

MEETING AGENDA

Valparaiso Board of Zoning Appeals

Wednesday, March 17, 2021, 5:30 PM

Meet via Web-Conference – Valparaiso Now Facebook Page

1. Roll Call
2. Adoption of Meeting Minutes
3. Old Business
4. New Business

VAR21-001 – A petition filed by Brian Thompson. The property is located at 3507 Evans Ave in the General Residential (GR) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.3030 (D)(2) – Vary the maximum accessory building footprint to allow for an accessory building footprint of 1,196 Sq. Ft.

VAR21-002 – A petition filed by Joseph & Jennifer Gaudy. The property is located at 502 Napoleon St in the Neighborhood Conservation – 60 (NC-60) Zoning District. The petitioner requests the following variance(s):

- Article 3, Section 3.501(B), Table 3.501 – Vary the minimum rear yard setback to allow for a minimum rear yard setback of 2.14 feet
- Article 3, Section 3.501(B), Table 3.501 – Vary the minimum side yard setback to allow for a minimum side yard setback of 2.18 feet
- Article 3, Section 3.501(B), Table 3.501 – Vary the maximum lot coverage to allow for a maximum lot coverage of 59%

5. Adjournment

Michael Micka, *President – Board of Zoning Appeals*

Beth Shrader, *Planning Director*

Next Meeting: **April 21st, 2021**

Interested persons can view the public hearing live on Facebook on the Valparaiso Now Facebook Page.

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- Use Variance
- Development Standards Variance
- Special Exception/Special Use
- Relief to Administrative Decision
- Conditional Use
- Wireless Communications Facility

For Office Use Only:

Petition #: _____

Application Type: _____

Application Filing Fee: _____

Date Filed: ____ / ____ / ____

Meeting: ____ / ____ / ____

SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
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Property Address: <div style="border: 1px solid black; padding: 5px; min-height: 100px;"> 3507 Evans Ave, Valparaiso, IN 46383 </div>	Subject property fronts on the <u>South</u> side between (streets, <u>PINE CREEK RD.</u> & <u>Memorial Pkwy</u> Zoning District: <u>GR</u>
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PETITIONER INFORMATION

Applicant Name: <u>Brian P. Thompson</u> <hr/> <hr/> Email: <u>Btalliedfed@gmail.com</u>	Address: <div style="border: 1px solid black; padding: 5px; min-height: 100px;"> 3507 Evans Ave, Valparaiso, IN 46383 </div>
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PROPERTY OWNER INFORMATION

Applicant Name: <u>Brian P. Thompson</u> <hr/> <hr/> Email: <u>Btalliedfed@gmail.com</u>	Address: <div style="border: 1px solid black; padding: 5px; min-height: 100px;"> 3507 Evans Ave, Valparaiso, IN 46383 </div>
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SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:

Article: <u>2</u> Section: <u>303</u> Paragraph: <u>D</u> Item: <u>2</u> Article: ____ Section: ____ Paragraph: ____ Item: ____ Article: ____ Section: ____ Paragraph: ____ Item: ____ Article: ____ Section: ____ Paragraph: ____ Item: ____	Article: ____ Section: ____ Paragraph: ____ Item: ____ Article: ____ Section: ____ Paragraph: ____ Item: ____ Article: ____ Section: ____ Paragraph: ____ Item: ____ Article: ____ Section: ____ Paragraph: ____ Item: ____
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LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. 3)

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. —)

The application for the permit is an addition onto an existing accessory building. Effectively making the current 2-car garage into a 3-car garage with a 10ft x 24ft pavilion style roof in the back. This is the first phase of an upgrade that I intend to make that is part of an in-ground pool installation. The pavilion in the back will be an open but covered area for sitting during hot or inclement weather. The proposed finished accessory structure (existing structure plus addition) will cover 1,196 sq ft. Please see attached Exhibits.

Owner: Brian Thompson

Address: 3507 Evans Ave, Valparaiso, IN 46383

Parcel Number: 64-10-17-379-024.000-029

Legal Description: That part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 17, Township 35 North, Range 5 West, of the Second Principal Meridian, in Porter County, Indiana, described as follows: Beginning at the Southeast corner of said Southwest $\frac{1}{4}$; thence North $89^{\circ}29'58''$ West, along the South line of said Southwest $\frac{1}{4}$, 160.00 feet (Assumed basis of bearing is the South line of said Southwest $\frac{1}{4}$, being North $89^{\circ}29'58''$ West); thence North $00^{\circ}16'35''$ East, parallel with the East line of said Southwest $\frac{1}{4}$, 272.25; thence South $89^{\circ}29'58''$ East, parallel with the said South line, 160.00 to the East line of said Southwest $\frac{1}{4}$; thence south $00^{\circ}16'35''$ West, along said East line 272.25 feet to the point of beginning.

Exhibit # 3

Page 1 of 1

Variance from Development Standards
Petitioner's Proposed Findings of Fact
(Please use fillable pdf, print neatly, or attach printed document.)

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 project will be professionally built to code following all industry standards. This is no way abrogates the moral standards or general welfare of the community.

- 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 garage addition will raise the property values of the homes in the surrounding area.

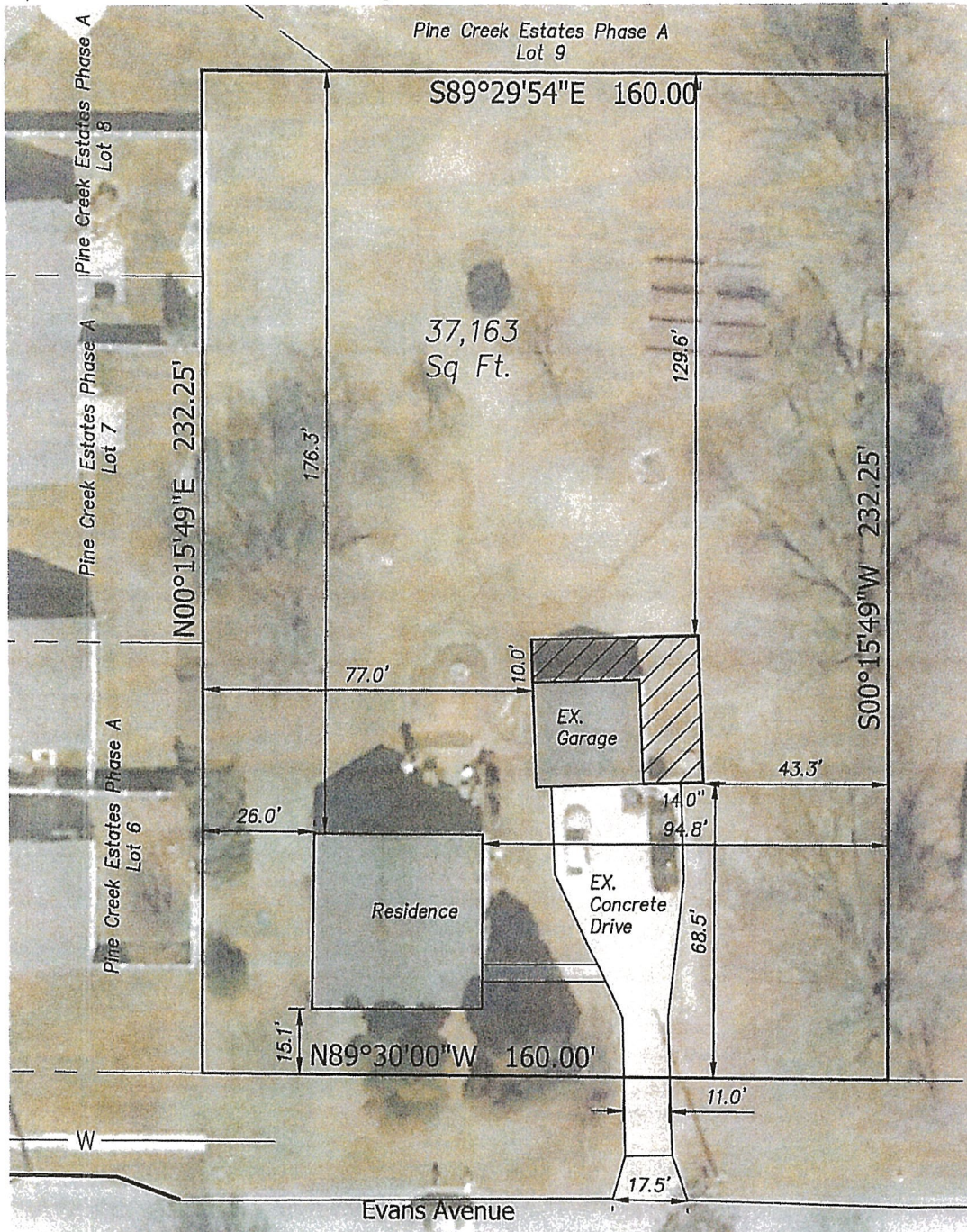
- C. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:

It is my belief that the proposed garage addition plans and permit request were submitted within the parameters of the current UDO. If this proposed project cannot go forward as requested, the entire project including the installation of the in-ground pool will be cancelled and moved to a location that supports economic progress. There is a dilapidated trailer park across the street.

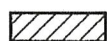
The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each and every one of the elements listed above.

Owner: Brian Thompson
 Address: 3507 Evans Ave, Valparaiso, IN 46383
 Parcel Number: 64-10-17-379-024.000-029

Legal Description: That part of the East 1/2 of the Southwest 1/4 of Section 17, Township 35 North, Range 5 West, of the Second Principal Meridian, in Porter County, Indiana, described as follows: Beginning at the Southeast corner of said Southwest 1/4; thence North 89°29'58" West, along the South line of said Southwest 1/4, 160.00 feet (Assumed basis of bearing is the South line of said Southwest 1/4, being North 89°29'58" West); thence North 00°16'35" East, parallel with the East line of said Southwest 1/4, 272.25; thence South 89°29'58" East, parallel with the said South line, 160.00 to the East line of said Southwest 1/4; thence south 00°16'35" West, along said East line 272.25 feet to the point of beginning.



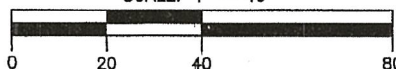
Legend:



- Garage Addition



SCALE: 1" = 40'



ABONMARCHE

DATE: 08/26/2020 ACI JOB #: 20-1369 SHT 1 OF 1

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Engineering - Architecture - Land Surveying

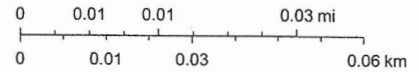
ArcGIS Web Map



7/8/2020, 1:53:04 PM

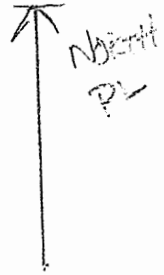
- ★ Polling Places
- County Parks
- Calumet Trail
- Porter County Bndry
- Highways
- County Roads
- Minor Roads - County
- Minor Roads - Municipal
- Buildings
- Parcel Number
- ◆ Centroid
- ◆ Non Centroid
- ◆ Condos
- Carto Lines
- Corp Line
- County Line
- Geo Twp Line
- Indian Line
- Lot Line
- Misc Line
- Parcel Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- Sub Line 400
- Water Line
- Parcels

1:1,128



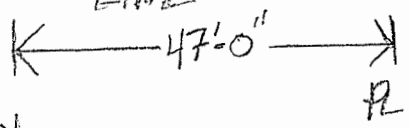
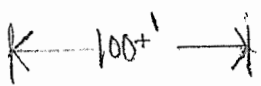
Porter County GIS, Porter County Auditor's Office, Porter County GIS, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

NORTH

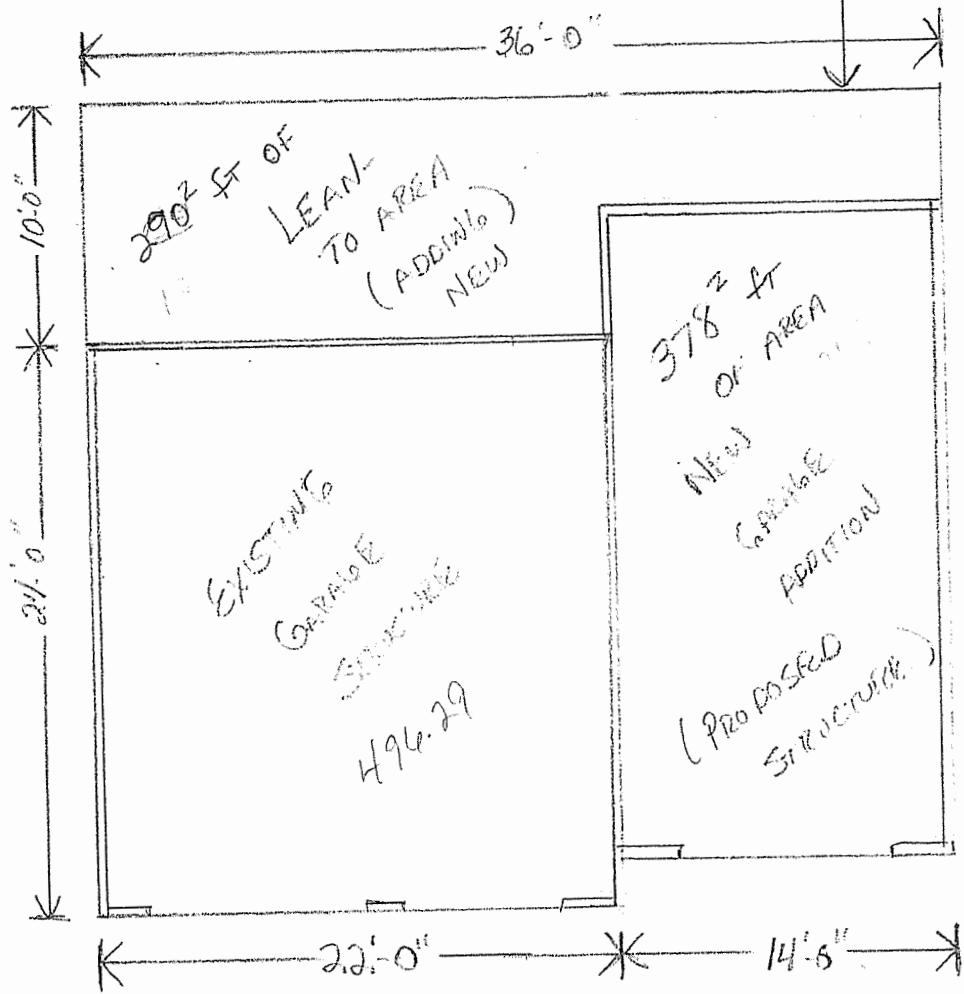


NOT ADDING
 W. OF CURRENT
 STRUCTURE.

TO EAST PROPERTY
 LINE



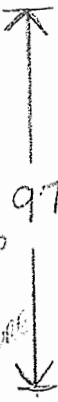
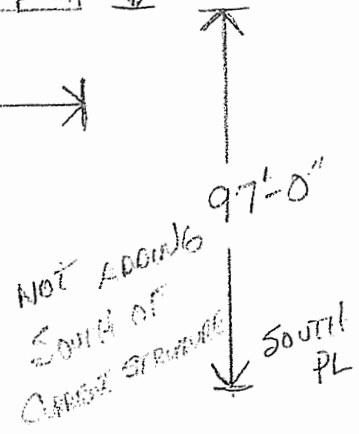
WEST
 PL



860
 129

781.2²
 IS OUTSIDE
 OF THE REQ.
 REAR YARD

414.8²
 COVER REQUIRED
 REAR YARD



NOT ADDING
 SOUTH OF
 CURRENT STRUCTURE

SOUTH
 PL

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply):

- Use Variance
- Development Standards Variance
- Special Exception/Special Use
- Relief to Administrative Decision
- Conditional Use
- Wireless Communications Facility

For Office Use Only:

Petition #: _____
Application Type: _____
Application Filing Fee: _____
Date Filed: ____/____/____
Meeting: ____/____/____

SUBJECT PROPERTY INFORMATION

TYPE OR PRINT IN INK

Property Address:

502 Napoleon St.
 Valparaiso, IN 46383

Subject property fronts on the WEST
 side between (streets) PLUM
 & MAPLE ST.
 Zoning District: NCL60

PETITIONER INFORMATION

Applicant Name:

JOSEPH & JENNIFER GAUDY

Phone:

Email:

JGAUDY@CROSSPM.COM

Address:

502 NAPOLEON
 VALPARAISO, IN 46383

PROPERTY OWNER INFORMATION

Applicant Name:

JOSEPH & JENNIFER GAUDY

Phone:

JGAUDY@CROSSPM.COM

Address:

502 NAPOLEON
 VALPARAISO, IN 46383

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:

Article: <u>3</u> Section: <u>501</u> Paragraph: <u>B</u> Item: <u>REAR YARD</u>	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: <u>3</u> Section: <u>501</u> Paragraph: <u>B</u> Item: <u>NORTH SIDE YARD</u>	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: <u>3</u> Section: <u>501</u> Paragraph: <u>B</u> Item: <u>TOTAL LOT COVERAGE</u>	Article: _____ Section: _____ Paragraph: _____ Item: _____
Article: _____ Section: _____ Paragraph: _____ Item: _____	Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. _____)

PIN: 64-09-24-158-005.000-004

THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE WEST 94 FEET OF LOT NUMBERED 108 AS SHOWN ON THE RECORDED PLAT OF POWELL'S ADDITION TO THE TOWN, NOW CITY OF VALPARAISO RECORDED IN MISCELLANEOUS RECORD "A", PAGE 225 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. _____)

We are needing to remodel the east portion of our home due to several mold issues & poor initial construction. We are planning to remodel that back(east) portion along with an addition to the 2nd floor. The Structure is designed to remain at the same distance from both north & east neighbors as it currently sits on the land.

The 3 proposed variances will help us avoid losing the footprint we currently have; where otherwise, we would lose the family room, full restroom, garage, tool shed, & wood shed, due to needing this remodel.

This remodel & addition will add significant value by approximately doubling the value of the property, as well as surrounding properties increased value. The additional value is attributed to increased square footage, high-quality construction, high-end exterior finishes, as well as a more visually-appealing home on the corner lot.

**Variance from Development Standards
Petitioner's Proposed Findings of Fact**
(Please use fillable pdf, print neatly, or attach printed document.)

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 3 variances proposed for approval are already in place in the current structure and site layout. We are simply remodeling with an addition due to the initial construction being poor quality & having mold problems.

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

this proposed remodel will be adding aesthetic & assessed value to this property. As well as improving this property, we believe this proposed remodel and addition will add value to other properties throughout the neighborhood.

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

We are aiming to keep the functionality of the lot & house we originally purchased.

- ① Altering the current distance from north property line (side yard setback) would cause elimination of our garage.
- ② Altering the current distance from east property line (rear yard setback) would cause elimination of 2 storage rooms, family room, & 1 restroom.
- ③ Altering the amount of pavement (total lot coverage) would cause elimination of hard-surface access paths to house from both Napoleon & Maple.

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.

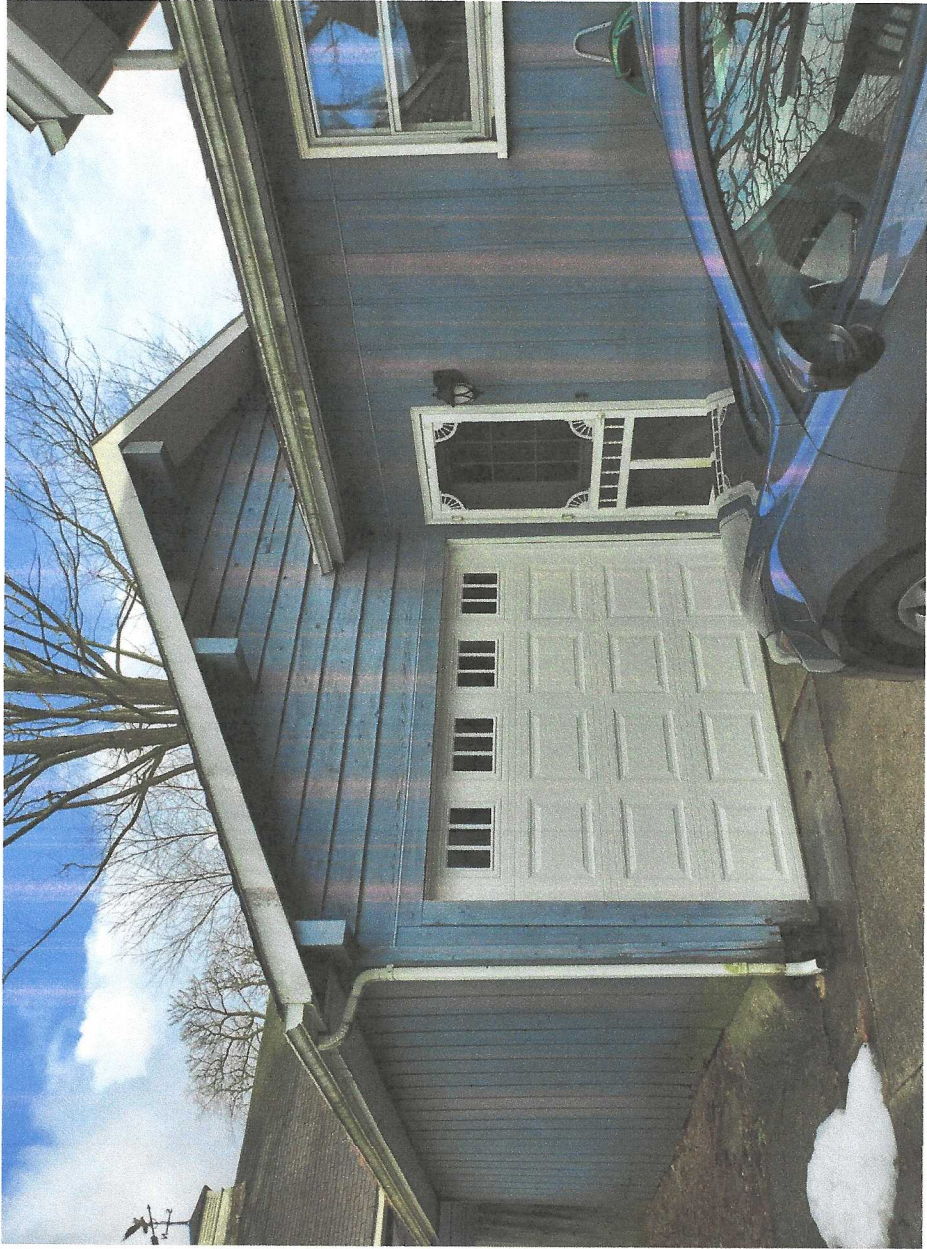
Map Satellite



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LOT SPECIFIC AREAS

Finished Area	
1st Floor	551 SF
1st Floor Existing	802 SF
2nd Floor	1095 SF
2nd Floor Existing	684 SF
	3131 SF
Unfinished Area	
Garage	284 SF
Unfinished Basement	559 SF
Unfinished Basement Existing	705 SF
	1548 SF
Total	4679 SF