

MEETING AGENDA

Valparaiso Board of Zoning Appeals

Tuesday, March 31st, 2020, 5:30 PM

Valparaiso City Hall, 166 Lincolnway via remote access (see details below)

****Notice:** The Valparaiso Board of Zoning Appeals will meet for its regularly scheduled meeting on **Tuesday, March 31st, 2020, at 5:30 PM (local time)**. No governing body members will attend in person but will instead attend remotely. The public is invited to attend by remote access. Please use the following Dial-In number **1- 219-293-4307** and **Access Code 577 656 057#**. If you have any comments or questions as to these or any other items on the Agenda, you are encouraged to send an email prior to the meeting to clemmon@valpo.us. A recording of this meeting will be made available on the City's Website. **

1. Roll Call
2. Adoption of February 18th, 2020 Meeting Minutes
5. Old Business

VAR19-015 (Reconsideration) - 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 Valparaiso Unified Development Ordinance, 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.

6. New Business

VAR19-026 - A petition filed by Anton Baumann, 3101 Cascade Dr, Valparaiso IN, 46383. The petitioner requests a variance from Article 2, Section 2.406 (A) of the Valparaiso Unified Development Ordinance, to vary the required loading and truck access location from behind the principal building and screened to allow for loading and truck access to be located in the front of the principal building and unscreened. A variance from Article 11, Section 11.502(B), to vary the required offset. A variance from Article 11, Section 11.507 (B), to vary the permitted building materials to allow for Galvalume Steel Siding. A variance from Article 11, Section 11.306, Table 11.306(A), to vary the required minimum building setback from 60 feet to allow for a minimum building setback of 32.28 feet. A variance from Article 11, Section 11.306(A) to vary the required 30-foot landscaped yard

Our City...Our Values

Honestly Accountable Surprisingly Responsive Boldly Proactive Creatively Frugal Respectfully Compassionate

along the Right-of-Way. A variance from Article 11, Section 11.306(A) to vary the required 4 Shade Trees, 3 Evergreen Trees, 4 Ornamental Trees, 6 Large Shrubs and 10 Small Shrubs per 100 linear feet of frontage. A variance from Article 11, Section 11.306(A) to vary the required screening of all service areas with dense planting of shrubs and evergreen trees. A variance from Article 11, Section 11.306(A) to vary the required screening of all parking areas with a 5-foot buffer of shrubs, 3 feet in height maximum. A variance from Article 10, Section 10.301, Table 10.301 to vary the required on-lot landscaping of 2 Large Trees, 4 Small Trees and 35 Shrubs per Acre. A variance from Article 10, Section 10.303, Table 10.303, to vary the required open space landscaping of 10 Large Trees, 15 Small Trees and 17 Shrubs per acre. A variance from Article 10, Section 10.304, Table 10.304, to vary the required Parking Lot Landscaping of 1 Large Tree per 8 parking spaces and 1 Shrubs/Perennials/Ornamental Grasses per 4 parking spaces. The Property is located at 3001 Cascade Dr, in the Light Industrial (INL) Zoning District.

VAR20-003 – A petition filed by Dan Kachaturoff, 2253 S. State Rd 2, Valparaiso, IN 46385. The petitioner requests a variance from Article 3, Section 3.501(B), Table 3.501 of the Valparaiso Unified Development Ordinance, to vary the maximum lot coverage of 50% to allow for a lot coverage of 66%. The Property is located at 203 Napoleon St, in the Neighborhood Conservation-60 (NC-60) Zoning District.

UV20-002 - A petition filed by Ron Knoche, 551 Franklin St, Valparaiso, IN 46383. The petitioner requests a variance from Article 2, Section 2.201, Table 2.201B of the Valparaiso Unified Development Ordinance, to allow for a Commercial Retail Use within the Heavy Industrial (INH) Zoning District. The Property is located at 551 Franklin St., in the Heavy Industrial (INH) Zoning District.

7. Adjournment

Michael Micka, President – Board of Zoning Appeals

Beth Shrader, Planning Director

Next Meeting: **April 21st, 2020**

FILED

NOV 15 2019

Petition #: YAK19-026

Sharon Greenheart
Clerk-Treasurer

PETITION TO VALPARAISO BOARD OF ZONING APPEALS

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

PLEASE COMPLETE THE FOLLOWING:

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

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

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

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

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

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

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

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

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

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

PETITIONER:

Anton J. Baumann 2001 Cascade Dr. 219-742-0821
Name (Please Print) Address Valparaiso, IN 46383 Phone

OWNER OF SUBJECT PROPERTY:

Same
Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY: 2001 Cascade Dr. Valparaiso, IN 46383
Subject property fronts on the _____ side between (streets) _____
in the _____ Zoning District.

* Legal Description of Subject Property: (Exhibit No.____)

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

Addition for storing inventory

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

Article: 2 Section: 2 Paragraph: 406 Item: Deck
 9 9 200 Painting
 11 11 300 Building Materials
 10 10 250 Landscaping

Attach a Site 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 in:

Front Setback____ Rear Setback____ Side Setbacks____/____ Lot Coverage____
Height____

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

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

Last updated 1/16/18

STAFF USE ONLY

Date Received _____

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

Date approved for Public Hearing _____

BZA Application Fees

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

TOTAL FEE \$150

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.

Anton J. Baumann
Signature of Petitioner

Anton J. Baumann
Printed Name

Anton J. Baumann
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: Anton J. Baumann, and acknowledge the execution of the foregoing document, this 9th day of December 2019.

Patricia L. Setzler
NOTARY PUBLIC

My Commission Expires: May 18, 2025
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)

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

1. That Anton Baumann ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes McMahon Associates ("Petitioner") to seek the relief sought in the Petition filed before the BZA. Petitioner is further authorized to commit to any reasonable restriction requested by the BZA or proposed by the Petitioner.


Property Owner

2/26/2020
Date

Property Owner

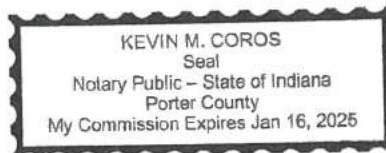
Date

Subscribed and sworn to before me this 26 day of February, 2020.


Notary Public

My Commission:

January 16, 2025
Date



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

Dear Property Owner:

This letter is to notify that the City of Valparaiso Board of Zoning Appeals will conduct a public hearing on Petition Number _____ on the _____ day of _____, 20____ at 7:00 p.m. at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Board of Zoning Appeals action (insert action here)_____.

The petitioner for the requested action is _____ of the (address here) _____.

The property is located in the _____ Zoning District. The subject parcel is located at (Address or Location) _____ and includes the following tract of land:

Legal Description

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

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

Correspondence to:

Tyler Kent, Planning Director

City of Valparaiso

166 Lincolnway

Valparaiso, IN 46383

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

Email: tkent@valpo.us

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

Respectfully,

Petitioner

Petitioner

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

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

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

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

(Please attach legal description)

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

Petitioner

Date

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

Notary Public

My Commission Expires

Date

Parcel Number	Owner	Owner Address
64-10-20-102-019.000-029	Baumann Anton J	241 E 125th Ave Crown Point IN 46307
64-10-20-103-003.000-029	Hinterman Richard M Revoc Living Tr	1860 Bagwell St Flint MI 48503
64-10-20-103-002.000-029	Lifestyle Properties Llc	2501 Chicago St Valparaiso IN 46383
64-10-20-103-004.000-029	Magnatrust Llc	1606 Silhavy Rd Valparaiso IN 46383
64-10-20-102-024.000-029	Value Flooring Inc	708 Silhavy Rd Valparaiso IN 46383
64-10-20-152-010.000-029	Site Select LLC	PO Box 244 Beverly Shores IN 46301
64-10-20-102-018.000-029	Crown Engineeringholdings	2901 Cascade Dr Valparaiso IN 46383
64-10-20-103-005.000-029	Magnatrust LLC	3100 Cascade Dr Valparaiso IN 46383
64-10-20-102-023.000-029	Gtwarehouse Llc %Richden Company	1410 W Irving Park Rd Chicago IL 60613
64-10-20-102-020.000-029	Blaney Kenneth P Sr	PO Box 505 Valparaiso IN 46384

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: _____

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: _____

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

VARIANCE FROM DEVELOPMENT STANDARDS FINDING OF FACTS

A. Variances will not be injurious because:

- a. **Article 2 Section 2 Paragraph 406 Item Dock** – There is currently no room for the dock at the back of the building. The dock will be easier and safer in the front where we plan on putting it.
- b. **Article 9 Section 9 Paragraph 200 Parking** – We don't have the space for the additional parking lot nor do we need it. We currently have parking for 11 cars and we currently only use 4 of the spaces at any given time. Less parking will not be injurious to anyone.
- c. **Article 11 Section 11 Paragraph 300 Building Materials** – We would like to keep the same appearance of the addition to match the existing building so we do not require any type of masonry. Using metal building materials will not be injurious to anyone.
- d. **Article 10 Section 10 Paragraph 250 Landscaping** – There is a tree line in the back already and no room to plant more trees with the proposed site plan. We will however try to match the type of landscaping already along our existing building. Planting no trees will not be injurious to anyone.

B. Variance will not affect use or value of the area.

- a. **Article 2 Section 2 Paragraph 406 Item Dock** – There is currently no room for the dock at the back of the building. The dock will be easier and safer in the front where we plan on putting it. This is in line with all the buildings on the street and will provide a consistent look and feel having no negative impact the value of the property.
- b. **Article 9 Section 9 Paragraph 200 Parking** – We don't have the space for the additional parking lot nor do we need it. We currently have parking for 11 cars and we currently only use 4 of the spaces at any given time. Maximizing the space of the building and use of the property for practical uses will have no negative impact on the value.
- c. **Article 11 Section 11 Paragraph 300 Building Materials** – We would like to keep the same appearance of the addition to match the existing building so we do not require any type of masonry. Using the same materials will not negatively impact the value of the property.
- d. **Article 10 Section 10 Paragraph 250 Landscaping** – There is a tree line in the back already and no room to plant more trees with the proposed site plan. We will however try to match the type of landscaping already along our existing building. Having a consistent landscaping look will increase the value of the property.

C. Variance will not result in difficulties in the use of the property.

- a. **Article 2 Section 2 Paragraph 406 Item Dock** – There is currently no room for the dock at the back of the building. The dock will be easier and safer in the front where we plan on putting it. This will also make the building easier and more practical to use.
- b. **Article 9 Section 9 Paragraph 200 Parking** – We don't have the space for the additional parking lot nor do we need it. We currently have parking for 11 cars and we currently

only use 4 of the spaces at any given time. Maximizing the space of the building and use of the property will be must more practical than building parking that is not needed.

- c. **Article 11 Section 11 Paragraph 300 Building Materials** – We would like to keep the same appearance of the addition to match the existing building so we do not require any type of masonry. Using the same materials will not making the property more difficult to use.
- d. **Article 10 Section 10 Paragraph 250 Landscaping** – There is a tree line in the back already and no room to plant more trees with the proposed site plan. We will however try to match the type of landscaping already along our existing building. Having a consistent landscaping look will not make the property more difficult to use.

FBI not responsible for ruts in gravel or grass due to normal equipment use.

Min. 20' Clearance All Sides (Dirt Fill)

Purchaser to provide a gravel building pad, level within 8" of Finished Floor, prior to FBI mobilization.



Copyright:
3i Buildings, Inc.

Modeling may not be shown to scale.
Colors shown may not match actual colors.
(Refer to color samples for actual colors.)

North

X: _____	_____
Purchaser Approval	Date
X: _____	_____
Seller Approval	Date
Drawing # _____	

Mr. Tony Baymann
3001 Cascade Dr.
Valparaiso, IN 46383

Construction Zone

FBI
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3823 W 1800 S
Remington, IN 47977
219-261-2157
www.fbibuildings.com

Date : 0/18/19
Name: Kvw
Rev 2
PRELIMINARY
THESE DRAWINGS
ARE FOR
REVIEW ONLY
These drawings are
not complete and
are not to be used
for construction.

CZ-101

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General Notes:
 Gutters - yes
 Wainscot - No
 OSB & Felt - no

Door Schedule:
 D1 - (qty 2) 3' x 6'-8" Steel Insulated Walk Door with knob lock
 D2 - (qty 1) 10' x 10' OHF Frame Out (Door Not Included)
 D3 - (qty 1) 8' x 8' OHF Frame Out in common wall (Door Not Included)

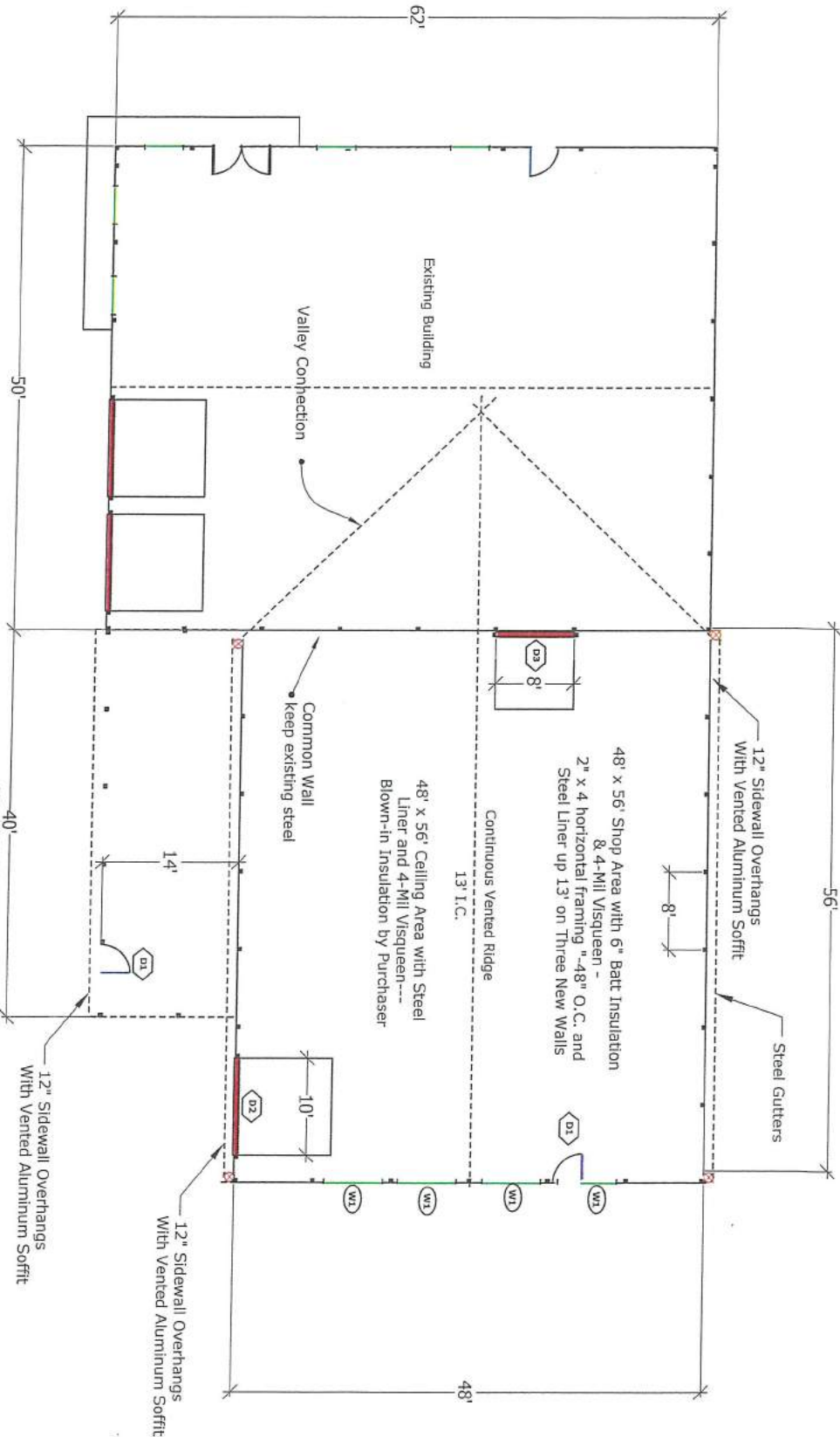
Window Schedule:
 W1 - (qty 4) 6' x 2' fixed window- bottom elevation set at 10' AFF

Sidewall Columns & Trusses Space at 8' O.C. Designed for 30 psf Ground Snow Load

⊗ = Downspout location

FLOOR PLAN

FBI Building 48' x 56' x 13' I.C.
 With 14' x 40' Lean-To
 Connected to existing BONANZA Building



North

A-101

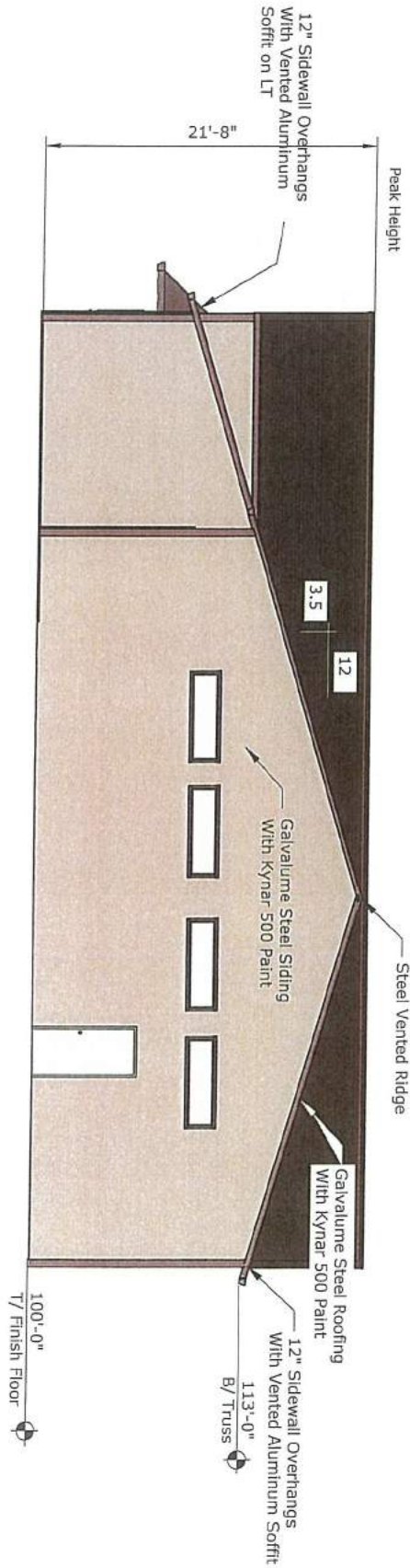
Date : 0/18/19
 Name: kww
 Rev 2
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 for construction.

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 219-261-2157
 www.fbibuildings.com

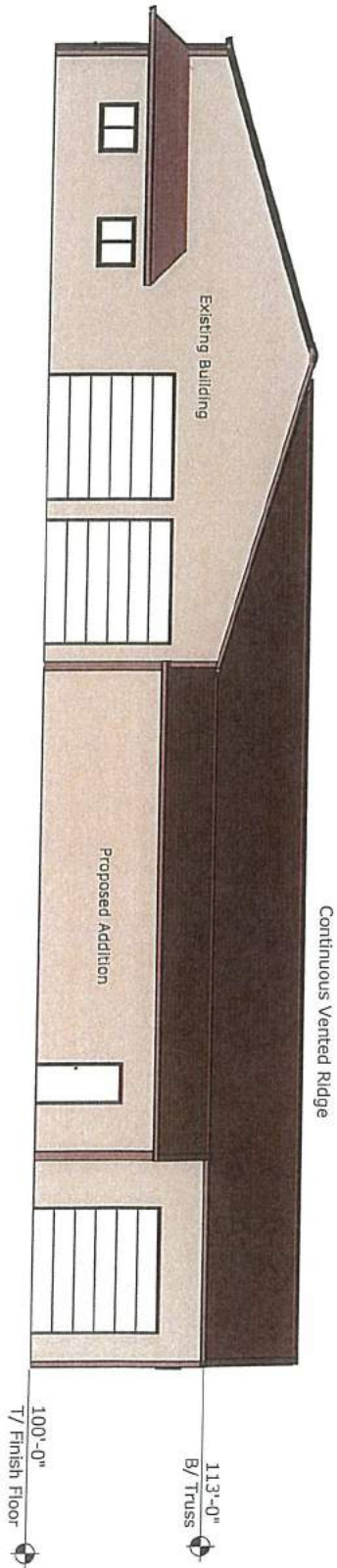
Mr. Tony Baymann
 3001 Cascade Dr.
 Valparaiso, IN 46383

Floor Plan

X: Purchaser Approval Date
 X: Seller Approval Date
 Drawing #



EAST ELEVATION



SOUTH ELEVATION

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Purchaser Approval	
X: _____	Date _____
Seller Approval	
Drawing # _____	

Mr. Tony Baymann
 3001 Cascade Dr.
 Valparaiso, IN 46383

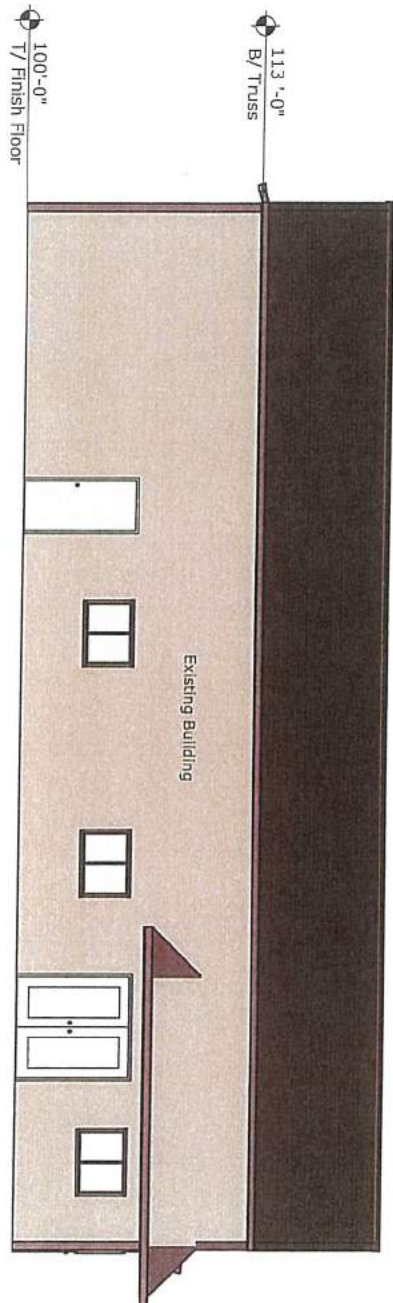
Elevation Plan

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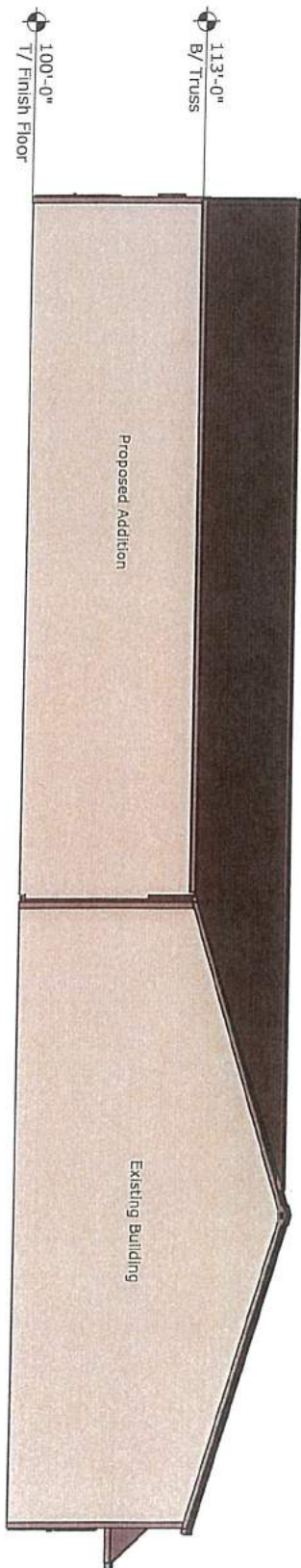
Date: 0/18/19
 Name: kww
 Rev 2

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 for construction.

A-201



SOUTH ELEVATION



WEST ELEVATION

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 Refer to color samples for actual colors.)

X: _____	_____
Purchaser Approval	Date
X: _____	_____
Seller Approval	Date
Drawing # _____	

Mr. Tony Baymann
 3001 Cascade Dr.
 Valparaiso, IN 46383

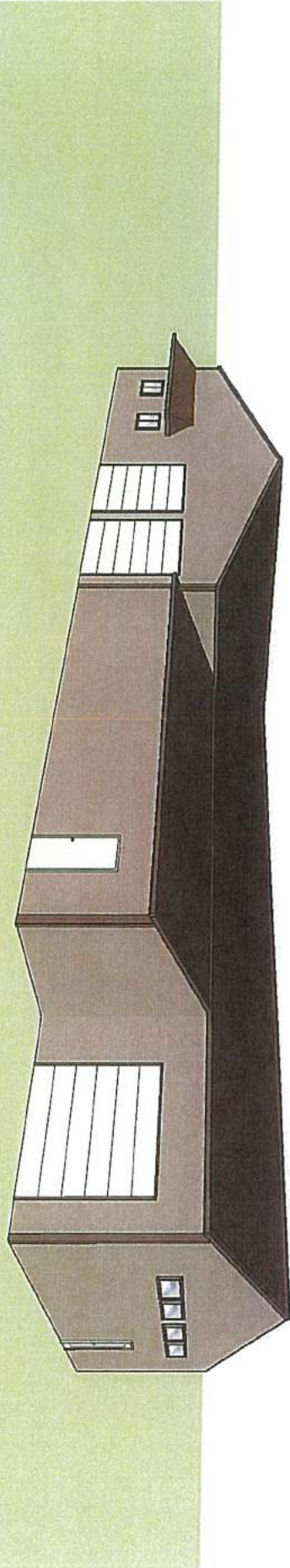
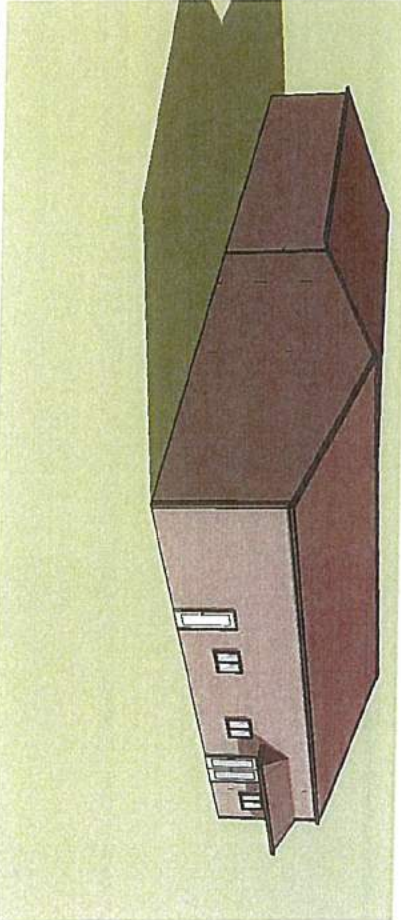
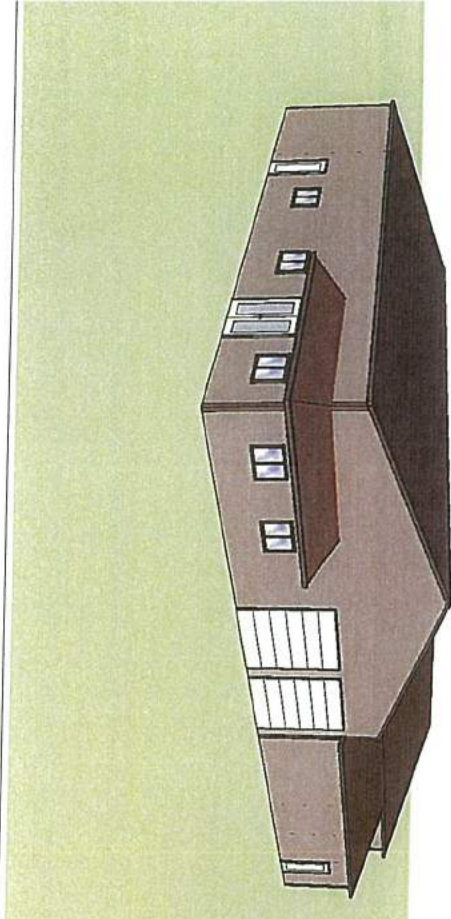
Elevation Plan

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Date : 0/18/19
 Name: KVM
 Rev 2

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 not complete and
 are not to be used
 for construction.

A-202



A-203

PRELIMINARY
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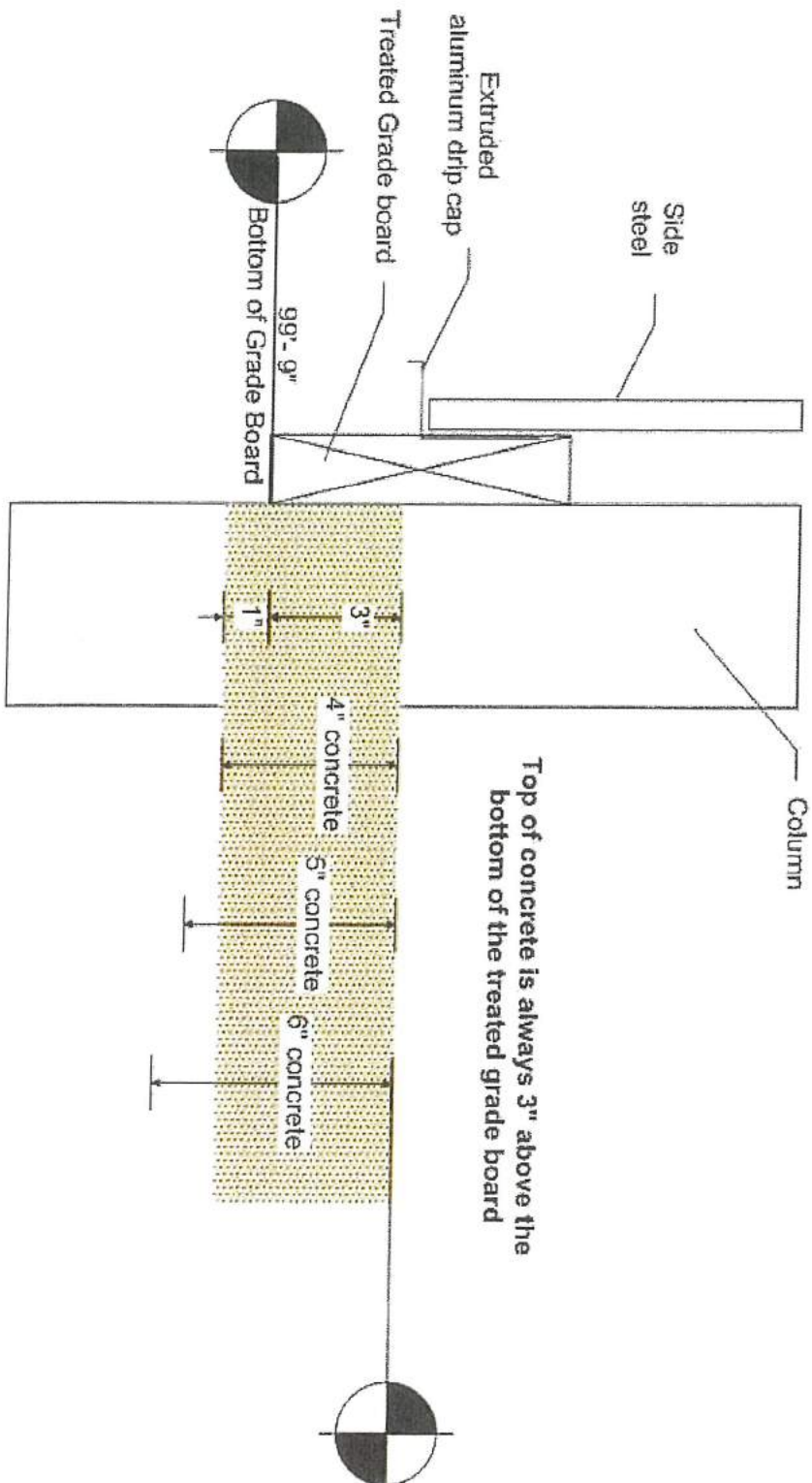
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Mr. Tony Baymann
 3001 Cascade Dr.
 Valparaiso, IN 46383

3D View

X: _____ Date _____
 Purchaser Approval
 X: _____ Date _____
 Seller Approval
 Drawing # _____

Finish Floor Height



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 All drawings may not be shown to scale.
 Colors shown may not match actual colors.
 Refer to color samples for actual colors.)

X: _____	_____	Date _____
Purchaser Approval		
X: _____	_____	Date _____
Seller Approval		
Drawing # _____		

Mr. Tony Baymann
 3001 Cascade Dr.
 Valparaiso, IN 46383

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Date : 0/18/19
 Name: KKW
 Rev 2
PRELIMINARY
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REVIEW ONLY
 These drawings are
 not complete and
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 for construction.

MEETING: Site Review Committee
SUBJECT: Hinge Outlet Addition
ADDRESS: 3001 Cascade Drive
PRELIMINARY SITE REVIEW

LOCATION: City Hall
DATE: April 30, 2019

IN ATTENDANCE:

Tyler Kent, Planning Director
(219) 462-1161 / tkent@valpo.us
Vicki Thrasher, Building Commissioner
(219) 462-1161 / vthrasher@valpo.us
Adam McAlpine, Engineering Director
(219) 462-1161 / amcalpine@valpo.us
Tim Stites, Fire Department
(219) 462-8325 / tstites@valpo.us
Paul Scott, Water Reclamation Dept.
(219) 464-4973 / pscott@valpo.us
Mark Geskey, Water Dept.
(219) 462-6174 / mgeskey@valpo.us
Nate McGinley, Public Works Director
(219) 462-4612 / nmcginley@valpo.us

PRESENTERS:

Anton Baumann, Owner
(219) 743-0831
sales@hingeoutlet.com

The following is a summary of discussion at this meeting.

OPENING: The Site Review Committee met to discuss the proposed addition to Hinge Outlet, Inc. to be located at 3301 Cascade Drive. Kent stated that site review is not an approval. Rather, it is a preliminary discussion of the requirements and issues to be considered by the developer or owner. It is possible it will need to come back before site review or to seek other approvals.

EXPLANATION OF PROJECT: This is a building expansion to house more inventory. Baumann is trying to match the building materials to the existing building. The existing building is metal with a metal roof. There may be future offices at the front of the building. Baumann wants to proceed in phases, i.e. add insulation, heating, etc. The total square footage of the expansion is approximately 3,000 sq. ft. Kent asked if there are any plans for curb cuts or a parking lot. Baumann said there were no additional plans for a parking lot. There is a parking lot on the side of the building with approximately 11-12 parking spaces and approximately 3 are used during the day. There will be a dock built for semi-trailers; however, it is not shown on the plans submitted.

STAFF COMMENTS:

MCGINLEY: McGinley said the addition of an access drive will require a Right-of-way Cut Permit. An inspection by Public Works will be required when the curb

is removed and replaced to ensure the curb is properly installed. Baumann said there are no curbs on Cascade. McGinley indicated there is a rolled curb. If the curb is not cut or modified in any way, a Right-of-way Permit will not be required. McGinley asked if City services are used for trash or recycling. Baumann said they use a private waste hauler. Baumann asked if services for recycling are offered. McGinley conveyed if a commercial business needs more than four (4) 96-gallon recycling totes to handle their recycling Public Works is not able to provide service. Baumann conveyed that most of what is put into their dumpster is cardboard boxes. McGinley suggested contacting Pratt Industries. Pratt may take the boxes and recycle them.

THRASHER: A Construction Design Release from the State will be required prior to issuance to Building Permits. Thrasher asked if FBI will be handling the plans and submittals. Baumann said FBI will be handling the project. Thrasher said a full set of plans, including civil plans, will be required for the application. All contractors working on the project must be listed on the application and registered with the City prior to permit issuance.

KENT: The property is zoned INL, Light Industrial. The property is located within the Signature Street Overlay of Silhavy Road. Kent asked if there are plans for outdoor storage. Baumann said there will not be any outdoor storage. Kent conveyed that there is language within the Unified Development Ordinance concerning the truck loading access area. Typically loading docks are to be located behind the building and screened from view of the public rights-of-way by building walls or fences. Kent said he will need to look at the dock and a variance may be needed through the Board of Zoning Appeals. Referring to Article 2, Section 2.406 for the dock standards is necessary. Kent asked if the dumpster is located outside the building or if it is kept internally. Baumann indicated the dumpster is outside at the back of the property. Kent advised that there is a requirement for a dumpster enclosure. Referring to Article 2, Section 2.406 for the dumpster enclosure standards is necessary. The dumpster is to be enclosed with an opaque wall and constructed of masonry materials, so it is hidden from public view. The final set of plans will need to show the landscape ratio (green space on the site). The required landscape ratio for this property is .30. The gross floor area ratio for the development is .903 and the net floor area ratio is 1.290. Kent asked if the plans show the front yard setback. Baumann said he does have the original building plans and the front yard setback may be shown on these plans. Kent said civil plans will need to be provided and they will need to show the setbacks. The required front yard is 60 ft. Kent said if this cannot be achieved, it may be necessary to seek a variance through the Board of Zoning Appeals. There is a requirement for 30 ft. of green space between the property line and the front face of the building. If the 30 ft. is not available, it will

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be necessary to seek a variance through the Board of Zoning Appeals. Kent explained a public hearing is required and a notice needs to be sent to all property owners within 300 ft. The Board of Zoning Appeals meets the third Tuesday of the month. The petition application must be submitted a month in advance. It will be necessary to go before the Board of Zoning Appeals before submitting for permits. A final set of development plans, including civil plans will be required. Based on these plans the variances that will be needed can be addressed for the proposed project. Kent said it is not uncommon for infill projects to need variances. Kent said there is a requirement for the front face of the building to have a projection of at least 2 ft. for either 20 ft. of the building frontage or 20%, which ever is the lesser of the two. Kent said it may be possible to have the office space on the front protrude outward another foot or two to meet the requirement. Kent asked if there is a building entry off of Cascade. Baumann said there is an entry door. Kent mentioned that FBI Builders will need to look at Article 11, Section 11.507, Building Materials. There is a requirement for the front face of the building to include brick, limestone or other native stone, or textured colored aggregate concrete masonry units. Baumann asked if a variance for this will be possible. Kent said more discussion will be needed. There may be an opportunity to incorporate some of this material into the building front. Submittal of colored building elevations is required. A Landscape Plan will be required. There is a requirement for on-lot landscaping. This includes 2 large trees, 4 small trees and 35 shrubs per acre. Within the .30 percent for the open space requirement for the site, it is necessary to allocate landscaping to this area specifically, which includes 10 large trees, 15 small trees and 17 shrubs per acre. This will be pro-rated. Baumann mentioned he is trying to use as much of his space as possible to allow a truck to enter and the required landscaping does not seem to make this feasible. Kent said there may be some locations on the east side of the building for landscaping. Depending on calculations, some of the area may have to be grassed in to meet the 30 percent. Kent said because there is a Heavy Industrial Zoning District to the north, there is a requirement for a bufferyard along this area. It will need to be a Class A buffer which is 10 ft. wide and will need 1 large, 2 small trees and 17 per 100 linear ft. Baumann said the area behind his property is all trees. Kent said if there is not landscaping on the property to the north, then a Class B bufferyard is required. A Class B bufferyard is 15 ft. wide and includes 2 large trees, 4 small trees and 34 shrubs per 100 linear ft. Kent said they can identify the number of existing trees along the north. Some of these trees can be used as part of the ratio. Within the Light Industrial Zoning District, the requirement for parking is 1 parking space per 500 sq. ft. of useable floor area. Providing the number of existing parking spaces on site and the calculation for the spaces required per the Unified Development Ordinance

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will be necessary. A Zoning Clearance will be required as part of the Building Permit submittal. Kent asked if additional lighting, other than wall packs, will be added. If pole lights are added, submittal of a Photometric Plan will be necessary. If only wall packs are being used, a Photometric Plan will not be required. Kent suggested both Baumann and FBI refer to his email dated March 18, 2019. Kent said it will be necessary for Baumann to work with FBI to identify the variances that will be needed on the site.

MCALPINE: McAlpine reiterated the need for civil drawings. These drawings will provide information on offsets, setbacks, grading, etc. The plans could also show the calculated green spaces. McAlpine said the civil plans should also show a calculation for total hard surface area (parking, roof top and any carriage walks). The hard surface calculation will indicate if the storm water bill will be altered in any way. A Site Permit will be required for erosion control and right-of-way cut. McAlpine conveyed that the driveway needs to be wide enough to accommodate the semi-trucks. McAlpine said the City standard is a maximum of 24 ft. at the curb.

STITES: The Fire Department follows the 2014 Indiana Fire and Building Codes. All inspections through the construction phase need to be scheduled through the Building Department. The facility will be subject to annual fire inspections. Stites asked how inventory is stored. Baumann said inventory is in cardboard boxes and stored on wooden pallets. Stites requested that Baumann contact him before installation of a rack storage system. Stites can advise what is and is not allowed. Stites said that 12 ft. is the threshold for high-pile storage. Baumann said the racking system will not be installed immediately.

SCOTT: Scott asked if bathrooms will be installed in the addition. Baumann said there are two bathrooms in the existing building and he does not feel they need additional bathrooms. Baumann said do not have floor drains. Scott said if a floor drain, or bathrooms are added, it will be necessary to provide an internal plumbing plan.

GESKEY: Geskey is aware there will not be water or sewer in this addition. Geskey provided no comments on the project.

ISSUES TO BE RESOLVED:

- Landscaping Plan
- Erosion Control Plan
- Right-of-Way
- Detailed Site Plan
- Site Improvement Permit
- State Design Release
- Building Permit

Contractors Registered with the City
Provide Final Development Plan and Civil Plans
Variances (as required)
Submit Colored Building Elevations
Bufferyard – North Property Line
Provide the Number of Existing Parking Spaces
Photometric Plan (if light poles are added to the parking lot)
Zoning Clearance
Internal Plumbing Plan (if bathrooms or floor drains are added)

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Hinge Outlet Building Expansion Site Plan

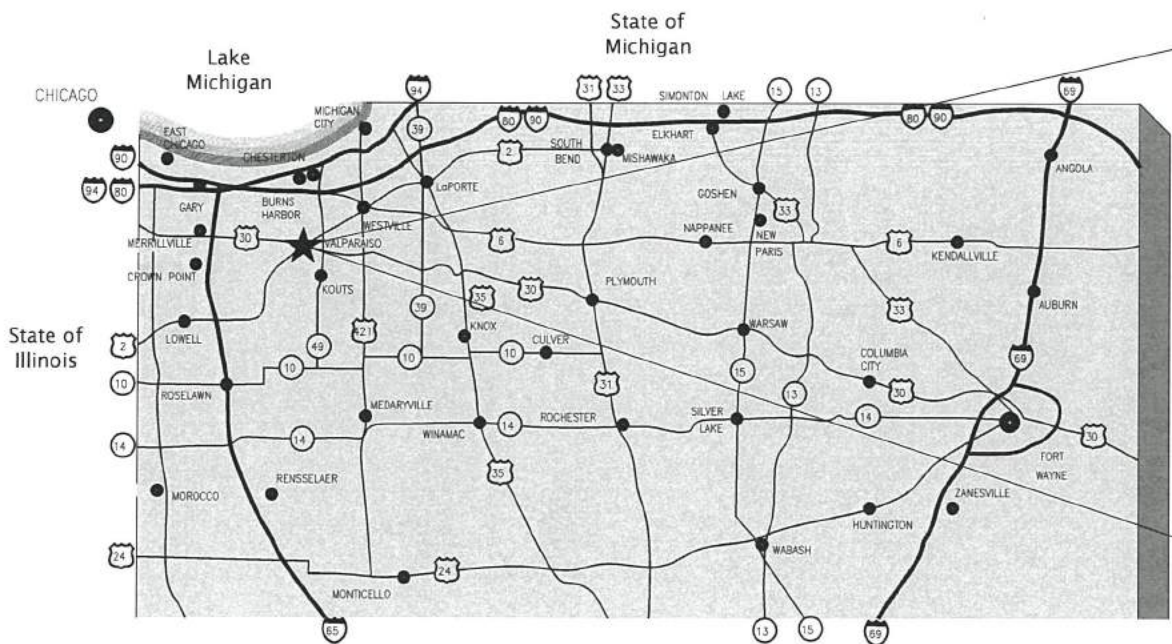
City of Valparaiso, Washington Township, Porter County, Indiana

Property Address
3101 Cascade Drive, Valparaiso, Indiana 46383

Legal Description (Per Corporate Warranty Deed 2016-016917)
A parcel of land in the Northwest Quarter of Section 20, Township 35 North, Range 5 West of the Second Principal Meridian in Washington Township, Porter County, Indiana, described as follows: Commencing at the Northwest corner of said Northwest Quarter; thence South 0 degree East along the West line of said Northwest Quarter; 1168.08 feet; thence South 89 degrees 37 minutes 34 seconds East; 584.0 feet to the point of beginning; thence continuing South 89 degrees 37 minutes 34 seconds East, 200.0 feet; thence North 00 degrees West, 134.75 feet; thence North 89 degrees 37 minutes 34 seconds West, 200.0 feet; thence South 00 degrees East, 134.75 feet to the point of beginning.

Flood Hazard Statement

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. All of the within described land appears to lie within special flood hazard zone 'X' as said tract plots by scale on community-panel # 18127C0210D of the flood insurance rate maps for City of Valparaiso (maps dated September 30, 2015).



Northern Indiana



Site Location Map



Sheet Index	
Sheet No.	Sheet Description
CD0	Title Sheet
C1.0	Existing Site & Demolition Plan
C2.0	Proposed Site & Utility Plan
C3.0	Proposed Drainage & Grading Plan
C4.0	Proposed Erosion & Sediment Control Plan
C5.0	General Site Details and Specifications
C6.0	General Site Details and Specifications

FILED

FEB 18 2020

Cheryl Taylor

Clerk-Treasurer

Engineer / Surveyor

McMahon Associates, Inc.
952 South State Road 2
Valparaiso, Indiana 46385
mcm@mcmgrp-in.com
Tel: (219) 462-7743

Owner / Developer

Hinge Outlet
3101 Cascade Drive
Valparaiso, Indiana 46383
sales@hingeoutlet.com
Tel: (219) 779-4475

I, the undersigned, an Indiana registered land surveyor, hereby certify that on the date shown, I supervised the inspection of the real estate described herein at the address indicated. This Building Site Plan was prepared for use by the designated parties only and for no one else. If a more accurate or detailed land survey is desired or if corner monuments are required, an Indiana land title survey should be ordered.

Douglas F. Homeier

Douglas F. Homeier, Registered Land Surveyor #20300033



PROJECT NUMBER: F5004-5-19-00269.00 SUBMIT DATE: FEBRUARY 11, 2020

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
Tel: (219) 462-7743 Fax: (219) 464-8248
mcm@mcmgrp-in.com



Existing Site & Demolition Plan

10 5 0 10
SCALE - FEET

Existing Site & Demolition Notes

- Existing lot area information:
Site Area: 26,949.43 sq. ft.
Impervious: 13,747± sq. ft. (51%±)
Green: 13,202± sq. ft. (49%±)
Building: 3,295± sq. ft. (12%±)
- Property is zoned Light Industrial (NL)
LS Ratio: 0.30
Gross FAR: 0.402
Net FAR: 0.575
Front Yard: 25 feet
Side Yard: 10 feet / 20 feet total
Rear Yard: 10 feet
Height: 4 stories or 50 feet (greater)
- Property is affected by the Silhavy Corridor Overlay.

Existing Site Legend

Asphalt Pavement	
Building	
Cable Pedestal	
Clean-Out	
Concrete	
Elevation - Finish Floor	
Fence Line	
Gas Meter	
Gravel	
Mailbox	
Sanitary Line	
Telephone Pedestal	

PARCEL 44-10-20-102-014 000-029
CROWN ENGINEERING/ROLLINGDONS
PROPERTY ZONED INL

134.75
S 00° 00' 00" E

LIMITS OF US 30 NORTH AND DRIVE
SIGNATURE CORRIDOR OVERLAY

15' SIDE YARD SETBACK

PARCEL 44-10-20-102-023 000-020
CROWN ENGINEERING/ROLLINGDONS
PROPERTY ZONED INL

200.00
N 89° 37' 34" W

EXISTING BUILDING

60' FRONT YARD SETBACK

LIMITS OF DEMOLITION
OF EXISTING
IMPROVEMENTS

EXISTING GRAVEL AND
FENCE WITHIN BOUNDARY
TO BE DEMOLISHED

PROPOSED RETAINING
WALLS FOR TRUCK DOCK

EX. STORM DRAIN
RIM=795.80
APPEARS STRUCTURE
IS A FRENCH DRAIN
AND HAS NO OUTLET

CONCRETE
LOADING DOCK

EXISTING
SANITARY LATERAL

S 89° 37' 34" E
200.00

T/C=797.53
E/P=797.28

T/C=797.08
E/P=796.80

T/C=796.81
E/P=796.50

T/C=796.56
E/P=796.25

T/C=796.34
E/P=795.91

T/C=795.37
E/P=795.06

T/C=795.13
E/P=795.15

CASCADE DRIVE

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
Tel: (219) 462-7743 Fax: (219) 464-8248
mcm@mcmgrp-in.com

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NO.	DATE	REVISION

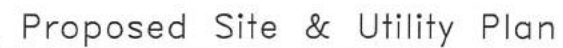
Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Existing Site & Demolition Plan

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 02/11/2020	
SHEET NO.	

C1.0



Douglas F. Homan



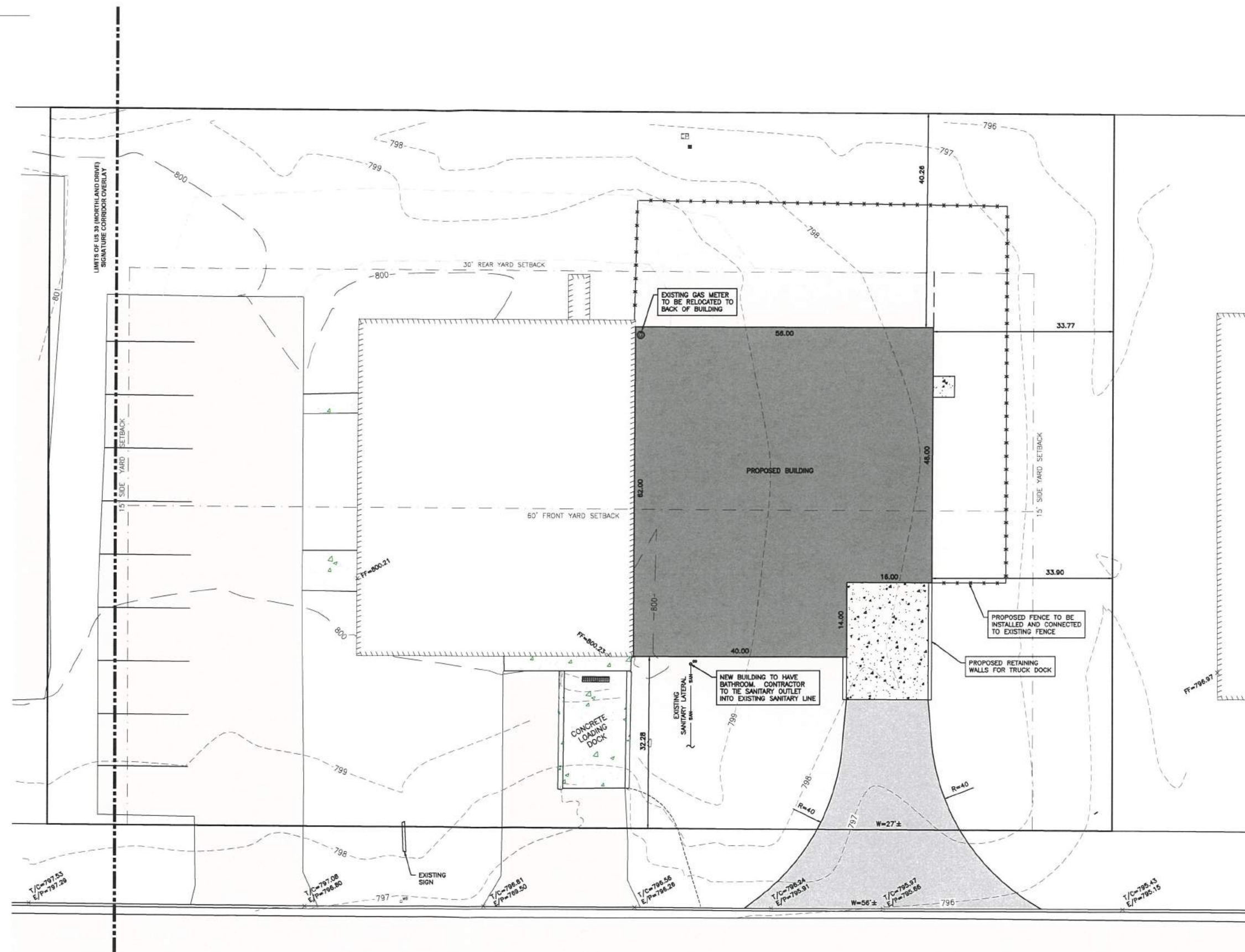
- ### Proposed Site Legend

Asphalt Pavement

Building

Concrete

Handicap Parking



CASCADE DRIVE
60' R/W

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
Tel: (219) 462-7743 Fax: (219) 464-8248
mcm@mcmaingroup.in.com

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DIVISION

DATE _____

40

Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Site & Utility Plan

DESIGNED DFH	
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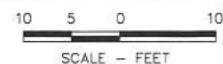
PROJECT NO.	H5004-5-19-00269
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DATE _____

02/11/2020

SHEET NO.

C2.0



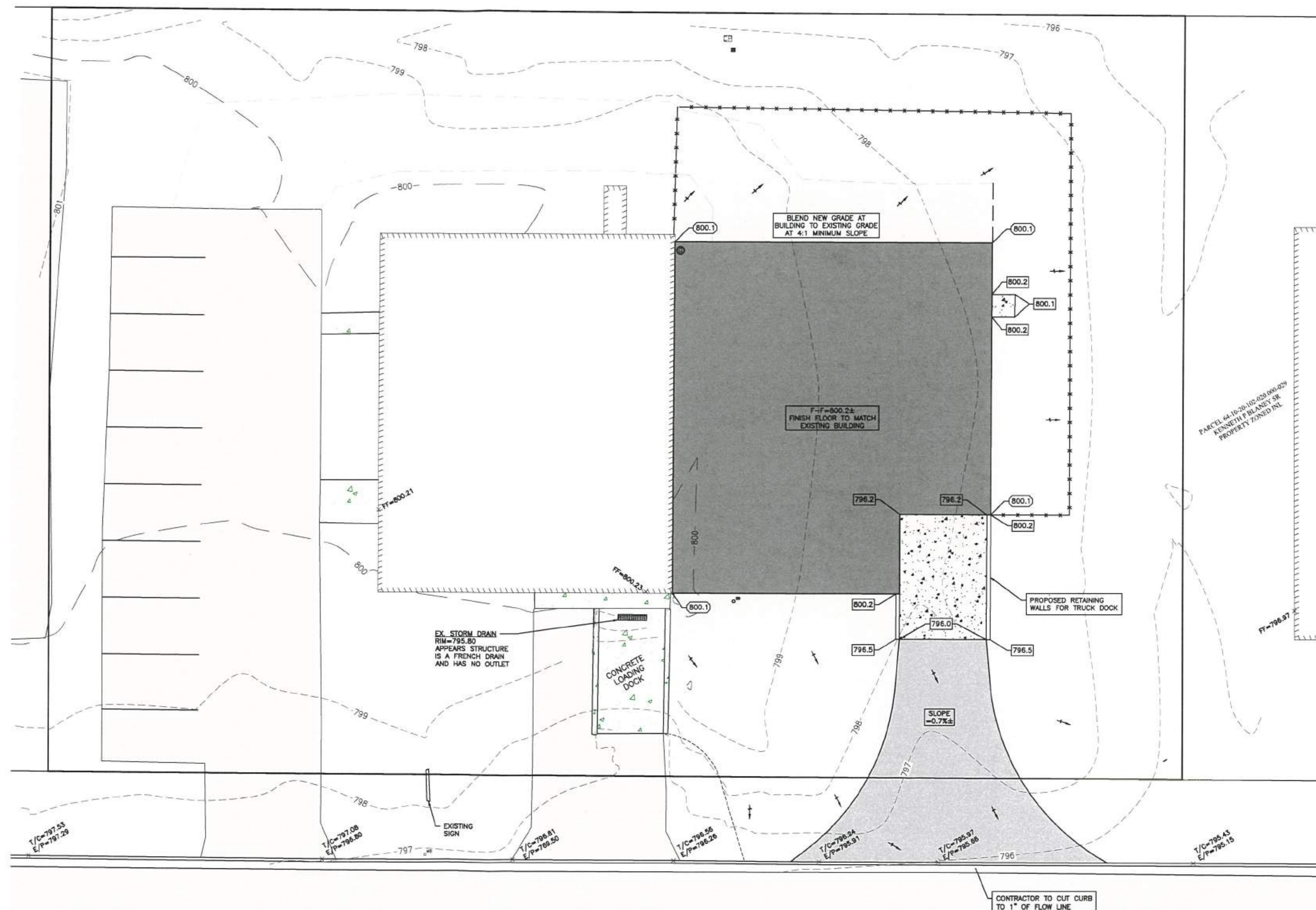
PARCEL 84-10-20-102-023-000-029
GTWAREHOUSE LLC
PROPERTY ZONED INH

Proposed Site Grading Notes

1. Project topography and elevations per field located topography.
2. Underground structures, piping, and utilities are shown for informational purposes based on available information. The contractor shall be responsible for locating all underground utilities and verifying the location of underground structures and piping during construction. Contractor to coordinate utility tie-in with local utility companies.
3. All work shall be performed in accordance with all local, state and federal codes.
4. The contractor shall obtain all necessary permits for construction.
5. Timely notification of necessary governmental agencies regarding the commencement of construction activity is required.
6. All work performed on the site shall conform to the site construction plans and specifications.
7. All necessary inspections and certifications, as required by ordinance, code, utility companies or government agencies shall be completed before the final connection of services.
8. See architectural drawings for downspout piping.

Grading Legend

Drainage Flow	
Elevation - Asphalt Pavement	100.0
Elevation - Finished Floor	F=100.0
Elevation - Concrete	100.0
Elevation - Ground	100.0



CASCADE DRIVE
60' R/W

Deughter F Homein



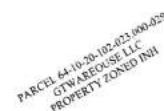
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[illegible]

Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Drainage & Grading Plan

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 02/11/2020	
SHEET NO. C3.0	



Proposed Erosion & Sediment Notes

1. Total disturbed area = 0.122 Acres.
2. Permanently seed all final grade areas (e.g., landscape berms, drainage berms, drainage swales, erosion control structures, etc.) as each is completed and all areas where additional work is not scheduled for a period of more than a year. Seeding: optimum seeding dates are March 1 – May 15 and August 1 – September 30, seeding dates between May 10 – August 10 may need to be irrigated, for seeding recommendations see practice 3.12, Indiana Storm Water Quality Manual.
3. Existing vegetation, trees and shrubs, are to be removed as necessary. If existing trees are desirable, the owner/developer should enact a tree conservation and protection plan to insure survival of desirable trees from the effects of compaction, grading, grading, mound prevention or a plan for tree repairs from construction activities. The owner/developer should see the Soil Conservation Service or the State Forester for assistance if enacting this plan.
4. The sedimentation control measures depicted on this plan are for temporary control during construction of the buildings, ponds, swales, roadways, and/or other general excavation required for this development. Permanent measures to inhibit erosion are as follows:
 - a. Hydroseeded, sodding or mechanical seeding of all pond and swale side slopes during the growing season.
 - b. Placement of permanent landscaping features, such as groundcover, turf, trees, and shrubs in accordance with the Landscape Plan after site excavation is completed and final grade is established.
 - c. 100 square feet of 6" diameter or larger limestone rip-rap shall be installed and maintained at all storm water conveyance outlets (if applicable). Install rip-rap over extra strength filter or landscape fabric (if necessary).
5. Erosion from all temporary soil storage piles shall be controlled by placing filter fence and/or other appropriate means of sedimentation control around these storage facilities. If stockpile is left for more than 15 days, it is to be temporary seeded.
6. Except as prevented by inclement weather conditions or other conditions or circumstances beyond control, appropriate vegetative sedimentation control practices shall be initiated within fifteen (15) days of the area being inactive, or fifteen (15) days of the area scheduled to be inactive. Appropriate vegetative practices include, but are not limited to, seeding, sodding, mulching, covering, or other erosion control measures.
7. Sediment accumulation onto off site roadways shall be minimized, and where necessary, kept cleared every day. Bulk clearing of accumulated sediment shall be returned to the point of likely origin or other suitable on site location(s).
8. Appropriate measures shall be taken to minimize or eliminate wastes, unused building materials, and/or other substances from being carried from the site by storm water runoff, proper disposal or management of all wastes, appropriate to the nature of the waste, is required. Contact appropriate authority (information located this page) for verification of waste removal during building construction.
9. Schedule of all erosion control measures are to be implemented immediately following construction activity and is to be maintained weekly during each phase of construction as well as after each 1/2" storm event.
10. Developer to maintain silt fence around site during construction and install permanent seeding when construction is complete.
11. All appropriate erosion control measures shall be implemented in accordance with all applicable requirements and standards of the City of Valparaiso
12. All spoils are to remain onsite and utilized during the course of construction. If for any reason spoil needs to be hauled offsite (not anticipated), Owner/Developer is to be responsible for the activity. Owner/Developer is to track the amount of spoil given or sold to each individual/company and the location at which the spoil will be used. If at any time spoil from subject site is used for a project more than minimum required amount of site disturbance (based on municipality), that individual/company is responsible for establishing a local or Rule 5 permit.

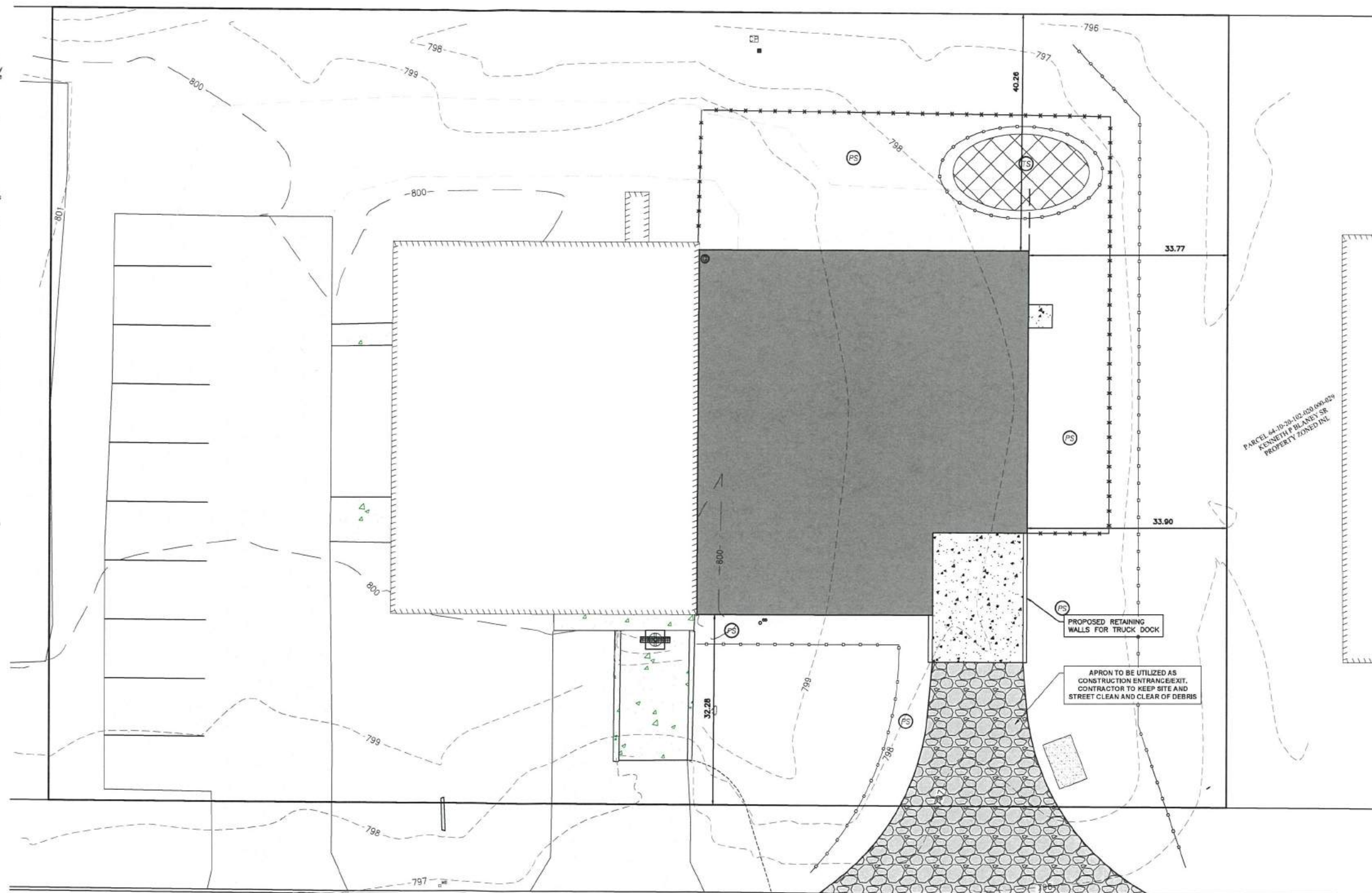
Proposed Erosion Control Legend

Concrete Washout	
Inlet Protection Basket	
Permanent Seeding	
Silt Fence (sediment fence)	
Temporary Gravel Entrance/Exit	
Temporary Seeding	
Topsail (salvage and utilization) --if stockpile is left for more than 15 days, it is to be temporary seed	

Operating Authority
Hinge Outlet
3101 Cascade Drive
Valparaiso, Indiana 46383
(219) 779-4475

Developer / Owner
Hinge Outlet
3101 Cascade Drive
Valparaiso, Indiana 46383
(219) 779-4475

Design Company
McMAHON Engineers/Architects
952 S. State Road 2
Valparaiso, Indiana 46385



PARCEL 64-10-20-102-020-000-025
KENNETH P BLANEY SR
PROPERTY ZONED INL

CASCADE DRIVE
60° R/W

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
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mcm@mcmgrp-in.com

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Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Erosion & Sediment Control Plan

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 02/11/2020	
SHEET NO. C4.0	

SITE PREPARATION

1. THESE INSTALLATION PRACTICES ARE NEEDED TO CONTROL EROSION, SEDIMENTATION, AND WATER RUNOFF, SUCH AS TEMPORARY AND PERMANENT DIVERSIONS, SEDIMENT TRAPS OR BASINS, SILT FENCES, AND STRAW BALE DAMS.
2. GRADE THE SITE AS SPECIFIED IN THE CONSTRUCTION PLAN

SEED PREPARATION

1. FERTILIZE AS REQUIRED
2. WORK THE FERTILIZER INTO THE SOIL 2-4 IN. DEEP WITH A DISK OR RAKE OPERATED ACROSS THE SLOPE

SEEDING

1. SELECT A SEEDING MIXTURE AND RATE FROM THE TABLE AND PLANT AT DEPTH AND ON DATES SHOWN
2. APPLY SEED UNIFORMLY WITH A DRILL OR CULTIPACKER SEEDER OR BY BROADCASTING, AND COVER TO THE DEPTH SHOWN
3. IF DRILLING OR BROADCASTING, FIRM THE SEEDBED WITH A ROLLER OR CULTIPACKER
4. MULCH SEEDED AREAS TO INCREASE SEEDING SUCCESS
5. DISTURBED AREAS LEFT INACTIVE FOR MORE THAN 14 DAYS SHOULD BE TEMPORARY SEEDED.

MAINTENANCE

1. INSPECT PERIODICALLY AFTER PLANTING TO SEE THAT VEGETATIVE STANDS ARE ADEQUATELY ESTABLISHED, RE-SEED IF NECESSARY
2. CHECK FOR EROSION DAMAGE AFTER STORM EVENTS AND REPAIR, RE-SEED AND MULCH IF NECESSARY
3. TOPDRESS FALL SEEDED WHEAT OR RYE SEEDING WITH SOLBS./ACRE OF NITROGEN IN FEBRUARY OR MARCH IF NITROGEN DEFICIENCY IS APPARENT

TEMPORARY SEEDING RECOMMENDATIONS

SEED SPECIES*	RATE/ACRE	PLANTING DEPTH	OPTIMUM DATES**
WHEAT OR RYE	150 LBS	1" TO 1-1/2"	9/15 TO 10/30
SPRING OATS	100 LBS	1"	3/1 TO 4/15
ANNUAL RYEGRASS	40 LBS	1/4"	3/1 TO 5/1
			5/1 TO 9/1
GERMAN WILLET	40 LBS	1" TO 2"	5/1 TO 6/1
SUDANGRASS	35 LBS	1" TO 2"	5/1 TO 7/30

* PERENNIAL SPECIES MAY BE USED AS TEMPORARY COVER, ESPECIALLY IF THE AREA TO BE SEEDED WILL REMAIN IDLE FOR MORE THAN A YEAR

** SEEDING DONE OUTSIDE THE OPTIMUM DATES INCREASES THE CHANCE OF SEEDING FAILURE

PLAN SYMBOL: 

Temporary Seeding Specifications

SALVAGING AND STOCK PILING

1. DETERMINE DEPTH AND SUITABILITY OF TOPSOIL AT THE SITE
2. PRIOR TO STRIPPING TOPSOIL, INSTALL ANY SITE-SPECIFIC DOWNSLOPE PRACTICES NEEDED TO CONTROL RUNOFF AND SEDIMENT
3. REMOVE THE SOIL MATERIAL NO DEEPER THAN WHAT THE COUNTY SOIL SURVEY DESCRIBES AS "SURFACE SOIL" (I.E., A OR AP HORIZON)
4. STOCKPILE THE MATERIAL IN ACCESSIBLE LOCATIONS THAT NEITHER INTERFERE WITH OTHER CONSTRUCTION ACTIVITIES NOR BLOCK NATURAL DRAINAGE, AND INSTALL SILT FENCES, STRAW BALES, OR OTHER BARRIERS TO TRAP SEDIMENT. (SEVERAL SMALLER PILES AROUND THE CONSTRUCTION SITE ARE USUALLY MORE EFFICIENT AND EASIER TO CONTAIN THAN ONE LARGE PILE.)
5. IF SOIL IS STOCKPILED FOR MORE THAN 6 MONTHS, IT SHOULD BE TEMPORARILY SEEDED OR COVERED WITH A TARP OR SURROUNDED BY A SEDIMENT BARRIER

SPREADING TOPSOIL

1. PRIOR TO APPLYING TOPSOIL, GRADE THE SUBSOIL AND ROUGHEN THE TOP 3-4 IN. BY DISKING. THIS HELPS THE TOPSOIL BOND WITH THE SUBSOIL
2. DO NOT APPLY THE TOPSOIL WITH THE SITE IS WET, MUDDY OR FROZEN, BECAUSE IT MAKES SPREADING DIFFICULT, INHIBITS BONDING, AND CAN CAUSE COMPACTION PROBLEMS
3. APPLY TOPSOIL EVENLY TO A DEPTH OF AT LEAST 4 IN. (8-12 IN. IF THE UNDERLYING MATERIAL IS BEDROCK, LOOSE SAND, ROCK FRAGMENTS, GRAVEL OR OTHER UNSUITABLE SOIL MATERIAL) COMPACT SLIGHTLY TO IMPROVE CONTACT WITH THE SUBSOIL
4. AFTER SPREADING, GRADE AND STABILIZE

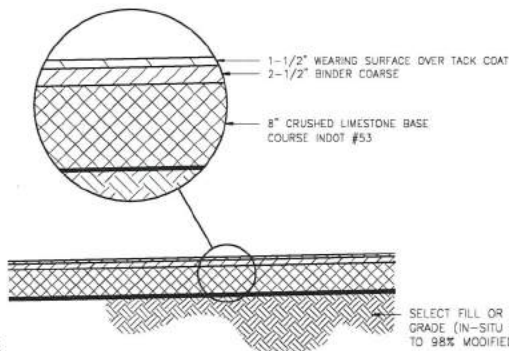
MAINTENANCE

1. INSPECT NEWLY TOPSOILED AREAS FREQUENTLY UNTIL VEGETATION IS ESTABLISHED
2. REPAIR ERODED OR DAMAGED AREAS AS REPLANT

PLAN SYMBOL: 

Topsoil (Salvage & Utilization)

Douglas F. Homer

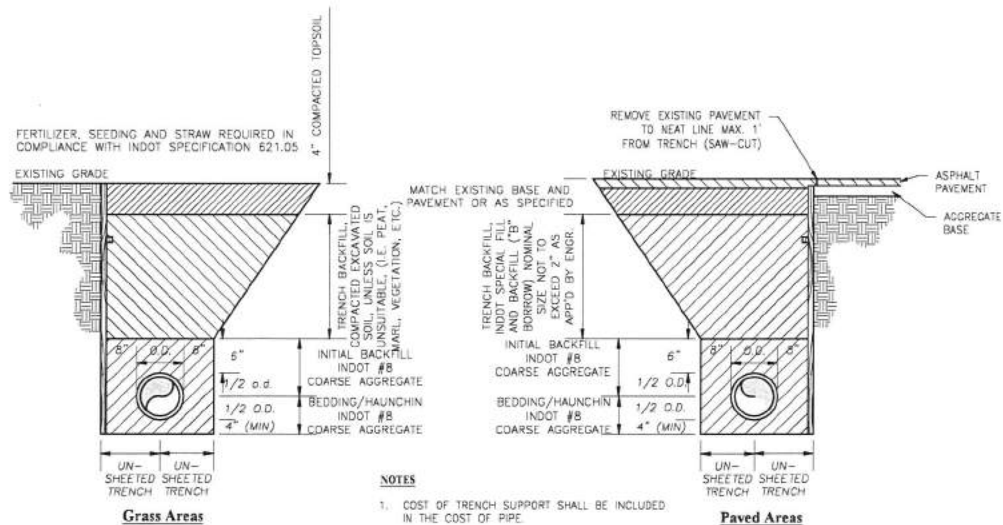


NOTES

1. OR AS ACCEPTED BY LOCAL AUTHORITIES
2. ALL PAVEMENT WITHIN RIGHTS-OF-WAY MUST CONFORM TO STATE AND LOCAL SPECIFICATIONS.

Pavement Cross-Section

NOT TO SCALE



NOTES

1. COST OF TRENCH SUPPORT SHALL BE INCLUDED IN THE COST OF PIPE
2. OPEN-CUT TRENCHES SHALL BE SHEETED AND BRACED AS REQUIRED BY OSHA (29CFR 1926/1910) AND AS NECESSARY TO PROTECT LIFE, PROPERTY AND THE WORK.

Typical Pipe Bedding

NOT TO SCALE

REVISION

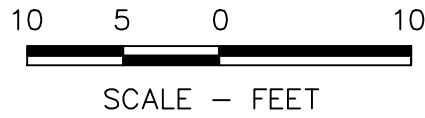
DATE

NO.

Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
General Site Details and Specifications

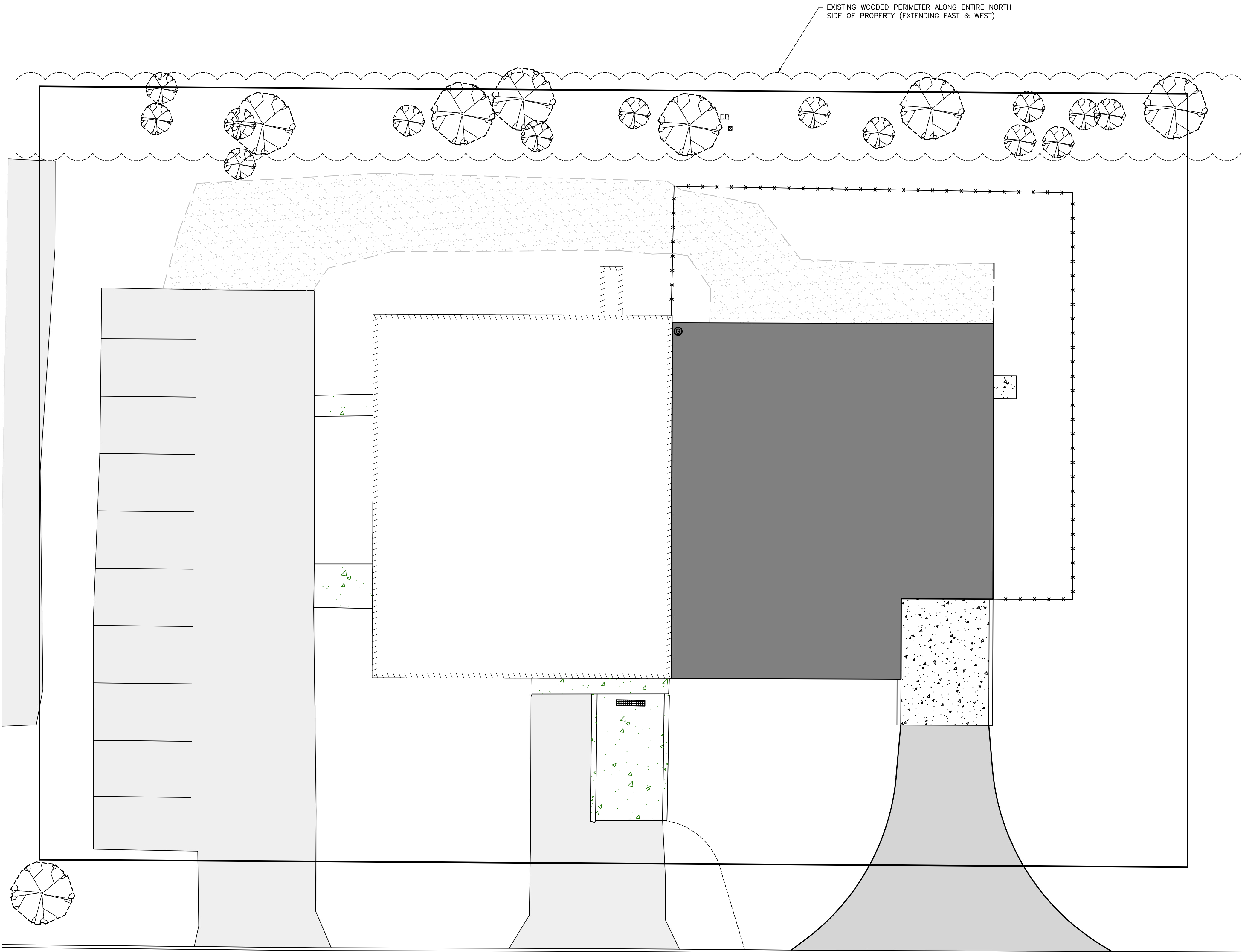


Proposed Landscape Plan



Landscape Site Notes

- Proposed lot area information:
Site Area: 26,949.43 sq.ft.
Impervious: 14,078± sq.ft. (52.2%±)
Green: 12,871± sq.ft. (47.8%±)
Bldg (new): 3,248± sq.ft. (10%±)
Bldg (total): 6,546± sq.ft. (24%)
Net FAR: 0.242
- There is no proposed landscaping on this property. Client is seeking landscape variance for all landscape requirements that are not met on the development plan.
- Existing landscape improvements shown on plan via orthophotography and field visit March 2, 2020.
- A substantial amount of existing landscaping exists on the north side of the property including at least:
14 small trees
6 large trees
1 large street tree



CASCADE DRIVE
60' R/W

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
Tel: (219) 462-7743 Fax: (219) 464-9248
mcm@mcmgrp-in.com

McMAHON provides this drawing and data, regardless of the medium, for the recipient's use only. All rights including copyrights are retained by McMAHON. The recipient agrees to the fullest extent permitted by law to hold McMAHON harmless for any reuse of or changes made to the original information without the written consent of McMAHON.

NO.	DATE	REVISION

Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Landscape Plan

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 03/02/2020	
SHEET NO. C7.0	

Petition #: VAL20-003

**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.

FILED

FEB 21 2020


Clerk-Treasurer

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

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

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

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- ☐ Will not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner; and arise from practical difficulties in the use of the property in conformity with the Zoning Ordinance.
- ☐ Arise from a condition peculiar to the property;
- ☐ Arises from unnecessary hardships if the Zoning Ordinance is strictly applied; and
- ☐ Does not interfere substantially with the Comprehensive Plan adopted.
- ☐ Petitioner will comply with all ordinance parking requirements.

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

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

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

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

PETITIONER:

Dan Kachaturoff 2253 S. State Rd 2 (219) 405-7953
Name (Please Print) Address Phone
Valparaiso IN 46385

OWNER OF SUBJECT PROPERTY:

Walter Sloan 203 Napoleon St. (219) 406-1461
Name (Please Print) Address Phone
Valpo IN 46383

ADDRESS OF SUBJECT PROPERTY: 203 Napoleon St Valparaiso IN 46383
Subject property fronts on the West side between (streets) Chicago St and Erie St.
in the _____ Zoning District.

NC 60

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

Original Survey North $\frac{1}{2}$ Lot 8

Block 41

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

Remove existing private concrete walkways and stoops. Remove existing wood deck. Replace stoops with decorative composite decking. Replace existing walkways with pavers. Add an additional small patio area.

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

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

Attach a Site 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 in:

Front Setback 5' Rear Setback 4' Side Setbacks 4' 5' Lot Coverage 66%
Height

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

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

STAFF USE ONLY

Date Received _____

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

Date approved for Public Hearing _____

BZA Application Fees

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

TOTAL FEE \$ 50⁰⁰

Certificate of Petitioner

Please read and sign the following statement:

I, the Petitioner (and Property Owner, if separate), understand that I and/or my representative must be present at the public hearing. Should I fail to appear, the BZA, in my absence, may consider and take action on my Petition. If the Petitioner is not the owner of the property that is the basis of this Petition, the signature of the Property Owner(s) constitutes authorization for the Petitioner to speak and act on behalf of the Property Owner(s). The Petitioner certifies that neither the Petitioner nor any attachments or exhibits submitted contains any known intentional misrepresentations or intentionally misleading statements. All information submitted is accurate, true and correct to the best of the Petitioner's knowledge. The providing of false and/or inaccurate information on this Petition or during any proceedings before the BZA may result in the denial of the request or the revocation of the request, should a Petition be granted. Similarly, if as part of any granted Petition, the BZA places any restrictions and/or limitations, I acknowledge that my failure to comply with such restrictions/limitations shall be grounds to revoke any granted Petition. The Petitioner acknowledges that it bears the obligation to mail notice of any Public Hearing to all property owners within 300 feet of the property that is the subject of this Petition. Any errors by the Petitioner may result in the Petition being delayed, denied or revoked.


Signature of Petitioner

Dan S. Kachaturoff
Printed Name


Signature of Property Owner

Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared:

Walter E. Howard, and
acknowledge the execution of the foregoing document, this 21 day of February 2020


NOTARY PUBLIC

My Commission Expires: May 18, 2025
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)

Walter E. Sloan, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That Walter E. Sloan ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Walter E. Sloan ("Petitioner") to seek the relief sought in the Petition filed before the BZA. Petitioner is further authorized to commit to any reasonable restriction requested by the BZA or proposed by the Petitioner.

Walter E. Sloan

Property Owner

2-20-20

Date

Property Owner

Date

Subscribed and sworn to before me this 20th day of February, 20 20.

Patricia L. Setzler
Notary Public

My Commission:

May 18, 2025
Date

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

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 project can only improve what is now faulty and an eyesore to the neighborhood.
- please refer to drawing of existing conditions

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: _____

- there are only positive outcomes from the project - neighborhood improvement, safety, aesthetics, and function.

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 ordinance restricts the coverage to 50%
the existing coverage is already 59.2% - the improvement/proposal requires 66% coverage.

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.

<u>Owner</u>	<u>Owner Address</u>	<u>Site Address</u>
1 Schmidt Richard & Stacey/H&W	208 Michigan Ave Valparaiso IN 46383	111 Napoleon St Valparaiso IN 46383
2 Corneil Kenneth J & Karen E/H&W	203 Lafayette St Valparaiso IN 46383	203 Lafayette St Valparaiso IN 46383
3 Tener Patricia A	302 Napoleon St Valparaiso IN 46383	302 Napoleon St Valparaiso IN 46383
4 Henry Lisa L	258 Chicago St Valparaiso IN 46383	258 Chicago St Valparaiso IN 46383
5 Barnes Shawn L	258 Erie St Valparaiso IN 46383	258 Erie St Valparaiso IN 46383
6 Lyons Jeffrey	255 Erie St Valparaiso IN 46383	255 Erie St Valparaiso IN 46383
7 Daly Daniel L	402 Washington St Valparaiso IN 46383	107 Napoleon St Valparaiso IN 46383
8 Lepell James F & Rosemary	152 Erie St Valparaiso IN 46383	152 Erie St Valparaiso IN 46383
9 Jackson Bambi D	254 Erie St Valparaiso IN 46383	254 Erie St Valparaiso IN 46383
10 Wagner Brent H & Cathryn H/H&W	54 Indiana Ave Valparaiso IN 46383	202-204 Napoleon St Valparaiso IN 46383
11 Milton Sheri Laine Trust	1118 Hinman Ave Evanston IL 60202	151 Erie St Valparaiso IN 46383
12 Community Theatre Guild	154 Chicago St Valparaiso IN 46383	154 Chicago St Valparaiso IN 46383
13 Odum Megan A	160 Jefferson St Valparaiso IN 46383	160 Jefferson St Valparaiso IN 46383
14 Smith Robert D & Rita M/H&W	250 Erie St Valparaiso IN 46383	250 Erie St Valparaiso IN 46383
15 Sloan Walter E	203 Napoleon St Valparaiso IN 46383	203 Napoleon St Valparaiso IN 46383
16 St Paul-Valparaiso LLC & St Paul-Va	c/o Mark Forst 1151 W US Hwy 30 Valparaiso IN 46385	452 Chicago St Valparaiso IN 46383
17 Litke Fred W Jr & Janl	207 Napoleon St Valparaiso IN 46383	207 Napoleon St Valparaiso IN 46383
18 Farkus Richard	258 Jefferson St Valparaiso IN 46383	258 Jefferson St Valparaiso IN 46383
19 Funk Kevin M & Watts Christen N	255 Chicago St Valparaiso IN 46383	255 Chicago St Valparaiso IN 46383
20 Wells James L & Marybeth/H&W	122 Wheatridge Rd Valparaiso IN 46385	206 Napoleon St Valparaiso IN 46383
21 McColley Mark A Living Trust	109 Napoleon St Valparaiso IN 46383	109 Napoleon St Valparaiso IN 46383
22 Frataccia Priscilla K	155 Chicago St Valparaiso IN 46383	155 Chicago St Valparaiso IN 46383
23 Engle Shawn P	9753 Elle Ave Saint John IN 46373	208 Napoleon St Valparaiso IN 46383
24 Smith Douglas	253-3 E 650 N Valparaiso IN 46383	253 Erie St Valparaiso IN 46383
25 Bennett Bryan C & Kari K/H&W	159 Chicago St Valparaiso IN 46383	159 Chicago St Valparaiso IN 46383
26 Andrews Group LLC	9760 Canal Dr Rochester IN 46975	255 1/2 Chicago St Valparaiso IN 46383
27 Spencer Ronald M & Julie E/H&W	361 E 400 S Valparaiso IN 46383	205 Napoleon St Valparaiso IN 46383
28 Neighbors Corporation	454 College Ave Valparaiso IN 46383	106 Napoleon St Valparaiso IN 46383
29 Doidge Jerry L & Patricia A	256 Erie St Valparaiso IN 46383	256 Erie St Valparaiso IN 46383
30 Whaling Matty & Dena/H&W	157 Chicago St Valparaiso IN 46383	157 Chicago St Valparaiso IN 46383
31 Saary Allyson F & Zoltan/H&W	158 Chicago St Valparaiso IN 46383	158 Chicago St Valparaiso IN 46383
32 Neal Robert A & McClean Alicia J/H&	6 N Morgan Blvd Valparaiso IN 46383	155 Erie St Valparaiso IN 46383
33 Bradley Timothy J & Vukovic Bradley	PO Box 2612 Portage IN 46368	253 Chicago St Valparaiso IN 46383

34 Trott Melissa J
35 Beardsley Tristen R A
36 Samardzija Sam & Michelle/H&W
37 Hardesty Donald W Intervivos Trust
38 Jorgensen James L & Cynthia L Black
39 Jacobsen James & Karen/H&W
40 Nielsen Chris & Zehme Leah/TC
41 Brown Barbara A & Brown Fred L Join
42 Kiskanz Sheryl R
43 Nolan Michael J
44 Dwyer Bridget G
45 Morris Christopher H
46 Schneidt Arthur J & Christene K Joi
47 Casko Joseph D & Mary J
48 JKG Properties II LLC
49 Yoder Laura C
50 Frangella Anthony F III Trust

257 Erie St Valparaiso IN 46383
103-105 Napoleon St Valparaiso IN 46383
205 Lafayette St Valparaiso IN 46383
c/o Donna R Dankoff 153 East 700 South Kouts IN 46347
260 Chicago St Valparaiso IN 46383
151 Chicago St Valparaiso IN 46383
4104 Oak Grove Dr Valparaiso IN 46383
256 Chicago St Valparaiso IN 46383
256 Jefferson St Valparaiso IN 46383
206 Academy ST Valparaiso IN 46383
304 Napoleon St Valparaiso IN 46383
156 Erie St Valparaiso IN 46383
PO Box 449 Valparaiso IN 46384
156 Chicago St Valparaiso IN 46383
195 N 250 W Valparaiso IN 46385
257 Chicago St Valparaiso IN 46383
254 Chicago St Valparaiso IN 46383

257 Erie St Valparaiso IN 46383
103-105 Napoleon St Valparaiso IN 46383
205 Lafayette St Valparaiso IN 46383
351 Chicago St Valparaiso IN 46383
260 Chicago St Valparaiso IN 46383
151 Chicago St Valparaiso IN 46383
210 Napoleon St Valparaiso IN 46383
256 Chicago St Valparaiso IN 46383
256 Jefferson St Valparaiso IN 46383
206 Academy St Valparaiso IN 46383
304 Napoleon St Valparaiso IN 46383
156 Erie St Valparaiso IN 46383
153 Chicago St Valparaiso IN 46383
156 Chicago St Valparaiso IN 46383
252 Chicago St Valparaiso IN 46383
257 Chicago St Valparaiso IN 46383
254 Chicago St Valparaiso IN 46383

NOTICE OF PUBLIC HEARING
CITY OF VALPARAISO BOARD OF ZONING APPEALS

Dear Property Owner:

This letter is to notify that the City of Valparaiso Board of Zoning Appeals will conduct a public hearing on Petition Number _____ on the 17th day of March, 2020 at 5:30 p.m. at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Board of Zoning Appeals action

The petitioner for the requested action is Dan Kachaturoff of the 2253 South State Road 2, Valparaiso IN 46385. The property is located in the NC60 Zoning District. The subject parcel is located at 203 Napoleon Street and includes the following tract of land:

203 Napoleon Street, Valparaiso IN 46383
original survey north ½ lot8 block 41

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

Correspondence to:

Tyler Kent, Planning Director

City of Valparaiso

166 Lincolnway

Valparaiso, IN 46383

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

Email: tkent@valpo.us

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

Respectfully,

Dan Kachaturoff

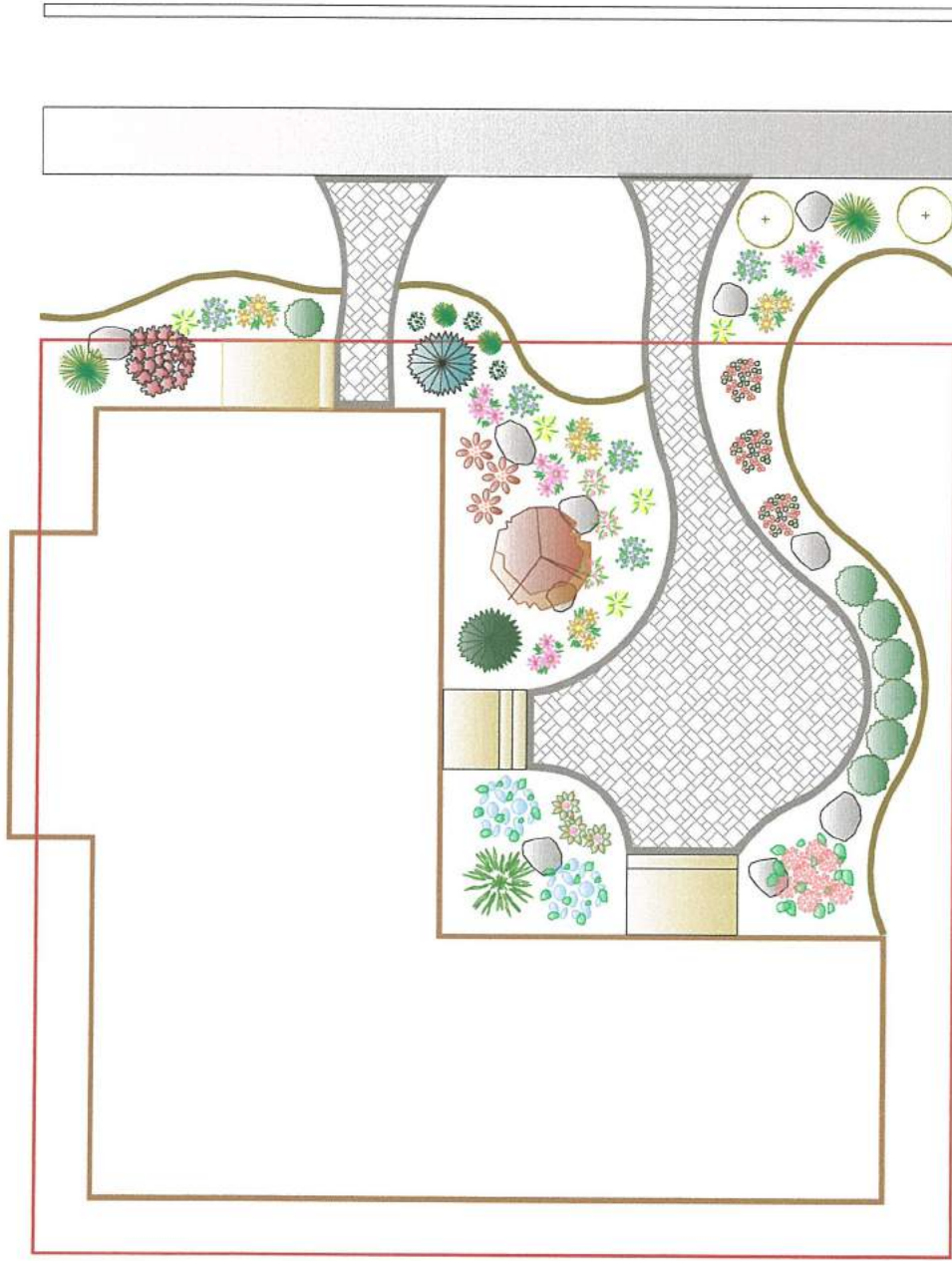
President of Landscape Concepts, Inc.



Vicinity Map

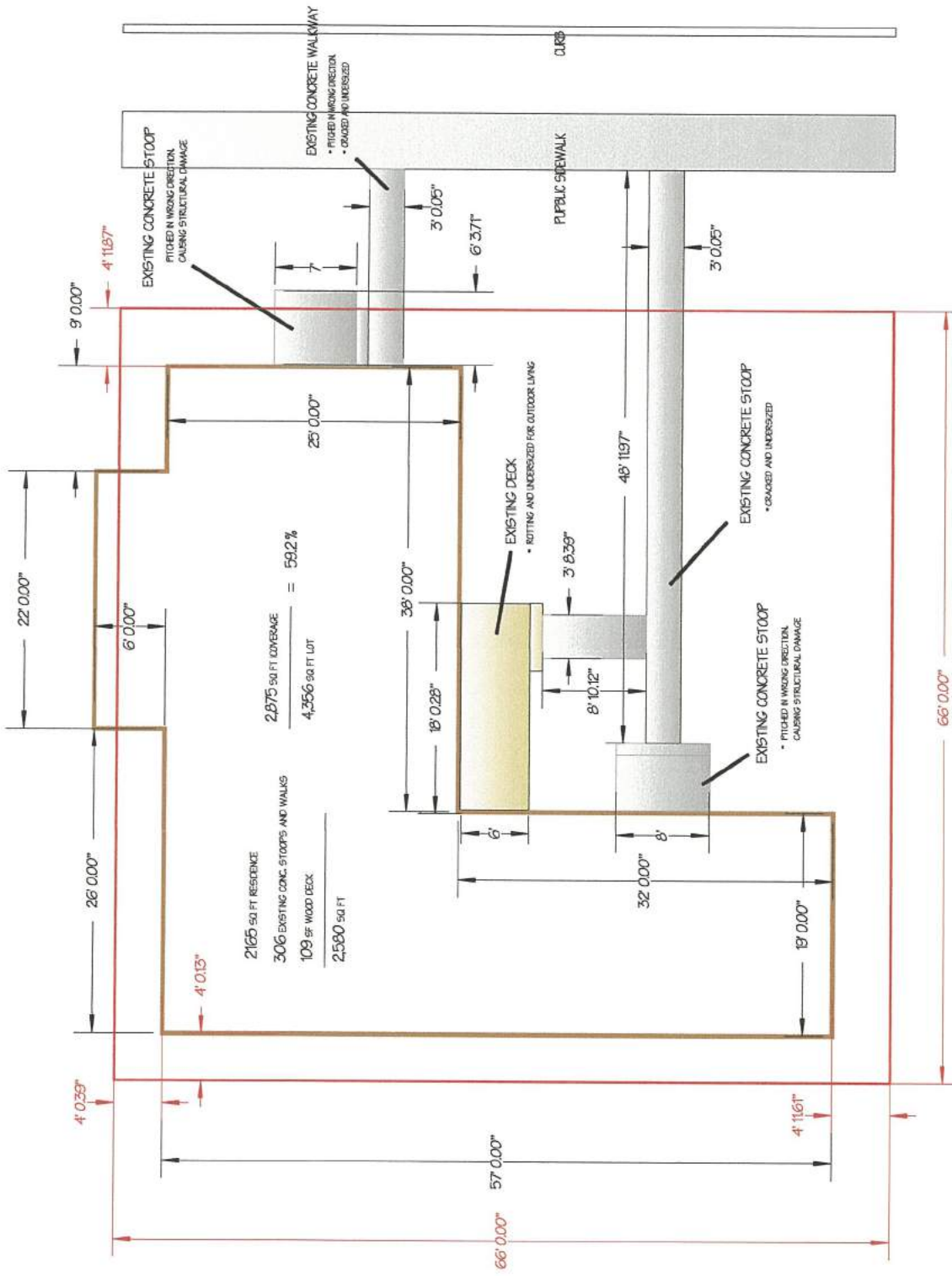
Legend

 203 Napoleon St



THE SLOAN RESIDENCE
LANDSCAPE PLAN

Landscape Concepts, Inc.
2253 SOUTH STATE ROAD 2 VALPARAISO, IN (219) 531-2823

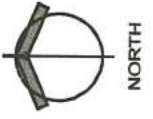
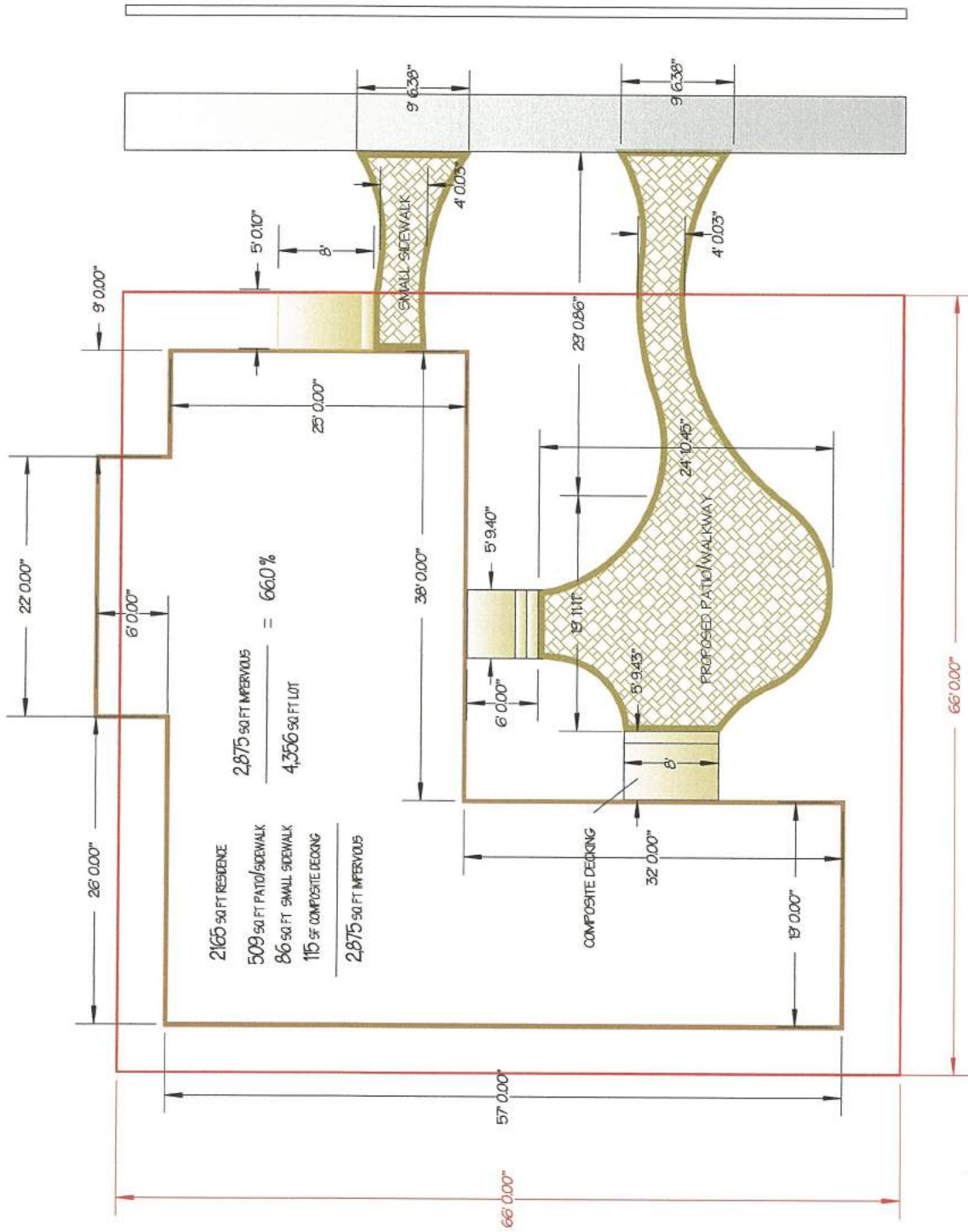


0 10 25

SCALE IN FEET

203 NAPOLEON STREET
 EXISTING CONDITIONS

Landscape Concepts, Inc.
 2253 SOUTH STATE ROAD 2 VALPARAISO, IN (219) 531-2323

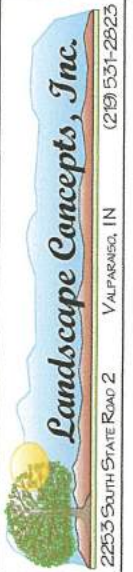


NORTH



0 10 25
SCALE IN FEET

203 NAPOLEON STREET
PROPOSED IMPROVEMENTS



2253 SOUTH STATE ROAD 2 VALPARAISO, IN (219) 531-2823

Petition #: UV20-002

**PETITION TO
VALPARAISO BOARD OF ZONING APPEALS**

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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;
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- ☒ Arise from a condition peculiar to the property;
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- ☐ 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:

Ron Knoche
Jacksons Home Improvement, Inc. 551 Franklin Street 219-707-8511
Name (Please Print) Address Valparaiso, IN 46383 Phone

OWNER OF SUBJECT PROPERTY:

MCP Real Estate Holdings LLC 2202 Sturdy Rd Valparaiso IN 46383
Name (Please Print) Address Phone 219-771-2780

ADDRESS OF SUBJECT PROPERTY: 551 Franklin Street, Valparaiso, IN 46383
Subject property fronts on the East side between (streets) _____
in the INT Zoning District. Nickel Plate and Brown St.

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

Councils Add Pt Blks 26 + 27

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

Remodel two existing offices and include cutting in exterior windows, electric + Drywall. Frame in walls for conference room approx 19' x 15' add electric + drywall

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

Article: 2 Section: 201 Paragraph: B Item: TABLE 2. 201B

: _____ : _____ : _____ : _____
: _____ : _____ : _____ : _____

Attach a Site 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 in: 44'
Front Setback 44' Rear Setback 13' Side Setbacks 6' / 44' Lot Coverage _____
Height _____

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

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

Affidavit of Consent of Property Owner

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

MCP Real Estate Holdings LLC
Rennie Parich MGR

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

1. That MCP Real Estate Holdings LLC ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Jacksons Home Improvement, Inc. ("Petitioner") to seek the relief sought in the Petition filed before the BZA. Petitioner is further authorized to commit to any reasonable restriction requested by the BZA or proposed by the Petitioner.

Rennie Parich Manager
Property Owner

2-13-2020
Date

Property Owner

Date

Subscribed and sworn to before me this 13th day of February, 2020.

Diane R. Peters
Notary Public Diane R. Peters

My Commission:

4/12/2025
Date

Certificate of Petitioner

Please read and sign the following statement:

I, the Petitioner (and Property Owner, if separate), understand that I and/or my representative must be present at the public hearing. Should I fail to appear, the BZA, in my absence, may consider and take action on my Petition. If the Petitioner is not the owner of the property that is the basis of this Petition, the signature of the Property Owner(s) constitutes authorization for the Petitioner to speak and act on behalf of the Property Owner(s). The Petitioner certifies that neither the Petitioner nor any attachments or exhibits submitted contains any known intentional misrepresentations or intentionally misleading statements. All information submitted is accurate, true and correct to the best of the Petitioner's knowledge. The providing of false and/or inaccurate information on this Petition or during any proceedings before the BZA may result in the denial of the request or the revocation of the request, should a Petition be granted. Similarly, if as part of any granted Petition, the BZA places any restrictions and/or limitations, I acknowledge that my failure to comply with such restrictions/limitations shall be grounds to revoke any granted Petition. The Petitioner acknowledges that it bears the obligation to mail notice of any Public Hearing to all property owners within 300 feet of the property that is the subject of this Petition. Any errors by the Petitioner may result in the Petition being delayed, denied or revoked.



Signature of Petitioner

Ron Knoche

Printed Name

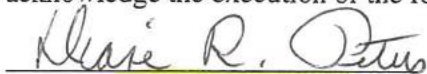
Rennie Parich Manager MCP Real Estate Holdings LLC

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:

Ron Knoche and Rennie Parich, and
acknowledge the execution of the foregoing document, this 13th day of February, 2020.



NOTARY PUBLIC

My Commission Expires: 4/12/2025
Resident of Porter County

Diane R. Peters

Type or Print name of Notary

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

<u> Y </u> 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 200

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

Dear Property Owner:

This letter is to notify that the City of Valparaiso Board of Zoning Appeals will conduct a public hearing on Petition Number _____ on the _____ day of _____, 20____ at 7:00 p.m. at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Board of Zoning Appeals action (insert action here)_____.

The petitioner for the requested action is _____ of the (address here) _____. The property is located in the _____ Zoning District. The subject parcel is located at (Address or Location) _____ and includes the following tract of land:

Legal Description

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

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

Correspondence to:

Tyler Kent, Planning Director

City of Valparaiso

166 Lincolnway

Valparaiso, IN 46383

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

Email: tkent@valpo.us

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

Respectfully,

Petitioner

Petitioner

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

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

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

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

(Please attach legal description)

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

Petitioner

Date

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

Notary Public

My Commission Expires

Date

68

FRANKLIN ST.

150

130-002

150.05

37

87.47

77.53

99.83

56

100

97

12.1

12.1

130-004

162.28

37

7.47

13.1

95

6 ft

FRANKLIN ST.

150

Parcel Number: 640925130004000004

Alternate Parcel Number:

64-09-25-130-004.000-004

Owner: MCP Real Estate Holdings LLC

Owner Address: 2202 Sturdy Rd Valparaiso IN

46383

Site Address: 551 Franklin St Valparaiso IN

46383

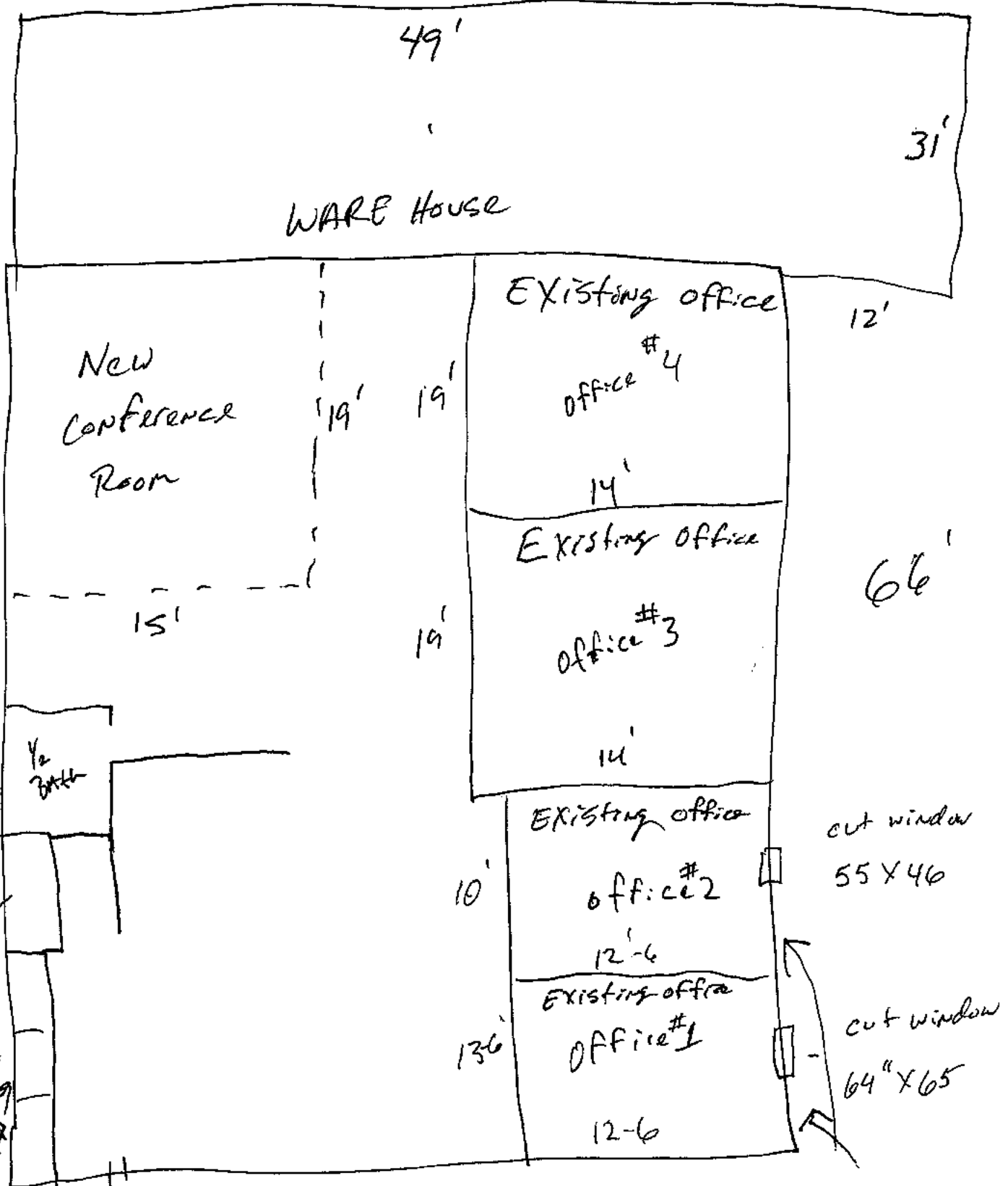
Legal Description: Councils Add Pt Blks 26 & 27

Desc D1429 P120

Homestead Filed: False

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Jackson's Home Improvement Inc.



BATH Displays

* Remodel 1+2

Front of Building

Franklin St.

1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 26

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

(Please Print)

NameAddress

Lake County Trust Company	457 Washington Street,	Valparaiso, IN 46383
Baxter, Lester V + Suellen	656 Franklin Street,	Valparaiso, IN 46383
NIPSCO	c/o N Source Tax Department 290 W. Nationwide Blvd,	Columbus, OH 43216
Salan, David M + Jamiel	151 Kinsale Ave	Valparaiso, IN 46385
Valparaiso, City of	166 Lincolnway,	Valparaiso, IN 46383
Valparaiso, City of	166 Lincolnway	Valparaiso, IN 46383
Ebersold, Jon M	460 Franklin Street	Valparaiso, IN 46383
Ilievski, Tome + Elena	Inter Vivos T 9402 Shelby Ln	Crown Point, IN 46307
Other Ground LLC	218 E Lincolnway	Valparaiso, IN 46383
MCP Real Estate Holdings LLC	2202 Sturdy Road	Valparaiso, IN 46383
Other Ground LLC	218 E Lincolnway	Valparaiso, IN 46383
Moncada, Irene	PO Box 257	Valparaiso, IN 46384

**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: We are operating a small office and warehouse. We provide remodeling and home improvements such as Windows, siding, doors and baths

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: We have a warehouse next to us and wood on the other side.

C. The need for the use variance arises from the following condition peculiar to the property involved: the land is zoned Heavy Industrial and we want to operate a commercial retail.

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 does not allow commercial retail.

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

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed above.