

MEETING AGENDA

Valparaiso Board of Zoning Appeals

Tuesday, April 21st, 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, April 21st, 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 675 005 046#**. 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 March 31st, 2020 Meeting Minutes
5. Old Business

VAR19-026 (Reconsideration) – 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 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.

6. New Business

SE20-001/VAR20-004 - A petition filed by Neighbors Corp, 454 College, Valparaiso, IN 46383. The petitioner requests a special exception from Article 2, Section 2.507(C), of the Valparaiso Unified Development Ordinance, to allow for a multifamily building with five (5) units on the property. The petitioner requests a variance from Article 2, Section 2.507(C)(2), of the Valparaiso Unified Development Ordinance, to allow for a multifamily building with five (5) units on a property that is not a corner lot. A variance from Article 9, Section 9.201, Table 9.201, to vary the required 15 parking spaces, to allow for a total of 7 parking spaces. A variance from Article 3, Section 3.301 Table 3.301(A), to vary the minimum area of parcel proposed for development from 2.5 Acres to allow for a minimum area of .2 acres. The Property is located at 206 Monroe, in the Residential Transition (RT) Zoning District.

VAR20-005 – A petition filed by Legacy Sign Group 316 N. 325 E. Suite 1, Valparaiso, IN 46383. The petitioner requests a variance from Article 11, Section 11.306(C), of the Valparaiso Unified Development Ordinance, to vary the required monument sign height of no more than six (6) feet to allow for a monument sign height of eight (8) feet. The Property is located at 602 Lincolnway, in the Residential Transition (RT) Zoning District.

VAR20-006 – A petition filed by Jesse Butz, 103 Jefferson St, Valparaiso, IN 46383. The petitioner requests a variance from Article 2, Section 2.402 (1C), of the Valparaiso Unified Development Ordinance, to allow for a fence in the front yard of the lot. A variance from Article 2, Section 2.402 (1C), to vary the maximum fence height of four (4) feet to allow for a gate height of five (5) feet and main entrance gate height of thirteen (13) feet. A variance from Article 5, Section 5.303 (Table 5.303B), to allow for signage on a lot with no building frontage. The Property is located at 106 Jefferson St, in the Central Business District (CBD) Zoning District.

VAR20-007 - 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 eight (8) 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.

7. Adjournment

Michael Micka, President – Board of Zoning Appeals

Beth Shrader, Planning Director

Next Meeting: **May 19th, 2020**

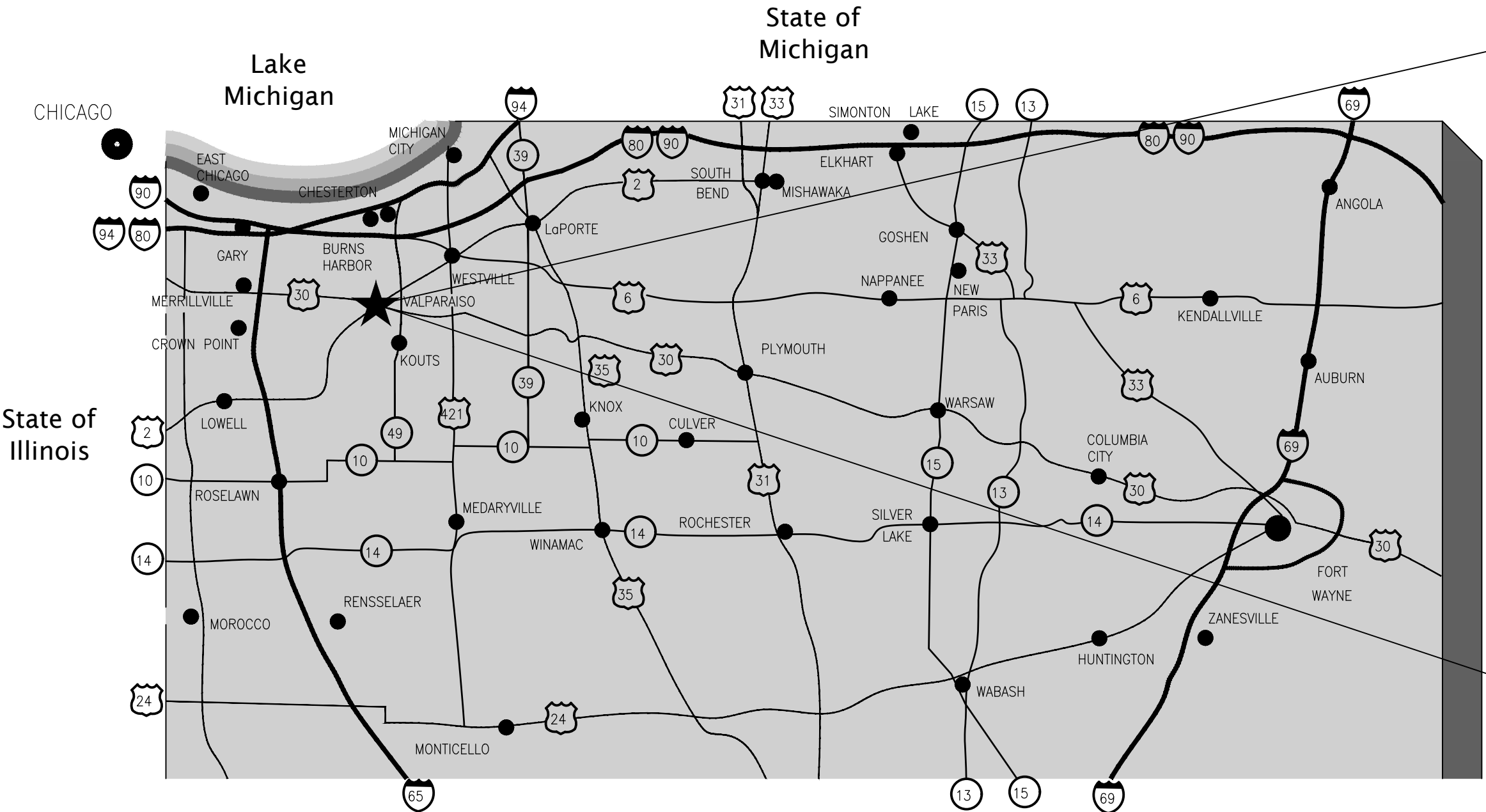
Hinge Outlet Building Expansion Site Plan

City of Valparaiso, Washington Township, Porter County, Indiana

Property Address
3101 Cascade Drive, Valparaiso, Indiana 46383

Legal Description (Per Corporate Warranty Deed 2016-016817)
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.

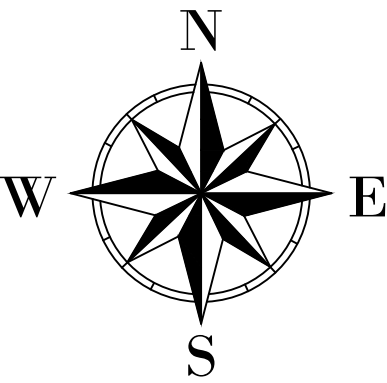
Flood Hazard Statement
The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. All of the within described land appears to lie within special flood hazard zone 'X' 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
C00	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

Engineer / Surveyor

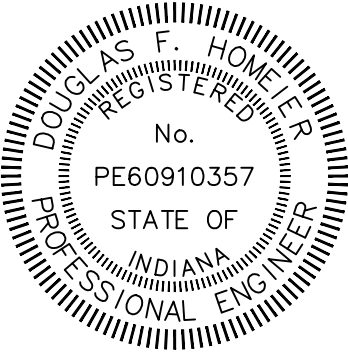
McMahon Associates, Inc.
952 South State Road 2
Valparaiso, Indiana 46385
mcm@mcmgrp-in.com
Tel: (219) 462-7743

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. Hemeier
Douglas F. Hemeier, Registered Land Surveyor #20300033



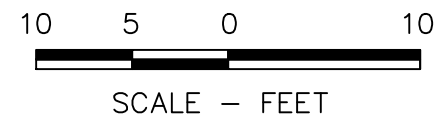
PROJECT NUMBER: F5004-5-19-00269.00 SUBMIT DATE: FEBRUARY 11, 2020

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



PARCEL 64-10-20-102-018-000-029
GTW AKROUSH, LLC
PROPERTY ZONED INL

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: 3,298± sq.ft. (12%±)
- Property is zoned Light Industrial (INL)
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	$F-F=100.00$
Fence Line	
Gas Meter	
Gravel	
Mailbox	
Sanitary Line	
Telephone Pedestal	

PARCEL 64-10-20-102-018-000-029
CROWN ENGINEERING/KENHOL DOWNS
PROPERTY ZONED INL

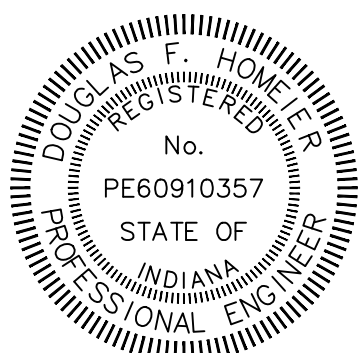
PARCEL 64-10-20-102-020-000-029
KENNETH P BLANEY SR
PROPERTY ZONED INL

EXISTING BUILDING

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. Homeier



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REVISION

NO.

DATE



Proposed Site & Utility Plan

Proposed 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
- Landscape Requirements:
On-Lot
Large Trees: 2 per acre
Small Trees: 4 per acre
Shrubs: 35 per acre

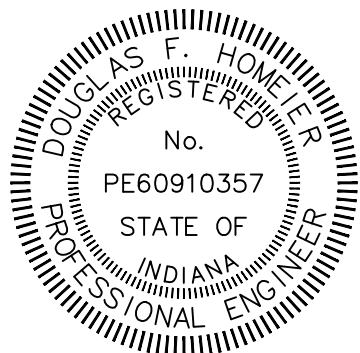
Parking Lot
Large Trees: 1 per 8 spaces
Shrubs: 1 per 4 spaces

District Bufferyard (N. Side, Class A/B)
No berm, wall, or fence required
Width: 10'
Large Trees: 1/100 L.F.
Small Trees: 2/100 L.F.
Shrubs: 17/100 L.F.

Street Bufferyard (Perimeter/Minor, Class B)
Width: 15'
Large Trees: 2/100 L.F.
Small Trees: 4/100 L.F.
Shrubs: 24/100 L.F.
- Site lies within the Local Signature Corridor (Silhavy Road)
General Landscaping and Screening Requirements
Bldg Setback: 60 feet (minimum green)
Land Yard: 30 feet (minimum along R.O.W)

Redevelopment Landscaping and Screening Requirements
Bldg Setback: 30 feet (minimum green)
Land Yard: 20 feet (minimum along R.O.W)
- Variances sought as part of this development:
Dock On Frontage of Building
Parking Requirement
Building Materials
Landscape????????????????
- Site utilized standard rolling trash bins that are collected via City pickup, no dumpster shall be utilized, therefore no dumpster enclosure shown.
- Proposed building addition shall have bathroom. Sewer and water taps shall utilize existing laterals located on site. Contractor to field verify location and depth of laterals for use.
- Contractor to coordinate with City of Valparaiso and architect to determine best location of other building utilities not shown in this drawing (i.e. electric, gas, etc.).
- Contractor to work with the City of Valparaiso fire department to register fire alarm system and install Knox Box.
- Underground structures, piping, and utilities are shown for informational purposes based on available information per Indiana 811 Underground, Ticket No. 1907182769 dated July 22, 2019. 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.
- All work shall be performed in accordance with all local, state and federal codes.
- The contractor shall obtain all necessary permits for construction.
- Timely notification of necessary governmental agencies regarding the commencement of construction activity is required.
- All work performed on the site shall conform to the site construction plans and specifications.
- The contractor shall be responsible for maintaining safe traffic control on the site and adjacent public streets, as related to both physical site improvements and the movement of construction traffic.
- All necessary inspections and certifications, as required by ordinance, code, utility companies or government agencies shall be completed before the final connection of services.

Proposed Site Legend	
Asphalt Pavement	
Building	
Concrete	
Handicap Parking	



CASCADE DRIVE
60' R/W

McMAHON

ENGINEERS ARCHITECTS

962 South State Road 2
Valparaiso, Indiana 46385
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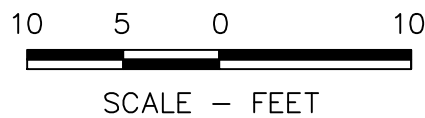
NO.	DATE	REVISION

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

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 02/11/2020	
SHEET NO. C2.0	



Proposed Drainage & Grading Plan



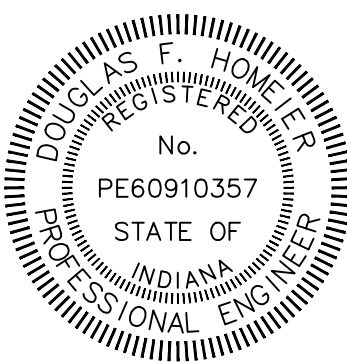
PARCEL 64-10-20-102-002-000-009
GTWAKROUSE, LLC
PROPERTY ZONED INH

- 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-F=100.0
Elevation - Concrete	[100.0]
Elevation - Ground	(100.0)



Douglas F. Homeier



CASCADE DRIVE
60' R/W

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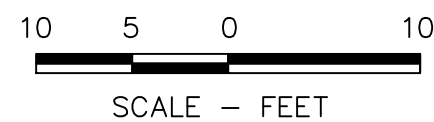
Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Drainage & Grading Plan

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

NORTH



Proposed Erosion & Sediment Control Plan



Proposed Erosion & Sediment Notes

- Total disturbed area = 0.12± Acres.
- 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 10 and August 10 – 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.
- 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 damage, wound prevention and 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.
- 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:
 - Hydroseeding, sodding or mechanical seeding of all pond and swale side slopes during the growing season.
 - 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.
 - 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).
- 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.
- 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.
- 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).
- 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 operating authority (information located this page) for verification of waste removal during building construction.
- 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.
- Developer to maintain silt fence around site during construction and install permanent seeding when construction is complete.
- All appropriate erosion control measures shall be implemented in accordance with all applicable requirements and standards of the City of Valparaiso
- 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 to disturb 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 | |
| Topsoil (salvage and utilization)
~If stockpile is left for more than 15 days, it is to be temporary seeded | |

Operating Authority

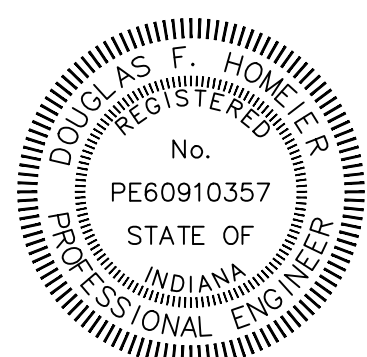
Hinge Outlet
3101 Cascade Drive
Valparaiso, Indiana 46383
(219) 779-4475

Developer / Owner

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

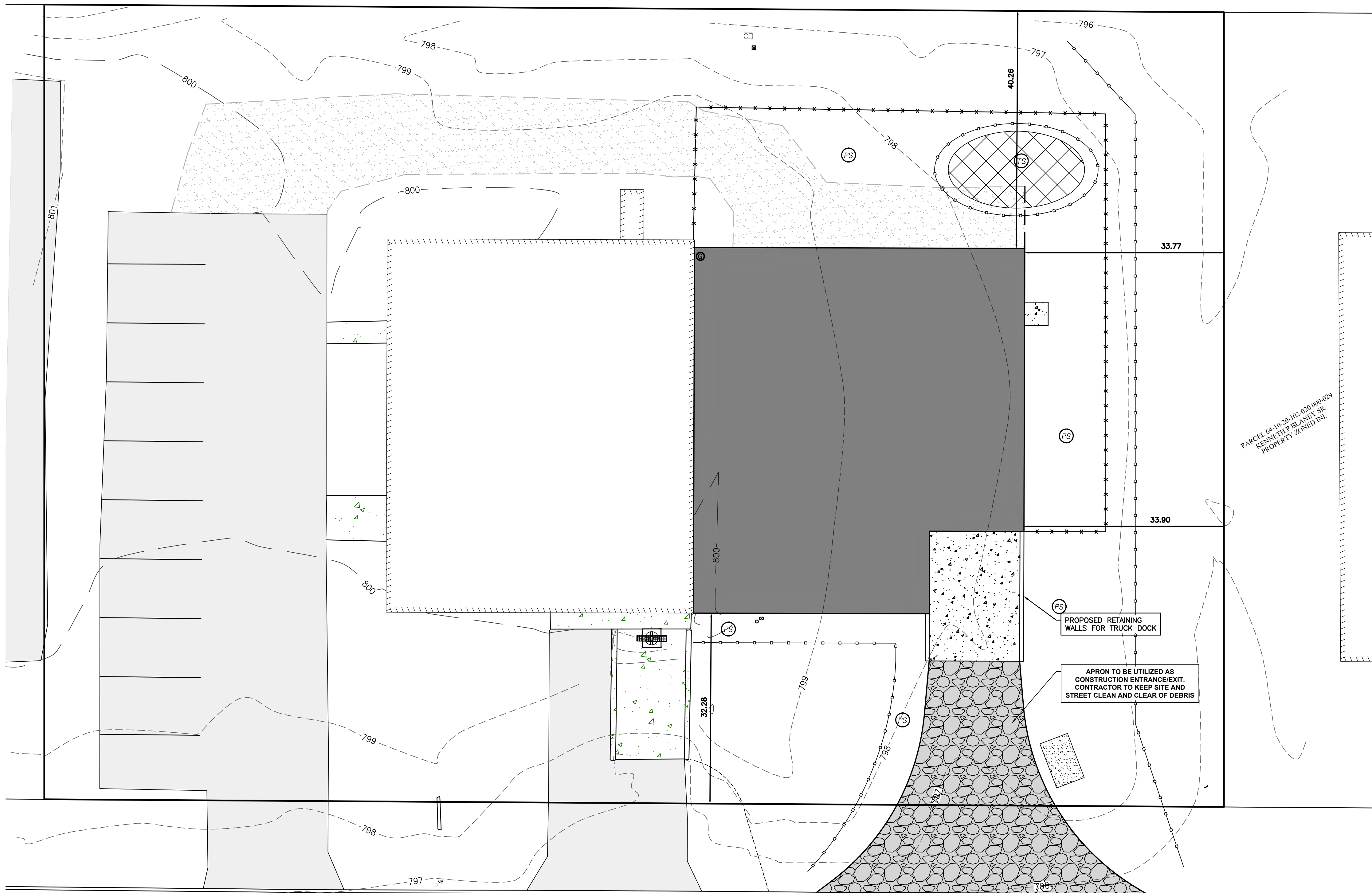
Design Company

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



Douglas F. Homen

PARCEL 64-10-20-102-002-000-009
GTWAKROUSE, LLC
PROPERTY ZONED INH



PARCEL 64-10-20-102-000-009
KENNETH P BLANEY SR
PROPERTY ZONED INL

CASCADE DRIVE
60' R/W

McMAHON
ENGINEERS-ARCHITECTS

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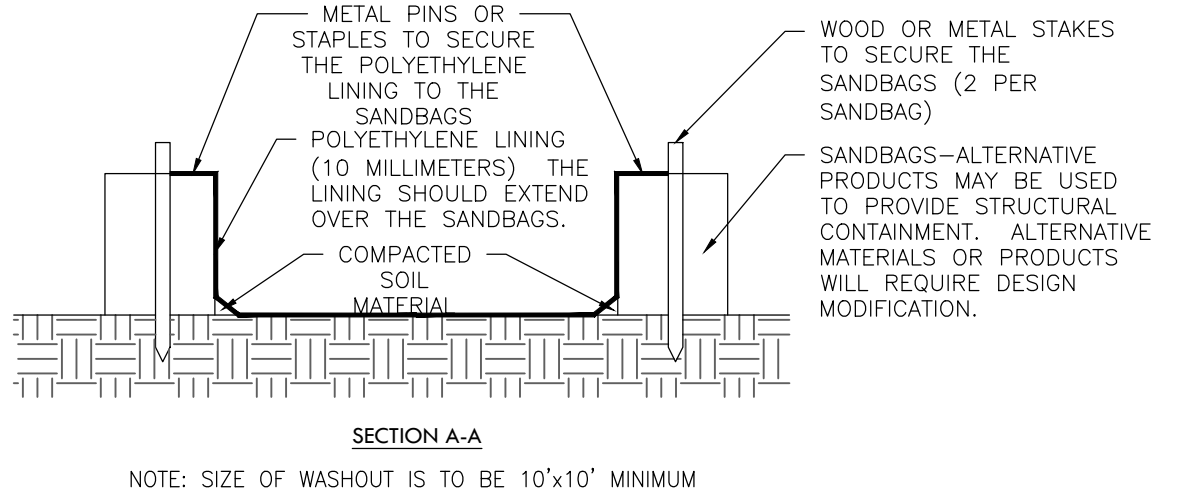
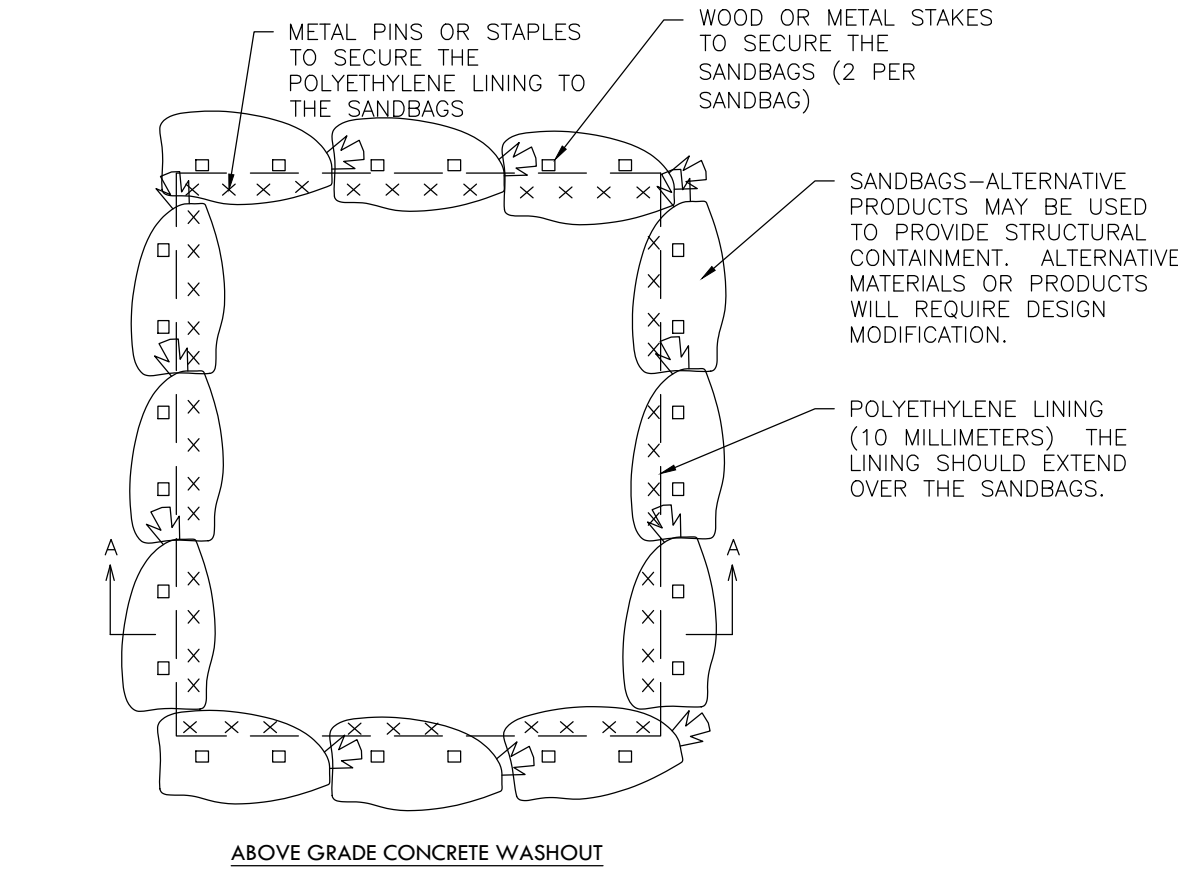
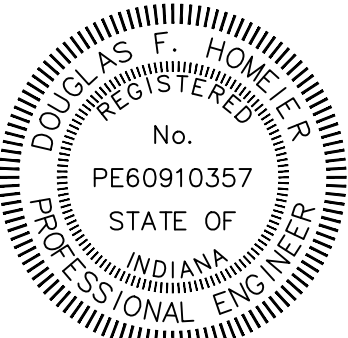
Hinge Outlet Building Expansion Site Plan
3101 Cascade Drive, Valparaiso, Indiana 46383
Proposed Erosion & Sediment Control Plan

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

DISCLAIMER WARNING

MCMAHON ASSOCIATES, INC. HAS PREPARED THIS EROSION AND SEDIMENTATION CONTROL PLAN FOR THE OWNER/DEVELOPER IN ACCORDANCE WITH THE KNOWN REQUIREMENTS AND ORDINANCES. IT IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER FOR COMPLIANCE WITH THIS EROSION AND SEDIMENTATION CONTROL PLAN AND THE RELATED ATTACHMENTS BY ALL SUBCONTRACTORS AND CONSULTANTS THAT PERFORM WORK ON THE PROJECT SITE. THE OWNER/DEVELOPER IS RESPONSIBLE FOR THE ROUTINE INSPECTION AND MAINTENANCE OF THE EROSION AND SEDIMENT CONTROL MEASURES. MCMAHON ASSOCIATES, INC. IS NOT RESPONSIBLE FOR THE ENFORCEMENT OR COMPLIANCE OF THE EROSION AND SEDIMENT CONTROL PLAN. ANY ADDITIONAL EROSION OR SEDIMENT CONTROL MEASURES BEYOND THOSE SPECIFIED IN THIS PLAN, FOR UNFORESEEN OR UNEXPECTED SITUATIONS, WHICH MAY BE REQUIRED BY THE REGULATORY AGENCIES SHALL BE THE RESPONSIBILITY OF THE OWNER/DEVELOPER TO IMPLEMENT.

Douglas F. Homeier



- LOCATION**
- LOCATE CONCRETE WASHOUT SYSTEMS AT LEAST 50 FEET FROM ANY CREEKS, WETLANDS, DITCHES, KARST FEATURES, OR STORM DRAINS/MANMADE CONVEYANCE SYSTEMS.
 - LOCATE CONCRETE WASHOUT SYSTEMS IN RELATIVELY FLAT AREAS THAT HAVE ESTABLISHED VEGETATIVE COVER AND DO NOT RECEIVE RUNOFF FROM ADJACENT LAND AREAS.
 - LOCATE AWAY FROM OTHER CONSTRUCTION TRAFFIC IN AREAS THAT PROVIDE EASY ACCESS FOR CONCRETE TRUCKS.
- MATERIALS**
- MINIMUM OF TEN MILLIMETER POLYETHYLENE SHEETING, FREE OF HOLES, TEARS, AND OTHER DEFECTS.
 - ORANGE SAFETY FENCING OR EQUIVALENT.
 - SANDBAGS
 - METAL PINS OR STAPLES SIX INCHES IN LENGTH MINIMUM.
- INSTALLATION**
- A BASE SHALL BE CONSTRUCTED AND PREPARED THAT IS FREE OF ROCKS AND OTHER DEBRIS THAT MAY CAUSE TEARS OR PUNCTURES IN THE POLYETHYLENE LINING.
 - INSTALL THE POLYETHYLENE LINING. FOR EXCAVATED SYSTEMS, THE LINING SHOULD EXTEND OVER THE ENTIRE EXCAVATION. THE LINING FOR BERMED SYSTEMS SHOULD BE INSTALLED OVER THE POOLING AREA WITH ENOUGH MATERIAL TO EXTEND THE LINING OVER THE BERM OR CONTAINMENT SYSTEM. THE LINING SHOULD BE SECURED WITH PINS, STAPLES, OR OTHER FASTENERS.
 - PLACE FLAGS, SAFETY FENCING, OR EQUIVALENT TO PROVIDE A BARRIER TO CONSTRUCTION EQUIPMENT AND OTHER TRAFFIC.
 - INSTALL SIGN THAT IDENTIFIES CONCRETE WASHOUT AREAS.
 - WHERE NECESSARY, PROVIDE STABLE INGRESS AND EGRESS OR ALTERNATIVE APPROACH PAD.
- COMMON CONCERNS**
- COMPLETE CONSTRUCTION/INSTALLATION OF THE SYSTEM AND HAVE WASHOUT LOCATIONS OPERATIONAL PRIOR TO CONCRETE DELIVERY.
 - IT IS RECOMMENDED THAT WASHOUT SYSTEMS BE RESTRICTED TO WASHING CONCRETE FROM MIXER AND PUMP TRUCKS AND NOT USED TO DISPOSE OF EXCESS CONCRETE OR RESIDUAL LOADS DUE TO POTENTIAL TO EXCEED THE DESIGN CAPACITY OF THE WASHOUT SYSTEM.
 - INSTALL SYSTEMS AT STRATEGIC LOCATIONS THAT ARE CONVENIENT AND IN CLOSE PROXIMITY TO WORK AREAS AND IN SUFFICIENT NUMBER TO ACCOMMODATE THE DEMAND FOR DISPOSAL.
 - INSTALL SIGN IDENTIFYING THE LOCATION OF CONCRETE WASHOUT SYSTEMS.

- MAINTENANCE**
- INSPECT DAILY AND AFTER EACH STORM EVENT.
 - INSPECT THE SYSTEM FOR LEAKS, SPILLS, AND TRACKING OF SOIL BY EQUIPMENT.
 - INSPECT THE POLYETHYLENE LINING FOR FAILURE, INCLUDING TEARS AND PUNCTURES.
 - ONCE CONCRETE WASTES HARDEN, REMOVE AND DISPOSE OF THE MATERIAL.
 - EXCESS CONCRETE SHOULD BE REMOVED WHEN THE WASHOUT SYSTEM REACHES 50 PERCENT OF THE DESIGN CAPACITY. USE OF THE SYSTEM SHOULD BE DISCONTINUED UNTIL APPROPRIATE MEASURES CAN BE INITIATED TO CLEAN THE STRUCTURE.
 - UPON REMOVAL OF THE SOLIDS, INSPECT THE STRUCTURE. REPAIR THE STRUCTURE AS NEEDED OR CONSTRUCT A NEW SYSTEM.
 - DISPOSE OF ALL CONCRETE IN A LEGAL MANNER. REUSE THE MATERIAL ON SITE, RECYCLE, OR HAUL THE MATERIAL TO AN APPROVED CONSTRUCTION/DEMOLITION LANDFILL SITE. RECYCLING OF MATERIAL IS ENCOURAGED. THE WASTE MATERIAL CAN BE USED FOR MULTIPLE APPLICATIONS INCLUDING BUT NOT LIMITED TO ROADBEDS AND BUILDING. THE AVAILABILITY FOR RECYCLING SHOULD BE CHECKED LOCALLY.
 - THE PLASTIC LINER SHOULD BE REPLACED AFTER EVERY CLEANING. THE REMOVAL OF MATERIAL WILL USUALLY DAMAGE THE LINING.
 - THE CONCRETE WASHOUT SYSTEM SHOULD BE REPAIRED OR ENLARGED AS NECESSARY TO MAINTAIN CAPACITY FOR CONCRETE WASTE.
 - CONCRETE WASHOUT SYSTEMS ARE DESIGNED TO PROMOTE EVAPORATION. HOWEVER, IF THE LIQUIDS DO NOT EVAPORATE AND THE SYSTEM IS NEAR CAPACITY IT MAY BE NECESSARY TO VACUUM OR REMOVE THE LIQUIDS AND DISPOSE OF THEM IN AN ACCEPTABLE METHOD.
 - DISPOSAL MAY BE ALLOWED AT THE LOCAL SANITARY SEWER AUTHORITY PROVIDED THEIR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS ALLOW FOR ACCEPTANCE OF THIS MATERIAL. ANOTHER OPTION WOULD BE TO UTILIZE A SECONDARY CONTAINMENT SYSTEM OR BASIN FOR FURTHER DEWATERING.
 - INSPECT CONSTRUCTION ACTIVITIES ON A REGULAR BASIS TO ENSURE SUPPLIERS, CONTRACTORS, AND OTHERS ARE UTILIZING DESIGNATED WASHOUT AREAS. IF CONCRETE WASTE IS BEING DISPOSED OF IMPROPERLY, IDENTIFY THE VIOLATORS AND TAKE APPROPRIATE ACTION.
 - WHEN CONCRETE WASHOUT SYSTEMS ARE NO LONGER REQUIRED, THE CONCRETE WASHOUT SYSTEMS SHALL BE CLOSED. DISPOSE OF ALL HARDENED CONCRETE AND OTHER MATERIALS USED TO CONSTRUCT THE SYSTEM.
 - HOLES, DEPRESSIONS, AND OTHER LAND DISTURBANCES ASSOCIATED WITH THE SYSTEM SHOULD BE BACKFILLED, GRADED, AND STABILIZED.

- PERMANENT SEEDING**
- PERMANENTLY SEED ALL FINAL GRADE AREAS (E.G. LANDSCAPE 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.
- SITE PREPARATION**
1. THESE INSTALLATION PRACTICES ARE NEEDED TO CONTROL EROSION, SEDIMENTATION, AND WATER RUNOFF, SUCH AS TEMPORARY
 2. GRADE THE SITE AS SPECIFIED IN THE CONSTRUCTION PLAN AND FILL IN DEPRESSIONS THAT CAN COLLECT WATER.
 3. ADD TOPSOIL TO ACHIEVE NEEDED DEPTH FOR ESTABLISHMENT OF VEGETATION.
- SEEDBED PREPARATION**
1. FERTILIZE AS REQUIRED
 2. TILL THE SOIL TO OBTAIN A UNIFORM SEEDBED, WORKING THE FERTILIZER INTO THE SOIL 2-4 IN. DEEP WITH A DISK OR RAKE OPERATED ACROSS THE SLOPE.
- SEEDING**
- OPTIMUM SEEDING DATES ARE MARCH 1-MAY 10 AND AUGUST 10-SEPTEMBER 30. PERMANENT SEEDING DONE BETWEEN MAY 10 AND AUGUST 10 MAY NEED TO BE IRRIGATED. AS AN ALTERNATIVE, USE TEMPORARY SEEDING UNTIL THE PREFERRED DATE FOR PERMANENT 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. USE EROSION CONTROL BLANKETS ON SLOPING AREAS. IF SEEDING IS DONE WITH A HYDROSEEDER, FERTILIZER AND MULCH CAN BE APPLIED WITH THE SEED IN A SLURRY MIXTURE.
- MAINTENANCE**
1. INSPECT PERIODICALLY AFTER PLANTING TO SEE THAT VEGETATIVE STANDS ARE ADEQUATELY ESTABLISHED, RE-SEED
 2. CHECK FOR EROSION DAMAGE AFTER STORM EVENTS AND REPAIR, RESEED AND MULCH IF NECESSARY.
- PERMANENT SEEDING RECOMMENDATIONS**
- THIS TABLE PROVIDES SEVERAL SEEDING OPTIONS. ADDITIONAL SEED SPECIES AND MIXTURES ARE AVAILABLE COMMERCIALY. WHEN SELECTING A MIXTURE, CONSIDER SITE CONDITIONS, INCLUDING SOIL PROPERTIES (E.G., SOIL PH AND DRAINAGE), SLOPE ASPECT AND THE TOLERANCE OF EACH SPECIES TO SHADE AND DROUGHT.
- | SEED SPECIES AND MIXTURES | RATE/ACRE | OPTIMUM SOIL PH |
|--|--------------|-----------------|
| OPEN AND DISTURBED AREAS (REMAINING IDLE FOR MORE THAN ONE YEAR) | | |
| PERENNIAL RYEGRASS | 35 TO 50 LBS | 5.6 TO 7.0 |
| +WHITE OR LADINO COVER | 1 TO 2 LBS | |
| KENTUCKY BLUEGRASS | 20 LBS | 5.5 TO 7.5 |
| +SMOOTH BROMEGRASS | 10 LBS | |
| +SWITCHGRASS | 3 LBS | |
| +TIMOTHY | 4 LBS | |
| +PERENNIAL RYEGRASS | 10 LBS | |
| +WHITE OR LADINO CLOVER | 1 TO 2 LBS | |
- PLAN SYMBOL:
- Permanent Seeding Specifications**
- Diagram showing Silt Fence (Silt Saver SS-700) installation details, including Section A-A and Section B-B, showing the fence structure, geotextile filter fabric, and support posts.

- CONTRIBUTING DRAINAGE AREA**
- 1/4 ACRE MAXIMUM.
- LOCATION**
- AT CURB INLETS WHERE BARRIERS SURROUNDING THEM WOULD BE IMPRACTICAL OF UNSAFE.
- MATERIAL**
- CATCH-ALL STORMWATER INLET PROTECTOR OR APPROVED EQUAL. MARATHON MATERIALS, INC. 1-800-983-9493 OR WWW.MARATHONMATERIALS.COM
- CAPACITY**
- RUNOFF FROM A 2-YR FREQUENCY, 24-HR DURATION STORM EVENT ENTERING A STORM DRAIN WITHOUT BY-PASS FLOW.
- BASKET**
- FABRICATED METAL WITH TOP WIDTH-LENGTH DIMENSIONS SUCH THAT THE BASKET FITS INTO THE INLET WITHOUT GAPS.
- GEOTEXTILE FABRIC**
- FOR FILTRATION
- INSTALLATION**
1. INSTALL BASKET CURB INLET PROTECTIONS AS SOON AS INLET BOXES ARE INSTALLED IN THE NEW DEVELOPMENT OR BEFORE LAND DISTURBING ACTIVITIES BEGIN IN A STABILIZED AREA.
 2. IF NECESSARY, ADAPT BASKET DIMENSIONS TO FIT INLET BOX DIMENSIONS, WHICH VARY ACCORDING TO THE MANUFACTURER AND/OR MODEL.
 3. SEAL THE SIDE INLETS ON THOSE TYPES OF INLET BOXES THAT HAVE THEM.
 4. REMOVE THE GRATE AND PLACE THE BASKET IN THE INLET.
 5. CUT AND INSTALL A PIECE OF FILTER FABRIC LARGE ENOUGH TO LINE THE INSIDE OF THE BASKET AND EXTEND AT LEAST 6" INCHES BEYOND THE FRAME.
 6. REPLACE THE INLET GRATE, WHICH ALSO SERVES TO ANCHOR THE FABRIC.
- MAINTENANCE**
1. INSPECT AFTER EACH STORM EVENT.
 2. REMOVE BUILT-UP SEDIMENT AND REPLACE THE GEOTEXTILE FABRIC AFTER EACH STORM EVENT.
 3. PERIODICALLY REMOVE SEDIMENT AND TRACKED-ON SOIL FROM THE STREET (BUT NOT BY FLUSHING WITH WATER) TO REDUCE THE SEDIMENT LOAD ON THIS CURB INLET PRACTICE.
- COMMON CONCERNS**
1. SEDIMENT NOT REMOVED AND GEOTEXTILE FABRIC NOT REPLACED FOLLOWING A STORM EVENT - RESULTS IN INCREASED SEDIMENT, TRACKING, TRAFFIC HAZARD, AND EXCESSIVE PONDING.
 2. GEOTEXTILE FABRIC PERMITTIVITY TOO LOW - RESULTS IN RAPID CLOGGING, THUS SEVERE PONDING, SEDIMENT ENTERS THE DRAIN IF THE FABRIC BREAKS.
 3. DRAINAGE AREA TOO LARGE - RESULTS IN SEDIMENT OVERLOAD AND SEVERE PONDING; SEDIMENT ENTERS THE DRAIN IF THE FABRIC BREAKS.
- Diagram showing Inlet Protection Basket installation details, including the inlet structure, geotextile fabric, and outlet pipe.
- PLAN SYMBOL:
- Inlet Protection Basket**
- Diagram showing the Inlet Protection Basket installation details, including the inlet structure, geotextile fabric, and outlet pipe.
- PLAN SYMBOL:
- NOT TO SCALE
- MATERIAL**
- 2-3 IN. WASHED STONE (I.N.D.O.T. CA NO. 2) OVER STABLE FOUNDATION
- THICKNESS**
- 6 IN. MINIMUM
- WIDTH**
- 12 FT. MINIMUM OR FULL WIDTH OF ENTRANCE/EXIT ROADWAY (WHICHEVER IS GREATER)
- LENGTH**
- 50 FT. MINIMUM (THE LENGTH CAN BE SHORTER FOR SMALL SITES SUCH AS INDIVIDUAL HOMES)
- WASHING FACILITY (OPTIONAL)**
- LEVEL AREA WITH 3 IN. WASHED STONE MINIMUM OR A COMMERCIAL RACK, AND WASTE WATER DIVERTED TO A SEDIMENT TRAP OR BASIN (PRACTICE 3.72)
- GEOTEXTILE FABRIC UNDERLINER**
- MAY BE USED UNDER WET CONDITIONS OR FOR SOILS WITHIN A HIGH SEASONAL WATER TABLE TO PROVIDE GREATER BEARING STRENGTH
- INSTALLATION**
1. AVOID LOCATING ON STEEP SLOPES OR AT CURBS IN PUBLIC ROADS
 2. REMOVE ALL VEGETATION AND OTHER OBJECTIONABLE MATERIAL FROM THE FOUNDATION AREA, AND GRADE AND CROWN FOR POSITIVE DRAINAGE.
 3. IF SLOPE TOWARDS THE ROAD EXCEEDS 2%, CONSTRUCT A 6-8 IN. HIGH WATER BAR (RIDGE) WITH 3:1 SIDE SLOPES ACROSS THE FOUNDATION ARE ABOUT 15 FT. FROM THE ENTRANCE TO DIVERT RUNOFF AWAY FROM THE ROAD (PRACTICE 3.24) SEE EXHIBIT
 4. INSTALL PIPE UNDER THE PAD IF NEEDED TO MAINTAIN PROPER PUBLIC ROAD DRAINAGE
 5. IF WET CONDITIONS ARE ANTICIPATED, PLACE GEOTEXTILE FABRIC ON THE GRADED FOUNDATION TO IMPROVE STABILITY
 6. PLACE STONE TO DIMENSIONS AND GRADE SHOWN IN THE EROSION/SEDIMENT CONTROL PLAN, LEAVING THE SURFACE SMOOTH AND SLOPED FOR DRAINAGE
 7. DIVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE STONE PAD TO A SEDIMENT TRAP OR BASIN
- MAINTENANCE**
1. INSPECT ENTRANCE PAD AND SEDIMENT DISPOSAL AREA WEEKLY AND AFTER STORM EVENTS OR HEAVY USE
 2. RESHAPE PAD AS NEEDED FOR DRAINAGE AND RUNOFF CONTROL
 3. TOPDRESS WITH CLEAN STONE AS NEEDED
 4. IMMEDIATELY REMOVE MUD AND SEDIMENT TRACKED OR WASHED ONTO PUBLIC ROADS BY BRUSHING OR SWEEPING. FLUSHING SHOULD ONLY BE USED IF THE WATER IS CONVEYED INTO A SEDIMENT TRAP OR BASIN
 5. REPAIR ANY BROKEN ROAD PAVEMENT IMMEDIATELY
- PLAN SYMBOL:
- Temporary Construction Entrance (Stone)**
- Diagram showing the Temporary Construction Entrance (Stone) installation details, including the stone pad, diversion ridge, and public road.
- PLAN SYMBOL:
- NOT TO SCALE

McMAHON

ENGINEERS-ARCHITECTS

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REVISION	DATE	NO.

Hinge Outlet Building Expansion Site Plan

3101 Cascade Drive, Valparaiso, Indiana 46383

General Site Details and Specifications

DESIGNED DFH	DRAWN KMC
PROJECT NO. H5004-5-19-00269	
DATE 02/11/2020	
SHEET NO. C5.0	

SITE PREPARATION

- 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.
- GRADE THE SITE AS SPECIFIED IN THE CONSTRUCTION PLAN

SEED PREPARATION

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

SEEDING

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

MAINTENANCE

- INSPECT PERIODICALLY AFTER PLANTING TO SEE THAT VEGETATIVE STANDS ARE ADEQUATELY ESTABLISHED, RE-SEED IF NECESSARY
- CHECK FOR EROSION DAMAGE AFTER STORM EVENTS AND REPAIR, RE-SEED AND MULCH IF NECESSARY
- TOPDRESS FALL SEEDED WHEAT OR RYE SEEDING WITH 50LBS./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
			8/1 TO 9/1
GERMAN MILLET	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

- DETERMINE DEPTH AND SUITABILITY OF TOPSOIL AT THE SITE
- PRIOR TO STRIPPING TOPSOIL, INSTALL ANY SITE-SPECIFIC DOWNSLOPE PRACTICES NEEDED TO CONTROL RUNOFF AND SEDIMENT
- REMOVE THE SOIL MATERIAL NO DEEPER THAN WHAT THE COUNTY SOIL SURVEY DESCRIBES AS "SURFACE SOIL" (I.E., A OR AP HORIZON)
- 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.)
- 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

- PRIOR TO APPLYING TOPSOIL, GRADE THE SUBSOIL AND ROUGHEN THE TOP 3-4 IN. BY DISKING. THIS HELPS THE TOPSOIL BOND WITH THE SUBSOIL
- 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
- 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
- AFTER SPREADING, GRADE AND STABILIZE

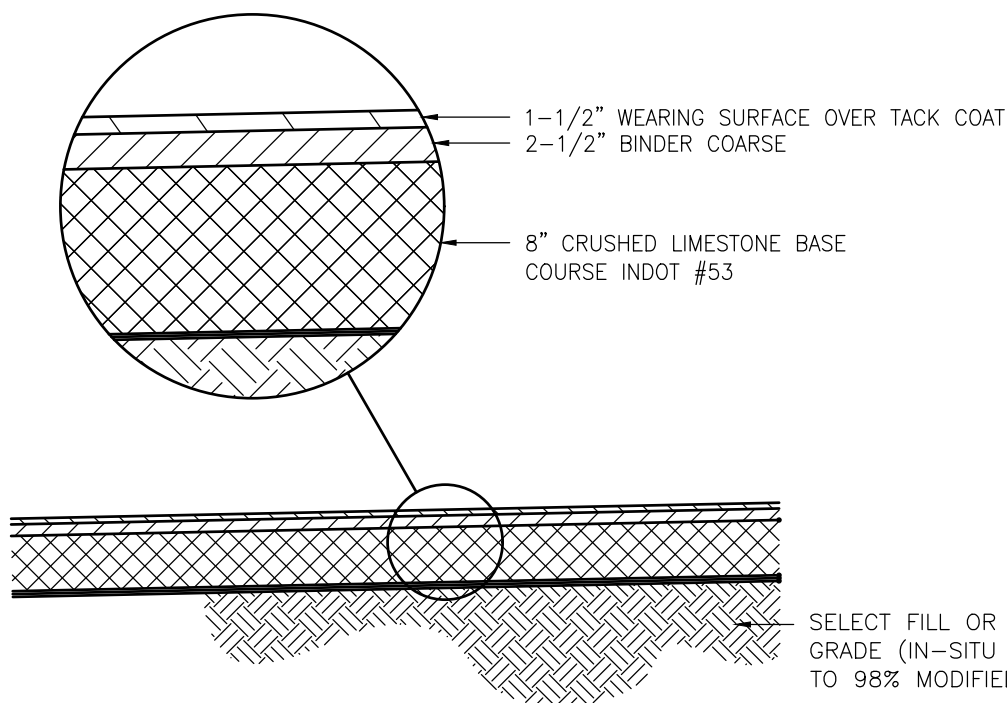
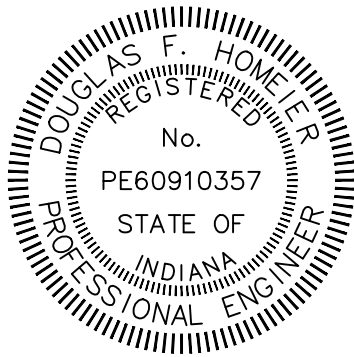
MAINTENANCE

- INSPECT NEWLY TOPSOILED AREAS FREQUENTLY UNTIL VEGETATION IS ESTABLISHED
- REPAIR ERODED OR DAMAGED AREAS AS REPLANT

PLAN SYMBOL: 

Topsoil (Salvage & Utilization)

Douglas F. Homeier

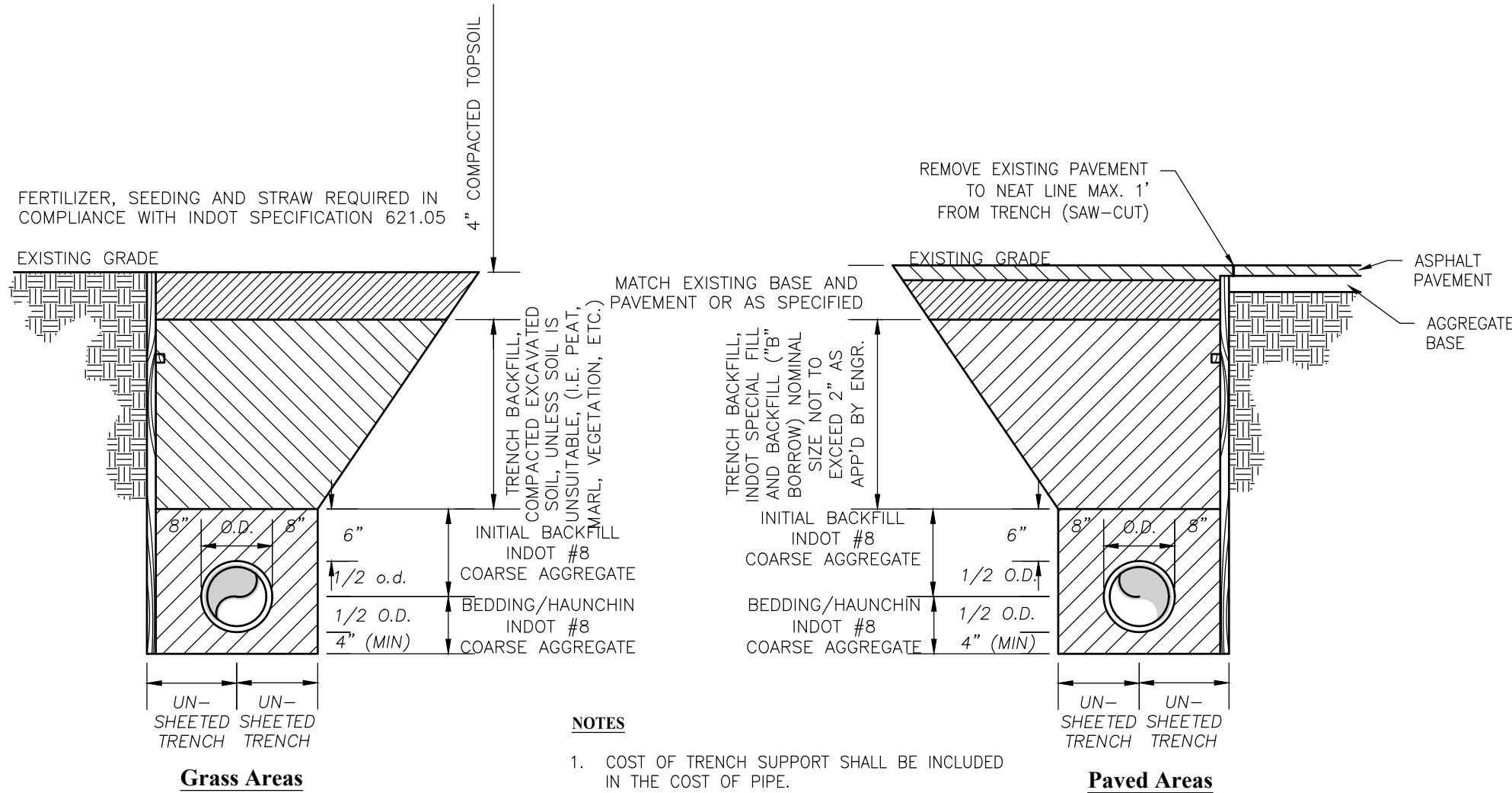


NOTES

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

Pavement Cross-Section

NOT TO SCALE



NOTES

- COST OF TRENCH SUPPORT SHALL BE INCLUDED IN THE COST OF PIPE.
- 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

McMAHON
ENGINEERS-ARCHITECTS

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REVISION

DATE

NO.

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

DESIGNED
DFH

DRAWN
KMC

PROJECT NO.
H5004-5-19-00269

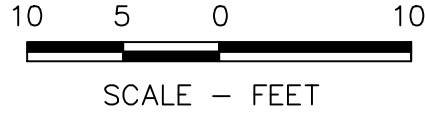
DATE
02/11/2020

SHEET NO.

C6.0

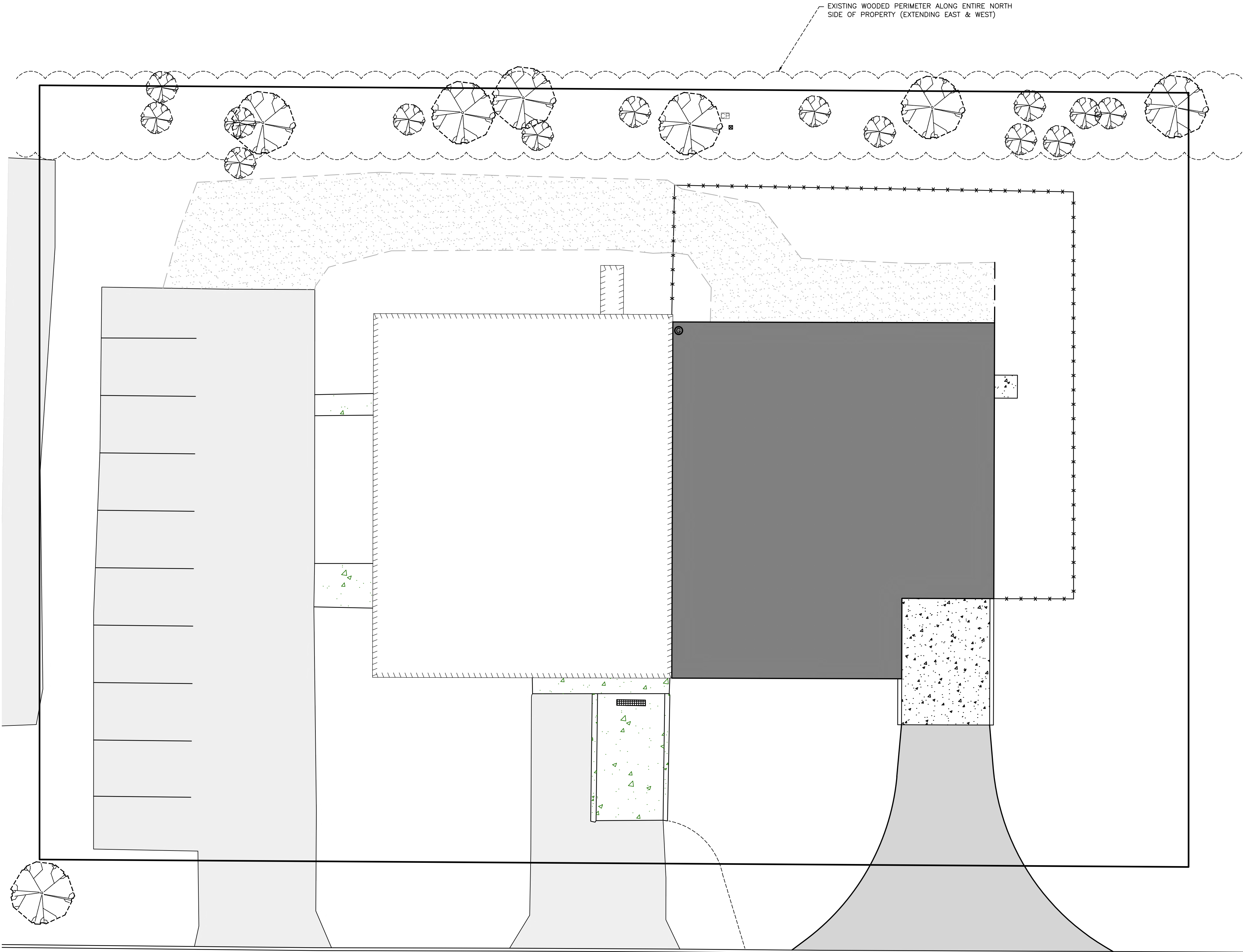


Proposed Landscape Plan



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

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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	



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

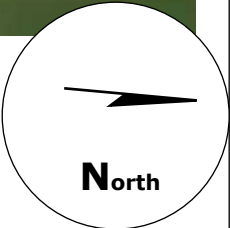
Min. 20' Clearance All Sides (Dirt Fill)

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

48' X 56' X 13'
w/ Lean-To

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FBi Buildings, Inc.

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





FBi

Buildings, Inc.

3823 W 1800 S

Remington, IN 47977

219-261-2157

www.fbibuildings.com

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

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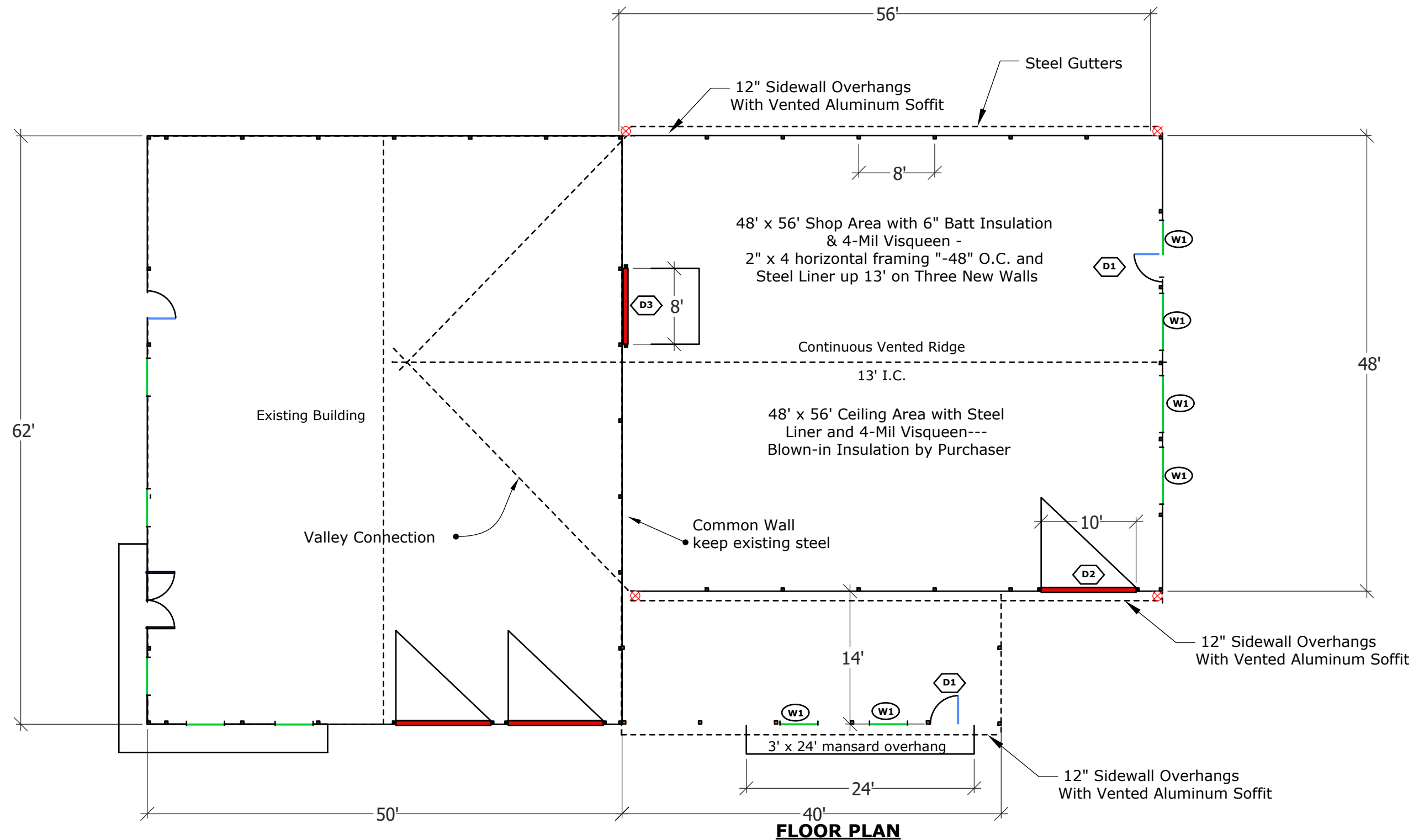
Mr. Tony Baymann

3001 Cascade Dr.

Valparaiso, IN 46383

Construction Zone

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



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

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

⊗ = Downspout Location



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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' OHD Frame Out (Door Not Included)
D3 - (qty 1) 8' x 8' OHD Frame Out in common wall (Door Not Included)

Window Schedule:
W1- (qty 4) 6' x 2' fixed window- bottom elevation set at 10' AFF
W2- (qty-2) 4' x3' sliding insulated vinyl window with screen

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

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Valparaiso, IN 46383

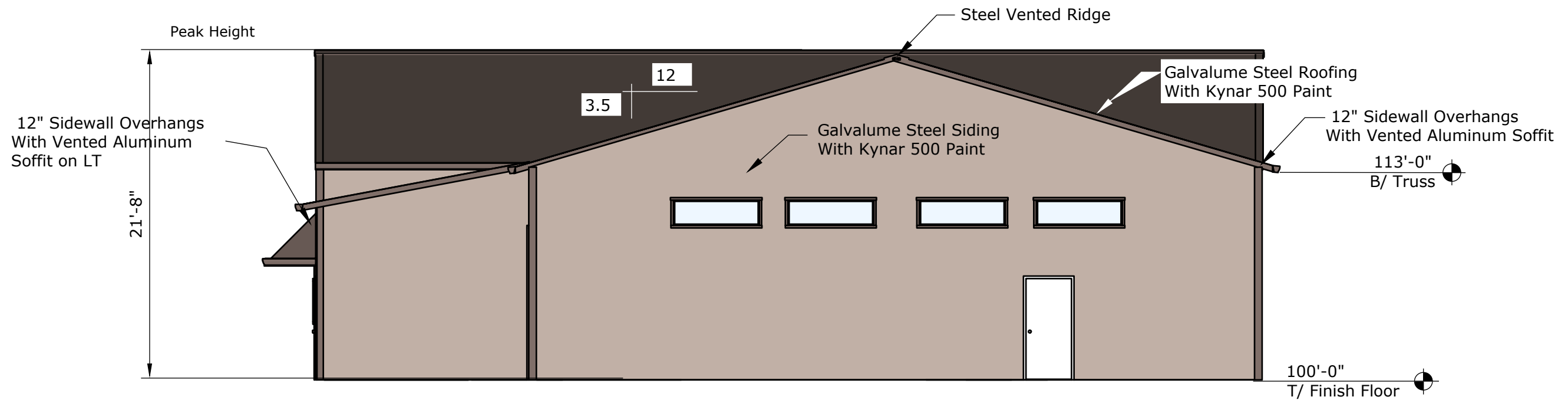
Floor Plan

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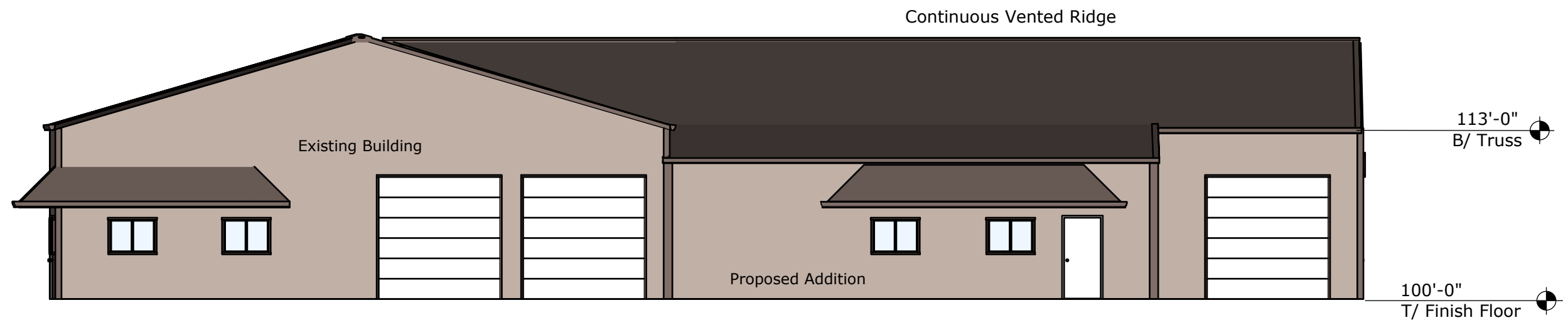
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NORTH ELEVATION



EAST ELEVATION

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

Elevation Plan

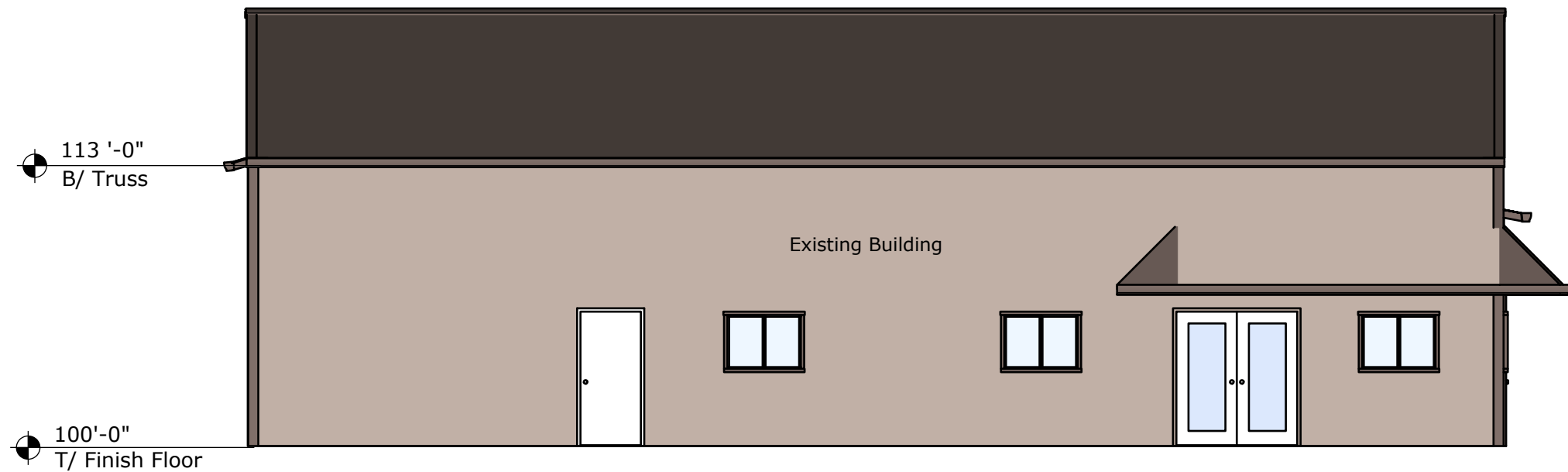
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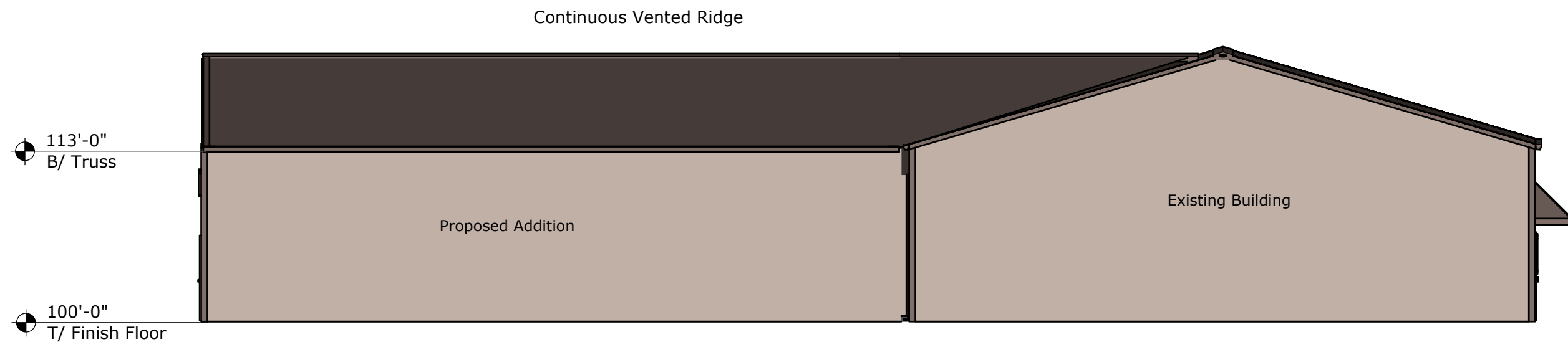
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SOUTH ELEVATION



WEST ELEVATION

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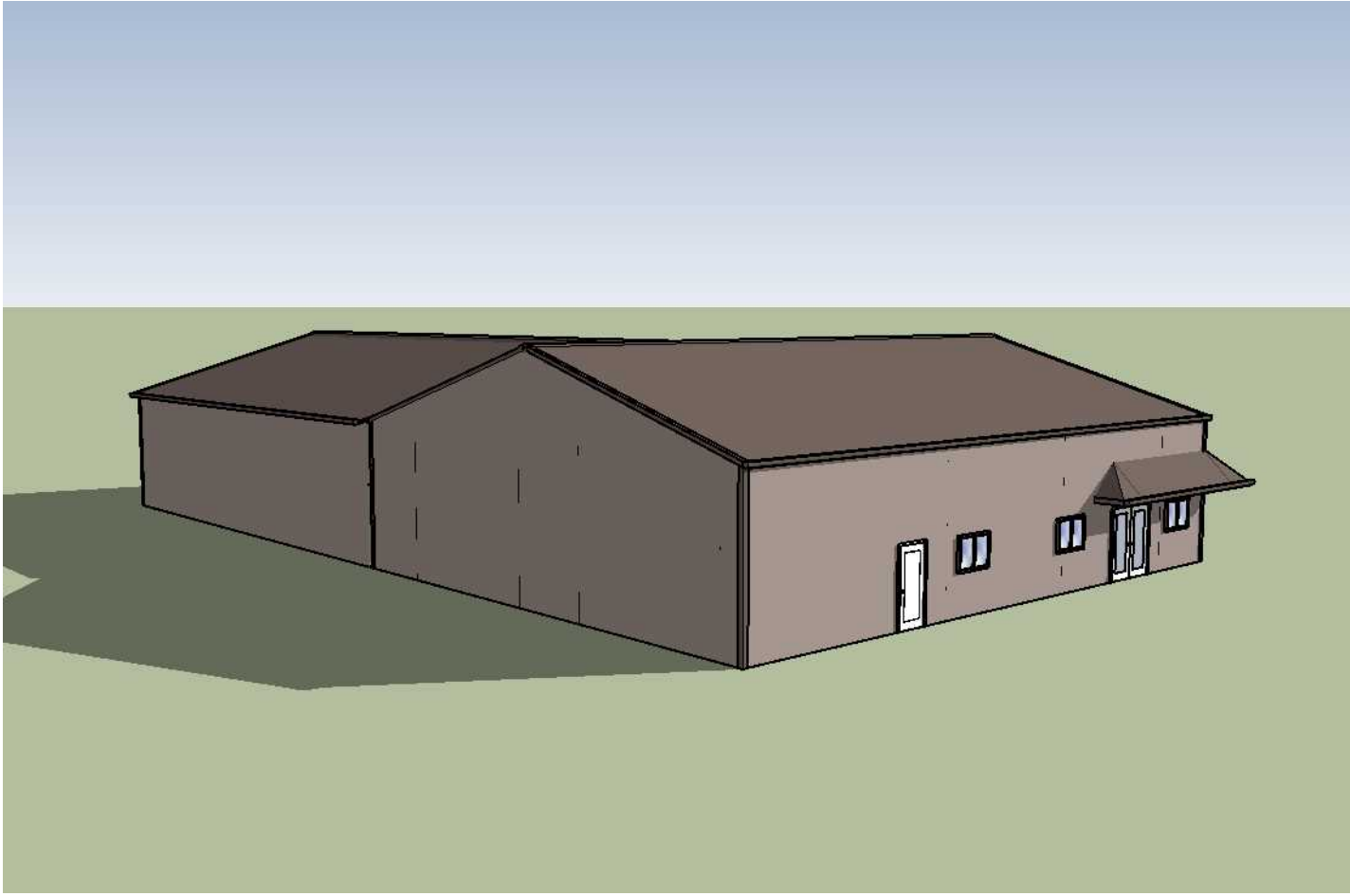
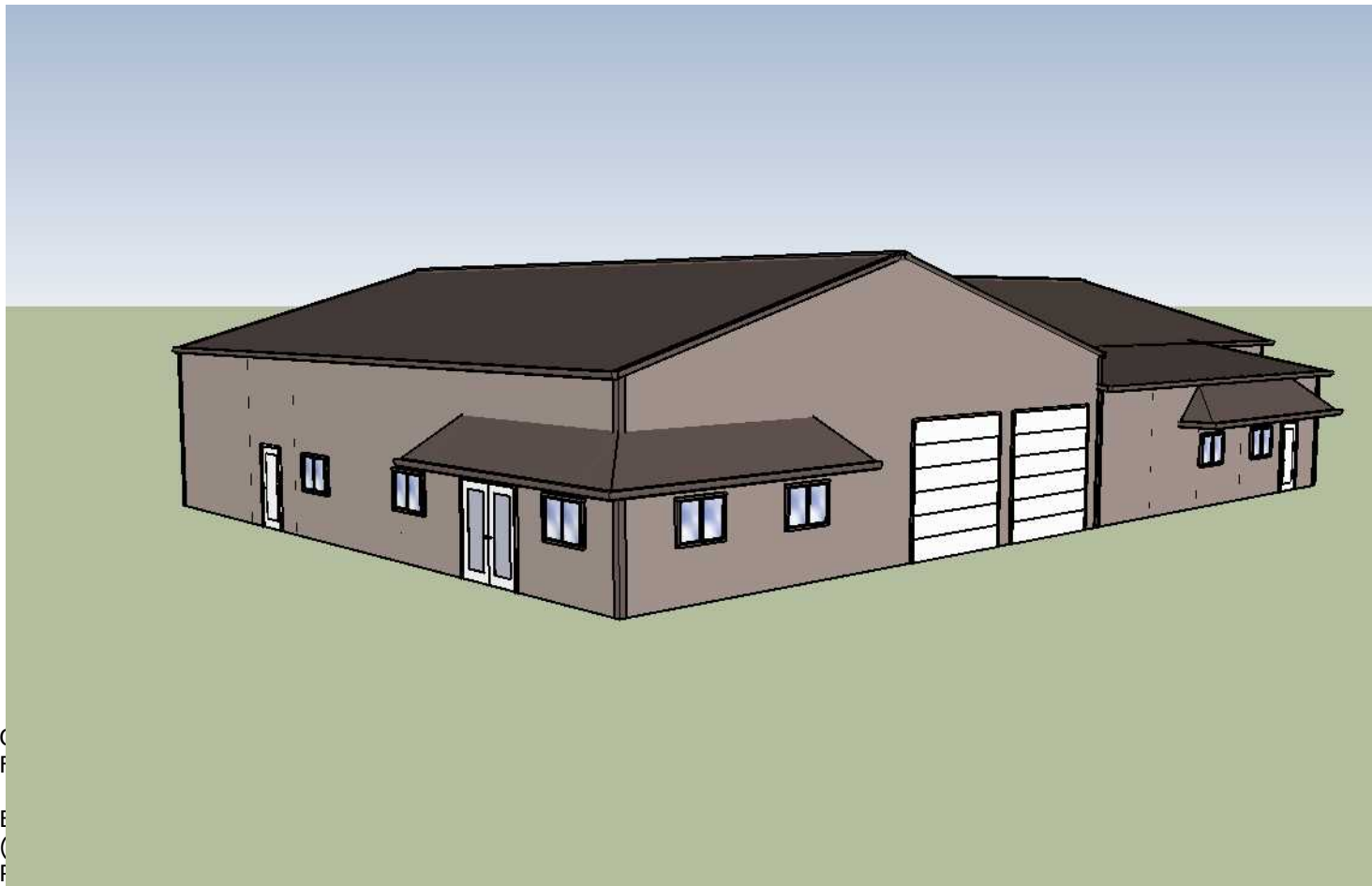
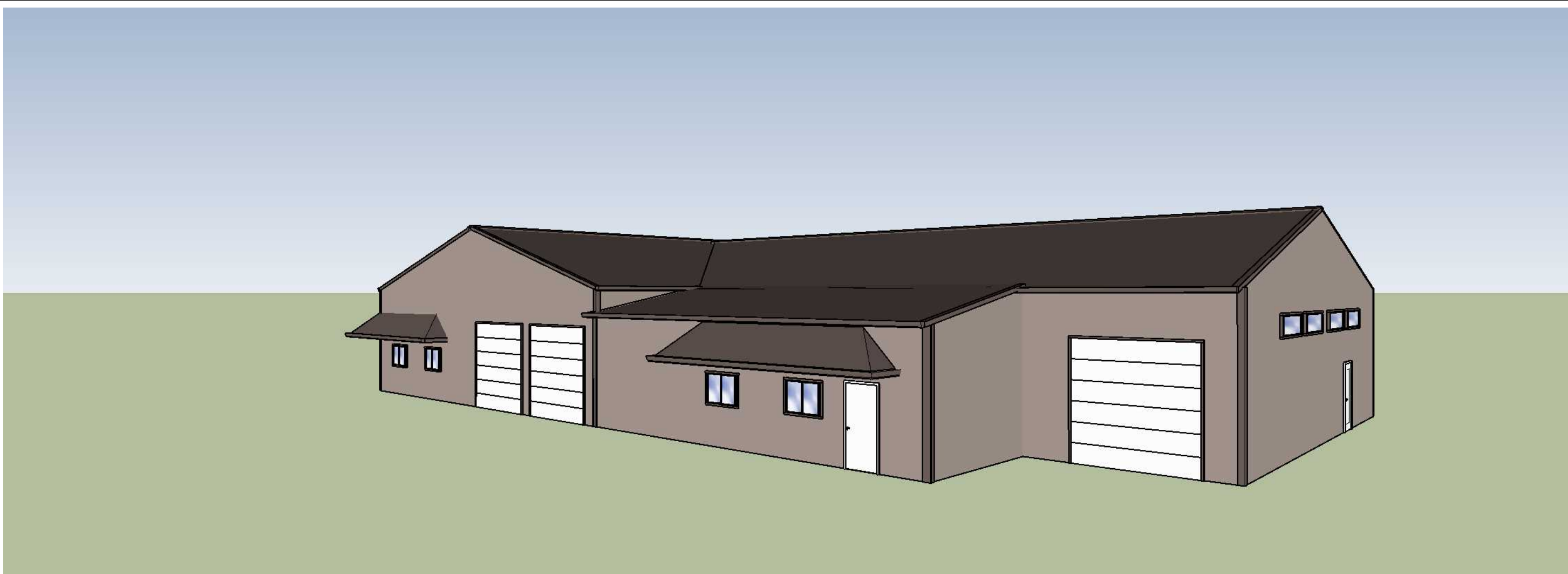
Mr. Tony Baymann 3001 Cascade Dr. Valparaiso, IN 46383	Elevation Plan
--	----------------



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

PRELIMINARY
THESE DRAWINGS
ARE FOR
REVIEW
ONLY
These drawings are
not complete and
are not to be used
for construction.

A-202



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

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

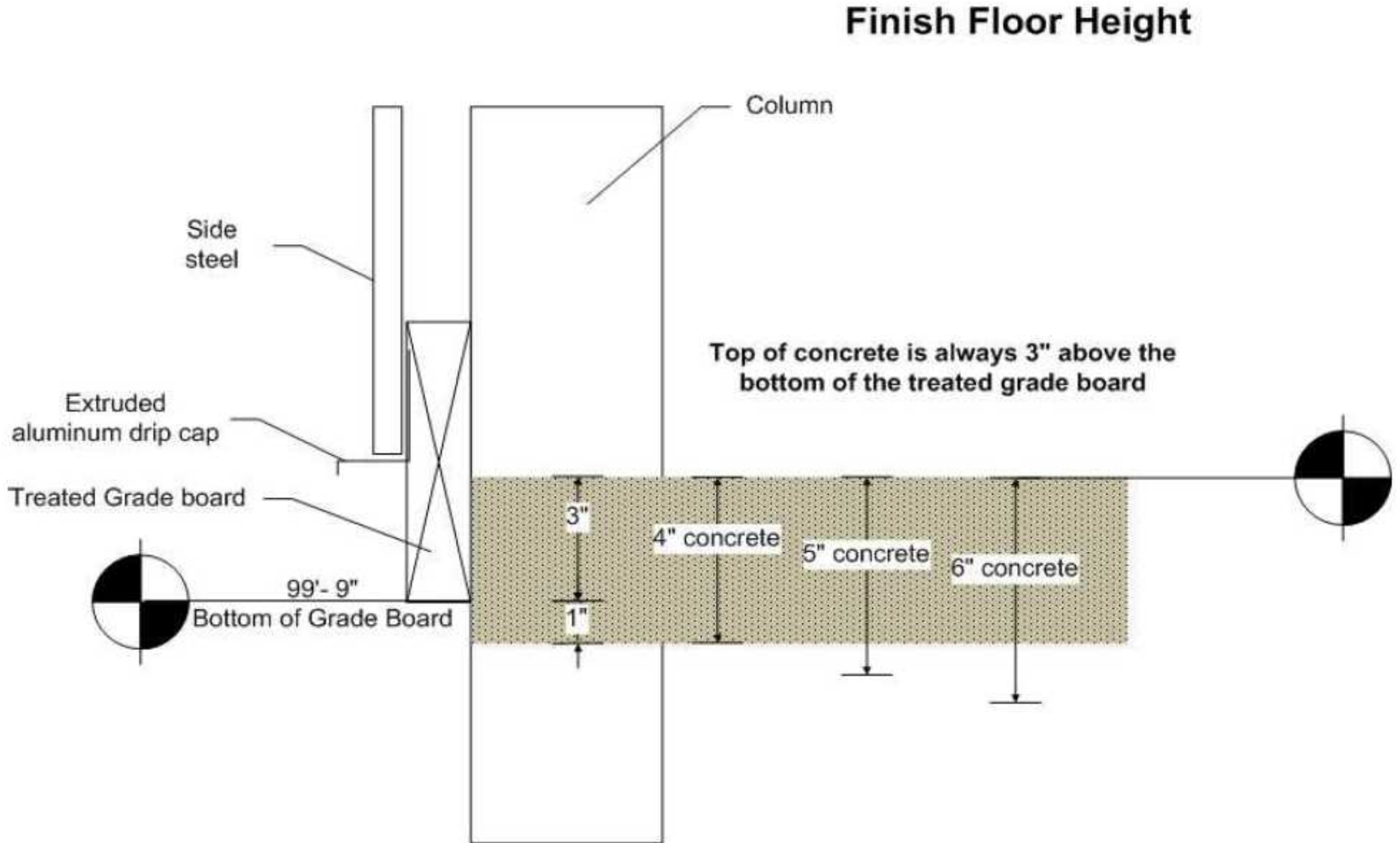
3D View

FBI
FBI Buildings, Inc.
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.

A-203



Copyright:
 FBi Buildings, Inc.

Building may not be shown to scale.
 (Colors shown may not match actual colors.
 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

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

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

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**Instructions for filing a petition before the
CITY OF VALPARAISO BOARD OF ZONING APPEALS**

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STEP ONE: APPLICATION AND CHECK LIST

In order for a petition to be considered complete it must include at a minimum the following (Check all items provided):

1. ☒ **Application Fee** – Submitted to Clerk/Treasurer's Office by no later than 4:00 PM on the day of the posted Deadline for the desired Board of Zoning Appeals meeting.
2. ☐ **Completed petition and Checklist.** Petition is attached.
3. ☒ **Vicinity Map.** A vicinity map for the purpose of locating the subject property within the City of Valparaiso.
4. ☐ **Site Plan/Concept Plan.** The site plan must be to scale and show the front, rear, and side setbacks and provide a lot coverage calculation for all impermeable surfaces. The site plan shall also include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.

5. ☐ **Written Description of Project.** There should be a brief written description of the proposed project attached with the site plan. The written description allows the Board of Zoning Appeals and the Planning Department to better understand the proposed project.

FILED

FEB 26 2020 *ck 1032*
Donna *2# 5004*
Clerk-Treasurer

6.

Legal Description. A legal description for the property must be either written in the space provided or typed and attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is not sufficient. If necessary, the Petitioner can obtain a copy of the Deed from the Porter County Records Office located in the Porter County Administration Building at 155 Indiana Avenue in Valparaiso.

7. ✓

Surrounding Property Owner List. If a public hearing is required for your requested action, the names and addresses of all the property owners within 300 feet in all directions from the subject parcel shall be provided. Information concerning the owners of property within 300 feet can be obtained through a title company or the Porter County Auditor's Office. Owners of the property within a 300-foot radius of the lot lines of the subject parcel must receive notice of your Petition and the scheduled Public Hearing. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. It is the Petitioner's responsibility to obtain this information, and Indiana law and Rules of Procedures of the Valparaiso Board of Zoning Appeals require timely notice to all property owners within 300 feet. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.

8. /

Petitioner's Affidavit of Notice and Consent of Property Owner. As part of the Board of Zoning Appeals application process, the Petitioner is required to execute an affidavit indicating that notification of affected property owners has been completed in a timely manner. Letters of notification shall be mailed to property owners within 300 feet of the Petitioner's property which is the subject of the requested Board of Zoning Appeals action. The letter of notification shall be sent via certified mail, return receipt requested, **and must be postmarked a minimum of ten (10) days prior to the BZA hearing.** The Petitioner will bring all the original certified "green cards" to the Board of Zoning Appeals hearing. Upon inspection by the Board of Zoning Appeals and its Attorney, the cards will be returned to the Petitioner. It is highly recommended that the Petitioner retain these cards as proof that all property owners receive notice. Any objection as to failure to notify a property owner within 300 feet will be the responsibility of the Petitioner.

9. ✓

Factual basis for the BZA's action. It is the Petitioner's responsibility to establish to the BZA's satisfaction the factual basis pertaining to all cases. The Petitioner will need to fill out the attached form for the variance that is being requested.

Staff Report

If required, Staff will complete a staff report, recommendation to be presented at the Board of Zoning Appeals meeting. The Petitioner may request a copy of any report, recommendation from the Planning Director.

Public Hearing

The Petitioner or his/her representative must attend the BZA meeting to present the project and answer questions. The Board of Zoning Appeals meets on the third Tuesday of each month at 7 p.m. at City Hall. The Petitioner will not be notified or reminded of the meeting. Meeting dates are presented below for your reference.

Deadline

BZA Meeting Date

December 20 th , 2019	January 21 st , 2020
January 24 th	February 18 th
February 21 st	March 17 th
March 27 th	April 21 st
April 24 th	May 19 th
May 22 nd	June 16 th
June 26 th	July 21 st
July 24 th	August 18 th
August 21 st	September 15 th
September 25 th	October 20 th
October 23 rd	November 17 th
November 20 th	December 15 th
December 23 rd , 2020	January 19 th , 2021

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

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:

NEIGHBORHOOD DEVELOPMENT
Name (Please Print) _____ Address _____ Phone _____

OWNER OF SUBJECT PROPERTY:

NEIGHBORHOOD DEVELOPMENT
Name (Please Print) _____ Address _____ Phone _____

ADDRESS OF SUBJECT PROPERTY:

Subject property fronts on the _____ side between (streets) _____
in the _____ Zoning District.

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

EXHIBIT A

Parcel 1: The South 32 feet of Lot 2, Block 31, in the Original Survey of the Town, now City, of Valparaiso, as per plat thereof recorded in Miscellaneous Record "A", Page 13, in the Office of the Recorder of Porter County, Indiana.

Parcel 2: The North 100 feet of Lot 2, Block 31, in the Original Survey of the Town, now City, of Valparaiso, as per plat thereof recorded in Miscellaneous Record "A", Page 13, in the Office of the Recorder of Porter County, Indiana.

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

A FIVE UNIT APARTMENT BUILDING

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

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

Attach a Site Plot Plan drawn to scale showing:

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

Please fill in:

Front Setback 31' Rear Setback 31' Side Setbacks 10' Lot Coverage 72%
Height 31'

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 Filled 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 _____

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

Printed Name

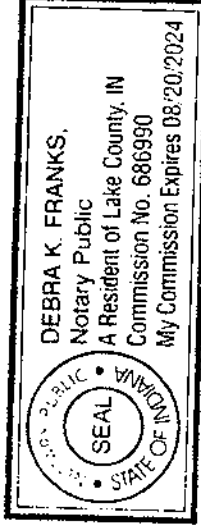
Signature of Property Owner

Signature of Property Owner

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

Paul Schreiner and
acknowledge the execution of the foregoing document, this 19th day of Feb, 2020
My Commission Expires: 8/20/24
Resident of Lake County
NOTARY PUBLIC

Debra K. Franks
Type or Print name of Notary



**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) _____ 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) 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

Affidavit of Consent of Property Owner

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

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

1. That Neighbors Corp ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Neighbors Corp ("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.

Paul Schreiner
Property Owner
2-19-20
Date

Property Owner

Date

Subscribed and sworn to before me this 19th day of February, 20 20.

Debra K. Franks
Notary Public

My Commission:
8/20/24
Date



Jan Dick
2505 Camilla Dr.
Valparaiso, IN 46383

Patrick & Mary Sullivan
255 Morgan Blvd.
Valparaiso, IN 46383

LIF Investments LLC
32 KinCraig Ct.
Valparaiso, IN 46385

Shawn Earley
304 Monroe
Valparaiso, IN 46383

Andy & Sandy Perillo
10702 Porter St.
Crown Point, IN 46307

Darlene Hunter
205 ½ Brown
Valparaiso, IN 46383

David Jankowski
2655 Kildare Ct.
Valparaiso, IN 46383

Karl & Allison Schmitt
205 Monroe
Valparaiso, IN 46383

Lindsay Sohovich
351 Morgan Blvd.
Valparaiso, IN 46383

Lozanoski Properties LLC
9110 Vigo Street
Crown Point, IN 46307

Porter County Commissioners
155 Indiana
Rm 205
Valparaiso, IN 46383

Brown OP LLC
PO Box 1481
Portage, IN 46368

Marilyn Lembke Living Trust
1809 Alice Street
Valparaiso, IN 46383

Euclydes Azevedo
177 Cimarron Drive
Valparaiso, IN 46385

Atrium Apartments LLC
359 Lincolnway
Valparaiso, IN 46383

Timothy & Patj Freeman
253 Michigan Ave.
Valparaiso, IN 46383

John Monk
1583 Saugus Close
Valparaiso, IN 46385

Dave & Deloris Kominak
112 Brown
Valparaiso, IN 46383

Betty Marrell Living Trust
256 Michigan
Valparaiso, IN 46383

Roy & Marissa Wilson
552 Andover Der.
Valparaiso, IN 46385

MWayne Enterprises LLC
3201 Parker Dr.
Valparaiso, IN 46383

Robert and Linda Camp
208 Brown St.
Valparaiso, IN 46383

Margo Maples
2952 Sager Rd.
Valparaiso, IN 46383

Tim Litner
407 Brown Street
Valparaiso, IN 46383

Custom Housing Options 2 LLC
PO Box 423
Valparaiso, IN 46384

City of Valparaiso
c/o Board of Works
166 W. Lincolnway
Valparaiso, IN 46383

Michael Hoffman
4801 Campbell St.
Valparaiso, IN 46383

Scott Wagonblast & Joseph Cioe
202 Monroe
Valparaiso, IN 46383

Matt Welter
3201 Parker Drive
Valparaiso, IN 46383

Gigi LLC
6620 E. 84th Drive
Merrillville, IN 46401

Dennis Marrel
254 Michigan
Valparaiso, IN 46383

Pensacola Properties LLC
203 Monroe
Valparaiso, IN 46383

Larry Jarret & Kathleen Kim
434 N. 325 E.
Valparaiso, IN 46383

LuAnne Johnson
256 Valparaiso St.
Valparaiso, IN 46383

Michael Pals
206 Brown St.
Valparaiso, IN 46383

Anthony & Chen Hammond
20225 Westway Dr.
Rocky River, Ohio 44116

Robert Bartholomew
102 Monroe
Valparaiso, IN 46383

P.A.C.T. Inc.
254 Monroe St.
Valparaiso, IN 46383

Samuel Johnston
110 Brown St.
Valparaiso, IN 46383

Tammy O'Neill
255 Michigan St.
Valparaiso, IN 46383

Davidson Manors Inc.
208 Indiana Ave.
Valparaiso, IN 46383

Chris & Jennifer Knight
154 Morgan Blvd.
Valparaiso, IN 46383

Use Variance Findings of fact

Petitioner Submits that:

- A. The proposed use variance will not be injurious to the public health, safety, morals and general welfare of the community because:

This well designed, energy efficient and new building will be well managed and maintained and present an attractive facade to the public.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

The value of adjacent properties should increase with the addition of this new building. Attractive and well-maintained landscaping should enhance the surrounding area.

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

The property is zoned RT. Multifamily is allowed only on a corner lot in RT zoning. This lot is not a corner lot.

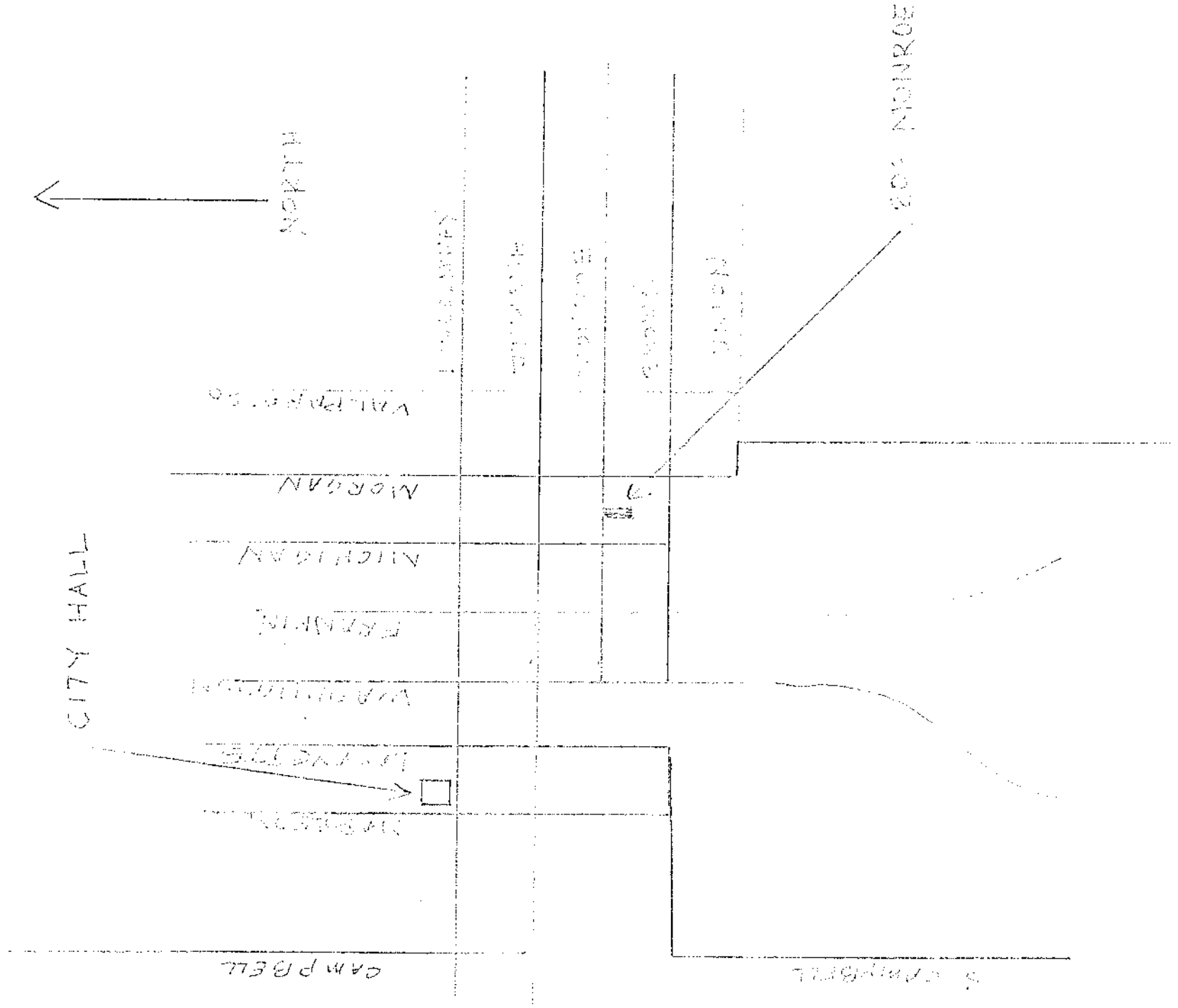
- D. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

The property is ideally located to provide affordable housing in close proximity to employment and transportation for the residents. Strict application would preclude this use.

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

The third paragraph of the introduction to the Housing Section of the City of Valparaiso Comprehensive Plan states: "The City also wants to create a variety of housing choices particularly for the elderly, handicapped, and low-moderate income families."

And under "Goals" on page II-3, number 4 – b states: "Support organizations pursuing affordable housing such as Habitat for Humanity, Project Neighbors, Christmas in April, Porter County Housing Coalition and the Community Development Corporation."



Monroe Street Apartments

Project Neighbors

The proposed building is a five-unit apartment building at 206 Monroe Street. Each unit will be approximately 1200 square feet and have three bedrooms, one bathroom, kitchen and laundry facilities. There will be two units on the first floor, two on the second floor, and a rear grade level unit. There will be ten alley-accessed parking places at the rear of the building.

**Instructions for filing a petition before the
CITY OF VALPARAISO BOARD OF ZONING APPEALS**

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In order for a petition to be considered complete it must include at a minimum the following (Check all items provided):

1. ☒ **Application Fee** – Submitted to Clerk/Treasurer's Office by no later than 4:00 PM on the day of the posted Deadline for the desired Board of Zoning Appeals meeting.
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4. ☐ **Site Plan/Concept Plan.** The site plan must be to scale and show the front, rear, and side setbacks and provide a lot coverage calculation for all impermeable surfaces. The site plan shall also include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.

5. ☐ **Written Description of Project.** There should be a brief written description of the proposed project attached with the site plan. The written description allows the Board of Zoning Appeals and the Planning Department to better understand the proposed project.

FILED

FEB 20 2020

R # 44451

CL # 1029

Douglas

Clerk-Treasurer

6.

Legal Description. A legal description for the property must be either written in the space provided or typed and attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is not sufficient. If necessary, the Petitioner can obtain a copy of the Deed from the Porter County Records Office located in the Porter County Administration Building at 155 Indiana Avenue in Valparaiso.

7.

Surrounding Property Owner List. If a public hearing is required for your requested action, the names and addresses of all the property owners within 300 feet in all directions from the subject parcel shall be provided. Information concerning the owners of property within 300 feet can be obtained through a title company or the Porter County Auditor's Office. Owners of the property within a 300-foot radius of the lot lines of the subject parcel must receive notice of your Petition and the scheduled Public Hearing. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. It is the Petitioner's responsibility to obtain this information, and Indiana law and Rules of Procedures of the Valparaiso Board of Zoning Appeals require timely notice to all property owners within 300 feet. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.

8.

Petitioner's Affidavit of Notice and Consent of Property Owner. As part of the Board of Zoning Appeals application process, the Petitioner is required to execute an affidavit indicating that notification of affected property owners has been completed in a timely manner. Letters of notification shall be mailed to property owners within 300 feet of the Petitioner's property which is the subject of the requested Board of Zoning Appeals action. The letter of notification shall be sent via certified mail, return receipt requested, **and must be postmarked a minimum of ten (10) days prior to the BZA hearing.** The Petitioner will bring all the original certified "green cards" to the Board of Zoning Appeals hearing. Upon inspection by the Board of Zoning Appeals and its Attorney, the cards will be returned to the Petitioner. It is highly recommended that the Petitioner retain these cards as proof that all property owners receive notice. Any objection as to failure to notify a property owner within 300 feet will be the responsibility of the Petitioner.

9.

Factual basis for the BZA's action. It is the Petitioner's responsibility to establish to the BZA's satisfaction the factual basis pertaining to all cases. The Petitioner will need to fill out the attached form for the variance that is being requested.

STEP TWO: PUBLIC NOTIFICATION REQUIREMENTS

Notification by Newspaper – NWI Times

After it is determined that your application is complete, Planning Staff will submit a Public Hearing Notice in compliance with applicable state law to the Northwest Indiana Times Newspaper if your request requires a Public Hearing. The cost for publication and a proof of publication will be mailed to the Petitioner listed on the Petition. Payment of the bill is the responsibility of the Petitioner. Failure to pay the publication cost may constitute grounds for revoking any granted variance.

Onsite Notification Sign

Planning Staff will place one or more signs on the subject parcel in a conspicuous location at least ten (10) days prior to the scheduled public hearing for your requested action. Staff will collect the sign(s) immediately following the public hearing date listed on the sign. Do not remove the onsite notification sign for any reason without the permission of the Planning Director. If the sign is damaged or stolen, please contact the Planning Department so that a new sign may be placed on the property.

Surrounding Property Owner Notification

As outlined in checklist item #8 above, it is the Petitioner's responsibility to mail proper notice to all affected surrounding property owners via certified mail, return receipt requested, that is postmarked no less than ten (10) days prior to the public hearing. This is defined by the BZA as all property owners within a 300 foot radius of the property lines of the subject property. The Petitioner shall present all received or returned green certified mail cards to the BZA Staff or Attorney for inspection to verify compliance with notification requirements, and comparison with provided surrounding property owners list. The Affidavit of Notification of Surrounding Property Owners shall also be provided as outlined above in checklist # 8.

STEP THREE: APPLICATION PROCESS AND PUBLIC HEARING SCHEDULE

Application Review and Checklist Acceptance

Planning Staff will review the application materials for completeness and clarity and schedule the request for the following Board of Zoning Appeals meeting date. If it is determined that the application is incomplete, Planning Staff will notify the Petitioner of the missing or incomplete items and schedule the request for the next Board of Zoning Appeals meeting following receipt of a complete application packet.

Staff Report

If required, Staff will complete a staff report, recommendation to be presented at the Board of Zoning Appeals meeting. The Petitioner may request a copy of any report, recommendation from the Planning Director.

Public Hearing

The Petitioner or his/her representative must attend the BZA meeting to present the project and answer questions. The Board of Zoning Appeals meets on the third Tuesday of each month at 7 p.m. at City Hall. The Petitioner will not be notified or reminded of the meeting. Meeting dates are presented below for your reference.

Deadline

BZA Meeting Date

December 20 th , 2019	January 21 st , 2020
January 24 th	February 18 th
February 21 st	March 17 th
March 27 th	April 21 st
April 24 th	May 19 th
May 22 nd	June 16 th
June 26 th	July 21 st
July 24 th	August 18 th
August 21 st	September 15 th
September 25 th	October 20 th
October 23 rd	November 17 th
November 20 th	December 15 th
December 23 rd , 2020	January 19 th , 2021

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

**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:

NATASHA COOPER 4104 S. COLLIER 404-333-1111
Name (Please Print) Address Phone

OWNER OF SUBJECT PROPERTY:

JOHN COOPER 4104 S. COLLIER 404-333-1111
Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY:

Subject property fronts on the W side between (streets) 1st St. & 2nd St.
in the W Zoning District.

Legal Description of Subject Property: (Exhibit No.)

JOHN COOPER 4104 S. COLLIER 404-333-1111
JOHN COOPER

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

A 1000 sq. ft. addition to the existing building.

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

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

Attach a Site Plot Plan drawn to scale showing:

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

Please fill in:

Front Setback 0.1' Rear Setback 0.1' Side Setbacks 10' / 10' Lot Coverage 77.2%
Height 3.1'

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 _____

Please read and sign the following statement:

252

Paul Schreiner

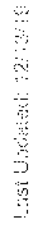
Signature of Property Owner

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

Paul Schreiner, and
acknowledge the execution of the foregoing document, this 19th day of Feb., 2020

Robert F. Frank
NOTARY PUBLIC
My Commission Expires: 8/20/24
Resident of Lake County

Debra K. Franks
Type or Print name of Notary



Affidavit of Consent of Property Owner

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

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

1. That Neighbors Corp ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Neighbors Corp. ("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.

Paul Schreiner
Property Owner
2-19-20
Date

Property Owner

Date

Subscribed and sworn to before me this 19th day of February, 20 20.
Debra K. Franks
Notary Public

My Commission:
8/20/24
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 duly 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 _____

Margo Maples
2952 Sager Rd.
Valparaiso, IN 46383

Tim Litner
407 Brown Street
Valparaiso, IN 46383

Custom Housing Options 2 LLC
PO Box 423
Valparaiso, IN 46384

City of Valparaiso
c/o Board of Works
166 W. Lincolnway
Valparaiso, IN 46383

Michael Hoffman
4801 Campbell St.
Valparaiso, IN 46383

Scott Wagonblast & Joseph Cioe
202 Monroe
Valparaiso, IN 46383

Matt Welter
3201 Parker Drive
Valparaiso, IN 46383

Gigi LLC
6620 E. 84th Drive
Merrillville, IN 46401

Dennis Marrel
254 Michigan
Valparaiso, IN 46383

Pensacola Properties LLC
203 Monroe
Valparaiso, IN 46383

Larry Jarret & Kathleen Kim
434 N. 325 E.
Valparaiso, IN 46383

Brown OP LLC
PO Box 1481
Portage, IN 46368

Marilyn Lembke Living Trust
1809 Alice Street
Valparaiso, IN 46383

Euclydes Azevedo
177 Cimarron Drive
Valparaiso, IN 46385

Atrium Apartments LLC
359 Lincolnway
Valparaiso, IN 46383

Timothy & Patj Freeman
253 Michigan Ave.
Valparaiso, IN 46383

John Monk
1583 Saugus Close
Valparaiso, IN 46385

Dave & Deloris Kominak
112 Brown
Valparaiso, IN 46383

Betty Marrell Living Trust
256 Michigan
Valparaiso, IN 46383

Roy & Marissa Wilson
552 Andover Der.
Valparaiso, IN 46385

MWayne Enterprises LLC
3201 Parker Dr.
Valparaiso, IN 46383

Robert and Linda Camp
208 Brown St.
Valparaiso, IN 46383

Jan Dick
2505 Camilla Dr.
Valparaiso, IN 46383

Patrick & Mary Sullivan
255 Morgan Blvd.
Valparaiso, IN 46383

LIF Investments LLC
32 Kincaig Ct.
Valparaiso, IN 46385

Shawn Earley
304 Monroe
Valparaiso, IN 46383

Andy & Sandy Perillo
10702 Porter St.
Crown Point, IN 46307

Darlene Hunter
205 ½ Brown
Valparaiso, IN 46383

David Jankowski
2655 Kildare Ct.
Valparaiso, IN 46383

Karl & Allison Schmitt
205 Monroe
Valparaiso, IN 46383

Lindsay Sohovich
351 Morgan Blvd.
Valparaiso, IN 46383

Lozanoski Properties LLC
9110 Vigo Street
Crown Point, IN 46307

Porter County Commissioners
155 Indiana
Rm 205
Valparaiso, IN 46383

LuAnne Johnson
256 Valparaiso St.
Valparaiso, IN 46383

Michael Pals
206 Brown St.
Valparaiso, IN 46383

Anthony & Chen Hammond
20225 Westway Dr.
Rocky River, Ohio 44116

Robert Bartholomew
102 Monroe
Valparaiso, IN 46383

P.A.C.T. Inc.
254 MonroeSt.
Valparaiso, IN 46383

Samuel Johnston
110 Brown St.
Valparaiso, IN 46383

Tammy O'Neill
255 Michigan St.
Valparaiso, IN 46383

Davidson Manors Inc.
208 Indiana Ave.
Valparaiso, IN 46383

Chris & Jennifer Knight
154 Morgan Blvd.
Valparaiso, IN 46383

Variance from Development Standards Findings of Fact

Petitioner submits that:

- A. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals and general welfare of the community because:

This will designed, energy efficient and new building will be well managed and maintained and present an attractive façade to the public.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

The value of adjacent properties should increase with the addition of this new building. Attractive and well-maintained landscaping should enhance the surrounding area.

- 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 goal of this project is the creation of efficient, safe, and affordable housing for families of modest income, with access to close-by employment and transportation. To achieve this goal, five units are necessary.

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.

Use Variance Findings of fact

Petitioner Submits that:

- A. The proposed use variance will not be injurious to the public health, safety, morals and general welfare of the community because:

This well designed, energy efficient and new building will be well managed and maintained and present an attractive facade to the public.

- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:

The value of adjacent properties should increase with the addition of this new building. Attractive and well-maintained landscaping should enhance the surrounding area.

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

The property is zoned RT. Multifamily is allowed only on a corner lot in RT zoning. This lot is not a corner lot.

- D. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

The property is ideally located to provide affordable housing in close proximity to employment and transportation for the residents. Strict application would preclude this use.

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

The third paragraph of the introduction to the Housing Section of the City of Valparaiso Comprehensive Plan states: "The City also wants to create a variety of housing choices particularly for the elderly, handicapped, and low-moderate income families."

And under "Goals" on page II-3, number 4 – b states: "Support organizations pursuing affordable housing such as Habitat for Humanity, Project Neighbors, Christmas in April, Porter County Housing Coalition and the Community Development Corporation."

**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: _____

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 need for the use variance arises from the following condition peculiar to the property involved: _____

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: _____

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.

Administrative Appeal
(Please Print)

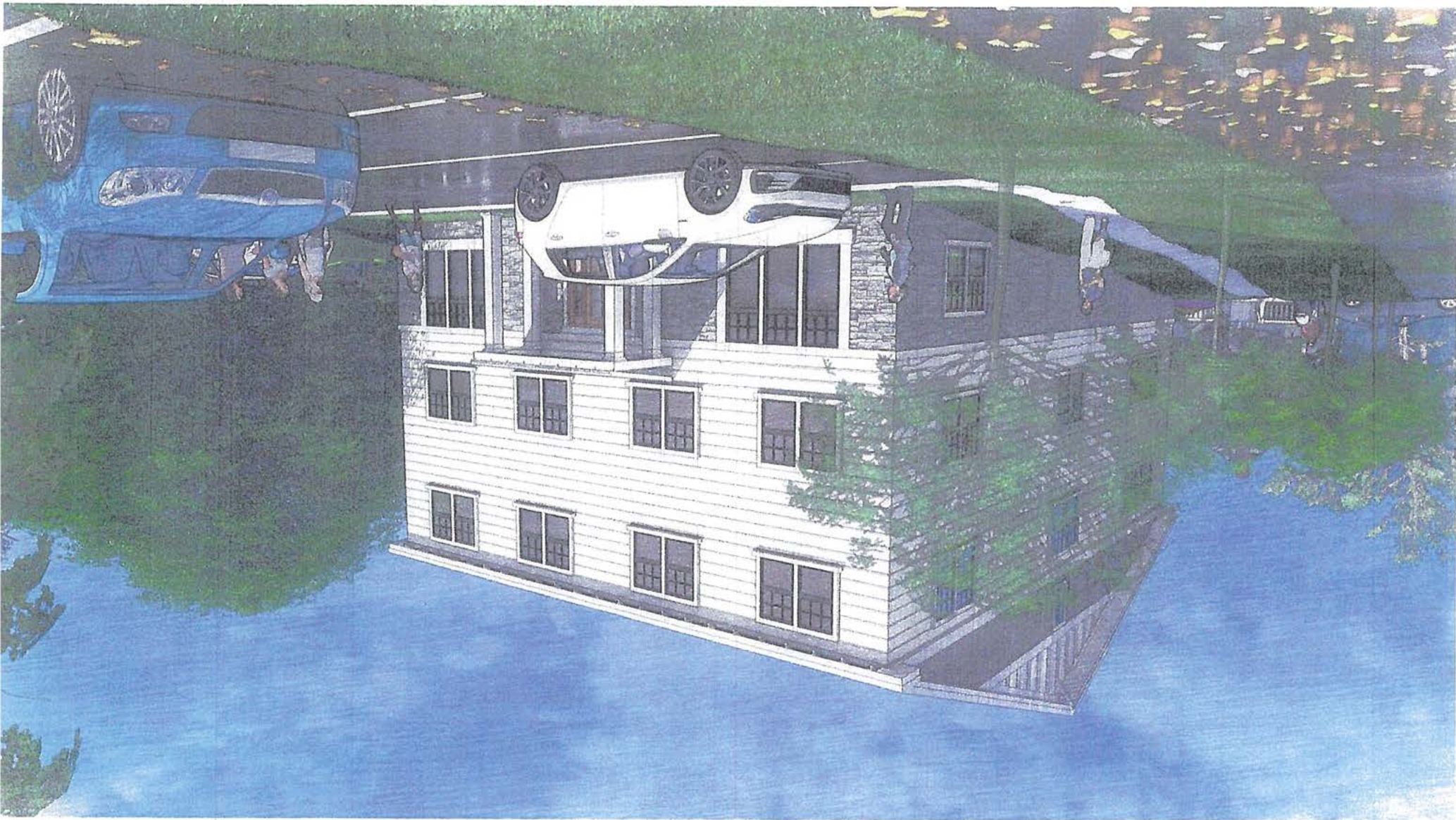
Please submit in writing why staff has error on a decision.

[illegible]

Petitioner

Date _____





Monroe Street Apartments

Project Neighbors

The proposed building is a five-unit apartment building at 206 Monroe Street. Each unit will be approximately 1200 square feet and have three bedrooms, one bathroom, kitchen and laundry facilities. There will be two units on the first floor, two on the second floor, and a rear grade level unit. There will be ten alley-accessed parking places at the rear of the building.

FAR = .77

$6762' \div 8712'$

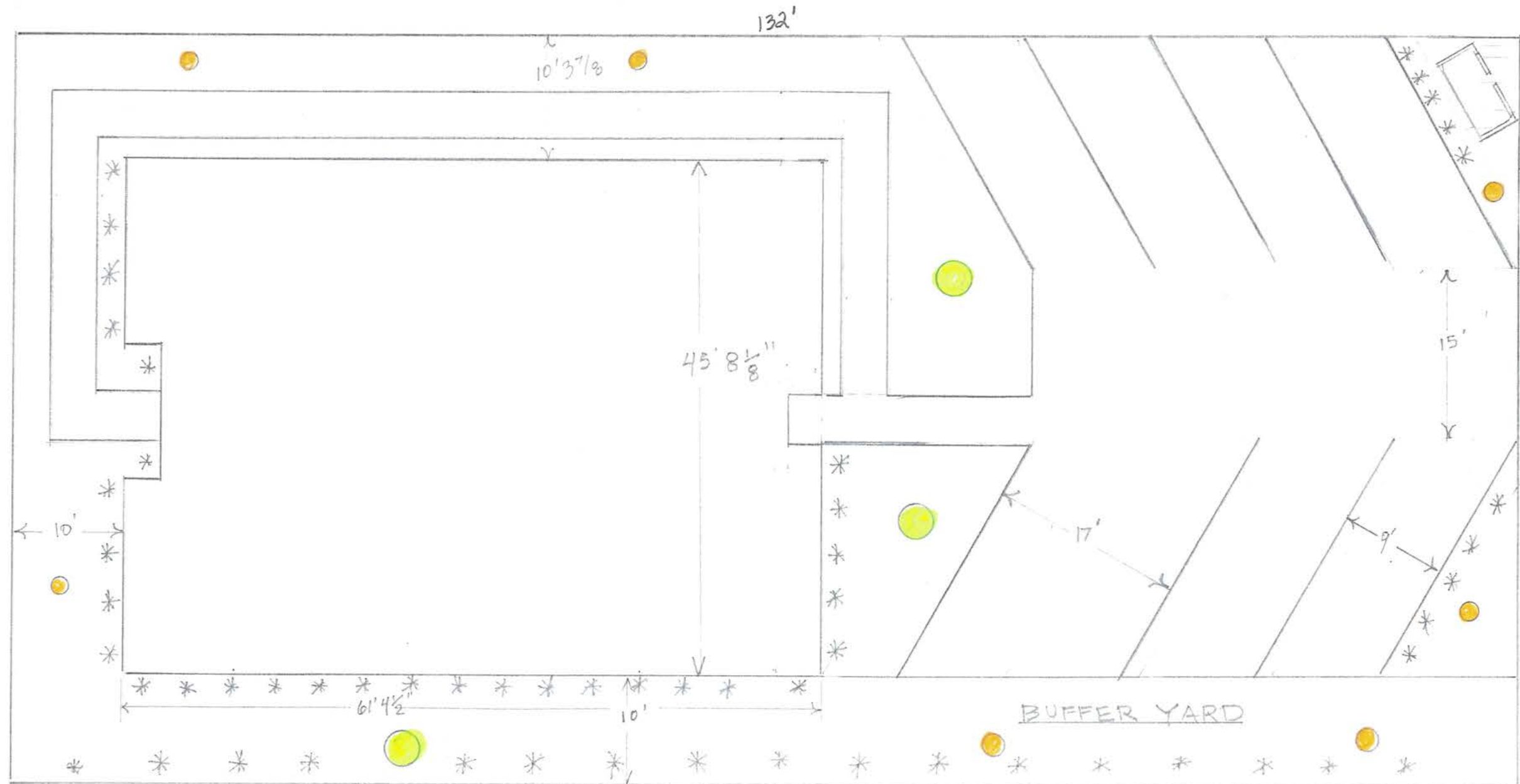
$66 \times 132 = .2 \text{ ACRE}$

IN BUFFER YARD

- 2 LG. TREES
- 5 SM. TREES
- * 40 BUSHES

- 1 LG. TREE
- 2 SM. TREES
- 17 BUSHES

NORTH



206 MONROE

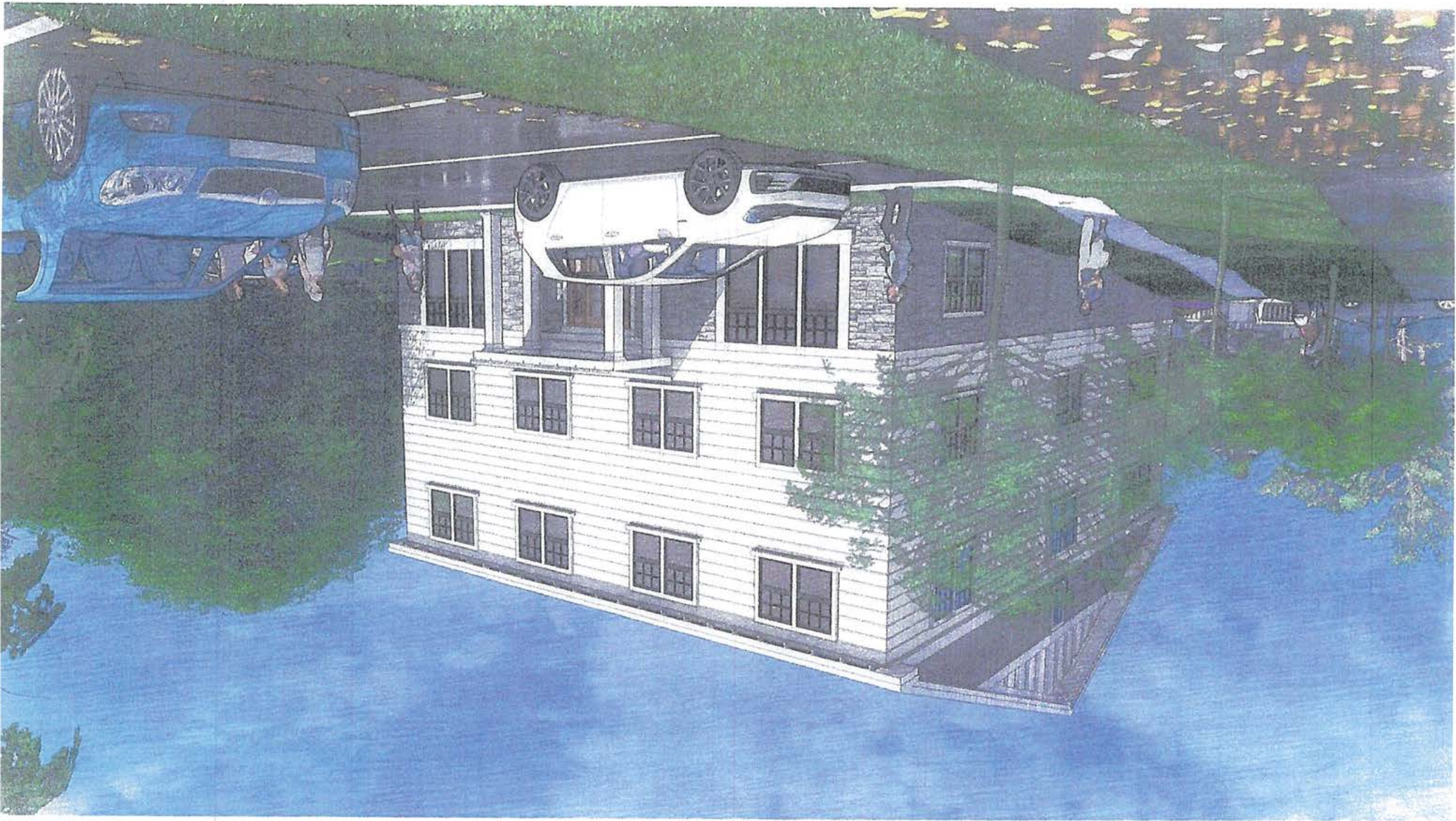
ALLEY

58.2% COVERAGE
BUILDING 32.1%
PARKING 6.4%
SIDEWALK 19.7%

BUFFER YARD

ALLEY





Landscape plantings for 206 Monroe Street

Large Trees (3):	2 Sugar Maple	Acer Saccharum
	1 Black Oak	Juglans Nigra
Small Trees (7):	2 Wafer Ash	Ptelea Trifoliata
	3 Pagoda Dogwood	Cornus Alternifolia
	2 Redbud	Cercis Canadensis
Shrubs (57):	15 Caryopteris	Aryopter Sp.
	17 New Jersey Tea	Ceanothus Americanus
	25 St. John's Wort	Hypericum Sp.

Instructions for filing a petition before the CITY OF VALPARAISO BOARD OF ZONING APPEALS

The information contained in this document will assist you in filing a petition before the Valparaiso Board of Zoning Appeals (“BZA”). Although not required, many petitioners do seek the advice of an attorney before filing a petition. As the Petitioner you are responsible for providing all documents and requested information with the petition on or before the Deadline for the BZA meeting. The information and documents must be accurate and must be submitted to the Planning Department prior to the scheduled Deadline. The decision of the BZA depends on a clear understanding of your request. It is strongly recommended that the Petitioner begin collecting the necessary documents prior to the date of the Deadline. If a petition is not complete or is filed late it will not be placed on the Agenda for the following month. The required filing fee as indicated below must be paid to the City Clerk-Treasurer upon filing a complete petition. **Please submit nine (9) copies of your petition.** If you require assistance in completing this form or would like a copy of the application in an alternate format please call the Planning Department at: (219) 462-1161.

STEP ONE: APPLICATION AND CHECK LIST

In order for a petition to be considered complete it must include at a minimum the following (Check all items provided):

1. _____ **Application Fee** – Submitted to Clerk/Treasure’s Office by no later than 4:00 PM on the day of the posted Deadline for the desired Board of Zoning Appeals meeting.
2. _____ **Completed petition and Checklist.** Petition is attached.
3. _____ **Vicinity Map.** A vicinity map for the purpose of locating the subject property within the City of Valparaiso.
4. _____ **Site Plan/Concept Plan.** The site plan must be to scale and show the front, rear, and side setbacks and provide a lot coverage calculation for all impermeable surfaces. The site plan shall also include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.
5. _____ **Written Description of Project.** There should be a brief written description of the proposed project attached with the site plan. The written description allows the Board of Zoning Appeals and the Planning Department to better understand the proposed project.

6. _____ **Legal Description.** A legal description for the property must be either written in the space provided or typed and attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is not sufficient. If necessary, the Petitioner can obtain a copy of the Deed from the Porter County Recorders Office located in the Porter County Administration Building at 155 Indiana Avenue in Valparaiso.
7. _____ **Surrounding Property Owner List.** If a public hearing is required for your requested action, the names and addresses of all the property owners within 300 feet in all directions from the subject parcel shall be provided. Information concerning the owners of property within 300 feet can be obtained through a title company or the Porter County Auditor's Office. Owners of the property within a 300-foot radius of the lot lines of the subject parcel must receive notice of your Petition and the scheduled Public Hearing. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. It is the Petitioner's responsibility to obtain this information, and Indiana law and Rules of Procedures of the Valparaiso Board of Zoning Appeals require timely notice to all property owners within 300 feet. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.
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Surrounding Property Owner Notification

As outlined in checklist item #8 above, it is the Petitioner's responsibility to mail proper notice to all affected surrounding property owners via certified mail, return receipt requested, that is postmarked no less than ten (10) days prior to the public hearing. This is defined by the BZA as all property owners within a 300 foot radius of the property lines of the subject property. The Petitioner shall present all received or returned green certified mail cards to the BZA Staff or Attorney for inspection to verify compliance with notification requirements, and comparison with provided surrounding property owners list. The Affidavit of Notification of Surrounding Property Owners shall also be provided as outlined above in checklist # 8.

STEP THREE: APPLICATION PROCESS AND PUBLIC HEARING SCHEDULE

Application Review and Checklist Acceptance

Planning Staff will review the application materials for completeness and clarity and schedule the request for the following Board of Zoning Appeals meeting date. If it is determined that the application is incomplete, Planning Staff will notify the Petitioner of the missing or incomplete items and schedule the request for the next Board of Zoning Appeals meeting following receipt of a complete application packet.

Staff Report

If required, Staff will complete a staff report, recommendation to be presented at the Board of Zoning Appeals meeting. The Petitioner may request a copy of any report, recommendation from the Planning Director.

Public Hearing

The Petitioner or his/her representative must attend the BZA meeting to present the project and answer questions. The Board of Zoning Appeals meets on the third Tuesday of each month at 5:30 p.m. at City Hall. The Petitioner will not be notified or reminded of the meeting. Meeting dates are presented below for your reference.

Deadline

December 20th, 2019
January 24th
February 21st
March 27th
April 24th
May 22nd
June 26th
July 24th
August 21st
September 25th
October 23rd
November 20th
December 23rd, 2020

BZA Meeting Date

January 21st, 2020
February 18th
March 17th
April 21st
May 19th
June 16th
July 21st
August 18th
September 15th
October 20th
November 17th
December 15th
January 19th, 2021

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

Petition #: _____

**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 5:30 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:

Legacy Sign Group	316 N. 325 E. Suite 1, Valparaiso, IN 46383	(219) 728-5102
Name (Please Print)	Address	Phone

OWNER OF SUBJECT PROPERTY:

Mbdr Properties Llc	602 E. Lincolnway - Valparaiso, IN	219-465-3968
Name (Please Print)	Address	Phone

ADDRESS OF SUBJECT PROPERTY: 602 E Lincolnway, Valparaiso, IN
Subject property fronts on the south side between (streets) College Ave and S. Greenwich St
in the RT Zoning District.

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

Lot 8 in Block 23 in Woodhull's Addition to the Town, now City of Valparaiso, as per plat

thereof recorded in Miscellaneous Record "A", pages 90 and 91, in the office of the

Recorder of Porter County, Indiana

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

Proposing an addition to existing monument sign for a new tenant. The sign will exceed the height requirement of 6'.

The addition will increase the sign's height by 2', standing at 8' tall overall.

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

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

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

Attach a Site Plot Plan drawn to scale showing:

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

Please fill in:

Front Setback_____ Rear Setback_____ Side Setbacks_____/_____ Lot Coverage_____
Height_____

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

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

STAFF USE ONLY

Date Received _____

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

Date approved for Public Hearing _____, _____

BZA Application Fees

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

TOTAL FEE \$150 _____

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.

Shaun Ensign

Signature of Petitioner

Shaun Ensign

Printed Name

[Signature]

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:

_____, and
acknowledge the execution of the foregoing document, this 26 day of March, 2020.

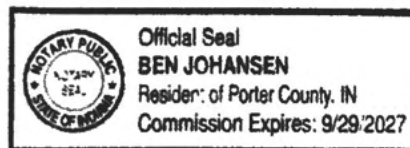
[Signature]

NOTARY PUBLIC

My Commission Expires: 9/29/2027
Resident of Porter County

Ben Johansen

Type or Print name of Notary

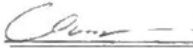


Affidavit of Consent of Property Owner

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

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

1. That Donald Harvey ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Legacy Sign Group ("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.

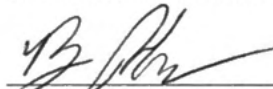

Property Owner

03.26.20
Date

Property Owner

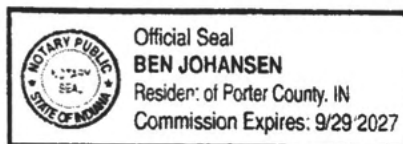
Date

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


Notary Public

My Commission:

03/26/2020
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 21 day of April, 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 (insert action here) Approval to increase height requirement for an existing monument sign's tenant addition.

The petitioner for the requested action is Legacy Sign Group of the (address here) 602 E Lincolnway, Valparaiso, IN. The property is located in the RT Zoning District. The subject parcel is located at (Address or Location) 602 E Lincolnway, Valparaiso, IN and includes the following tract of land:

Legal Description

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

Lot 8 in Block 23 in Woodhull's Addition to the Town, now City of Valparaiso, as per plat thereof recorded in Miscellaneous Record "A", pages 90 and 91, in the office of the Recorder of Porter County, Indiana

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:

Beth Shrader, Planning Director
City of Valparaiso
166 Lincolnway
Valparaiso, IN 46383

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

Email: bshrader@valpo.us

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

Respectfully,

Shaun Ensign

Petitioner

Shaun Ensign

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)

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

1. That he/she is the Agent (agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana
2. That on the 10 day of April, 2020, 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.

Shaun Ensign
Petitioner

03.26.20
Date

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

[Signature]
Notary Public

My Commission Expires

9/29/2027
Date



SURROUNDING PROPERTY OWNER LIST

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

(Please Print)

NameAddress

See attached.

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 proposed variance is for a slight increase in height for an existing sign. There will be no obstructions or negative consequence if approved.

B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:_____

The proposed variance is for a slight increase in height for an existing sign. There will be no obstructions or negative consequence if approved.

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 tenant of Harvey Wealth Management will not be able to incorporate their branding into the sign to advertise.

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

**Use Variance
Findings of Fact
(Please Print)**

Petitioner Submits that:

A. The proposed use variance will not be injurious to the public health, safety, morals, and general welfare of the community because: _____

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 need for the use variance arises from the following condition peculiar to the property involved: _____

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: _____

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.

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

Petitioner Submits that:

The variance will not generate excessive vehicular traffic on minor residential streets and will not create vehicular parking and traffic problems to the community because:_____

The appropriate access roads, drives, walks, utilities, drainage facilities, and other necessary facilities have been or will be installed explain:_____

The special exception/special use 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 because: _____

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

Owner

S P Arch Inc
Czekaj Michael & Barbara Family Tru
Glenwood Properties LLC
Foelber David A & Christine C/H&W
Bustos Jeremy R & Lowe Carley
Nicksic Jennifer
Mbdr Properties Ll
Mazurski Alexandria & Steven/W&H &
Kuiken Donald W
Voiles Jill
Bell Christopher M
Karras Gregory S & Joyce R/H&W
Trust No 4
Neighbors Corporation
Voiles Jill
Jefferson Investments Ll
Charlson Construction Inc
Pape David
Octavia Investments LLC
Jones Gregory & Ida/H&W
Dranco Ll
Goodwin Kevin L & Justine A/H&W
Fairbairn William J & Fairbairn Lin
Octavia Investments LLC
Swihart Sharon & Thomas W
Horst William Nicholas & Kaitlyn An
Craig Robert M
Anderson Wayne N & Bettie L/H&W
Radinovich Milan & Gloriaj/H&W
505 Indiana LLC
Whitaker Jason & Whitaker Allen V &
MGRENTALS LLC
Dollins Jordan T & Dean Stephen R
Uptown Deals LLC
Engstrom Aldon & Linda G/H&W
Johnson Jamia
Kurfman Adam B
Schreiner Paul D & Jane/H&W
NWI HB Investments LLC
Fankhauser James & Jamie/H&W
Hamilton Porter 10 Living Trust

Owner Address

702 Lincolnway Valparaiso IN 46383
5259 Surrey Ave Portage IN 46368
701 Lincolnway Valparaiso IN 46383
504 Lincolnway Valparaiso IN 46383
503 Lincolnway Valparaiso IN 46383
56 College Ave Valparaiso IN 46383
602 Lincolnway Valparaiso IN 46383
1816 N Rockwell St Unit C Chicago IL 60647
1170 N 400 E Chesterton IN 46304
2 N 325 West Valparaiso IN 46385
55 Locust St Valparaiso IN 46383
153 College Ave Valparaiso IN 46383
5105 Garden Gtwy Valparaiso IN 46383
454 College Ave Valparaiso IN 46383
2 N 325 West Valparaiso IN 46385
4 Indiana Ave Valparaiso IN 46383
216 Shortridge Rd Valparaiso IN 46383
165 McIntyre Ct Valparaiso IN 46383
5 Ashworth Ct PO Box 110 Maryville IL 62062
606 Indiana Ave Valparaiso IN 46383
425 Laurel Ln Valparaiso IN 46385
195 N 250 W Valparaiso IN 46385
425 Sherman Dr #A Valparaiso IN 46385
5 Ashworth Ct PO Box 110 Maryville IL 62062
507 Lincolnway Valparaiso IN 46383
739 Westerfield Rd Hebron IN 46341
608 Jefferson St Valparaiso IN 46383
506 Jefferson St Valparaiso IN 46383
602 Jefferson St Valparaiso IN 46383
3782 Quarter Horse Dr Yorba Linda CA 92886
56 Greenwich St Valparaiso IN 46383
Centier Bank 600 E 84th Ave Merrillville IN 46410
608 Indiana Ave Valparaiso IN 46383
1211 Martinal Rd Valparaiso IN 46383
503 Indiana Ave Valparaiso IN 46383
507 Indiana Ave Valparaiso IN 46383
152 College Ave Valparaiso IN 46383
505 Lincolnway Valparaiso IN 46383
152 W Division Rd Valparaiso IN 46385
506 Lincolnway Valparaiso IN 46383
6605 N 93rd Ave Unit 1064 Glendale AZ 85305

Site Address

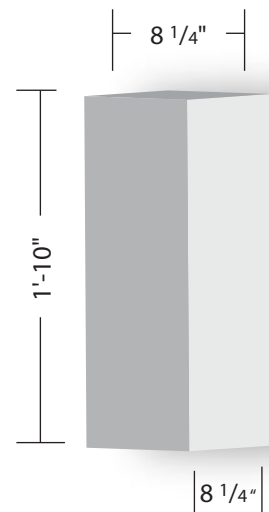
702 Lincolnway Valparaiso IN 46383
604 Jefferson St Valparaiso IN 46383
701 Lincolnway Valparaiso IN 46383
504 Lincolnway Valparaiso IN 46383
503 Lincolnway Valparaiso IN 46383
56 College Ave Valparaiso IN 46383
602 Lincolnway Valparaiso IN 46383
5 College Ave Valparaiso IN 46383
601 Lincolnway Valparaiso IN 46383
501 Indiana Ave Valparaiso IN 46383
55 Locust St Valparaiso IN 46383
153 College Ave Valparaiso IN 46383
605 Indiana Ave Valparaiso IN 46383
506 Indiana Ave Valparaiso IN 46383
501 Indiana Ave Valparaiso IN 46383
54 College Ave Valparaiso IN 46383
603 Indiana Ave Valparaiso IN 46383
57 Greenwich St Valparaiso IN 46383
606 Lincolnway Valparaiso IN 46383
606 Indiana Ave Valparaiso IN 46383
607 Lincolnway Valparaiso IN 46383
500 Lincolnway Valparaiso IN 46383
602 Indiana Ave Valparaiso IN 46383
606 Lincolnway Valparaiso IN 46383
507 Lincolnway Valparaiso IN 46383
607 Indiana Ave Valparaiso IN 46383
608 Jefferson St Valparaiso IN 46383
506 Jefferson St Valparaiso IN 46383
602 E Jefferson St Valparaiso IN 46383
505 Indiana Ave Valparaiso IN 46383
56 Greenwich St Valparaiso IN 46383
603 Lincolnway Valparaiso IN 46383
608 Indiana Ave Valparaiso IN 46383
501 Lincolnway Valparaiso IN 46383
503 Indiana Ave Valparaiso IN 46383
507 Indiana Ave Valparaiso IN 46383
152 College Ave Valparaiso IN 46383
505 Lincolnway Valparaiso IN 46383
606 Jefferson St Valparaiso IN 46383
506 Lincolnway Valparaiso IN 46383
601 Indiana Ave Valparaiso IN 46383



1"-1'-0" = Scale

- ONE (1) DOUBLE FACE LED ILLUMINATED SIGN CABINET WITH WHITE PAN FACES / INSTALLED ON TOP OF EXISTING D/F MONUMENT
- TWO (2) WHITE PAINTED CEDAR POLE WRAPS & RESET ORIGINAL TOP CAPS

BACKGROUND=WHITE
MAIN COPY AND BORDER=TRANS 3630-167 BRIGHT BLUE



LEGACY SIGN
GROUP

316 N 325 East, Valparaiso, IN 46383

PROJECT: Harvey Wealth Mgmt
602 Lincolnway
Valparaiso, IN

REP: Shaun Ensign 219-299-1998

DATE: 03-04-2020

DRAWING #: SE-0051-1

DESIGNER: Ty Balon

REVISIONS:
1.

CLIENT APPROVAL:

By signing this print, I understand that I am accepting all aspects of this drawing. This includes artwork, specifications, dimensions, spelling, and all other representations herein. I also understand that color representations on this print are approximate, and may not match actual colors produced.

602

Donald L. Harvey CPA, P.C.
CERTIFIED PUBLIC ACCOUNTANT

**BLACKBURN
& GREEN**

Attorneys for Injured People

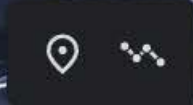


Distance ?

28 ft ▾

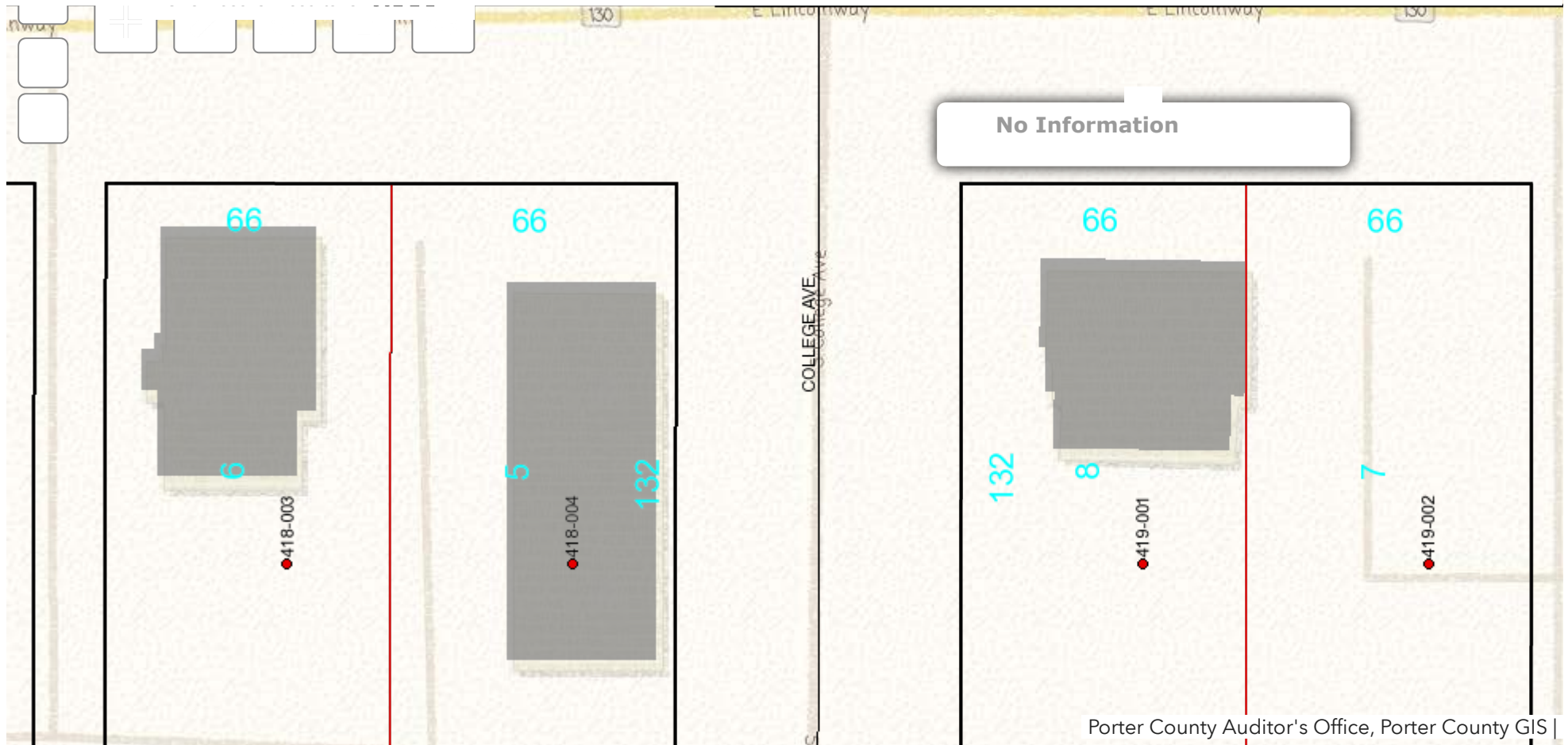


[↻ Start new](#)



3D





40ft
-87.054 41.468 Degrees

Petition #: _____

**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 5:30 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. _____)
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- ☐ 3. Variance of the use from the terms of the Zoning Ordinances.
- ☐ 4. Petition for Special Exception.
- ☐ 5. Special Exception from Home Occupation.
- ☐ 6. Conditional Use.

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

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

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

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

Jesse Butz, 103 Jefferson St, Valparaiso, IN 46383	219-462-0524
Name (Please Print)	Phone

OWNER OF SUBJECT PROPERTY:

Jesse Butz, 103 Jefferson St, Valparaiso, IN 46383	219-462-0524
Name (Please Print)	Phone

ADDRESS OF SUBJECT PROPERTY: 106 Jefferson St, Valparaiso, IN 46383

Subject property fronts on the _____ side between (streets) _____
in the _____ Zoning District. (see attached site location plan)

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

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

THE EXISTING CHASE DRIVE-UP PROPERTY WILL BE CONVERTED TO THE PORTER COUNTY LIBRARY READING PLAZA AS AN EXTENSION OF THE LIBRARY'S READING PROGRAMS. THE FACILITY MAY BE RENTED BY THE PUBLIC FOR SPECIAL OCCASIONS. THE REQUEST FOR VARIANCE IS FOR THE USE OF SIGNAGE AND A FENCE.

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

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

Attach a Site Plot Plan drawn to scale showing:

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

Please fill in: (See Below*)

Front Setback __ Rear Setback __ Side Setbacks __ / __ Lot Coverage __ NA
Height __ NA

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.

* Fence will be located (from Property Lines): 10'-5" East, 8'-5" West, right along Property Lines on North and South. Gateway is approx 10'-0" away from North and 15'-0" to the east Property Lines. Fence will be a total of 4'-0" tall on all sides of the property.

STAFF USE ONLY

Date Received _____

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

Date approved for Public Hearing _____

BZA Application Fees

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

TOTAL FEE \$150

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.

Jesse Butz
Signature of Petitioner

Jesse Butz
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:

Jesse Butz, Director of PCPLS, and
acknowledge the execution of the foregoing document, this 31st day of March, 2020.

Clay M. Patton
NOTARY PUBLIC

Clay M. Patton
Type or Print name of Notary

My Commission Expires: September 7, 2020
Resident of Porter County



Affidavit of Consent of Property Owner

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

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

1. That Jesse Butz ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Jesse Butz ("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.

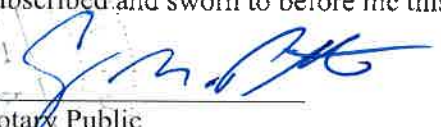
Jesse Butz
Property Owner

3/31/2020
Date

Property Owner

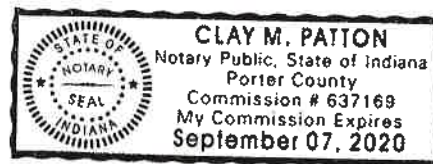
Date

Subscribed and sworn to before me this 31st day of March, 2020.


Notary Public

My Commission:

September 7, 2020
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 5:30 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:

Beth Shrader, Planning Director

City of Valparaiso

166 Lincolnway

Valparaiso, IN 46383

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

Email: bshrader@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)

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

1. That he/she is the Owner (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.

Jesse Butz
Petitioner

3/31/2020
Date

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

Notary Public

My Commission Expires

Date

SURROUNDING PROPERTY OWNER LIST

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

(Please Print)

NameAddress

SEE ATTACHED LIST

This image shows a full page of blank, lined paper. It features approximately 20 horizontal black lines spaced evenly across the page, typical of notebook paper. The lines are thin and extend from the left edge towards the right. There is no handwriting or other markings on the page.

Variance from Development Standards
Findings of Fact
(Please Print)

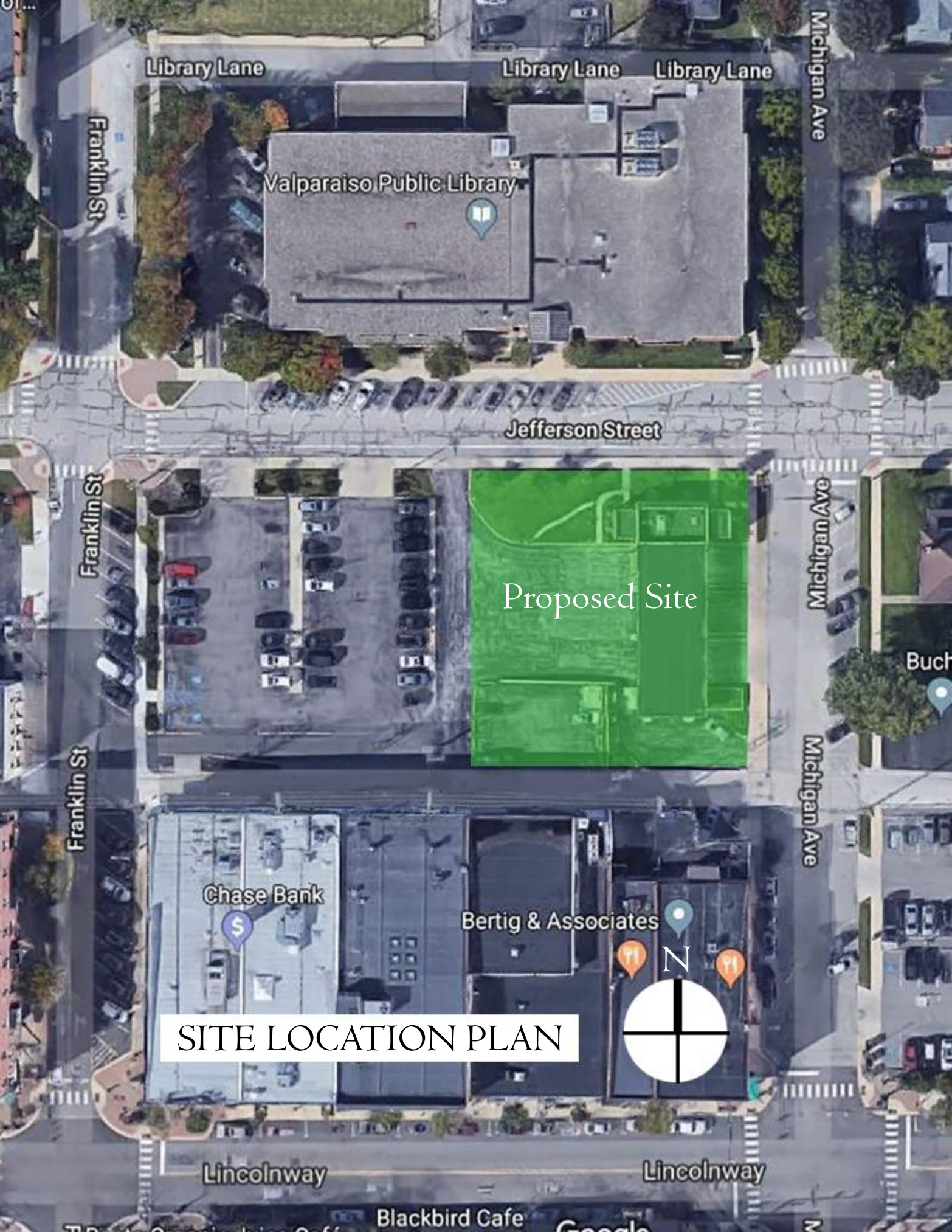
Petitioner submits that:

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 fence line is being proposed to help protect those within the
proposed Plaza by maintaining controlled entry points into the site.
Signage is being used to assist in directing patrons to the entry
points.

B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because: _____
The proposed Plaza will become a community asset as an
extension of the Library and will bring neighboring value to
property owners.

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: _____
With the Plaza attracting children to the Reading programs, the
fence becomes a barrier and protector for any wayward patron.
Signage helps direction and celebrates the purpose of the
program.

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.



Library Lane

Library Lane

Library Lane

Michigan Ave

Valparaíso Public Library

Franklin St

Jefferson Street

Proposed Site

Michigan Ave

Michigan Ave

Buch

Chase Bank

Bertig & Associates

N

SITE LOCATION PLAN

Lincolnway

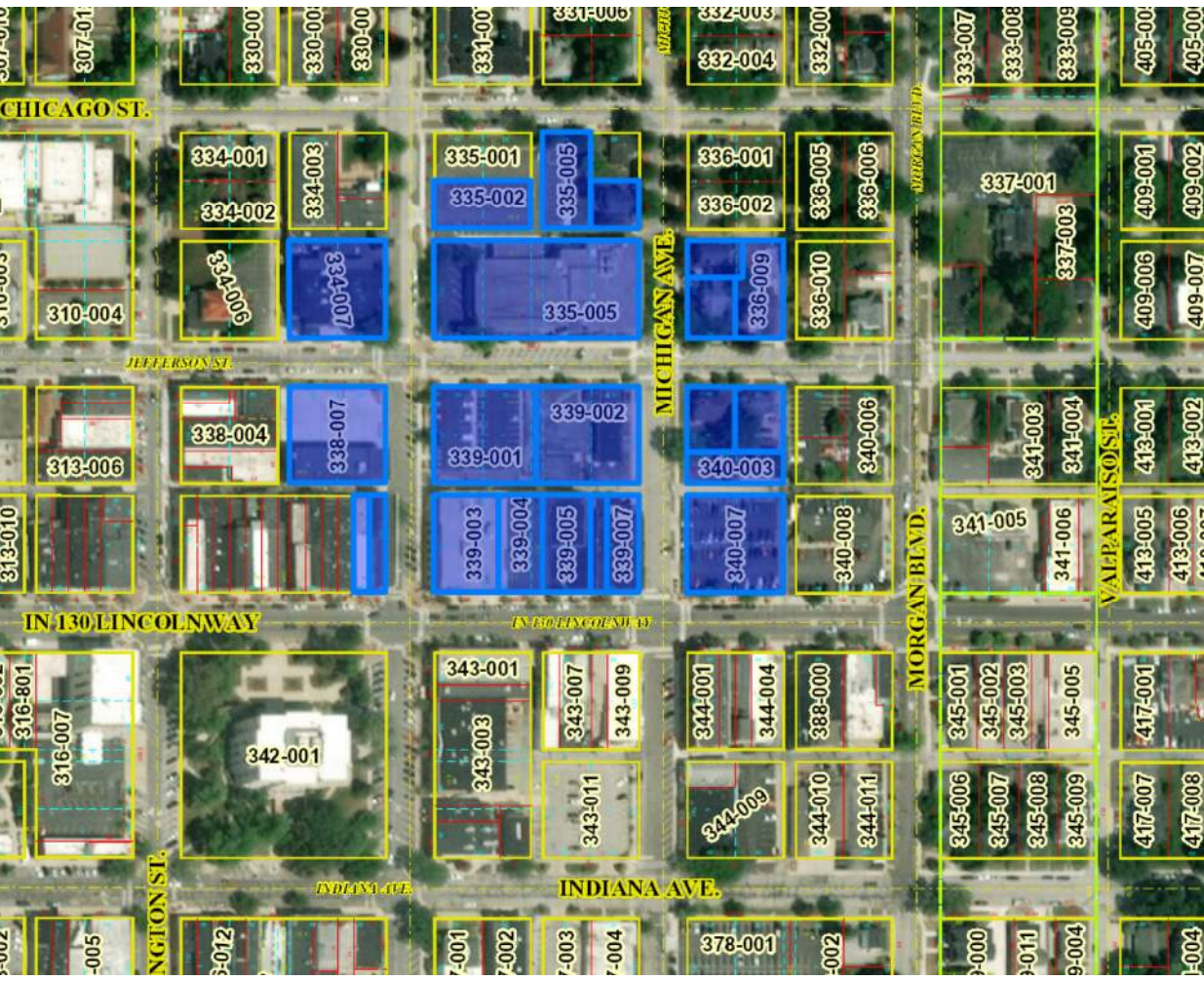
Lincolnway

Blackbird Cafe

Google

N

Parcel Number	Owner	Owner Address	Site Address	Legal Description
64-09-24-340-007.000-004	Valparaiso City Of	166 Lincolnway Valparaiso IN 46383	170 Lincolnway Valparaiso IN 46383	Os Lots 5-6 Blk 20
64-09-24-335-005.000-004	Library Valparaiso Public	107 Jefferson St Valparaiso IN 46383	103 Jefferson St Valparaiso IN 46383	Os Lots 2 5 6 7 & 8 & Vac Alley Blk 12
64-09-24-339-005.000-004	Porter Lodge 137 F & Am Of Porter C	113 Lincolnway Valparaiso IN 46383	113 Lincolnway Valparaiso IN 46383	OS Lot 7 Blk 19
64-09-24-340-010.000-004	Rucher & Sons LLC	6 North Michigan Valparaiso IN 46383	204 Jefferson St Valparaiso IN 46383	n S Valpo 51 N90 Lot 3 Blk 20 .002A
64-09-24-335-002.000-004	Porter County Public Library System	103 Jefferson St Valparaiso IN 46383	106 Franklin St Valparaiso IN 46383	O S 51/2 Lots 3&4 Blk 12
64-09-24-339-001.000-004	Gainer Bank	PO Box 810490 C/O Industry Consulting Group Dallas TX 75381	Jefferson St Valparaiso IN 46383	Os All Lots 3&4 Plus 1/2 Vac Alley Blk 19
64-09-24-336-009.000-004	Talking Numbers LLC	203 Jefferson St Valparaiso IN 46383	203 Jefferson St Valparaiso IN 46383	O S Lot 6 Blk 11 Ex Par Sold
64-09-24-338-021.000-004	23 Lincolnway LLC	2911 Dudley Dr Chesterton IN 46304	23 Lincolnway Valparaiso IN 46383	O S F1/3 Lot 8 Blk 18
64-09-24-339-007.000-004	Bertig Buildings Llc	121 Lincolnway Valparaiso IN 46383	123 Lincolnway Valparaiso IN 46383	O S E2/3 Lot 8 Blk 19
64-09-24-334-007.000-004	Church First United Methodist Valpo	103 Franklin St Valparaiso IN 46383	103 Franklin St Valparaiso IN 46383	O S Lots 7 & 8 Blk 13 Church
64-09-24-339-004.000-004	F Lucas & Sons LLC	105 Lincolnway Valparaiso IN 46383	109 Lincolnway Valparaiso IN 46383	O S E2/3 Lot 6 Blk 19 & Vac Alley Adj On E Dr495 P307
64-09-24-339-006.000-004	Rivero Carlos & Carol/H&W	119 Lincolnway Valparaiso IN 46383	119 Lincolnway Valparaiso IN 46383	Original Survey W1/3 Lot 8 Blk 19 Dr414 P111
64-09-24-340-003.000-004	Butcher & Sons LLC	6 North Michigan Valparaiso IN 46383	6 Michigan Ave Valparaiso IN 46383	O S 542 Lots 3 & 4 Blk 20 Dr494 P282
64-09-24-340-001.000-004	Handschy Susan & Nelson Anna Maria/	PO Box 306 Valparaiso IN 46384	202 Jefferson St Valparaiso IN 46383	O S H90FT Lot 4 Blk 20 Dr412 P603
64-09-24-336-008.000-004	Bianco Michael A & Jane E/H&W	201 Jefferson St Valparaiso IN 46383	201 Jefferson St Valparaiso IN 46383	Original Survey Lot 5 Ex N50 Blk 11 Dr443 P604
64-09-24-335-005.000-004	Library Valparaiso Public	107 Jefferson St Valparaiso IN 46383	103 Jefferson St Valparaiso IN 46383	Os Lots 2 5 6 7 & 8 & Vac Alley Blk 12
64-09-24-338-007.000-004	15 Franklin LLC	212 Lincolnway Valparaiso IN 46383	15 Franklin St Valparaiso IN 46383	O S Lots 1 & 2 Blk 18 & Pt Vac St & Aly Bldg Encroaches Dr466 P16
64-09-24-335-004.000-004	Bowtie Properties LLC	179 Ruckskin Ln Valparaiso IN 46383	105 Michigan Ave Valparaiso IN 46383	Original Survey 51/2 Lot 1 Blk 12
64-09-24-336-012.000-004	Schiralli Rocco & Brookline I/H&W	104 Michigan Ave Valparaiso IN 46383	104 Michigan Ave Valparaiso IN 46383	O S N50 Lot 5 & W10 N50 Lot 6 Blk 11 .08A TIF
64-09-24-339-003.000-004	Gainer Bank	PO Box 810490 C/O Industry Consulting Group Dallas TX 75381	101 Lincolnway Valparaiso IN 46383	O S All Lot 5 W1/3 Lot 6 Blk 19
64-09-24-339-002.000-004	Porter County Public Library System	103 Jefferson St Valparaiso IN 46383	106 Jefferson St Valparaiso IN 46383	O S Lots 1 & 2 Blk 19 & 1/2 Vac Alley
64-09-24-340-009.000-004	One O Girl LLC	204 E Jefferson St Valparaiso IN 46383	204 Jefferson St Valparaiso IN 46383	O S Valpo A88 Lot 3 Blk 70 .134A
64-09-24-338-020.000-004	Falls Denny M	347 Sand Creek Dr Chesterton IN 46304	21 Lincolnway Valparaiso IN 46383	O S Cent 1/3 Lot 8 Blk 18



P:\Projects\1710220\Deliverables\Drawings\1_C504\201 Construction Details.dwg
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1



A2 MAIN ENTRANCE - GATEWAY - OPEN (FOR DESIGN INTENT)
NOT TO SCALE

2



A3 MAIN ENTRANCE - GATEWAY - CLOSED (FOR DESIGN INTENT)
NOT TO SCALE

4



A4 MAIN ENTRANCE - GATEWAY - DONOR WALL (FOR DESIGN INTENT)
NOT TO SCALE

MATERIAL & FINISH NOTES

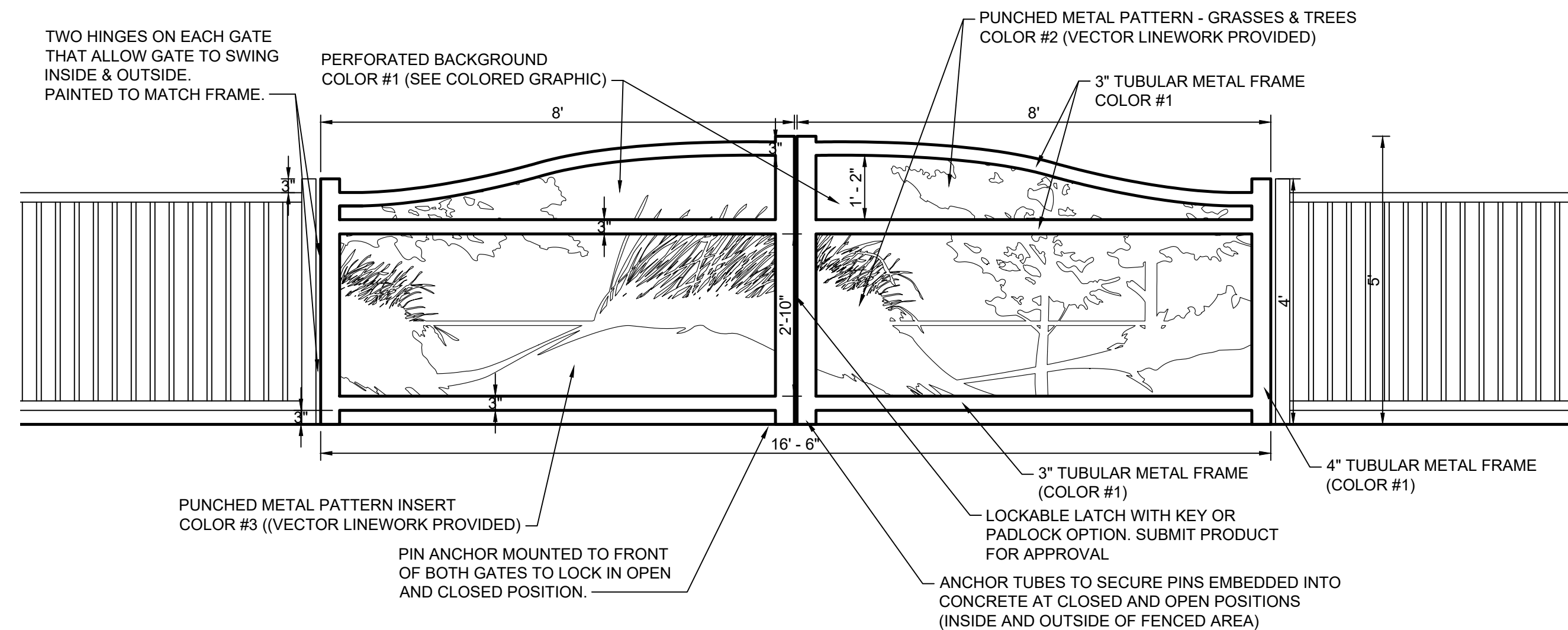
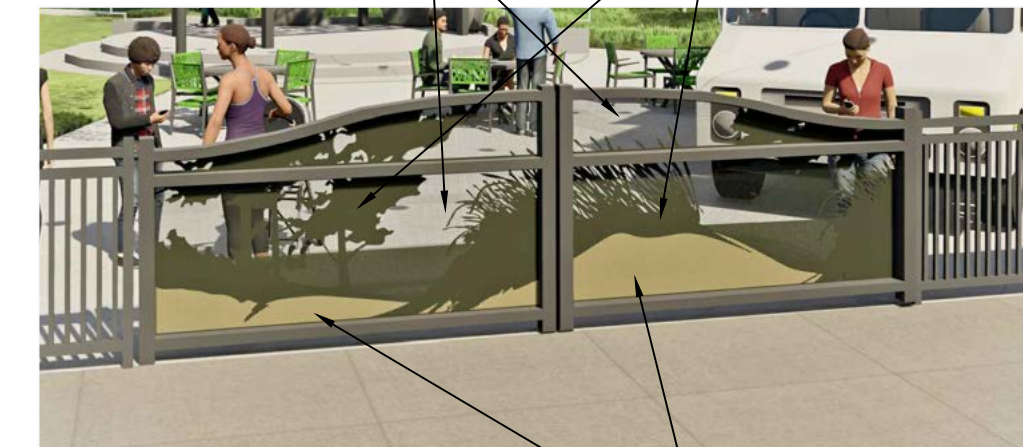
- FRAME ATTACHMENT
 - GATEWAY FRAME FIXED TO SURFACE WITH ANCHOR BOLTS. BOLT HEAD COVERED WITH DECORATIVE CAP. PAINTED COLOR #1
- LOCK
 - LATCH LOCK OR PADLOCK FROM OUTSIDE. LOOPS WELDED TO INSIDE GATE, PAINTED COLOR #1
- HINGES
 - ADJUSTABLE HINGE, 2 PER GATE. BOLT GATE BOLT POST. ATTACHED FOR OPENING OUT ONLY. PAINTED COLOR #1
- DROP BOLTS
 - FIXED TO INSIDE OF GATE FRAME. 1/4" DIAMETER BY 24" LONG STEEL, WITH HANGER. HOLES DRILLED IN SURFACE AT CLOSED AND OPEN POSITIONS. PAINTED COLOR #1
- TUBULAR METAL FRAME
 - GALVANIZED METAL, PRIMED AND PAINTED COLOR #1
- FINISHES
 - COLORS, ALL SATIN FINISH
 - COLOR #1 FRAME: PEWTER (MATCH BENJAMIN MOORE AC-27)
 - COLOR #2 BACKGROUND TO 'LIBRARY GARDEN' AND GATE QUOTES: DARK PEWTER (MATCH BENJAMIN MOORE HC-166)
 - COLOR #3 GOLD ACCENTS: (MATCH BENJAMIN MOORE 2159-20)
 - VINYL LETTERING
 - GOLD: MATCH ORACAL 651 INTERMEDIATE CAL, OPAQUE ADHESIVE VINYL: IMITATION GOLD #824

NOTE:
ALL SIGN FABRICATION & FOOTINGS BY NAGEL SIGNS,
OR APPROVED EQUAL

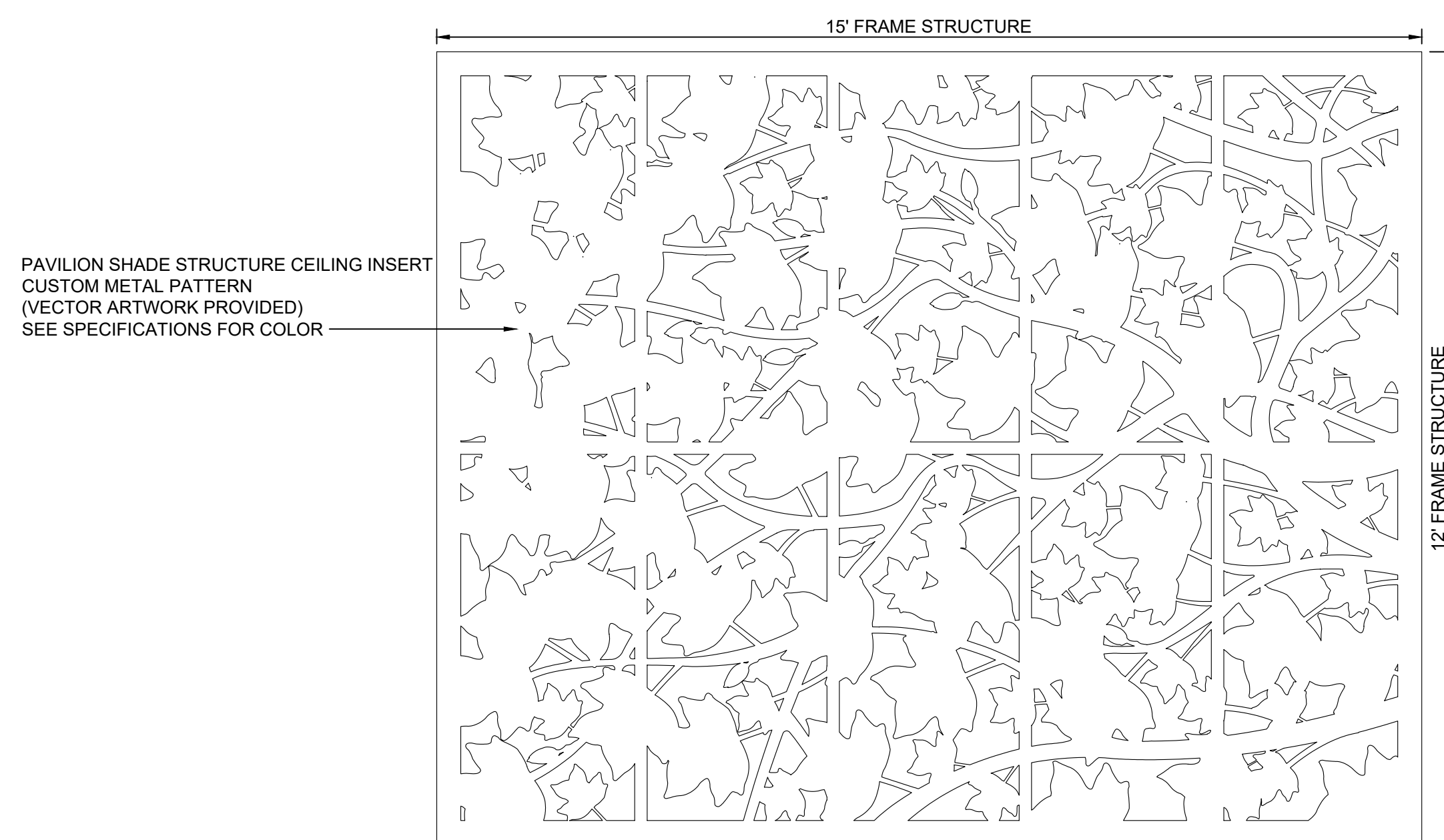
NAGEL SIGNS: TOM NAGEL
ADDRESS: 1020 WILBUR AVENUE,
WATERLOO, IOWA 50701
PHONE: 319-233-4606

PERFORATED BACKGROUND
COLOR #1
(SEE COLORED GRAPHIC)

GRASSES & TREES
(COLOR #2)



D3 DOUBLE SWING GATE - FOOD TRUCK ENTRANCE
NOT TO SCALE



D4 PUNCHED METAL PATTERN FOR PAVILION SHADE STRUCTURES
NOT TO SCALE

1

SHIVE-HATTERY
ARCHITECTURE+ENGINEERING
57 FRANKLIN STREET, SUITE 201
VALPARAISO, INDIANA 46383
219.476.1400 | 844.451.6894 | FAX 319.384.4251
Iowa | Illinois | Indiana

SEAL

EXPIRES 12/31/2020

2

PORTER COUNTY LIBRARY PLAZA

PORTER COUNTY LIBRARY
106 JEFFERSON ST., VALPARAISO, IN 46383

3

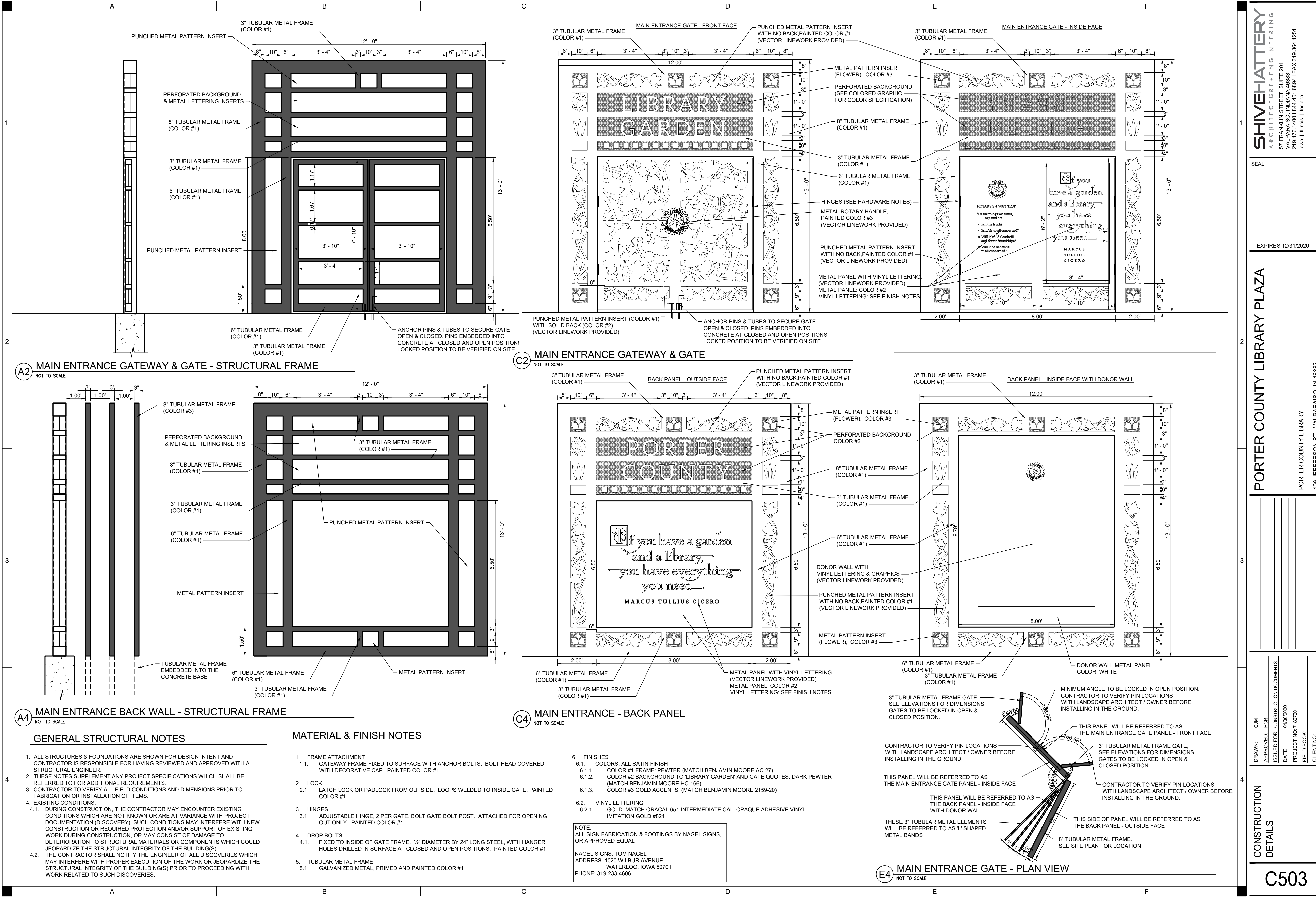
DRAWN: GJM	APPROVED: HGR
ISSUED FOR: CONSTRUCTION DOCUMENTS	
DATE: 04/08/2020	PROJECT NO: 1710220
FIELD BOOK: --	CLIENT NO: --

4

CONSTRUCTION
DETAILS

C504

P:\Projects\WV\716720\Drawings\Detailing_C\A2C503 Construction Details.dwg
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Petition #: VAL19-015

**PETITION TO
VALPARAISO BOARD OF ZONING APPEALS**

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

PLEASE COMPLETE THE FOLLOWING:

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

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

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

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

In support of an application for a **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:

Philip E. Hahn 125 W. Division Rd (219) 241-8803
 Name (Please Print) Address Phone

OWNER OF SUBJECT PROPERTY:

David Wilgus 10132 W 870th Street, Wanatah, IN (219) 407-7884
 Name (Please Print) Address Phone

ADDRESS OF SUBJECT PROPERTY: 304 Stanley Street (GIS: 1703 Valparaiso St)
 Subject property fronts on the _____ side between (streets) _____
 in the _____ Zoning District.

STAFF USE ONLY

Date Received _____

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

Date approved for Public Hearing _____

BZA Application Fees

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

TOTAL FEE \$ 50⁰⁰

Legal Description of Subject Property: (Exhibit No.)

Part of the Northeast Quarter of the Southwest Quarter of Section
Township 33 North, Range 6 West of the Second Principal Meridian in the City of
Valparaiso, Porter County, Indiana, described as beginning at a point 481 feet south of the
Center of said section 13 and running thence West 412 and 1/2 feet; thence North 50 feet;
Thence East 412 and 1/2 feet; thence South 60 feet to the place of Beginning.

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

New Construction of a single family
3 bedroom home with attached
3 car garage.

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

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

Attach a Site Plot Plan drawn to scale showing:

- 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 20 Rear Setback 8 Side Setbacks 12/18 Lot Coverage 465
Height 4 1/2 24'0"

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 12/10/15

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.

Philip E. Hahn
Signature of Petitioner

PHILIP E. HAHN
Printed Name

David A. Wadsworth Jr.
Signature of Property Owner

Signature of Property Owner

Subscribed and sworn to before me, a Notary in and for said County and State, personally appeared: Philip E. Hahn, and
acknowledge the execution of the foregoing document, this 26 day of Aug, 2019.

Leila J. Buford
NOTARY PUBLIC

My Commission Expires: May 14, 2023
Resident of Porter County

Leila J. Buford
Type or Print name of Notary

Affidavit of Consent of Property Owner

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

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

1. That David D Wilgus Jr ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the BZA.
2. That Owner authorizes Philip E. Hahn ("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.

David D Wilgus Jr
Property Owner

Aug 26, 2019
Date

Property Owner

Date

Subscribed and sworn to before me this 26th day of August, 2019.

Leila J Buford
Notary Public

My Commission:

May 14, 2023
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

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 rear yard setback is adjacent to an open rear yard
from neighboring property which front to Valparaiso St.
It is the only property which abuts the proposed
setback adjustment. ~~the~~ The structure is 1-60'-0"
away from the south east corner of the subject property

B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because: _____

The overall value of the single family, new construction
will be owner occupied, & will be of higher
value than the surrounding homes

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

Due to the overall depth of the infill property
(60') it is not possible to meet both
front yard & rear yard setbacks.

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



146K

181K

149K



CONC. CURB

STANLEY STREET

The Hahn Residence
Site Plan - 304 Stanley Str
Scale = 1" = 10.00'

CONC. CURB

EXISTING
CONC. SIDEWALK

N. 89° 57' 16" W ~ 120.00'

Drive

Porch

3 Car Garage

3 Bedroom - Single
Family Residence
(1 1/2 Story)

15' DRAINAGE
EASEMENT

N 89° 57' 16" W ~ 120.00'

S 00° 02' 00" E 60.00'

S 00° 02' 00" E 60.00'

16'-0"

12'-0"

20'-0"

32'-0"

8'-0"

18'-0"

Proposed Lot Coverage for 304 Stanley Street, Valparaiso

ALLOWABLE BUILDING COVERAGE .45 x 60' X 120' = 3,240 SF

Current Building Footprint – House –	1,454 SF
Garage, w/4' add.	1,040 SF
Stoop	108 SF
TOTAL	2,602 SF

2,602 SF < 3,240 SF Building Coverage is less than Allowable

2,602 SF / 7200 SF = .36 Building Coverage < .45 Allowable Coverage

ALLOWABLE TOTAL COVERAGE .5 x 60' X 120' = 3,600 SF

Current Building Footprint (above)	2,602 SF
Driveway 31' X 24' SF =	744 SF
TOTAL	3,346 SF

3,346 SF < 3,600 SF Total Coverage is less than Allowable

3,346 SF / 7,200 SF = .465 Total Lot Coverage < .5 Allowable Coverage

PLAT OF SURVEY

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

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

EXCEPT:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE 2ND P.M. IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST 1/4 OF THE SOUTHWEST QUARTER; THENCE SOUTH 481.0 FEET; THENCE WEST 280.5 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 66.0 FEET; THENCE NORTH 60 FEET TO THE SOUTH LINE OF A 1.0 FOOT STRIP AS SHOWN ON NORTHVIEW TERRACE 2ND ADDITION; THENCE EAST 66.0 FEET ALONG SAID SOUTH LINE OF SAID 1.0 FOOT STRIP; THENCE SOUTH 60 FEET TO THE POINT OF BEGINNING.

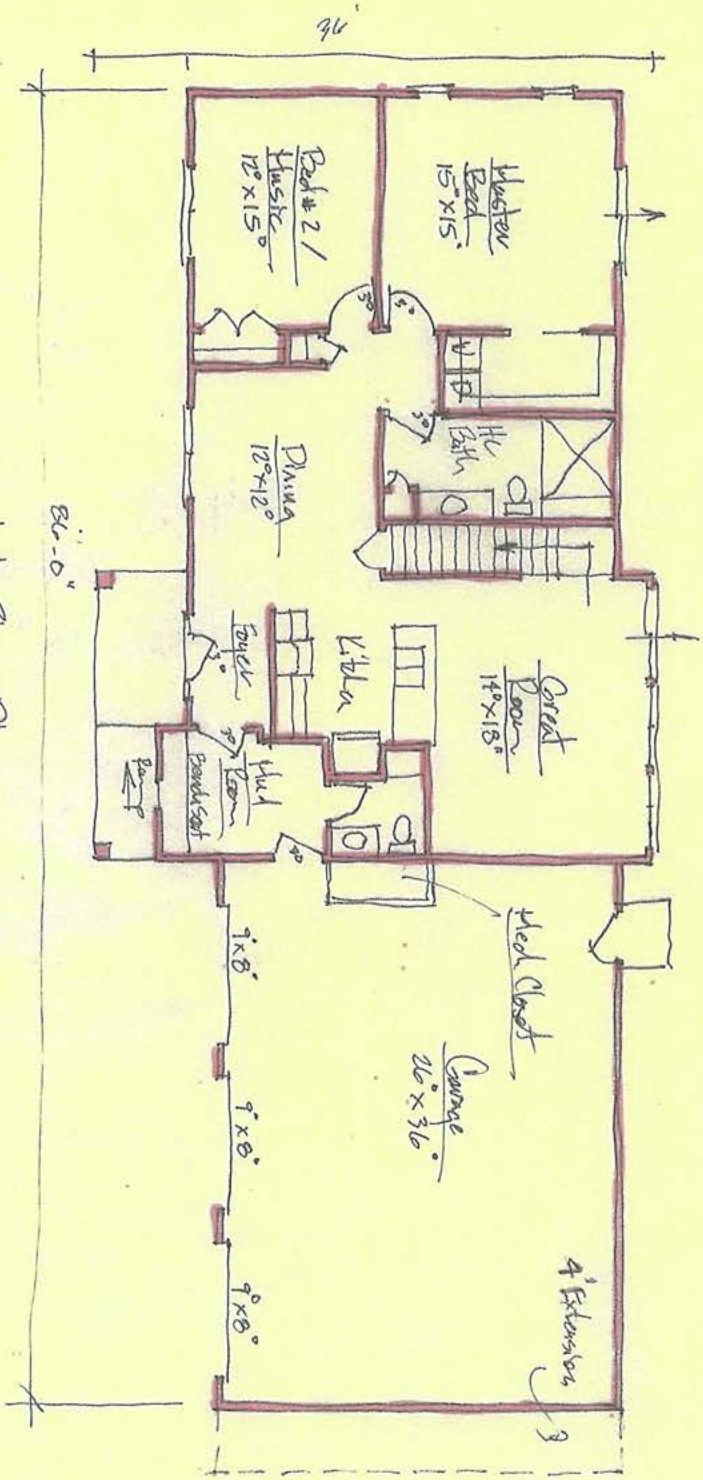
EXCEPT:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE 2ND P.M. IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHWEST QUARTER; THENCE SOUTH 481.0 FEET; THENCE WEST 346.5 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST 66.0 FEET; THENCE NORTH 60 FEET TO THE SOUTH LINE OF A 1.0 FOOT STRIP AS SHOWN ON NORTHVIEW TERRACE 2ND ADDITION; THENCE EAST 66.0 FEET ALONG SAID SOUTH LINE OF SAID 1.0 FOOT STRIP; THENCE SOUTH 60 FEET TO THE POINT OF BEGINNING.

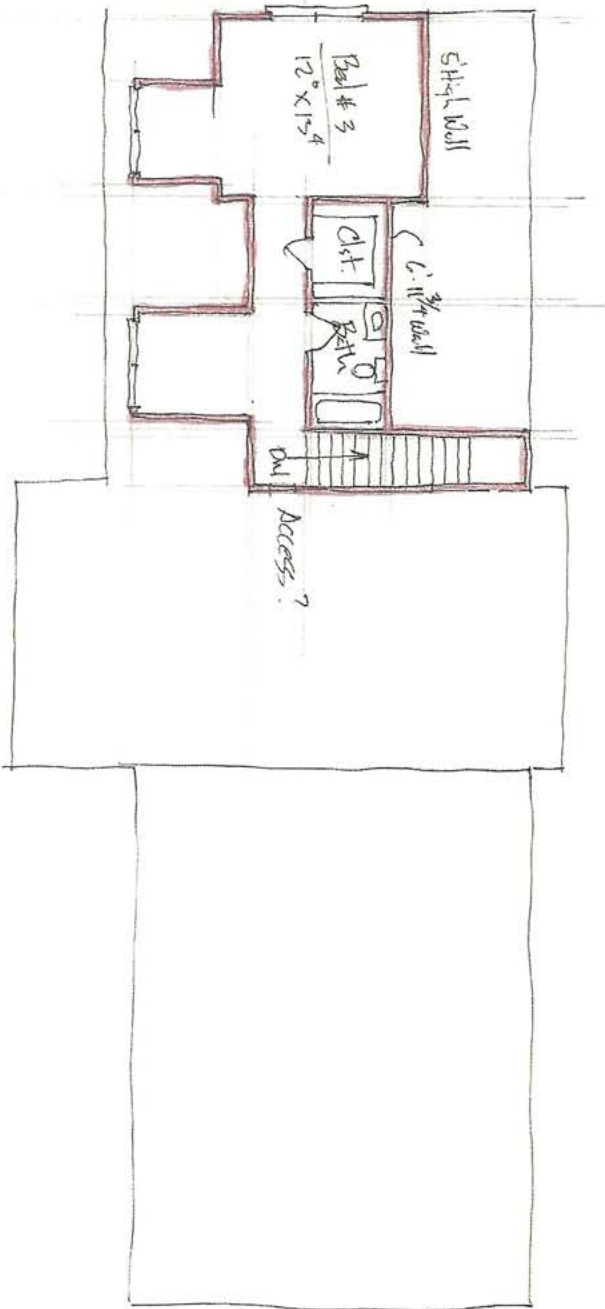
ALSO EXCEPTING THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 WEST, PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 07 MINUTES 14 SECONDS EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTH WEST QUARTER, A DISTANCE OF 481.00 FEET TO THE NORTHEAST CORNER OF THE HORB TRACT AS DESCRIBED IN DOCUMENT NO.2003-044259, RECORDED OCTOBER 6, 2003, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA AND THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST, ALONG THE NORTH LINE OF SAID HORB TRACT, A DISTANCE OF 160.5 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 14 SECONDS WEST, A DISTANCE OF 60 FEET TO THE NORTH LINE OF THE ABC PROPERTY MANAGEMENT TRACT AS DESCRIBED IN DOCUMENT NO. 2005-021017, RECORDED JULY 25, 2005, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 59 MINUTES 56 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 160.5 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH, ALONG SAID EAST LINE, 60 FEET TO THE POINT OF BEGINNING.





1st Floor Plan
 Scale: 1/8" = 1'-0" 14543F
Fahn Residence
 304 Stanley St. Vaip



1st Floor Plan
 Scale: $\frac{1}{8}" = 1'-0"$ ± 500 SF

Hahn Residence
 324 Stanley St. Vapo

The HSH Residence
304 Stanley Street

