Portico



Parcel Number 64-09-24-203-003.000-004

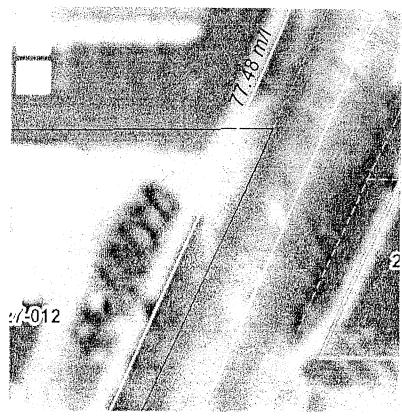
Owner K-4 Equities Llc

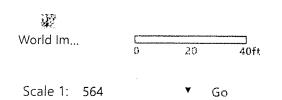
Owner Address 584 Shatz Dr Valparaiso IN 46385

Site Address 1004 N Calumet Ave Valparaiso IN 46383

Legal Description 1ST Add N Valpo Lots2&3 Ex Par W11.63& W1/2 Vac Locust St Blk1

Homestead Filed False





Search Results: 1004 north calume...

Items appear after you perform a valid search or other task that returns results.

January 13, 2020 Project Description

The project is to give the west, north and east sides of Martini's Restaurant a face lift including replacing the existing west door with a grander presence on Calumet and changing the exterior material all around. Windows will also as indicated on plan. This existing entry is in noncompliance with ordinance due to age. A new entry would also be in non compliance as shown on site plan. 60% glazing required per UDO. Can not get greater than 55%

Work to do

- Existing door and vestibule to be demolished
- New vestibule to be built-two sets of doors
- Add two windows to dining area
- Add five windows to bar area
- · Add lighting all around
- Add Nachia board in two different styles and colors
- Add new signs per elevations
- Minimal interior remodeling to accommodate new entry.

Date	e 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)
ate a	pproved 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 _____

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,

Atenha (con
Signature of Petitioner
MEPHAN PERNY
Printed Name
Elm Nhah
Signature of Property Owner
Co. 4 2000
The state of the s
Signature of Property Owner)

anneared to like Al Milland L	ry in and for said County and State, personally
acknowledge the execution of the foregoing	g document, this 20 day of Jan, 20 20.
Palsiew & Selfler NOTARY PUBLIC	My Commission Expires: May 16 2025 Resident of May 16 County
2	Resident of porter County
PATRICIA L Setzler	
Type or Print name of Notary	

PATRICIA L. SETZLER
NOTARY PUBLIC
SEAL
STATE OF INDIANA
PORTER COUNTY
MY COMMISSION EXPIRES MAY 18, 2025

Affidavit of Consent of Property Owner

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

	5 11 /
ELAS CACAFATZ, being dull legal age deposes and states:	ly sworn upon his/her oath, being of sound mind and
1. That Steven Peareal property that is the subject	("Owner") (is/are) the legal owner(s) of of a Petition before the BZA.
seek the relief sought in the Petitic authorized to commit to any reaso by the Petitioner.	("Petitioner") to on filed before the BZA. Petitioner is further anable restriction requested by the BZA or proposed
El N Kalı- Property Owner	$\frac{1-20-2020}{Date}$
Property Owner	Date 1-20-2020
* •	is Aprilday of Lanuary, 20 20.
Palricia L Seleption Notary Public	
My Commission: May 18, 2025 Date M	PATRICIA L. SETZLER NOTARY PUBLIC SEAL STATE OF INDIANA PORTER COUNTY YY COMMISSION EXPIRES MAY 18, 2025

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

(To be presented to Board of Zoning Appeals staff or attorney at Public Hearing)			
mind and	, being dully sworn upon his/her oath, being of sound 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 theday 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 na	ame the address of all property owners who have received notification on page		
Petitioner	Date :		
Subscribed	d and sworn to before me this 20th day of Linuary ,2020		
Allel Notary Pu	blic PATRICIA L. SETZLER NOTARY PUBLIC		
My Comm	SEAL STATE OF INDIANA		
May Date	PORTER COUNTY MY COMMISSION EXPIRES MAY 18, 2025		

NOTICE OF PUBLIC HEARING CITY OF VALPARAISO BOARD OF ZONING APPEALS

Dear Property Owner			
public hearing on Peti , 20 Council Chambers, to	tion Number at 7:00 p.m. at Valpar consider a request for Bo	so Board of Zoning Appeals on the day raiso City Hall, 166 Lincolny pard of Zoning Appeals action	y of way, City
action here)		•	
The petitioner for the the (address here)	requested action is		of
The property is located parcel is located at (Adincludes the following	d in theddress or Location) tract of land:	Zoning District. The	he subject and
_	Legal Desc	cription escription here or attaché to t	the letter)
this petition may be su opportunity to be heard interested parties are in	bmitted in writing to the d at the above-mentioned avited to attend. To revie	thin 300 feet of the parcel. Yelling Director, or you we time of the Public Hearing. The petition and detailed sen 8:30 a.m. and 4:30 p.m. Mean 8:30 p.m. Me	vill be given an All site plans,
Correspondence to: Tyler Kent, Planning I City of Valparaiso 166 Lincolnway Valparaiso, IN 46383 Phone: (219) 462-1161			
Email:	st include name, address,	, and telephone number)	
Respectfully,			
Petitioner	Petitioner		

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

Owners within 300 Feet

Homenclature 555 Vernon Woods Drive Valparaiso, Indiana 46385

D&K Rentals 906 Calumet Avenue Valparaiso, Indiana 46383

SS Valparaiso Calumet Avenue LLC 7505 West Sand Lakewood Orlando, Florida 32817

Dan Marchetti CFO Urshell Labs 1200 Cutting Edge Drive Chesterton, Indiana 46304

Richard and Karen Stackert 506 Evans Avenue Valparaiso, Indiana 46383

Pete and Sue Dres 1006 Calumet Avenue Valparaiso, Indiana 46383

Pete Dres 455 West Hwy 30 Valparaiso, Indiana 46385

Autozone 2633 P.O. Box 2198 Depart 8080 Memphis, Tennessee 38101

Tri Corp Wireless P.O. Box 1324

Valparaiso, Indiana 46384

M.J. Miller Investment 670 Vlasta Court Valparaiso, Indiana 46395

Valparaiso Water Department 205 Billings Valparaiso, Indiana 46383

K&Y Property Group 213 Wheatridge Court Valparaiso, Indiana 46383

Karen Shaw 1005 Calumet Avenue Valparaiso, Indiana 46383

Joan Marinello 367 Wilshire Court Valparaiso, Indiana 46383

Christina Tressler 304 Evans Avenue Valparaiso, Indiana 46383

Jose and Josefina Bazan 306 Evans Avenue Valparaiso, Indiana 46383

Porter County Cancer Society Inc. 1009 Calumet Avenue Valparaiso, Indiana 46383

Edward Cobb 358 Harrison Valparaiso, Indiana 46383 Valparaiso, Indiana 46384

M.J. Miller Investment 670 Vlasta Court Valparaiso, Indiana 46395

Valparaiso Water Department 205 Billings Valparaiso, Indiana 46383

K&Y Property Group 213 Wheatridge Court Valparaiso, Indiana 46383

Karen Shaw 1005 Calumet Avenue Valparaiso, Indiana 46383

Joan Marinello 367 Wilshire Court Valparaiso, Indiana 46383

Christina Tressler 304 Evans Avenue Valparaiso, Indiana 46383

Jose and Josefina Bazan 306 Evans Avenue Valparaiso, Indiana 46383

Porter County Cancer Society Inc. 1009 Calumet Avenue Valparaiso, Indiana 46383

Edward Cobb 358 Harrison Valparaiso, Indiana 46383 James Schane 780 Thornapple Court Columbia City, Indiana 46725

Todd and Michelle Thomae 1101 Calumet Avenue Valparaiso, Indiana 46383

City of Valparasio 166 West Lincolnway Valparaiso, Indiana 46383

Variance from Development Standards Findings of Fact (Please Print)

n		. 1
Petitioner	cuhmite	that
I CHILIDITEI	SUUIIIIIS	uiat.

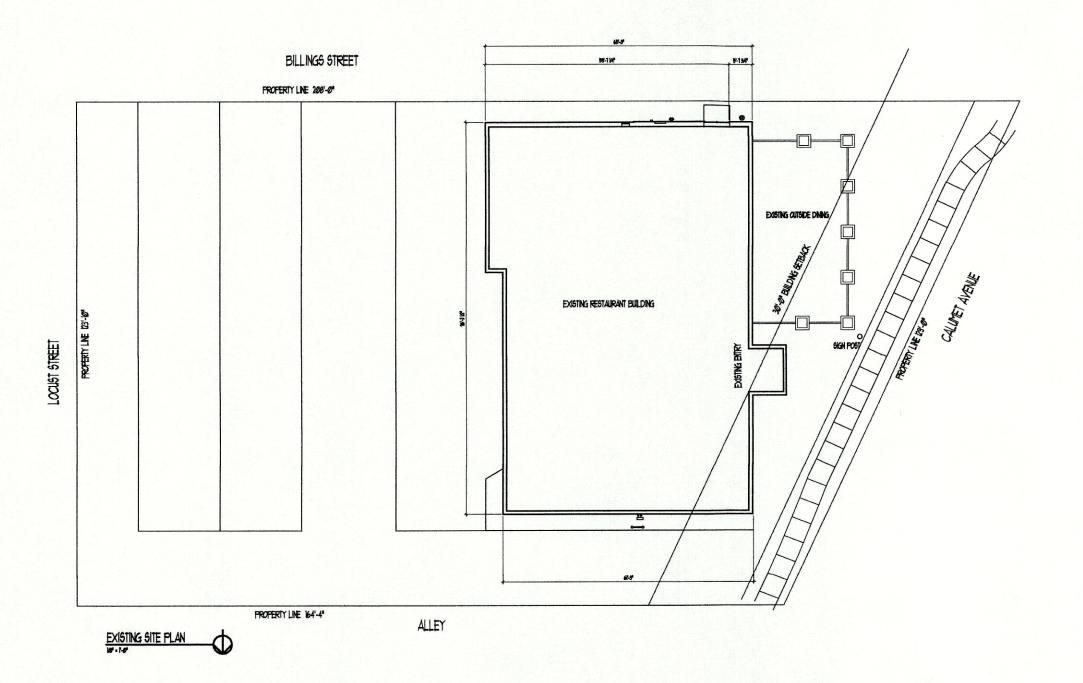
A th	. The proposed variance from the Development Standards will not be injurious to e public health, safety, morals, and general welfare of the community because:
В.	The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:
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	e Petitioner carries the burden of proving to the Board of Zoning Appeals the stence of each and every one of the elements listed above.

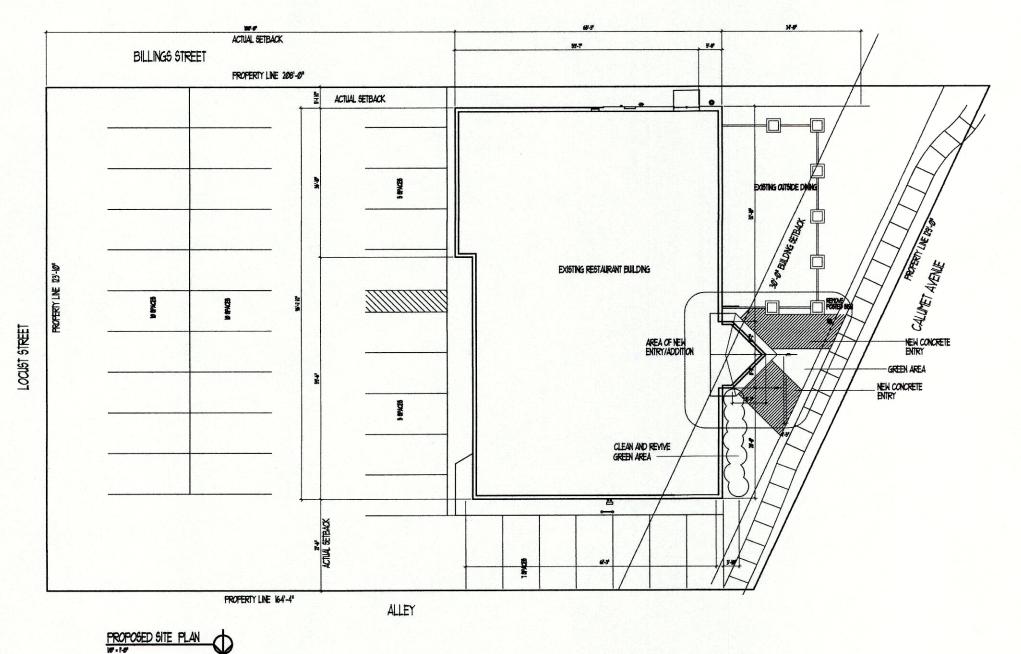
Variance from Development Standards Findings of Fact

Petitioner submits that:

- A. The proposed variance from the Development Standards will not be injurious to the public health and safety, morals and general welfare of the community because:
 - The existing entry doors will be demolished and replaced as shown. The new entry will only extend two feet farther than the existing door. It has been designed to be unobtrusive but provide maximum exposure with signs. We are replacing the door with near to in-kind.
 - The new windows and siding will bolster the aesthetic value of the area while maintaining the integrity of the structure.
- 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 owner is giving the building a face lift with all new materials, adding a new entry and creating more window area. The new parapet wall will cover the visual access to the roof top units.
- 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 building as it exists is in a nonconforming state. There is a thirty foot setback on the west. This setback already includes a third of the front façade as well as the existing entry door. This makes it difficult to establish any workable parameters to upgrade the building in a meaningful way. The new entry has been designed for maximum visibility.

The current amount of wall space makes it a challenge to obtain the minimum required glass area for the west facade. The code requires 60 percent. We are able to get 50% by opening up the inside dining room with windows as well as adding some smaller windows in the bar area. This wall is a structural wall. We would like to keep as much of the wall intact while still maintain the integrity of the wall.





MARTINI'S RESTAURANT

1004 CALUMET VALPARAISO, INDIANA

ENTRY ADDITION AND EXTERIOR FACING REMODELING

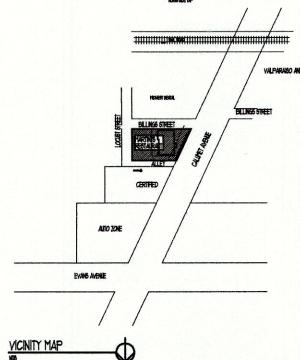
> DRAWING INDEX I. EXISTING SITE PLAN PROPOSED SITE PLAN

2. REMODELED PARTIALFLOOR PLAN

3. EXTERIOR ELEVATIONS

4. DETAIL PLAN VIEWS

5 WALL SECTIONS AND DETAILS



GENERAL NOTES

LALL LABOR AND MATERIALS SHALL CONFORM TO ALL FEDERAL STATE AND LOCAL BUILDING CODES, INDUSTRY STANDARDS AND

2. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A SAFE AND CLEAN SITE TO AVOID INJURY, DAMAGE TO PEOPLE, MATERIALS

3. THE CONTRACTOR SHALL PERFORM ALL WORK REQUIRED TO COMPLETE WORK AS AWARDED, TO FURNISH ALL LABOR, TOOLS, MATERIALS, EQUIPMENT, TRANSPORTATION, SERVICES, BONDS, INSURANCE, AND WARRENTIES, REQUIRED TO PERFORM AND COMPLETE IN A WORKMAN LIKE AND TIMELY MANNER

4. THE CONTRACTOR SHALL EXAMINE THE SITE AND DRAWINGS AND BE RESPONSIBLE FOR EXISTING AND ON-GOING CONDITIONS AND COORDINATION OF THE ABOVE.

5. ALL LABOR AND MATERIALS WILL BE SUBJECT TO ARCHITECTS APPROYAL BASED ON PLANS, SPECIFICATIONS, AND STANDARD CONSTRUCTION PRACTICES.

6. DRAWINGS REFLECT APPROXIMATE FINISHED CONDITIONS. DO NOT SCALE 7. ALL DIMENSIONS OF STRUCTURAL DRAWINGS TO BE CHECKED AGAINST ALL

EXISTING AND PROPOSED ARCHITECURAL AND MECHANICAL CONDITIONS. ANY DISCREPINCIES SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY.

8. ALL DETAILS, SECTIONS AND NOTES ARE TYPICAL UNLESS OTHERWISE

10. WRITTEN ARCHITECTS APPROVAL MUST BE OBTAINED FOR ALL CHANGES

II. ALL DRAWINGS SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE COPIED OR REPRODUCED WITHOUT ARCHITECTS PRIOR

12. VARIATION OF SITE CONDITIONS SHALL BE REPORTED TO THE ARCHITECT AND WORK SHAL NOT CONTINUE WITHOUT THE ARCHITECTS WRITTEN APPROVAL.

13. ALL STRUCTURAL STEEL SECTIONS AND WELDED PLATE MEMBERS SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE EIGHTH EDITION OF THE AISC SPECIFICATIONS FOR DESIGN, FABRICATION AND

14. ALL COLD FORMED STRUCTURAL MEMBERS AND COVERINGS SHALL BE DESIGNED IN ACCORDANCE WITH THE 1980 EDITION OF THE AISI SPECIFICATIONS FOR THE DESIGN OF COLD FORMED STEEL STRUCTURAL

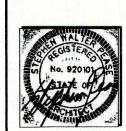
15. CODES GOVERN OVER DRAWINGS

16. INFORMATION CONTAINED IN THE STRUCTURAL DRAWINGS ARE INCOMPLETE AND VOID UNLESS USED IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS AND ALL SPECIFICATIONS, TRADE PRACTICES, ACCEPTABLE CODES AND STANDARDS, ETC., INCORPORATED THEREIN BY REFERENCES WHICH THE CONTRACTOR CERTIFIES KNOWLEDGE OF BY SIGNING CONTRACT

17. THE CONTRACTOR SHALL PAY FOR ALL PERMITS, LICENSING, AND/OR LEGAL FEES INCURRED BY SECURING LOCAL PERMISSION TO START

18. ALL FLAT AND STRUCTURAL CONCRETE WORK TO BE 3,500 PSI, 5 1/2 BAG MIX UNLESS OTHERWISE SPECIFIED.

19. ALL APPLICABLE CONSTRUCTION SHALL CONFORM TO THE LATEST EDITIONS OF THE "UNIFORN BUILDING CODE" AND/OR "CABO BUILDING

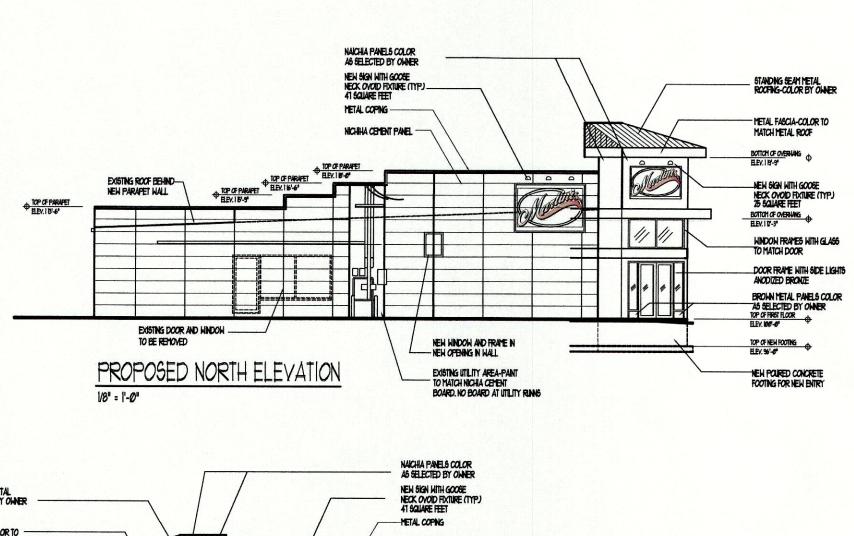


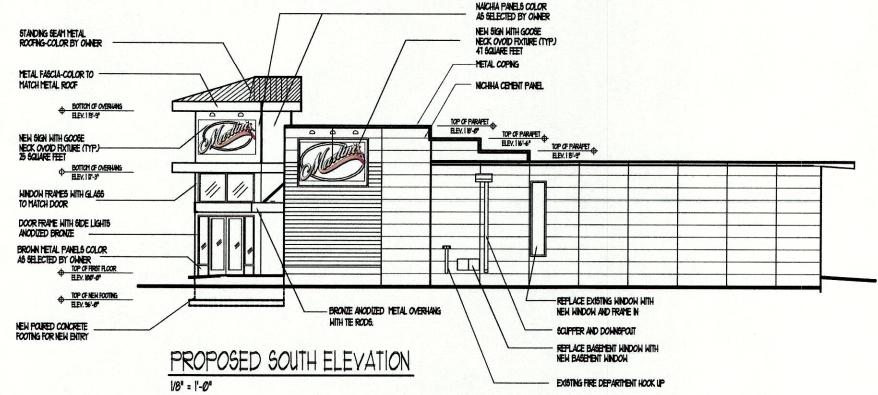
STEPHEN PEASE-ARCHITECT 702 EAST LINCOLNWAY, VALPARAISO 219-464-7957

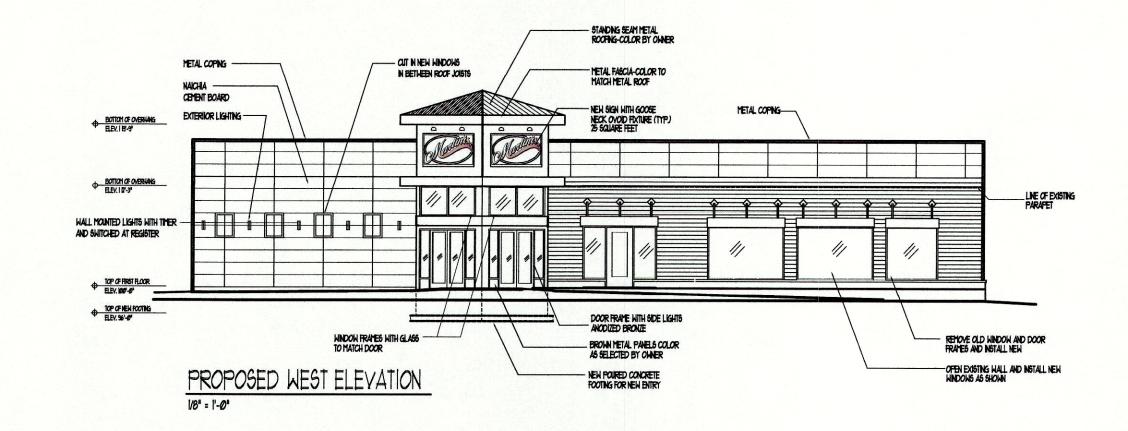
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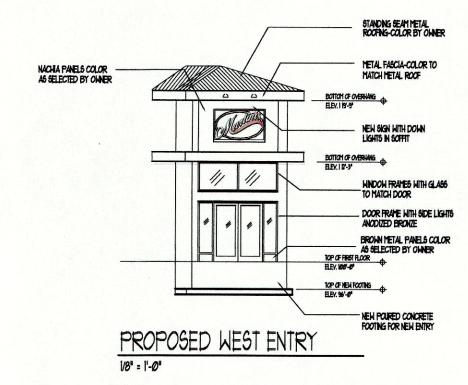
SCALE: 1/8"=1'-0" COPYRIGHT 2020 All rights reserved by: STEPHEN PEASE-ARCHITECT

SHEET









MARTINIS 1004 CALUMET AVENUE VALPARAISO, NDIANA VEW:

STEPHEN PEASE-ARCHITECT 702 EAST LINCOLNWAY, VALPARAISO 219-464-7957



PROJECT NO.	
FILE NAME: MARTINIS	
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COPYRIGHT 2020 All rights reserved b STEPHEN PEASE—ARC	

Petition #: <u>UV</u> 20-001

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 <u>Variance(s) from the Development Standards</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 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 arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance. Arise from a condition peculiar to the property;
I act undated 1/16/18

Arises from unnecessary har Does not interfere substantia Petitioner will comply with a In Support of an application for Syrequest:	all ordinance parkir	ehensive Plan adopte	d.
Will not generate excessive will not create vehicular par Appropriate access roads, dribave been or will be installed; Will make a substantial control on the rights of properties in the view Will comply with the require Petitioner will comply with a	king or traffic prob ives, utilities, drain ribution to the neigl cinity of the expect ments of the distric	lems; age, facilities, and oth aborhood environmer ed use; t in which proposed t	ner necessary facilities
In support of such application for §	Special Exception	for Home Occupatio	n, Petitioner states:
That no person other than me in the home occupation That the use of the dwelling usubordinate to its use for residential dwelling will be used in the conduct of succeeding the evidence of the conduct of succeeding two square feet in area, ruthe business That no home occupation will That there will be no sales are That no traffic will be generated normally be expected in a residential conduct of such home occupation we not be in the front yard That no equipment or process odors, or electrical interference determiness.	unit for home occupil purposes and not at of the home occupation the outside appearance home occupation illuminated and be conducted in an a unless specifically ed by such home or all neighborhood and rill be met by require will be used which	pation will be clearly in more than 25% of the pation. The pation of the building on, other than one sign of the containing only the state of the pation of the state of the pation of the state of the parking of the pation of the	incidental and floor area of the or premises, or other consuch sign not name and nature of the colume than would g generated by the sing spaces, and will
PETITIONER:			
Paul Senteiner Name (Please Print)	454 5.	College Ave.	405-3070
Name (Please Print)	Address	Ph	one
OWNER OF SUBJECT PROPER	TY:		
GREG JONES Name (Please Print)	606 INT	IANA AVE	707-7565
Name (Please Print)	Address	Ph	one
ADDRESS OF SUBJECT PROPE Subject property fronts on the in the Zoning District.			

Legal Descrip	non of Subject	Property: (E	exhibit No	_)		
Wood	hulls	App	Lot	5	BLK	22

DESCRIPTIO	N OF PDOP	OSED DDO	TECT INC	r titata		Nicepucar
ADDITION, A						ONSTRUCTION,
	DUP					
Section (3) of the	ne Zoning Ord	inance from	which a Var	riance,	Special Excep	ption, or
Administrative	Relief is sougl	ht:				
Article:	:	_ raragrapii:	ttem:	•		
•	•			·		
Attach a Site P	lot Plan draw	n to scale sl	nowing:			
a. scal	le		Ü			
	shape, location					
and	the percent of	coverage of	improveme	nts on	the lot	ewalks, & driveways
d. dist	ance for lot li	nes, right-of	f-way lines,	or eas	ements to an	y structure for: from
	k and side ya					
Please fill in:	e 1	. 61				~ p 2/_
Front Setback <u>#</u> Height %2'6''	Rear Sett	back S	Side Setback	cs_18_/	Lot Co	verage_ 7 9 °/2
Acts in Indiana (duties of the E	Board of Zon	ing Appeals	are pro	ovided for and	d limited by Enabling
courtroom hearing	ng. Although	it is not requ	ired that the	Petitio	ner represent	e similar to a ed by legal counsel,
nformation and	documentation	n pertaining t	to the petitic	oner sho	ould be prepar	red as if it were to
become part of a	court hearing.	. Although mer's respo	the office of	f the C	ity Planner is	s available to assist e the appropriate
· · · · · · · · · · · · · · · · · · ·	m m n	mer a resho	asionity to	reques	ı ана prepar	e the appropriate

variance petition. The Planning Department can be contacted Monday-Friday between 8:30 –

Petitions will not be scheduled for public hearing <u>unless</u> all legal and procedural requirements

Last updated 1/16/18

have been met.

4:30 at (219) 462-1161.

STAFF USE ONLY Date Received	
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
Wireless Communications Facility RF Tech Study Fee	\$ Actual cost of study

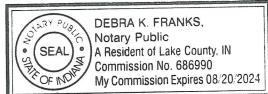
Certificate of Petitioner

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.

tal sch
Signature of Petitioner
Paul Schreiner
Printed Name
Lugg a Zm
Signature of Property Owner

Signature of Property Owner



1

Affidavit of Consent of Property Owner

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

400000	CREGORY A TWES, being dully s legal age deposes and states:	sworn upon his/her oath, being of sound mind and
	2. That Owner authorizes Aulseek the relief sought in the Petition	
War.	Property Owner	1 22 2020 Date
	Property Owner	Date
	Subscribed and sworn to before me this	gonday of January, 20_20.
	Notary Public My Commission: Date Date	DEBRA K. FRANKS, Notary Public A Resident of Lake County, IN Commission No. 686990 My Commission Expires 08/20/2024

Petitioner

Petitioner Affidavit of Proper Public Notice for Public Hearing

(To be presented to Board of Zoning Appeals staff or attorney at Public Hearing)
mind and legal age deposes and states:
 That he/she is the
(Please attach legal description)
List the name the address of all property owners who have received notification on page 10. Foul Schreiner Petitioner TAN 22, 2020 Date
Subscribed and sworn to before me this 4th day of February, 2020
Patricia & Seteler Notary Public
My Commission Expires
May 18, 2025 Date
PATRICIA L. SETZLER NOTARY PUBLIC SEAL STATE OF INDIANA PORTER COUNTY MY COMMISSION EXPIRES MAY 18, 2025

NOTICE OF PUBLIC HEARING CITY OF VALPARAISO BOARD OF ZONING APPEALS

Dear Property Owner:			
public hearing on Petit	tion Number	o Board of Zoning Appea	lav of
, 20	at 7:00 p.m. at Valpara	aiso City Hall, 166 Lincol	lnwav. Citv
Council Chambers, to	consider a request for Bo	ard of Zoning Appeals ac	tion (insert
action here)	*		
the petitioner for the r	equested action is		of
the (address nere)	· .1	Zoning District.	6
ine property is located	in the	Zoning District.	The subject
1		Bonnig District.	and
includes the following	tract of land:		
	V		
(D1	Legal Descr	iption	
(Please type the st	reet address and legal des	scription here or attaché to	o the letter)
this petition may be sub opportunity to be heard interested parties are in	omitted in writing to the F at the above-mentioned t vited to attend. To review	nin 300 feet of the parcel. Planning Director, or you time of the Public Hearing v the petition and detailed 8:30 a.m. and 4:30 p.m.	will be given an g. All
Correspondence to: Tyler Kent, Planning Di City of Valparaiso 166 Lincolnway Valparaiso, IN 46383 Phone: (219) 462-1161 Email: tkent@valpo.us (all electronic mail must		and telephone number)	
Respectfully,			
Respectionly,			
Petitioner	Petitioner		

606 Indiana Ave. Woodhuls Add Lot 5 Block 22

Brandi Anstine 251 Greenwich, Valparaiso, IN 46383

Lottie Tovo 723 N 200 W, Valparaiso, IN 46385

Kevin Stout 605 Monroe, Valparaiso, IN 46383

Octavia Investments LLC 5 Ashworth Ct., PO Box 110, Maryville, IL 62062

David Pape 165 McIntyre Ct., Valparaiso, IN 46383

Martin Rentals 2 M LLC 12 E 700 N, Valparaiso, IN 46383

Randal & Melissa Osika 154 College Ave., Valparaiso, IN 46383

Charlson Construction 216 Shortridgde Rd., Valparaiso, IN 46383

Elizabeth Gingerich 702 Indiana Ave., Valparaiso, IN 46383

Nikola Bradash . 157 Greenwich St., Valparaiso, IN 46383

505 Indiana LLC 3782 Quarter Horse Drive, Yorba Linda, CA 92886

Dean & Michele Stolpe 1301 Martinal Rd., Valparaiso, IN 46383

Moises Guadron 102 Bridgewater Ct., Valparaiso, IN 46383

Andrew Lechner & Robin Hass 412 Church Street, Hebron, IN 46341

William & Lin Fairbairn 425 Sherman Dr. # A, Valparaiso, IN 46385

Cam Monroe LLC 418 bScarborough Rd., Valparaiso, IN 46385

Edward and Loan Fetters 15682 Signal Hill Ct., Granger, IN 46530

William and Kaitlyn Horst 739 Westfield Rd., Hebron, IN 46341

Adam Kurfman 152 College Ave., Valparaiso, IN 46383

Alfredo Melendez Jr. 704 Monroe St., Valparaiso, IN 46383

S & P Arch Inc. 702 Lincolnway, Valparaiso, IN 46383

Jennifer Nicksic 56 College Ave., Valparaiso, IN 46383

Gregory & Joyce Karras 153 College Ave., Valparaiso, IN 46383

Trust No. 4 5105 Garden Gateway, Valparaiso, IN 46383

Jason & Allen Whitaker 56 Greenwich St., Valparaiso, IN 46383

Jordan & Dean Dollins 608 Indiana Ave., Valparaiso, IN 46383

Hamilton Porter 10 Living Trust 6605 N 93rd Ave., Unit 1064, Glendale, AZ 85305

Jamia Johnson 507 Indiana Ave., Valparaiso, IN 46383

William & Donna Hohl 158 Greenwich St., Valparaiso, IN 46383

Maria Verdugo Garcia 157 College St., Valparaiso, IN 46383

MBDR Properties LLC 602 Lincolnway, Valparaiso, IN 46383

College Avenue Apartments PO Box 2365, Chesterton, IN 46304

Julie Storbeck 310 Lafayette St., Valparaiso, IN 46383

Chad & Diane Deeter PO Box 1622, Valparaiso, IN 36384

Thomas & Joann Meyer 155 Greenwich St., Valparaiso, IN 46383

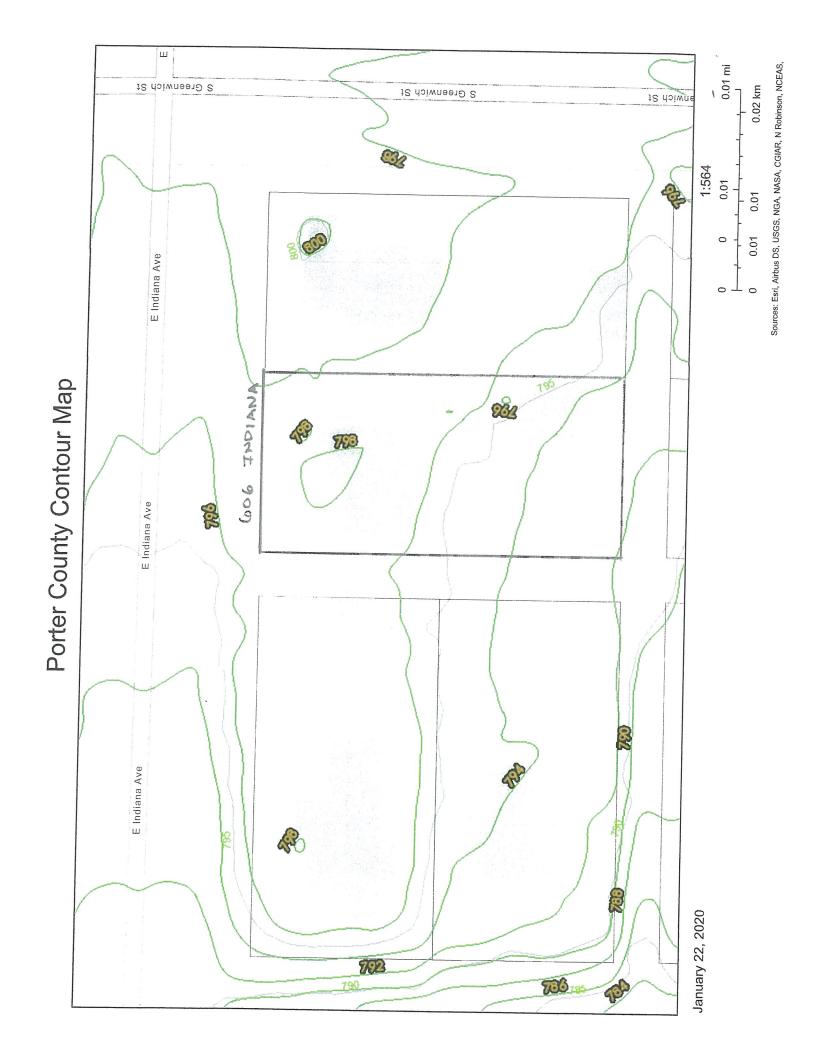
Use Variance Findings of Fact (Please Print)

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: THE ENSTING [HOUSE IS OLD, IN A CONDITION BEYOND REPAIR E
MUST BE REPLACED. THE NEW DUPLEX WILL BE
ATTRACTIVE, ENERGY EFFICIENT & CODE COMPLIANT.
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: WITH A NEW; MODERN DWELLING, ADJACENT PROPERTY
VALUES SHOULD INCREASE.
C. The need for the use variance arises from the following condition peculiar to the property involved: EXISTING ZONING
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: THE EXISTING DWELLING IS BEYOND REPAIR. COST OF NEW CONSTRUCTION NECESSITATES APPLITIONAL INCOME
STREAM. AN ADDITIONAL AFFORDABLE UNIT WILL BE A PLUS FOR THE COMMUNITY.
E. Approval of the proposed use variance does not interfere substantially with the comprehensive plan adopted by the City of Valparaiso because: DURING A VERY CASUAL TOUR OF THE NC ZONE, I COUNTED AT LEAST
20 DUPLEXES OR MULTI-FAMILY BUILDINGS, SOME QUITE
The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed above.

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