

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

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MEETING AGENDA

Valparaiso Board of Zoning Appeals Wednesday, August 18th, 2021, 5:30 PM Valparaiso City Hall – Council Chambers

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

VAR21-011 – A petition filed by Adam McAlpine. This property is located at 701-705 Glendale Blvd in the Urban Residential (UR) Zoning District. The petitioner requests the following variance(s):

- Article 9, Section 9.403(C) To allow for an access spacing on opposite sides of the street of less than 75 feet.
- Article 3, Section 3.503, Table 3.503 To vary the required 12 ft building separation to allow for a building separation of 10 ft

VAR21-023 – A petition filed by Kevin Kleemann. The property is located at 4207 Oak Grove Dr in the Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

Article 3, Section 3.501(B), Table 3.501 – To vary the minimum street yard setback
of 25 feet to allow for a minimum street yard setback of 22.2 feet.

4. New Business

VAR21-031 – A petition filed by Daniel Tursman. The property is located at 815 Lincolnway in the Commercial General (CG) Zoning District. The petitioner requests the following variance(s):

Article 9, Section 9.403(B), Table 9.403(B) – To vary the minimum connection spacing of 200 ft to allow for a minimum connection spacing of 25.2' (East Drive), 83.6' (West Drive) and 184.4' (Between East and West Driveways)

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- Article 10, Section 10.400 To vary the District Boundary Bufferyard Standards between Commercial General (CG) and Commercial Neighborhood (CN) per proposed landscape plan.
- Article 11, Section 11.402(B)(1a) To vary the maximum setback of twenty-seven
 (27) feet to allow for a maximum setback of ninety (90) feet.
- Article 11, Section 11.403 (C)(1b) To vary the maximum allowable curb cut along a primary street of one (1) to allow for two (2) curb cuts that do not meet the applicable standards in Section 9.400, Access Management and Circulation.
- Article 11, Section 11.404(F) To vary the minimum fenestration percentage of 50% of the first floor to allow for a minimum fenestration percentage per proposed elevation(s)
- Article 11, Section 11.404(F) To vary the minimum fenestration percentage of 15% of the rear building walls to allow for a minimum fenestration percentage of 0%
- Article 11, Section 11.404(D) To vary the minimum percentage if bright colors of 10% to allow for a maximum of 16%.
- Article 11, Section 11.407(A) To allow for a new parking lot in front of the building.
- Article 11, Section 11.407 (D)(2) To vary the minimum primary street setback for vehicular use areas of 15 ft to allow for a minimum setback of 0 ft.
- Article 11, Section 11.407(H) To vary the required parking lot landscaping per proposed Landscape Plan
- Article 11, Section 11.411(E) To vary the required parking lot landscaping per proposed Landscape Plan

VAR21-026 – A petition filed by Lennar Homes of Indiana, Inc. c/o Todd Leeth and Katie Kopf of Hoeppner, Wagner and Evans LLP. The property is located at the SE Corner of Tower Rd and 500 North (Iron Gate Subdivision) in the Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

- Section 3.602, Table 3.602 To vary the minimum lot width requirements for Suburban Residential (SR) of 70, 80 and 90 ft to allow for a range of lot widths between 65 ft up to 80 ft.
- Section 3.602, Table 3.602 To vary the percentage of width type for Suburban Residential (SR) of 70 ft (25%), 80 ft (50%) and 90 (Remainder) to allow for a percentage of width type of 65 ft (44%), 75 ft (51%) and 80 ft (5%).



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VAR21-028 – A petition filed by Hamstra Builders, Inc. The property is located at 1111 Glendale Blvd in the Commercial General (CG) Zoning District. The petitioner requests the following variance(s):

Section 3.301, Table 3.301(B) – To vary the required Landscape Surface Ratio (LSR) of 35% to allow for a LSR of 19.48%

VAR21-030 – A petition filed by Luigi Randazzo. The property is located at 2901 John Howell Dr in the Commercial General (CG) Zoning District. The petitioner requests the following variance(s):

- Section 9.303(B4) To vary the requirement for stacking lanes with an abutting eight (8) foot wide bypass lane to allow for no bypass lane.
- Section 11.506(A), Table 11.506 To vary the required transparency along the Secondary Façade (West-Facing) of 30% to allow for a minimum transparency of 18%
- Section 11.506(A), Table 11.506 To vary the required transparency along the Primary Façade (South-Facing) of 60% to allow for a minimum transparency of 43%
- Section 11.306, Table 11.306(A) To vary the minimum landscape and other requirements per proposed landscape plan
- Section 10.301, Table 10.301 To vary the on-lot landscaping standards per proposed landscape plan

VAR21-032 – A petition filed by Jessica Vargas, Holladay Properties. The property is located at 351 Washington St in the Commercial General (CG) Zoning District. The petitioner requests the following variance(s):

- Section 9.201(A), Table 9.201 To vary the required 26 Parking Spaces to allow for a minimum of 14 Parking Spaces
- Section 10.301(B), Table 10.301 To vary the required On-Lot Landscaping to allow for landscaping per proposed landscape plan
- Section 11.306(A1), Table 11.306(A) To vary the required minimum Landscaped Yard along R.OW. of 30 feet to allow for a minimum Landscaped Yard of five (5) feet



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- Section 11.306(A1), Table 11.306(A) To vary the other requirements to screen service areas with dense planting of shrubs/evergreen trees to allow for landscaping per proposed landscape plan
- Section 11.507(E3) To allow for metal siding as a predominant exterior building material.

UV21-005/VAR21-033 – A petition filed by McCON Building Corporation. The property is located at 2101 LaPorte Ave in the Commercial General (CG) and Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

- Article 2, Section 2.201, Table 2.201(B) To allow for a Drive-in/Drive Through Facility in the Suburban Residential (SR) Zoning District.
- Article 10, Section 10.403, Table 10.403 To vary the required District Boundary Bufferyard Standards for Bufferyards Between Commercial General (CG) and Suburban Residential (SR)/General Residential (GR) Zoning Districts per proposed landscape plan.

5. Staff Items

6. Adjournment

Michael Micka, President – Board of Zoning Appeals

Beth Shrader, Planning Director

Next Meeting: **September 15th, 2021**

Interested persons can view the public hearing Live on the City of Valparaiso Website, <u>www.valpo.us</u> or via web conference at https://bit.ly/3laPBCM.

**Requests for alternate formats please contact Beth Shrader at <u>bshrader@valpo.us</u> or (219) 462-1161. **

PETITION TO VALPARAISO BOARD OF ZONING APPEAL	For Office Use Only:
This application is being submitted for (Check all that a	pply): Petition #:
Use Variance ✓ Development Standards Variance	Application Type:
Special Exception/Special Use Relief to Administrative Decision	Application Filing Fee:
Conditional Use	Date Filed:/
Wireless Communications Facility	Meeting: / /
CUDIFICE PROPERTY INFORMATION	TVDE OD DDINIT IN INII
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
Property Address:	Subject property fronts on the North
701/703/705 Glendale Blvd.	side between (streets) Calumet Avenue
	& Calumet Avenue
	Zoning District: Urban Residential
PETITIONER INFORMATION	
Applicant Name:	Address:
Adam McAlpine	398 East 400 North
Phone:	Valparaiso, IN 46383
	_
Email:	
PROPERTY OWNER INFORMATION	
Applicant Name:	Address:
MJF Development, Inc. (c/o Bob Coolman)	359 Franklin Street, Suite A
Phone:	Valparaiso, IN 46383
Email:	
	_
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	AL EXCEPTION OR ADMIN RELIEF IS SOUGHT:
Article: 9 Section: 403 Paragraph: Table 9 Item: 6	Article: Section: Paragraph: Item:
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LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
Lots 6, 7, 22, and 23 of Artillas Subdivision
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
The proposed project includes 14 paired patio apartment buildings including a total of 28 units. An internal loop driveway will provide access to the individual apartments. Each apartment will have a single car garage and driveway. The residents will enter and exit the development from Glendale Blvd. The development access points have a less than 75' offset from the cross access points at Pilz Place and the CVS entrance.

Variance from Development Standards Petitioner's Proposed Findings of Fact

(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner submits that:

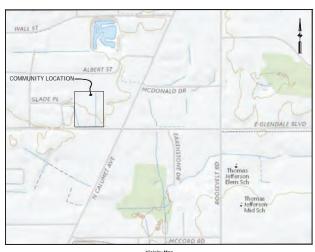
Α.	The proposed variance from the Development Standards will not be injurious to the public health, safety morals, and general welfare of the community because:
	The proposed access points to the development will not negatively impact traffic conditions along Glendale Blvd.
В.	The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:
	The use and value of areas adjoining the proposed development will not be diminished with the proposed development.
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:
	A strict adherence to the UDO ordinance will make access into the development difficult and greatly limit the future development use of the subject property.

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.

SERENITY

"A LIFESTYLE COMMUNITY"

	SHEET INDEX
SHEET No.	DESCRIPTION
1	TITLE SHEET
2	EXISTING SITE CONDITIONS
3	CLEARING AND REMOVAL PLAN
4	GEOMETRIC SITE PLAN
5	PROPOSED GRADING PLAN
6	SANITARY SEWER PLAN AND PROFILE
7	WATER MAIN PLAN AND PROFILE
8	STORM SEWER PLAN AND PROFILE (1)
9	STORM SEWER PLAN AND PROFILE (2)
10	GENERAL DETAILS
11	EROSION CONTROL PLAN
12	EROSION CONTROL DETAILS





Vicinity Map

I, THE UNDERSIGNED, A PROFESSIONAL ENGINEER, REGISTERED WITH THE STATE OF INDIANA, WHOSE LICENSE IS IN GOOD STANDING, HERBEY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

ADAM W. MCALPINE, PE INDIANA LICENSED PROFESSIONAL ENGINEER NO. PE10606520 EXPIRES 7/31/2022









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	AM		
	Reviewed by		
	RC		



Project No. 20-280 Sheet Or 1 12

N.T.S.



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20-280 or 12

MCALPINE CONSULTING LLC
1402 Monticello Parts Drive
Valorarios, N. 46383
Pione: 219,250,9647
E-Mail: moophie-consulting@yahoo.com

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eyuno.com				

Date /23/21	
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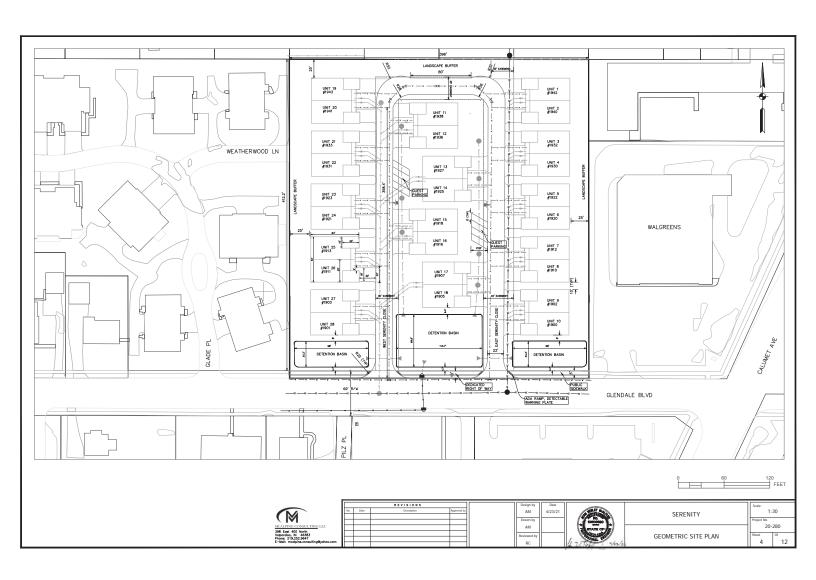
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EXISTING SITE CONDITIONS	

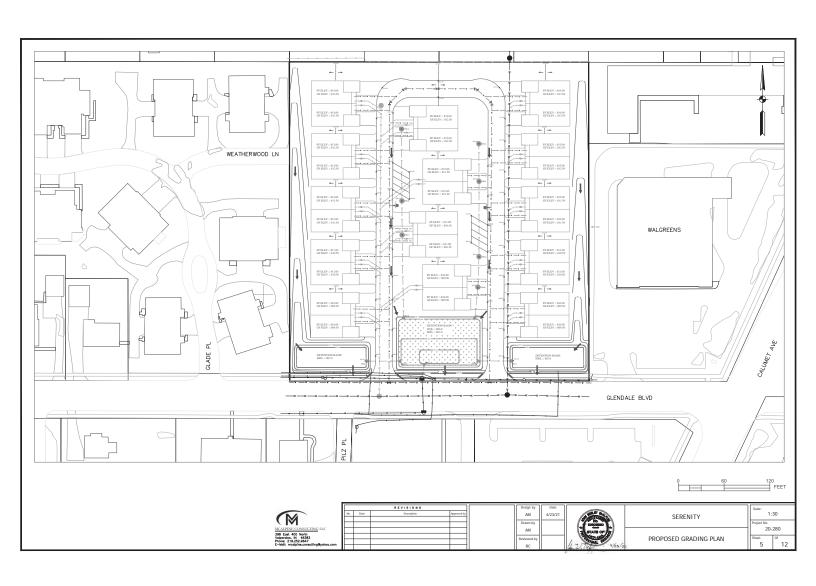


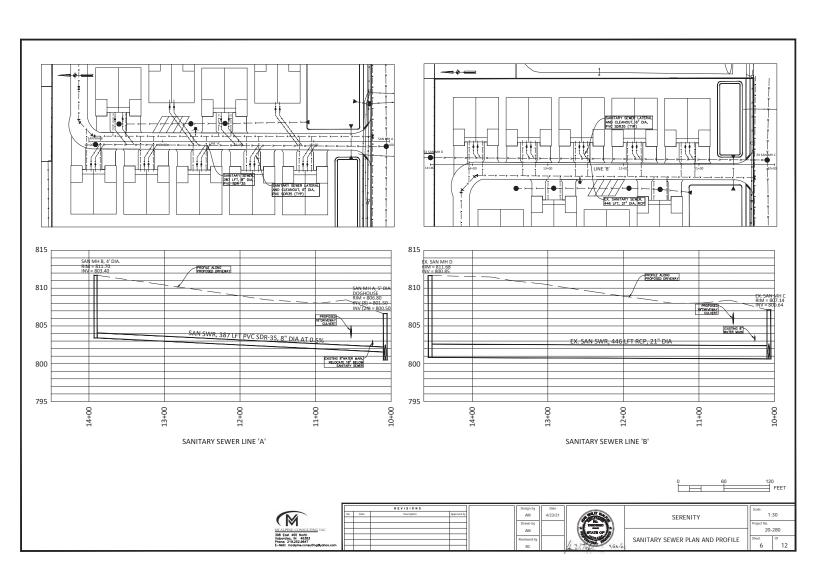
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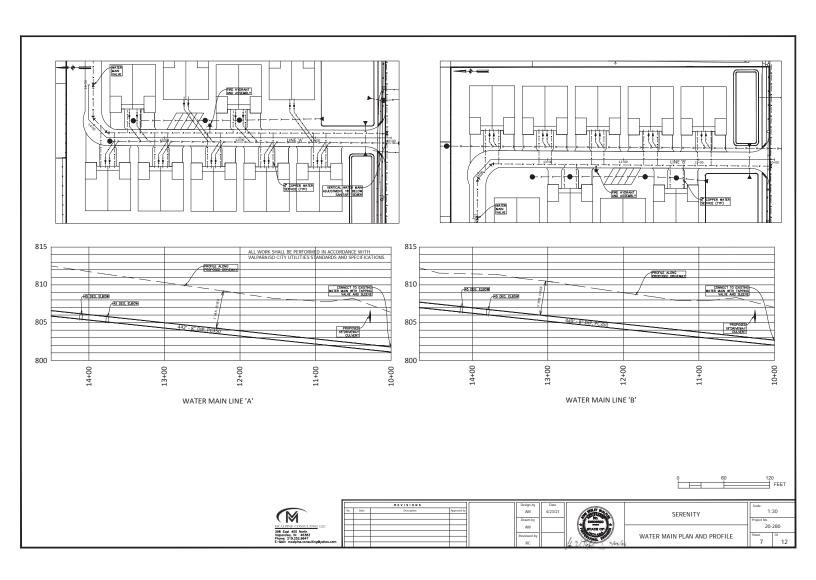
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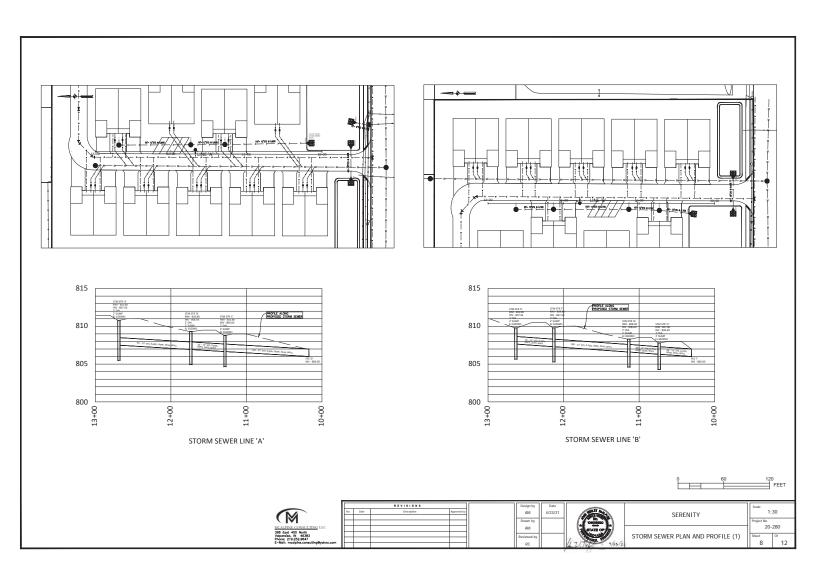
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	Project No. 20-280		
CLEARING AND REMOVAL PLAN	Sheet 3	or 12	

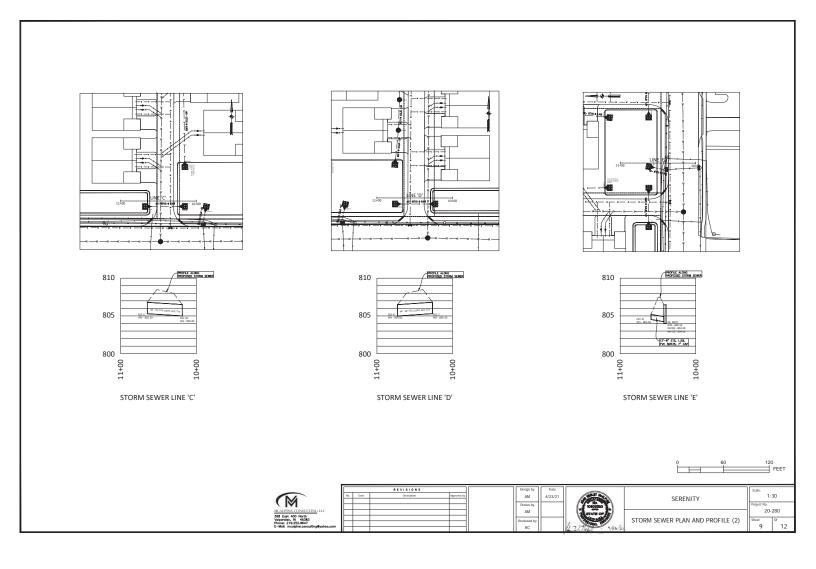


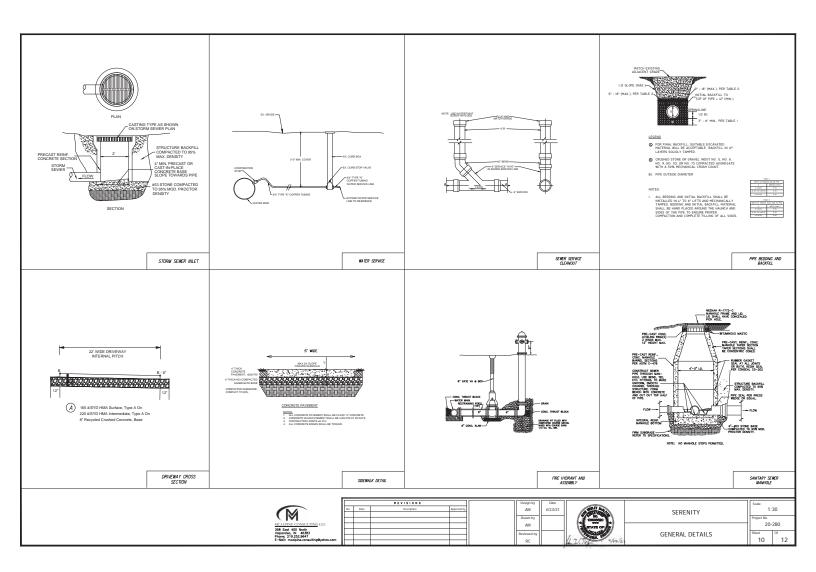


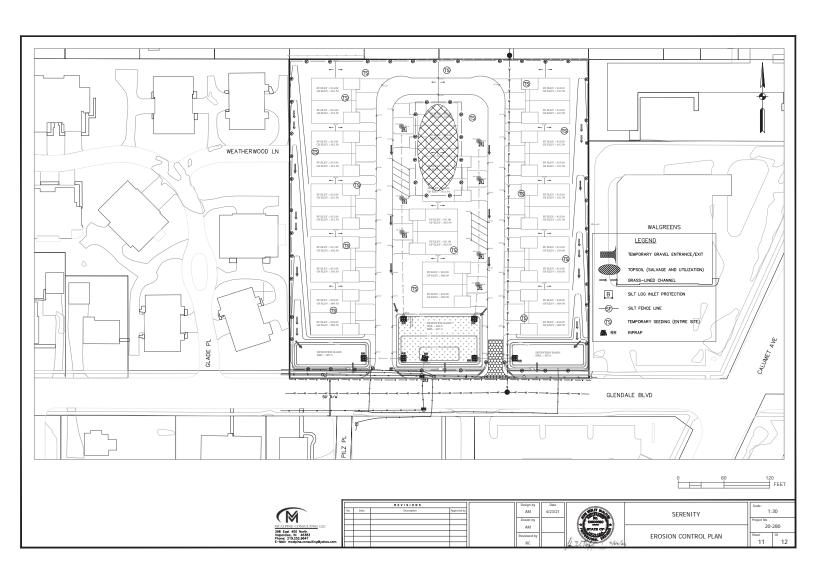












GENERAL STORM WATER MANAGEMENT NOTES

Soil erosion and sedimentation control shall protect against loss of soil by the action of water, ice and wind.

The hadrest Storm Water Quality Mensal?

There are to man a described for them Water Quality. Construction list is thermoster Roand Control and Planci Communication Stormwater Management. The activations that Roand Control are Described for the Planci Control are Stormwater Management Research, as needed.

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Upon the completion of the site work the contractor shall remove the Construction Site Stormwater Runoff Control measures and Install any noted Post-Construction Stormwater Management measures.

Each Construction Site Stormwater Rusoff Control measure shall be installed immediately following the construction of the structure or feature in which the measure is intended to protect.

The contractor is responsible for any damage and/or cleaning to the structure or feature. Corrective work incurred by the contractor shall be comildered incidental to the contract.

The contractor is responsible for compliance with the Stormillater Pollution Prevention Plan COMPAN. Any these or purities measures incomed by the project due to failure to comply with the 200°F we the responsibility for contractor. These costs that the considered included in the contract, and shall not be considered as with considered included in the contract, and shall not be considered as with During the course of consistence the 200°F or require additional eventue control measures to be installed to address sets specific terms not extigated by this plan data that the control of the contro

SUMMARY OF BASIC PRINCIPLES

The purpose of this piles is to specify methods for constructions this attenuation round's control.

All soll enteriors and eigensestation control devices shall be regularly mentioned by the contextee through the duration of the project. Collected sit and sedimentations had be removed as required to maintain the effectiveness of the six traps or authensistance control devices. The contractor shall provide filter materials which have become ineffective due to contamination or polyrical deterioration. The contractor shall inspect all stormaster round's control devices weekly and the all time never had a filt and the contractor shall inspect all stormaster round's control devices weekly and the all time never had.

STORMWATER QUALITY CONSTRUCTION SEQUENCE

- se sequence of when each measure will be implemented is summarized below

 Sit fence must be installed prior to any construction.

 Initiate weekly Self-montoring program.

 Pout the Rule 3 NO with DEM permit number and the Local Plan Appropriates not to the construction site.
- The construction entrance is to be constructed prior to construction. This can be placement of the stone drive, or the use of "mud mats".
- Inlet protection as detailed on these plans is to be installed surrounding each inlet/drywell/catch basin until work is completed and protection has been approved for removal.
- Temporary seeding shall be placed 14 days after grading is complete or if dist
 intended to be left for a period of more than 14 days.

- intended to be left for a period of more than 14 days.

 Stormwater outlet protection is to be contributed with completion of the storm sever.

 Distunded areas will be permissently seveded and mulcified upon completion of project.

 Existing control features shall be maintained until construction is complete.

 Any impropray ension control measures are to be removed once permissent sepetative cover has been established.

CENTRAL BASIN WATER QUALITY SEEDING MIX



GENERAL CONSTRUCTION SEQUENCE

- Construct the Underground Unity protection service.

 Post the IDEM Notice of Safficiency on site in visible location.

 Construct stabilized construction entrance.

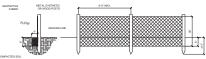
- Simp topious and stockpies on see with permitter late freeze protections.

 Accomplish mass, earth work on site to achieve grading plain.

 Initiate sewer, water, and storm sever stillty installation work.

 Place infet protection at the ground surface upon completion of each disingle structure.
- Backfill the open trenches immediately following pipe and structure placement. Continue with grading to establish finish grade conditions, incorporating temporary seeding of disturbed areas.
- Remove temporary erosion control measures after areas are stabilized.

TEMPORARY SILT FENCE LINE



- SILT FENCE

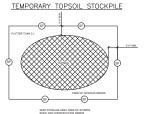
 NETALLATION

 NETALLATION IN LOCATIONS SHOWN ON PLAN PER MANUFACTURER'S SPEC BURY BOTTOM OF FABRIC MIN. 8' DEPTH WITH COMPACTED BACKFELL AS SHOWN IN DETAIL
- MARTENANCE:
 RESPECT SELT FENCING WEEKLY AND AFTER EACH OF OR GREATER STORM EVENT.

 FERENCE FARIENCE TEACH, BEGINS TO DECOMPOSE, AND/OR SECONDS INSFFECTIVE, REPLACE AFFECTED AREA PER
 RETALLATION INSTRUCTIONS.
- REMOVE DEPOSITED SEDMENT WHEN FABRIC BEGINS TO BULGE AND/OR WHEN SEDMENT REACHES 1/2 THE HEIGHT OF SELT FENCE FABRIC.
- OF SELT FENCE PARKE.

 A AVOID INDERMINING SELT FENCE DURING CLEAN OUT OF SEDMENT BUILDUP.

 S. AFFER WATERSHED AREA HAS BEEN STABLIZED, REMOVE SELT FENCE AND SEDMENT DEPOSITS, SRING DISTURBED AREA TO TRANSED DATE ON TRAILEZ AS REQUIRED.



TOPOIG STOCKPLE

REFELLATION

1. SEEME TOPOIG WITHIN CONSTRUCTION LEASTS WITH MECHANICAL EQUIPMENT PLACES
STOCKPLE NOT EXCEEDING 3 1 SIGE SLOPES.

2. SUBSIGNAD STOCKPLE WITH SET FENCE TO PROTECT SUBROLNOMG AREAS FROM
SCHMINT MIGRATION.

COVER STOCKPILE WITH TEMPORARY COVER GRASS AS NECESSARY TO REDUCE WIND ERROLIN AND SEDIMENT BUILDUP BEHIND PRIMETER SILT FENCE.

- MAINTENANCE.

 1. REFECT PERMETER SILT FENCE WEEKLY AND AFTER 0.5 NON-OR GREATER STORM EVENT.

 2. IF FENCE TEARS, BEGINS TO DECOMPOSE, AND/OR BECOMES INEFFECTIVE, REPLACE AFFECTED AREA PER RETALLATION INSTRUCTIONS. REMOVE DEPOSITED TOPSOIL SEDMENT BACK ONTO STOCKPILE WHEN FENCE IS DISPLACED OR BEGINS TO BULGE AND/OR WHEN SEDMENT REACHES 1/2 THE HEIGHT OF SET FENCE.
- AFTER TOPSOIL HAS BEEN REPLACED ONTO PROJECT SITE AND AREA HAS BEEN STABLEZED, REMOVE SILT FENCE AND SEDBENT DEPOSITS, BRING DISTURBED AREA TO FINISHED GRADE AND STABLEZE AS REQUISED.

MATERIAL MANAGEMENT MEASURES (HOUSEKEEPING) SPILL PREVENTION AND CONTROL PLAN

- Only approved fuel storage tank shall be allowed on site.
 Spill Kits must be located on-site in the vicinity of the fuel storage sink.

- Equipment should be kept in good working order, we

FUEL STORAGE

- All trust tanks on site shall have secondary containment approved by IDDM.
 No fivel tanks are to be located within 100 feet of a storm sever inlet.
 Fuel storage system shall be kept in good working order and shall be subject to periodic IDDM inspections.
- Spill Kits must be located on-site in the vicinity of the fuel storage sink. Fuel tanks shall have a safety guage

TEMPORARY AND PERMANENT SEEDING

These installation practices are needed to control erosion, sedimentation, and water runoff, such as temporary and premanent diversions, sediment traps or basins, sit fences, and triangular sit dives. 2, Grade the site as specified in the construction plan.

ZEED ZAECIEZ.	KATE/ACRE	PLANTING DEPTH	OPTIMUM DATES
Wheat or rye	150 lbs.	1 to 1 1/2 in.	9/15 to 10/30
Spring oats	100 lbs.	1 in.	3/1 to 4/15
Annual ryegrass	40 lbs.	1/4 in.	3/1 to 5/1 8/1 to 9/1
German millet	40 lbs.	1 to 2 in.	5/1 to 6/1
Sudanorass	35 lbs.	1 to 2 in	5/1 to 7/30

| MAINTENNESS | COMMINISTRATION | COMMINISTRATIO

TEMPORARY CONSTRUCTION ENTRANCE/EXIT PAD MATRIX. 3-1 in waterld same EROTC of the 2-to are a side functions. WITH A CONTROL C

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 4. International reservor much and element treed or washed not public roads by broable or the storm of the s

POTENTIAL CONSTRUCTION POLLUTANT SOURCES

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Exposed soils also have potential for being eroded by water and wind and must be prevented from entering the stormwater system. The contractor will install silt fence, riprap, and seeding in areas designated on the site devolutement rises.



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	No.	Date	Description	Approved by	ı
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ONSULTING LLC					d
North 46383					d
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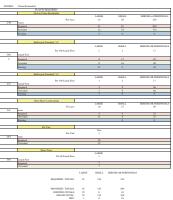
GLENDALE RESIDENTIAL DEVELOPMENT EROSION CONTROL DETAILS

1:30 20-280 12 Or 12

Serenity Landscape Plan









Glendale Traffic Examination

Project: Serenity Development

Prepared by: Adam McAlpine, PE

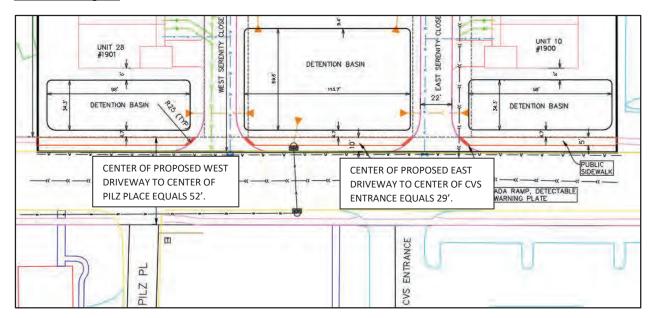
Examination Date: 4/14/21

Examination Time: 4:00 p.m. - 5:00 p.m.

Purpose of Examination

The Valparaiso Unified Development Ordinance (UDO) requires a minimum distance of 75' between cross access drives fronting a collector street. This traffic examination seeks to learn more regarding westbound Glendale Boulevard left turning movements into the CVS entrance and Pilz Place. The primary question is related to potential stacking of motorists making left turns which could block the proposed driveways north of Glendale.

Geometric Diagram



Findings

There were twenty-one Glendale westbound single car left turning movements into the CVS entrance during the hour examination. The turning movements were spread out and traffic along Glendale remained steady any uninterrupted.

There were fifteen Glendale westbound single car left turning movements into Pilz Place during the hour examination. There was one instance at 4:45 pm. where four vehicles stopped for a period of five seconds while the front leading car made a left turning movement. Generally, however, the traffic along Glendale flowed with ease.

Examination Conclusion

The proposed Serenity Develoment driveways are not anticipated to disrupt the flow of Glendale Boulevard traffic despite the difference in geometric offset from the tables identified in the Valparaiso UDO.

Glendale Traffic Examination

Project: Serenity Development

Prepared by: Adam McAlpine, PE

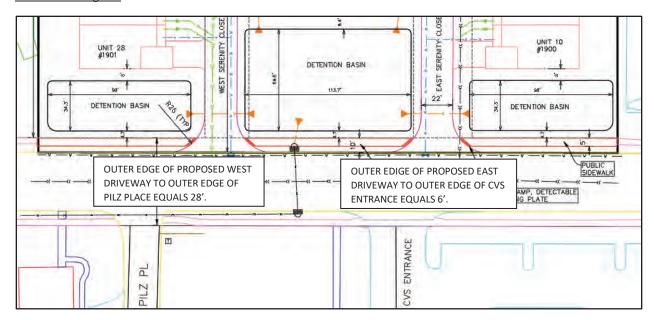
Examination Date: 4/14/21 (REVISED 5/26/21)

Examination Time: 4:00 p.m. - 5:00 p.m.

Purpose of Examination

The Valparaiso Unified Development Ordinance (UDO) requires a minimum distance of 75' between cross access drives fronting a collector street. This traffic examination seeks to learn more regarding westbound Glendale Boulevard left turning movements into the CVS entrance and Pilz Place. The primary question is related to potential stacking of motorists making left turns which could block the proposed driveways north of Glendale.

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PETITION TO VALPARAISO BOARD OF ZONING APPEAL	For Office use Only.			
This application is being submitted for (Check all that ap	Petition #: VAC 21-023			
Use Variance				
Development Standards Variance	Application Type: DEV- STANDARDS			
Special Exception/Special Use	Application Filing Fee:			
Relief to Administrative Decision Conditional Use	Date Filed: 06 / 18 / 21			
Wireless Communications Facility	Meeting: 07 / 11 / 21			
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN IN			
Property Address:	Subject property fronts on the			
4207 Oak Grove Dr. Valparaiso, In 46383	side between (streets)			
410 1 Dan C Th 410383				
Vouperraise, In 1000	&			
	zoning District: Residential (SP)			
PETITIONER INFORMATION				
Applicant Name:	Address:			
Kevin Kleemann	11207 Oak Grove Dr.			
Phone:	- 4207 Oak Grove Dr. Valparaiso, In 46383			
Priorie.	Valparaiso, In 1955			
Email:				
A. Virtus Str. (da. f. 19	-			
DECEMBER OF THE PROPERTY OF TH				
PROPERTY OWNER INFORMATION	CALLS:			
Applicant Name:	Address:			
Kevin Kleemann	- 4207 Oak Grove Dr. Valparaiso, In 46383			
Phone:	Valagraiso, In 46383			
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Email:				
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SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	L EXCEPTION OR ADMIN RELIEF IS SOUGHT:			
Article: 3 Section: 35 Paragraph: B Article: 5.0	Control of the Contro			
Article: Section: Paragraph: Item:	Article: Section: Paragraph: Item:			
Article: Section: Paragraph: Item:				
Author Continue Bornership Inc.	Articles Continus Baragraphs Itams			

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)							
Woodside	Valley	Unit	C	Lot	91	DR438	PITI
DESCRIPTION OF PROPOS	SED PROJECT: (C	IR FXHIRIT NO		1			
Quild a	34 V	1241	1/11	con	np	osited	leck
on the -	front	of	re	sid	en	ce	19.00

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 fragosed Variance will allow we to build a boatful new composte Deck using all the Newest materials on the market with frager Support and steps and handraid

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 Deck will add Value to my Home and Increase beauty to 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:

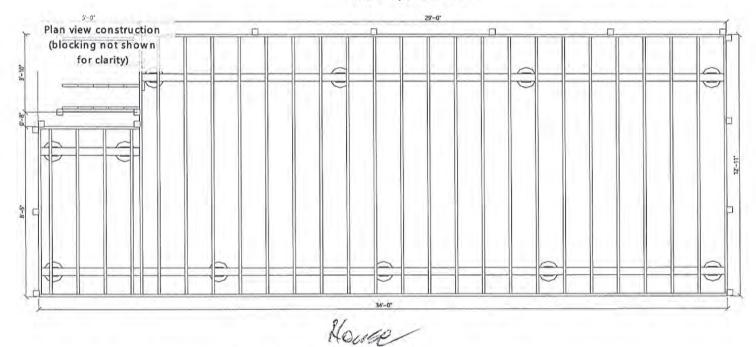
The setback line is in the middle of my front fard rather than out by the street like it is for my Neighbors Across the street.

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.



Permit Info

Front Yeard



Structural Information: Level 1

Height of le	evel (top of decking)	42"
	Max. joist span	114 5/8"
	Max. joist cantilever	24 1/8"
+	Max. beam span	110 1/8"
N	Max. beam cantilever	6"
	Footing depth	36"
**	Footing area (ea.)	9 1/2" ft²
2	Designed live load	40 lb/ft²
	Designed dead load	10 lb/ft²

Deck and Post Height

Your design height is 42" from the top of the decking to the ground level. The top of the deck support posts will therefore be 25" above ground level.

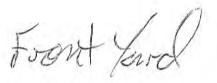
Joists

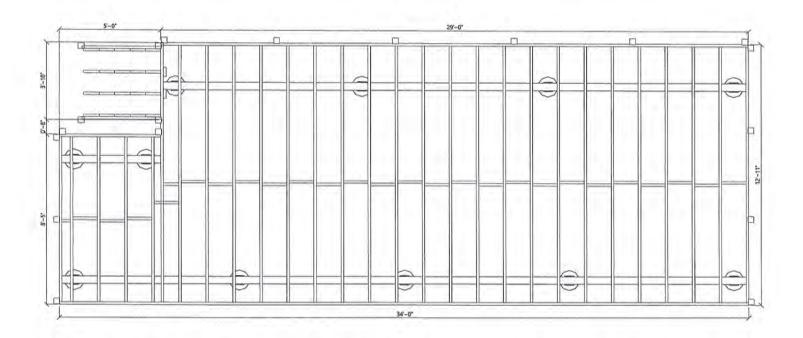
Set joists on top of beams, 16" center-to-center.



Your Planned Deck Design

Plan view construction

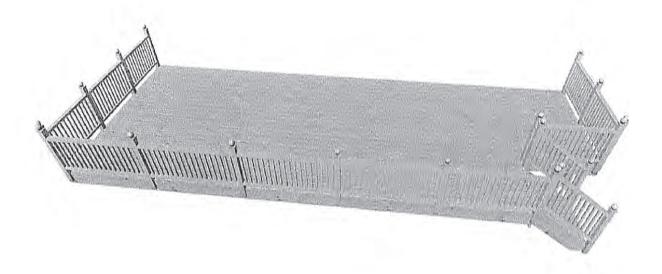




House



3D view



4207 Oak Grove Dr. Valparaiso

Deck Planner Software™ Report

All lengths, areas, weights, masses and structural forces are expressed in U.S. Customary units unless otherwise specified.

This report was created 4/16/2021 12:00 PM by Deck Planner Software™

ACES ASSISSE Remodele Forward Page 1

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PROPOSED DECK PLAN

RENSBERGER LAND SURVEYING

1316 N BRUMMITT ROAD CHESTERTON INDIANA 46304

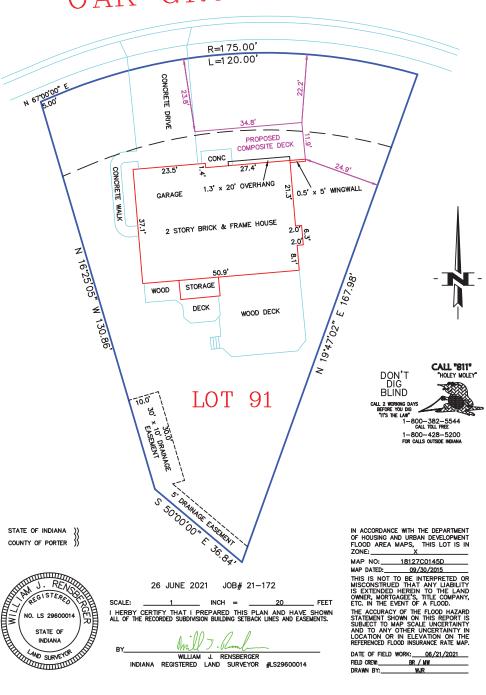
(PHONE: (219) 628-0255

EMAIL: billrensberger@yahoo.com

DATE: 27 JUNE 2021 PREPARED FOR: KEVIN KLEEMAN PREPARED FOR: KEVIN KLEEMAN
MR KLEEMAN'S PHONE NO: (219) 252-7387
PROPERTY ADDRESS: 4202 OAK GROVE DRIVE, VALPARAISO, IN 46383
DESCRIPTION OF PROPERTY: AS PROVIDED BY THE CLIENT
LOT 91 IN WOODSIDE VALLEY UNIT C, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN PLAT FILE 14-E-5, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

JOB NO: 21-172 XREF: 15-100-268

OAK GROVE DRIVE



	DE 53445 CK# 5147 7/16/2			
PETITION TO VALPARAISO BOARD OF ZONING APPEAL	S: For Office Use Only:			
This application is being submitted for (Check all that application is being submitted for (Check all that application) Use Variance Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility	Application Type: Otv. STANDAROS Application Filing Fee: 1150 Date Filed: 67 / 16 / 21 Meeting: D8 / 18 / 21			
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK			
Property Address:	Subject property fronts on the North			
815 Lincolnway	side between (streets) N.Garfield Ave. and Roosevelt Rd.			
7	& N.Garfield Ave. and Roosevelt Rd.			
	Zoning District: Commercial General within Eastgate Overlay District			
PETITIONER INFORMATION				
Applicant Name:	Address:			
Daniel Tursman Phone:	_ 3492 N. Hobart Rd. Hobart, IN 46342			
Email:				
PROPERTY OWNER INFORMATION				
Applicant Name:	Address:			
Uptown Valpo Ventures, LLC	5209 Garden Gtwy.			
Phone:	Valparaiso, IN 46383			
Email:				
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL	L EXCEPTION OR ADMIN RELIEF IS SOUGHT:			
Article: 9 Section: 403 Paragraph: B/C Item:	Article: 11 Section: 404 Paragraph: F Item:			
Article: 10 Section: 403 Paragraph: B Item:	Article: 11 Section: 407 Paragraph: A Item:			
Article: 11 Section: 402 Paragraph: B Item: 1a	Article: 11 Section: 407 Paragraph: D Item:			
Article: 11 Section: 403 Paragraph: C Item: 1b	Article: Section: Paragraph: Item:			

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)	
Legal Description: A parcel of land in the Northeast Quarter of the Southeast Quarter of Section 24, Township 35 North, Range 6 West of the Second Principal Meridian, in the City of Valparaiso, Porter County, Indiana, and being a port of Block 8 of Council's Addition of 1883 to the City of Valparaiso as shown in Miscellaneous Record "E*, Page 534 in the Office of the Recorder of Porter County, Indiana, said parcel described as follows (the bearings are based on the line between the monumentation found at the Southwest and Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 24 having a direction of "N00'00'08"W"): Commencing at a rebor at the Southwest corner of said Northeast Quarter of the Southeast Quarter of said Section 24; thence N00'00'08"E 241.79 feet along the West line of the Northeast Quarter of the Southeast Quarter of said Section 24, thence N89'50'59"E 396.16 feet along the North right-of-way line of Lincolnwoy as monumented to a rebar 26 rods (Deed) East of the Southeast Quarter of Block 31 in Woodhull's Addition to the Town (now City) of Valparaiso, said Point being the Southwest Corner of Lot 4 of Brown's Subdivision Unrecorded and the Point of Beginning; thence N00'11'58"W along the West line of Lot 4 in said Brown's Subdivision Unrecorded; thence S00'04'56"W along said East line 132.15 feet (8 rods Deed) to o rebor with PTGR I.D. cop at the Southeast comer of said Lot 5, said Point being on the North right-of-way of said Lincolnwoy; thence S89'5B'47"W 132.14 feet (B rods Deed) along said North right-of-way line to the Point of Beginning; said Parcel containing 34,877 square feet/0.800 acres more or less.	
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)	
Proposed project consists of construction of a new Convenience Store and Automobile Fueling Station with associated site improvements. Improvements include an approximately 3,500 SF masonry building, (4) fuel pumps, and an approximately 130' x 24' fuel canopy.	

Variance from Development Standards Petitioner's Proposed Findings of Fact

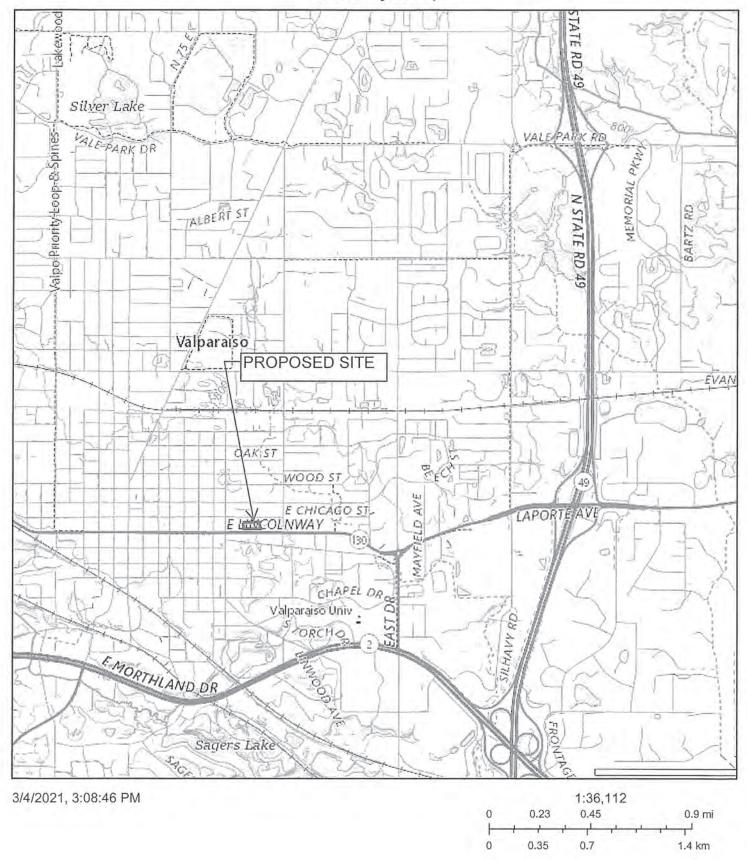
(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner submits that:

Α.	The proposed variance from the Development Standards will not be injurious to the public health, safety morals, and general welfare of the community because:
	A traffic study and analysis of the proposed plan allows for safe ingress / egress to and from the site with minimal and acceptable impacts to the surrounding properties and public right of way. Adequate access will be maintained for all emergency response personnel and all building code and ADA requirements will be met.
В.	The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:
	The existing property is currently used as offsite open parking lot, and the proposed improvements will add assessed property value, benefitting the surrounding properties. The proposed use is consistent with the surrounding businesses and will not impede their continued enjoyment in any way.
С.	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:
	Due to the depth of the site and status as an infill site, the variances are required to allow for safe ingress / egress for the site.
- 1-	

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.

Vicinity Map



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census



June 17, 2021

Mr. Dan Tursman Director of Development Luke Family of Brands 3592 N. Hobart Rd., Hobart, IN 46342

Subject:

Letter of Findings for:

Proposed Convenience Market and Fueling Station

815 Lincolnway - Valparaiso, IN

Dear Mr. Tursman,

This letter serves to advise of the findings of the traffic analyses done for your proposed facility at 815 Lincolnway in Valparaiso, Indiana. It is intended to be an informal summary of the Traffic Impact Study which will follow in approximately two (2) weeks and will formally represent this study.

You are planning a 4,000 SFT (approximately) convenience store and gas station with 8 fueling stations on the north side of Lincolnway and approximately equidistant between Garfield Ave. and Roosevelt Rd. Two (2) driveways are planned. See attached Vicinity Map (Exhibit 1) for approximate location and Preliminary Site Plan (Exhibit 2) for proposed layout of the site. The existing site is currently a paved parking lot with two (2) entrances. Your two (2) planned driveways are at similar locations to existing, but as shown on Exhibit 2, are slightly larger and further apart to accommodate fueling trucks and generally to ease traffic flow through the site. See attached truck turning template (Exhibit 3).

EXISTING CONDITIONS:

Lincolnway is a two (2) lane east-west arterial roadway with on street parallel parking on the north side. The posted speed limit is 30 MPH. Is is considered CBD (Central Business District) for this study. This block of Lincolnway is just over one-quarter mile long and has traffic signals at either end. This is a commercial area with several commercial business driveways (curb cuts) along both the north and south curblines. Businesses such as medical office, sit down restaurant, insurance companies, attorneys, and some other mostly low volume retailers mainly comprise the commercial businesses along the corridor. Traffic along Lincolnway in 2018 was collected from the INDOT TCDS website and is summarized by Average Daily Traffic below. See Exhibit 4 for hourly and directional breakdowns of this data.

Non-Site ADT Traffic Con	unts (October 2018)
Lincolnway	Through
Total Traffic	12,708
Eastbound	7,852
Westbound	4,856



TRIP GENERATION:

Two methods were utilized to estimate trips in and out during typical weekday peak periods. The more conservative numbers were utilized for the analysis. The first method utilized number of transactions at similar Luke Oil gas stations. See Exhibit 5. The peak morning and afternoon hours are highlighted. The second method of estimating trips involved selecting the most applicable land use from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition. Those results are below:

Convenience Market with Gasoline Pumps

Land Use 853 Average Vehicle Trip Ends vs. GFA (Gross Floor Area)

4,000 SFT		Forecasted Trip Ends			
		Two Way	IN	OUT	
Average	Weekday	2497	1248	1249	
AM Peak Hour	Adjacent Street	162	81	81	
PM Peak Hour	Adjacent Street	197	98	99	
AM Peak Hour	Generator	169	84	85	
PM Peak Hour	Generator	198	99	99	

The average traffic based on the BUSIEST similar site would be 79 IN and 79 OUT in the morning and the 65 IN and 65 OUT in the afternoon. The results from the ITE Trip Generation Manual are more conservative and were, therefore, selected for use.

TRIP DISTRIBUTION AND ASSIGNMENT:

Using the existing traffic volumes as a guide and forecasting traffic 1% per year from Year 2018 until Year 2026 (5 years from now), traffic turning movements in and out of the development as well as along Lincolnway were determined. Again using the INDOT TCDS, traffic volumes on nearby Garfield Avenue were utilized to estimate probable turning movements at that signalized intersection. Data at Roosevelt Rd could not be located, but assumptions were made based on other nearby roadway volumes so that an approximate analysis could be run at that signalized intersection as well. It is important to note that convenience markets and gas stations draw traffic primarily from the adjacent street and do not generate a lot of new traffic to the roadway. A 50/50 split (50% reduction) was assumed for new vs. existing traffic when working with the forecasted trips depicted in the chart above and applying them to Lincolnway. See Exhibits 6A and 6B for the morning and afternoon resulting turning movements expected in Year 2026.

LEVEL OF SERVICE (LOS) AND QUEUING ANALYSES:

Using the turn movements depicted in Exhibits 6A and 6B, the levels of service and queuing can be determined as expected in Year 2026 for the nearby signalized intersections as well as the proposed driveways to the site. The level of service is a representation of the quality of the traffic flow. Impacts to nearby driveways can also be assessed and discussed. The results of the LOS Analyses are depicted below by intersection west to east:



Level of Service (LOS) Summary Table

Testament on Manage	AM Peak Hour LOS	PM Peak Hour LOS	
Intersection Name	2026 (Exhibit #)	2026 (Exhibit #)	
Lincolnway & Garfield Ave. *	B (7A)	B (7B)	
Lincolnway and W. Luke Driveway	B (8A)	C (8B)	
Lincolnway and E. Luke Driveway	C (9A)	C (9B)	
Lincolnway & Roosevelt Rd. *	C (10A)	C (10B)	

*The signalized intersections traffic signal timings and cycle lengths were optimized. The Garfield Avenue signal was assumed to pre-timed, while the Roosevelt Road signal was assumed to be semi-actuated (utilizing some vehicle detection equipment to optimize the timings as needed with some restrictions).

A LOS of 'B' represents stable flow conditions while a LOS of 'C' represents slight interruptions in flow. Both are considered acceptable by traffic engineering standards.

Queuing can be a concern when it occurs on a main roadway, especially a heavily traveled arterial with no relief lanes such as on Lincolnway. A vehicle stopped in traffic to access a business driveway can and will cause traffic to backup (queue) if gaps do not appear to allow for turning. An advantage to a signalized corridor, however, is that the traffic signals do platoon and gap traffic which means acceptable gaps can be plentiful depending on the traffic volumes and the traffic signal timings. The amount and length of gaps can be expected to vary throughout the day. These analyses considered the morning peak and afternoon peak times with the following results (the 95th Percentile queue represents the maximum expected queuing in standard practice):

- No queuing is expected for any right turn movements off of Lincolnway (WBRT) into the Luke driveways as these occur uninterrupted (no gaps in traffic are required to make these).
- Some minor queuing is expected for left turning movements off of Lincolnway (EBLT) waiting for westbound gaps. It should be noted that all EBLT movements are a LOS 'A', indicating free-flow conditions. During the morning peak, the 95th Percentile queue at the West Luke Driveway is not expected to exceed 3 ft while the East Luke Driveway is not expected to exceed 1 ft. During the afternoon peak, the 95th Percentile queue at the West Luke Driveway is not expected to exceed 4 ft while the East Luke Driveway is not expected to exceed 1 ft. The 95th Percentile queue is a representation of maximum averages over time. Because most vehicles are roughly 16 ft long, the results are an indication that an occasional single vehicle may queue, but generally queuing will not be experienced. Part of the reason for this is that westbound traffic is lighter on Lincolnway than eastbound traffic and so westbound gaps are more plentiful throughout the day. This is mostly likely the case due to the one-way streets in the vicinity causing unbalanced directional traffic volumes.



Exhibits 7 through 10 not only depict levels of service, but the queuing lengths discussed
herein are also depicted. The reports describe the queuing on Lincolnway at the Luke
proposed driveways as 0 vehicles or 0.1 vehicles which is similar to the 1 ft to 4 ft queues
described previously herein.

FINDINGS:

The levels of service are expected to be within acceptable levels at both driveway locations. The queuing on Lincolnway can be expected to be minimal with occasional occurrences of a single vehicle queue along Lincolnway due to traffic waiting to enter the proposed site. An eastbound right turning vehicle wishing to enter the driveway directly across from the W. Luke Driveway (to the medical center) or a northbound left turning vehicle wishing to exit the medical center at this same driveway are the only anticipated movements that could be experience slight delays over what they do now. These impacts to the medical center would be considered minimal and acceptable. Left turns into the medical center and right turns out of the medical center can proceed as they do now with no additional delay.

Because the traffic to the proposed site is primarily passer-by, the expected impacts to Lincolnway should not be noticeable. Even with the conservative assumptions made herein, a 5% increase in traffic on Lincolnway is the most that could be expected.

Fueling trucks, while not frequent, can maneuver the site and the driveways.

RECOMMENDATIONS:

The proposed development can proceed as planned. Some restriping of the parking spaces along Lincolnway will be required due to the driveways being moved and widened. This should be added to the engineering drawings when those are created.

CONCLUSIONS:

All attempts to remain conservative in this study have been made to provide possible worst-case scenarios. In addition to analyzing the heaviest traffic periods of a typical weekday, the reduction factors were kept lower than will likely occur and the heavier of the two (2) trip generated set of values were utilized. For these reasons, it is likely that the traffic impact will be less than projected.

If you have any questions regarding this letter of findings, please contact me at

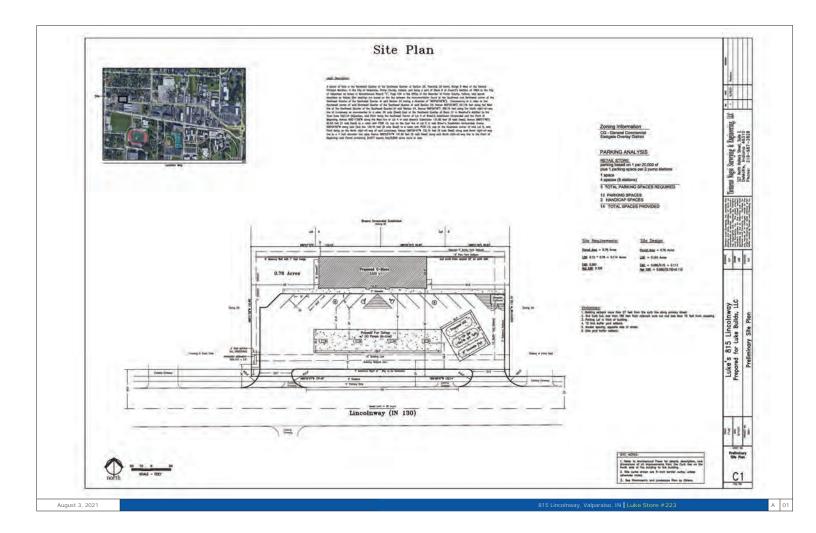
Very truly yours,

DVG Team Inc.

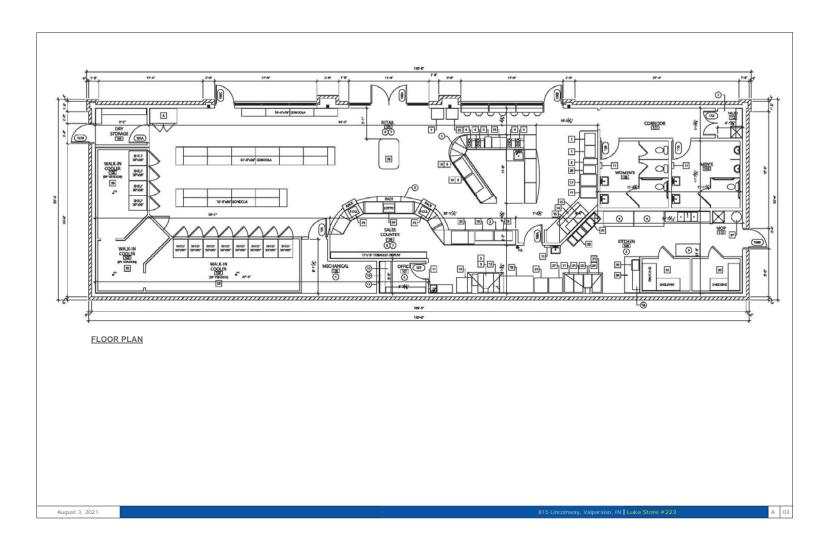
Robyn L. Pappenheim, PE

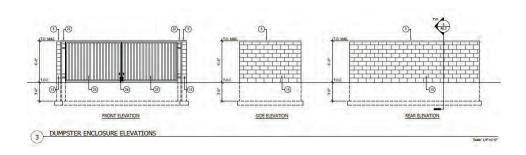
Project Manager















MONUMENT / PRICE SIGN DETAIL

August 3, 2021 815 Lincolnway, Valparaiso, IN Luke Store #223 A 0



August 3, 2021

815 Lincolnway, Valparaiso, IN Luke Store #22

А

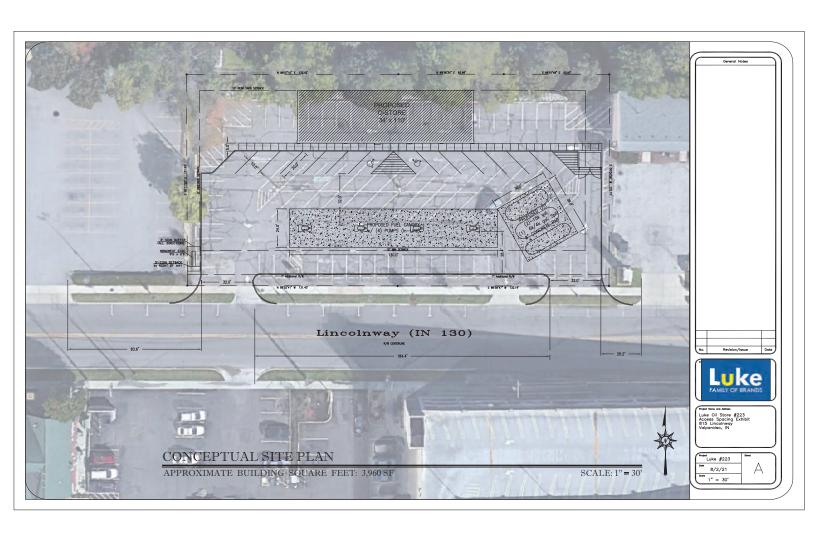


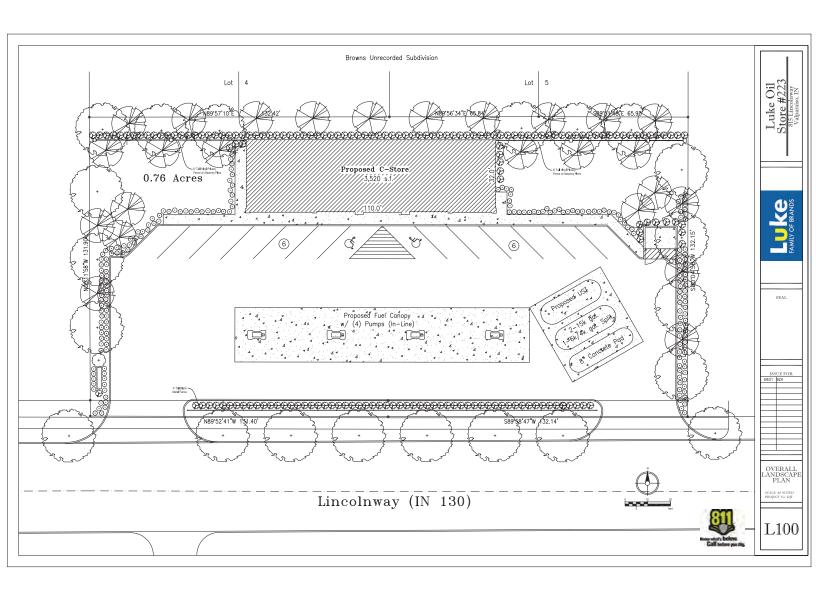
August 3, 2021

815 Lincolnway, Valparaiso, IN Luke Store #2



August 3, 2021 815 Lincolnway, Valparaiso, IN Luke Store #223





Echelon Plus.







Echelon Plus.

.75"sq x .045" wall PICKETS | 1.4375" x 1.25" x (.090" side / .060" top) ForeRunner™ RAILS
2.5"sq x .060" POSTS w/reinforced internal web



Echelon Plus has taken the quality and performance of aluminum ornamental fencing to a higher level.

Today, the damage potential that threatens fences has increased significantly in probability and destructive force. Echelon Plus is *designed with the long-term durability to withstand rigorous environments*.

The cross-section of the Echelon Plus rail is reinforced with an *internal web* that significantly increases strength, particularly against *forces acting horizontally.* This added strength, coupled with an improved post design, powdercoated finish, and fully welded gates, *guarantees years of maintenance-free service and value.*

THE ECHELON PLUS DIFFERENCE



Echelon ForeRunner® *Internal Locking System*

- Internal rod is tamper proof and pickets cannot be removed
- Retainer rod is hidden and rail has a "good neighbor" appearance
- Retainer goes through two walls of picket, yielding twice the support

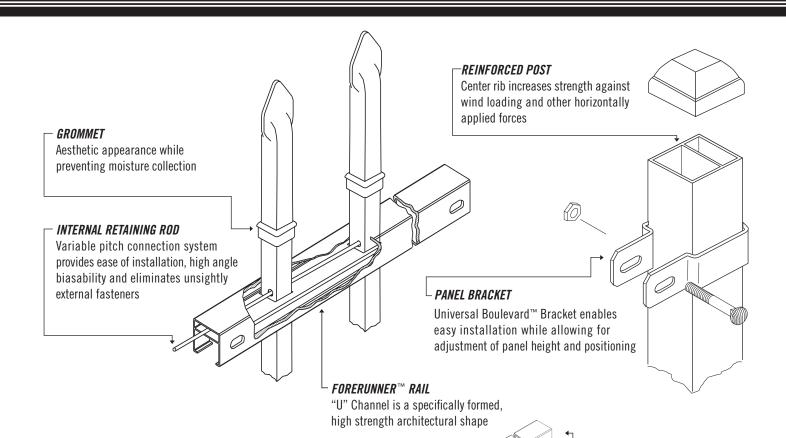


Competitors U-Channel

Removable Tek Screws

- Picket attachment can easily be compromised with simple tools
- Exposed Tek screw detracts from a smooth architectural profile
- ▶ Tip of Tek screw barely engages one wall of picket

NO RIVETS. NO SCREWS. NO WELDS.



> INCREASED SECURITY

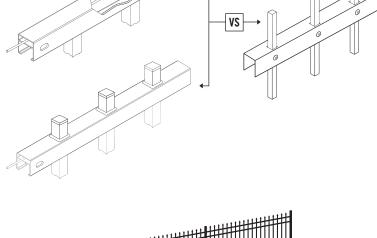
The ForeRunner Rail with internal retaining rod prevents the attachment from being compromised. Fasteners are not exposed

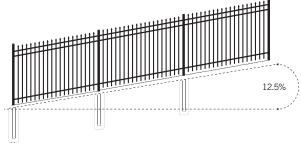
> AESTHETIC DETAILS

"Good Neighbor Design" rod follows ForeRunner centerline providing a clean and uninterrupted look, void of visible screws or rivets

HIGH FUNCTIONALITY

Biasability at a minimum of 12.5% that requires no additional assembly









Echelon Plus Classic style boasts *traditional extended pickets* with an arrow-shaped spear. These pointed pickets act as a *visual warning to potential intruders*.

- > 3 Rail / 4 Rail options available
- Flush or Standard bottom options available





Echelon Plus Majestic has a *contemporary feel* that incorporates a *flush top rail* which produces a stately and streamlined appearance. This fence style *highlights the landscape* by blending with the surrounding architectural design.

- > 3 Rail / 4 Rail options available
- **▶** Flush or Standard bottom options available





Echelon Plus Genesis has *sleek lines* of unaltered square pickets that are *reminiscent of solid vertical bar wrought iron*. The extended flat-topped tips can also be accented with decorative finials to enhance the fence design.

- 3 Rail / 4 Rail options available
- Flush or Standard bottom options available





Echelon Plus Conqueror marries *the best of classic style* with modern design. The spear tipped tops mingle below the *clean line of a straight rail.*

- 3 Rail / 4 Rail options available
- Flush or Standard bottom options available





Echelon Plus Warrior adds *complexity and elegance* with *alternating picket heights*, bringing a higher level of sophistication to any fence system.

- > 3 Rail / 4 Rail options available
- > Flush or Standard bottom options available

ADORNMENTS















QUAD FLARE

TRIAD

ROYALTY

RING

SCROLL

FLORENTINE SCROLL

BALL CAP

COLORS





BLACK

BRONZE

WHITE

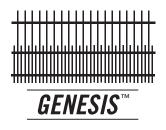
PUPPY PANELS

In many cases, particularly in relation to *safety or containment of small pets*, a narrower space between pickets may be necessary. Echelon Plus Puppy Panels *reduce the space between pickets* to less than 2" up to a height of 2' above ground.











POWDER COATED SUPERIOR FINISH

Echelon features a state of the art polyester powder coating system that provides a durable and scratch resistant finish. This eco-friendly process provides years of long-lasting durability and maintenance-free ownership.



LIFETIME LIMITED WARRANTY

The Echelon families of aluminum fencing products are manufactured from superior quality materials by skilled craftsmen with the highest standards of workmanship in the industry. Ameristar is confident in offering Echelon with a limited lifetime warranty, backed by over 30 years of demonstrated excellence in manufacturing of ornamental fence.



DOMESTIC MANUFACTURING

Ameristar is committed to providing products that are manufactured in the USA. We have made significant investments in technology, process improvement, and employee training in an effort to secure American jobs and combat inferior import products.

GATE SYSTEMS

Echelon Plus gate options vary from swing gates for pedestrian or vehicle entry to sliding entry gates for high functioning points of entry. Each of these gate systems are individually constructed with the highest level of craftsmanship to provide project specific performance.













WHY CHOOSE AMERISTAR?

> KNOWLEDGE & EXPERIENCE

Ameristar was chartered over 30 years ago in response to the demand by consumers and specifiers for specialty fence products. Ameristar offers an aesthetically pleasing product that is both high in quality and affordability. This has been achieved by maximizing high-volume productivity, increasing product design strength, and promoting simplistic installation.

> PROVEN CAPABILITY

Ameristar's integrated in-house process and extensive raw material inventory results in much improved productivity and availability compared to the competition. By having a vast finished goods inventory, Ameristar is capable of delivering finished products faster than competitors who sublet the majority of their operations.

> INDUSTRY LEADERSHIP

Over the years Ameristar has continually raised the bar across the board in the manufacturing of high quality, innovative fencing products. Our demonstrated commitment to upholding higher values translates into superior products that go far beyond merely meeting minimum industry standards.



Part #9729 | Revised 10/2018





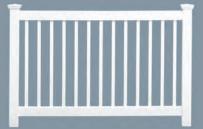








CAMDEN



SAVANNAH



MELROSE



DOWNINGTON



REGENCY



SCALLOPED MELROSE

EverGuard® Picket Fence

Nothing beats the charm of a vinyl picket fence. EverGuard® offers a wide variety of heights and styles to accent your landscaping and create a beautiful boundary to your property.

PICKET TOP STYLES







DOG EAR

POINTED

PYRAMID



EverGuard® Semi-Privacy



BARRINGTON



Picket Features

- 6 standard picket styles available
- Pickets installed with through-rail construction
- Panels offered in 6' and 8' widths

- Assortment of picket top options allowing you to create a distinctive look
- Optional bottom rail insert











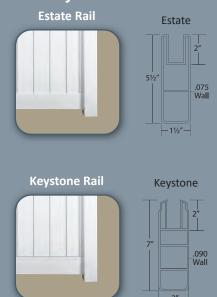
EverGuard® Privacy

EverGuard® offers a wide variety of maintenance free privacy options that are sure to complement your home or project. Your privacy fence should be more than just a barrier wall, it should be a reflection of your individual style. With that in mind, we offer a wide variety of rail sizes, decorative tops and colors to choose from, ensuring that you'll find the fence that is right for you.

Features

- Two pocket rail options available:
 - Estate 1-1/2" x 5-1/2" (Reinforced bottom rail standard)
 - Keystone 2" x 7" (Reinforced bottom rail optional)
- 6" tongue and groove pickets, 11.3" available in limited locations
- Panels offered in 6' and 8' widths
- ReadiPak packaging available for quick and easy installation

Rail Styles



Accessories & Hardware

Post Caps

Complete your look by choosing from four distinct post cap options, each created to match perfectly with all styles of EverGuard® fencing. Select one post cap style to use throughout the entire layout, or use two or more styles to create an even more customized look.



Outside Pyramid



Gothic



New England



Inside Pyramid

Gate Hardware

We offer a large array of high quality gate hardware to ensure your fence will keep working for years to come.



Nylon Adjustable Self-Closing Hinge



Pool Gate Latch



ol Gate Cain Bolt



Keyed Nylon Latch



Lockable Steel Latch







Vinyl to Steel Self-Closing Hinge



EverGuard® Ranch Rail

1.5"

"25'

Ranch Rail Profile

Turn your rural or agricultural property into a showplace with EverGuard® Ranch Rail. All the beauty of traditional wood horse fence is combined with the low maintenance advantages of PVC to provide a dramatic boundary to your farm, ranch or neighborhood.

Features

- 1-1/2" x 5-1/2" rails
- 5" x 5" posts
- Available in 2, 3 & 4-rail and Crossbuck
- Offered in a variety of grades

Additional Fence Solutions

Merchants Metals is one of the largest manufacturers and distributors of fence systems in the nation. Our complete line of fencing solutions for residential, commercial and industrial applications includes:

- Hot-Dipped Galvanized Chain Link
- Color Coated Chain Link
- Steel Ornamental in both Component and Fully-Welded Systems
- Aluminum Ornamental Systems
- Wood Fence

- PVC Fence
- Temporary Fence
- Aluminum Track Gates
- Access Control Products
- Guardrai
- Pre-hung Security Gates
- Welded Wire

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AIA Continuing Education









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www.merchantsmetals.com

TETHON TO VALI ANAISO BOARD OF ZONING AFT	For Office Use Only:
This application is being submitted for (Check all th	nat apply): Petition #:
Use Variance	Application Type:
✓ Development Standards Variance	
Special Exception/Special Use Relief to Administrative Decision	Application Filing Fee:
Conditional Use	Date Filed://
Wireless Communications Facility	Date Filed: / /
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
Property Address:	Subject property fronts on the South side
SE corner of Tower Road and 500 North	side between (streets) Tower Road
The server of the server read and see the server	& Froberg Road
	Zoning District: SR-Suburban Residential
PETITIONER INFORMATION	
Applicant Name:	Address:
Lennar Homes of Indiana, Inc.	c/o Todd A. Leeth and Katie L. Kopf
Phone:	Hoeppner Wagner & Evans LLP
	103 E. Lincolnway Valparaiso, Indiana 46383
mulati.	Valparaiso, indiana 40000
Email:	
PROPERTY OWNER INFORMATION	
CONTRACTOR OF THE PROPERTY OF	****
Applicant Name: Iron Gate V LLC	Address:
Phone:	214 Edgewood Drive Valparaiso, Indiana 46385
Email:	
See Attached	
SECTIONS OF UDO FROM WHICH A VARIANCE, SE	PECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT:
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:	: Article: Section: Paragraph: Item:

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)				
See Attached				
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)				
159 lot, single family home, subdivision				

HOPPINER Board of Zoning Appeals Application
WATNER & Petitioner: Lennar Homes of Indiana, inc.
EVANS LLP Date: June 28, 2021
Public Hearing: August 18, 2021

DEVELOPMENT STANDARD VARIANCE REQUESTS Revised June 28, 2021

Lennar Homes of Indiana, LLC

MINIMUM LOT WIDTH

Cluster Development Standards Pursuant to §3.602 (Table 3.602)

Code:

90 feet for 9,000 sq. ft. Lot Area

80 feet for 8,000 sq. ft. Lot Area 70 feet for 7,000 sq. ft. Lot Area

Proposed:

Range of Lot Widths

65 feet to 80 feet

PERCENT IN WIDTH TYPE

Cluster Development Standards Pursuant to §3.602 (Table 3.602)

Code:

90 ft. Lot Width

Remainder %

80 ft. Lot Width 70 ft. Lot Width 50% 25%

Proposed:

65 ft Lot Width

44%

75 ft. Lot Width

51%

80 ft. Lot Width

5%

City of Valparaiso HOEPPNER **Board of Zoning Appeals Application** WAGNER & Petitioner: Lennar Homes of Indiana, Inc. EVANS LLP Date: June 28, 2021 EVANS LLP Public Hearing: August 18, 2021

EXHIBIT A LEGAL DESCRIPTION

Parcel 1: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9. Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, bounded and described as follows:

Commencing at the Northeast corner of said Northeast Quarter, thence South 0 degrees 09 minutes 07 seconds East, along the East line of said Northeast Quarter, 2638.50 feet to the Southeast corner of said Northeast Quarter; thence South 89 degrees 35 minutes 41 seconds West, along the South line of said Northeast Quarter, 660.69 feet; thence North 0 degrees 09 minutes 33 seconds West 2638.68 feet to the North line of said Northeast Quarter; thence North 89 degrees 36 minutes 39 seconds East, along said North line, 661.02 feet to the point of commencement; Excepting therefrom the North 436 feet of the East 100 feet of the East Onehalf of the Northeast quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana. Property No. 64-09-09-200-008,000-004

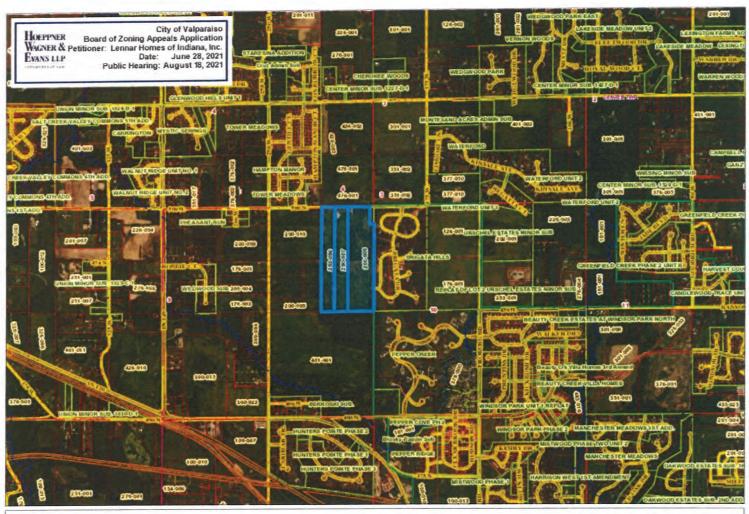
PARCEL 2: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, bounded and described as follows: Commencing at a point on the North line of the East One-Half which is 330.51 feet East of the Northwest corner of said East One-Half; thence North 89 degrees 36 minutes 39 seconds East, along the North line, 330.51 feet; thence South 0 degrees 09 minutes 33 seconds East 2638.78 feet to the South line of said East One-Half; thence South 89 degrees 35 minutes 41 seconds West, along said South line, 330.51 feet; thence North 0 degrees 09 minutes 45 seconds West 2638,78 feet to the point of commencement. Property No. 64-09-09-200-007.000-004

PARCEL 3: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana, bounded and descried as follows:

Commencing at a point on the North line of the East One-Half which is 330.51 feet East of the Northwest corner of said East One-Half; thence South 0 degrees 09 minutes 45 seconds East 2638.68 feet to the South line of said East One-Half; thence South 89 degrees 35 minutes 41 seconds West, along said South line, 330.35 feet to the Southwest corner of said East One-Half; thence North 0 degrees 10 minutes 01 seconds West, along the West line of said East One-Half, 2638.87 feet to the Northwest corner of said East one-Half; thence North 89 degrees 36 minutes 39 seconds East, along said North line. 330.51 feet to the point of commencement.

Property No. 64-09-09-200-006.000-004

Commonly known as Southern side of 500 North, Valparaiso, Indiana



Enter Map Title... Web Print 06/25/2021 This map is a user generated static output from an internet mapping site and is for reference only. Data tayers that appear on this map may or may not be accurate, current, or otherwise reliable.





SITE DATA

UNITS AREA % OF SITE TRADITIONAL SINGLE FAMILY (44%-65'w, 51%-75'w, 5%-80'w) 50.2 63.5% OPEN SPACE 28.8 36.5% TOTAL 79.0 AC. 100.0%





	3577.5	39.75	25%	159	90
	6360	79.5	50%	159	80
	2782.5	39.75	25%	159	70
80 Code Avg Lot Width	12720				
	636	7.95	5%	159	80
	6081.75	81.09	51%	159	75
	4547.4	69.96	44%	159	65
70.85 Irongate Avg Lot Width	11265.15	03.30	,	200	
	357750	39.75	25%	159	9000
	636000	79.5	50%	159	8000
	278250	39.75	25%	159	7000
8000 Code Avg Lot Size	1272000				
	79500	7.95	5%	159	10000
	760218.8	81.09	51%	159	9375
	568425	69.96	44%	159	8125
8856.25 Irongate Avg Lot Size	1408144				

HOEPPNER Board of Zoning Appeals Application Wigner & Petitioner: Lennar Homes of Indiana, Inc. Evans LLP Date: June 28, 2021 Date: June 28, 2021 Public Hearing: August 18, 2021

CITY OF VALPARAISO BOARD OF ZONING APPEALS

PETITIONER'S PROPOSED FINDINGS OF FACT

Petitioner:

Lennar Homes of Indiana, LLC

Legal Description:

Exhibit "A"

Location:

Southeast corner of Tower Road and 500 North, Valparaiso, Indiana

Current Zoning:

Suburban Residential (SR) District

Petition:

Development Standards Variances:

1. Minimum Lot Width

§3.602 (Table 3.602)

Cluster Development Standards

Code:

90 feet for 9,000 sq. ft. Lot Area 80 feet for 8,000 sq. ft. Lot Area

70 feet for 7,000 sq. ft. Lot Area

Proposed:

Range of Lot Widths

65 feet to 80 feet

2. Percent in Width Type

§3.602 (Table 3.602)

Code:

90 ft. Lot Width

Remainder %

80 ft. Lot Width 70 ft. Lot Width 50% 25%

Proposed:

65 ft. Lot Width

44%

75 ft. Lot Width

51%

80 ft. Lot Width

5%

Case No .:

The above named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for a development standards variances to allow for a one hundred and fifty-nine (159) lot, single-family home subdivision in accordance with general plans filed with the City pursuant to the provisions set forth above and found in the Unified Development Ordinance. After conducting a public hearing pursuant to I.C. 37-7-4-920 et seq. and the Unified Development Ordinance, and after hearing Petitioner's arguments and evidence in support of the variance, remonstrance and opposition or the opportunity for the receipt thereof, and comments, reports or recommendations of staff and others, the Board of Zoning Appeals for the City of Valparaiso, Indiana now finds as follows:

FINDINGS:

- The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - a) The spirit and intent of the Cluster Development standards are achieved by the alternative lot widths.
 - b) The granting of the variances will not alter the essential character of the locality.
- 2. The use and value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner because:
 - a) The granting of the variances will in no recognizable way encroach on the enjoyment or use of the surrounding properties.
 - b) The granting of the variances will secure or preserve adequate light, air, convenience of access, and safety from fire and other dangers.
 - c) There will be no substantial change in the use of the property that will result if the variances are granted.
- The strict application of the terms of the Zoning Ordinance will result in practical difficulties because:
 - a) Granting the variances allow for more beneficial use of the property without detrimentally affecting safety or aesthetics. The Cluster Development standards establish arbitrary lot widths, however the Petitioner's lot widths and percentage of variable widths are specifically targeted to the subject property, and its unique characteristics.

- b) The housing and home styles proposed by the Petition are very desirable in the marketplace but not otherwise allowed in the existing district standards. The alternative lot widths and varied percentages are consistent with the spirit and intent of the Cluster Development standards.
- c) The circumstances and conditions existing on or about Petitioner's property which prevent conformance with the Unified Development Ordinance and requiring the variances are not self-created.

Respectfully submitted;

By:

Todd A. Leeth / Katie L. Kopf Hoeppner Wagner & Evans LLP 103 E. Lincolnway

Valparaiso, Indiana 46383

Attorneys for Petitioner

This Instrument Prepared By:

Katie L. Kopf Hoeppner Wagner & Evans LLP 103 E. Lincolnway

Valparaiso, Indiana 46383

HOEPPNER WAGNER & EVANS LLP

X:\Lennar Homes of Indiana 19691\Iron Gate -3\Documents\FOF DSVariance 2021-06-28.docx

EXHIBIT "A"

Parcel 1: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, bounded and described as follows:

Commencing at the Northeast corner of said Northeast Quarter, thence South 0 degrees 09 minutes 07 seconds East, along the East line of said Northeast Quarter, 2638.50 feet to the Southeast corner of said Northeast Quarter; thence South 89 degrees 35 minutes 41 seconds West, along the South line of said Northeast Quarter, 660.69 feet; thence North 0 degrees 09 minutes 33 seconds West 2638.68 feet to the North line of said Northeast Quarter; thence North 89 degrees 36 minutes 39 seconds East, along said North line, 661.02 feet to the point of commencement; Excepting therefrom the North 436 feet of the East 100 feet of the East One-half of the Northeast quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana.

PARCEL 2: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, bounded and described as follows:

Commencing at a point on the North line of the East One-Half which is 330.51 feet East of the Northwest corner of said East One-Half; thence North 89 degrees 36 minutes 39 seconds East, along the North line, 330.51 feet; thence South 0 degrees 09 minutes 33 seconds East 2638.78 feet to the South line of said East One-Half; thence South 89 degrees 35 minutes 41 seconds West, along said South line, 330.51 feet; thence North 0 degrees 09 minutes 45 seconds West 2638.78 feet to the point of commencement.

PARCEL 3: A parcel of Property in the East One-Half of the Northeast Quarter of Section 9, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana, bounded and described as follows:

Commencing at a point on the North line of the East One-Half which is 330.51 feet East of the Northwest corner of said East One-Half; thence South 0 degrees 09 minutes 45 seconds East 2638.68 feet to the South line of said East One-Half; thence South 89 degrees 35 minutes 41 seconds West, along said South line, 330.35 feet to the Southwest comer of said East One-Half; thence North O degrees 10 minutes 01 seconds West, along the West line of said East One-Half, 2638.87 feet to the Northwest corner of said East one-Half; thence North 89 degrees 36 minutes 39 seconds East, along said North line, 330.51 feet to the point of commencement.

This application is being submitted for (Check all that	For Office ose Only.					
Use Variance ✓ Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility	Application Type: <u>DEUFLOPMENT STANDARDS</u> Application Filing Fee: <u>\$ 150</u> Date Filed: <u>07 / 16 / 2021</u> Meeting: <u>08 / 18 / 2021</u>					
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK					
Property Address:	Subject property fronts on the North					
1111 Glendale Blvd.	side between (streets) Calumet Avenue					
	& Calumet Avenue					
	Zoning District: CG - Commercial General					
PETITIONER INFORMATION						
Applicant Name:	Address:					
Hamstra Builders, Inc. Phone: Email:	12028 N 200 W Wheatfield, IN 46392					
PROPERTY OWNER INFORMATION						
Applicant Name:	Address:					
WP Times LLC Phone:	53 Michigan Ave. Suite 103 Valparaiso, IN 46383					
Email:						
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECI.	AL EXCEPTION OR ADMIN RELIEF IS SOUGHT:					
Article: 3 Section: 207 Paragraph: Item: Article: Section: Paragraph: Item:	Article: Section: Paragraph: Item:					
Article: Section: Paragraph: Item:	Article: Section: Paragraph: Item:					

Article: ____

Section: _

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

Article:

Section: _

Paragraph: ____ Item: _

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)	
The South 363.00 feet of the East 275.5 feet of the Northeast Quarter of Section 13, Township 35 North, Range 6 West of the Second Principal Meridian, in Porter County, Indiana.	
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)	
The project involves the conversion of the old Vidette/ Times Building into a new multi-tenant building for three users. In order to optimize parking for the tenants in the building we need to modify the existing parking arrangement to permit the addition of more stalls. This parking area addition reduces the existing green area on the site. It is important to note the existing site green area does not meet the current UDO for required Landscape Surface Ration.	

Variance from Development Standards Petitioner's Proposed Findings of Fact

(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner submits that:

	The requested variance from the LSR will put an existing building in the heart of the city, that has been under utilized in recent years, back to a vital facility by updating and refreshing the exterior of the building and the landscaping on the street sides of the building. The area affected by the requested variance, though visible from Glendale Blvd., does not greatly impact the view seen by the general public.
L	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 use of the site adjacent to the bordering properties will be visually unchanged. The currer adjacent property has a parking area that is immediate adjacent to the parking area we are modifying.

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:

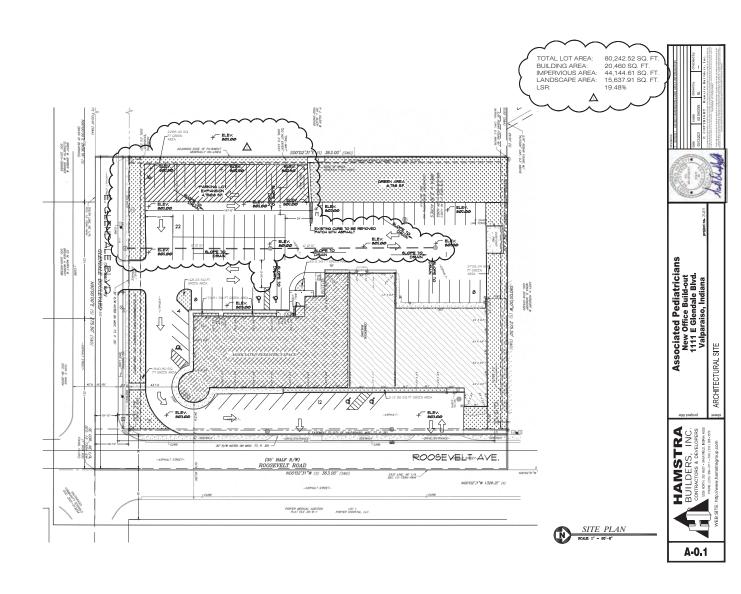
This is an existing building that was added on to several times over the course of its lifetime. In order to comply with the current UDO, a portion of the building would need to be demolished and parking reduced to meet the required percentage of landscape area. This is not practical as it would result in a significant loss in value of the property making any redevelopment at this location, in the heart of the city, unviable.

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.

Google Maps Times



Imagery ©2021 Google, Imagery ©2021 IndianaMap Framework Data, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 100 ft



PETITION TO VALPARAISO BOARD OF ZONING APPEAL	S: For Office Use Only:					
This application is being submitted for (Check all that a	pply): Petition #:					
Use Variance						
✓ Development Standards Variance	Application Type:					
Special Exception/Special Use	Application Filing Fee:					
Relief to Administrative Decision	Date Filed://					
Conditional Use Wireless Communications Facility						
The less continuing the last t	Meeting://					
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK					
Property Address:	Subject property fronts on the East					
2901 John Howell Drive	side between (streets) Silhavy Road					
The state of the s	& Silhavy Road					
	Zoning District: CG					
PETITIONER INFORMATION						
Applicant Name:	Address:					
Luigi Randazzo	418 Clinton Place, River Forest, Illinois 60305					
Phone:						
Email:						
PROPERTY OWNER INFORMATION						
Applicant Name:	Address:					
Family Express Corp	3408 Enterprise Ave 213 S. State Read 49					
Phone:	Valparaiso, Indiana 46383					
Email:						
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	L EXCEPTION OR ADMIN RELIEF IS SOUGHT:					
Article: 9 Section: 303 Paragraph: B Item: 4	Article: Section: Paragraph: Item:					
Article: 11 Section: 506 Paragraph. A Item:	Article Section: Paragraph: Item:					
Article: Section: Paragraph: Item:	Article: Section: Paragraph: Item:					
Article: Section: Paragraph: Item:	Article: Section: Paragraph: Item:					

Paragraph:

Item:

Paragraph:

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)					
Legal Description Lat 2 in the Secondary (Final) Plat of LaPorte Center, as per plat thereof, recorded in Plat File 27-A-2 & Lot 3 in the Secondary (Final) Plat of LaPorte Center fet Addition, as per plat thereof, recorded in Plat File 27-A-2A, in the Office of the Recorder of Porter County, Indiana.					
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)					
New ground-up, single-story, slab-on-grade restaurant building at 4,200 GSF with 53 parking stalls. Drive-thru use with dual menuboard lanes, and single DT pickup window. Small outdoor patio at side of building. Monument sign at SW corner of site facing Silhavy. Side access from John Howell Drive.					

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:

Variance List: 9.303 B.4. An 8' drive-thru bypass lane only becomes available after the 2nd menuboard. Signature Corridor Overlay - we can fit 16'-8" landscaping, not the 30' depth called for 11.506 A - Table 11.506 We are 43% transparent after adding significant glass (60% required)

None of these requests will affect the wellbeing of the community, and most of these deal with the aesthetics of the site/building which largely comply. The bypass lane physically does not fit on site, but after the dual menuboards, a bypass lane does become available, if needed.

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:

No adverse affect on adjacent use or value. We are adding a high-quality menu to support the other nearby similar buildings. Our building meets higher standards of design with two brick finishes, sophisticated signage, and steel c-channel trim throughout.

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:

Adding an 8' wide DT bypass lane would affect the business drive-thru capacity which has stayed strong in current times and in the future with consumer habits. We cannot eliminate the second menuboard lane, but thereafter, a bypass lane becomes available for customers. This similarly affects parking quantity to comply there, as well as the DT lane / bypass lanes required after the menuboards creates the second variance which we include all required plants, but cannot physically make the landscape area 30' deep - it is instead 16'-8". For the third 60% transparency, we physically cannot fit anymore glass. We added 300 sq.ft. of glass to get up to 43% transparent.

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.



SILHAVY AND JOHN HOWELL DRIVE



ZONING MAP - CG DISTRICT + SIGNATURE CORRIDOR OVERLAY



LOCATION MAP

LUIGI F. RANDAZZO, AIA, ARCHITECT. IL: 001-022921 EXPIRES: 11/30/2022



KEYSTONE VENTURES REAL ESTATE DEVELOPMENT

PRESENTS

204 Silhavy Rd., Valparaiso, IN, 46383



ARCHITECT OF RECORD



KEYSTONEPLANNINGDESIGN.COM

GENERAL CONTRACTOR















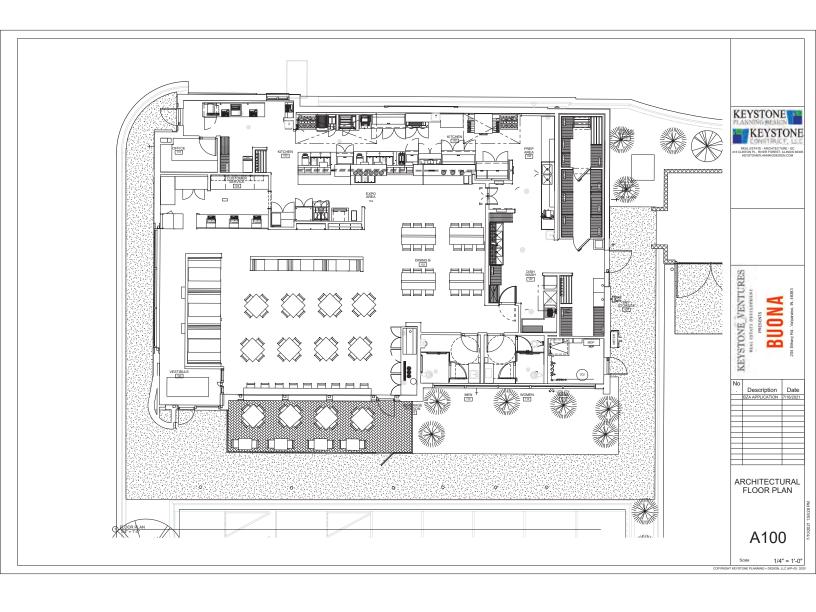
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	No	١.			D-4-
		. Description			7/16/2021

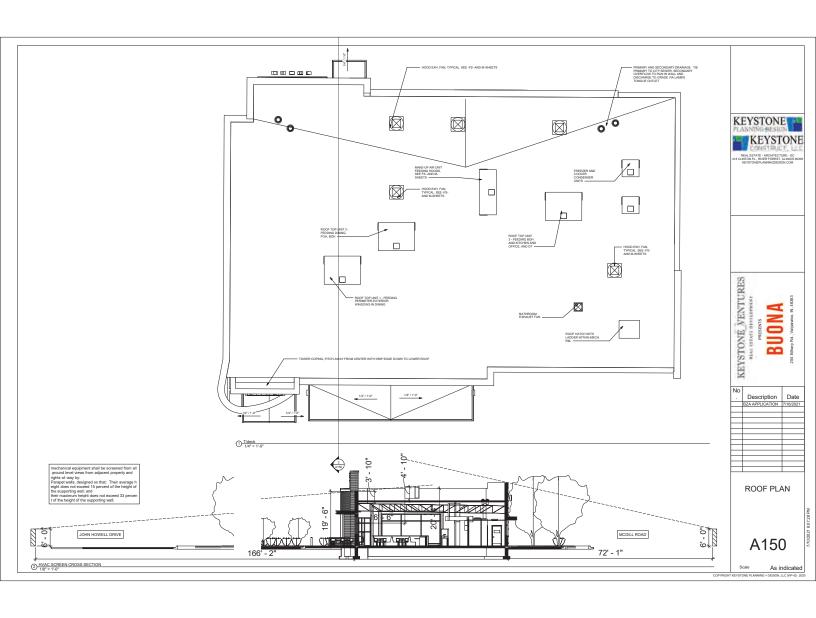
	Description	Date					
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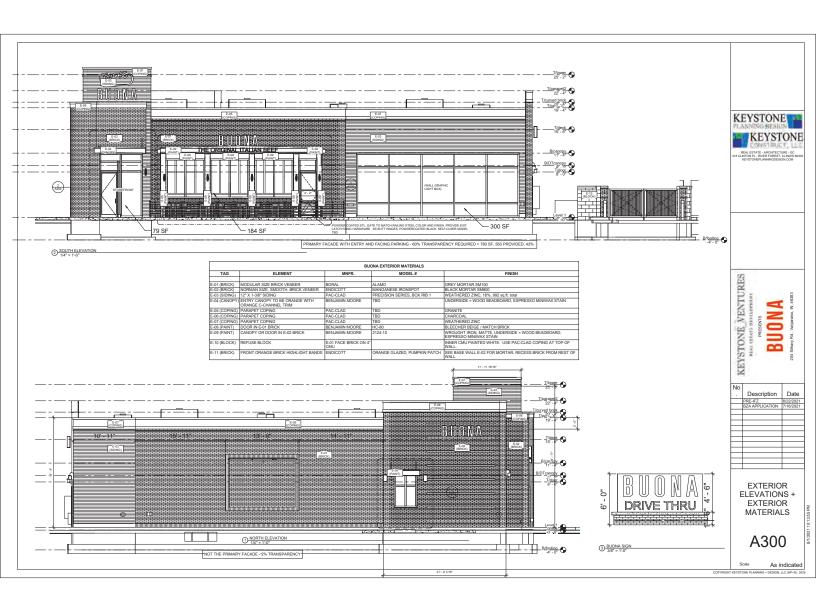
VALPARAISO BUONA RENDERINGS

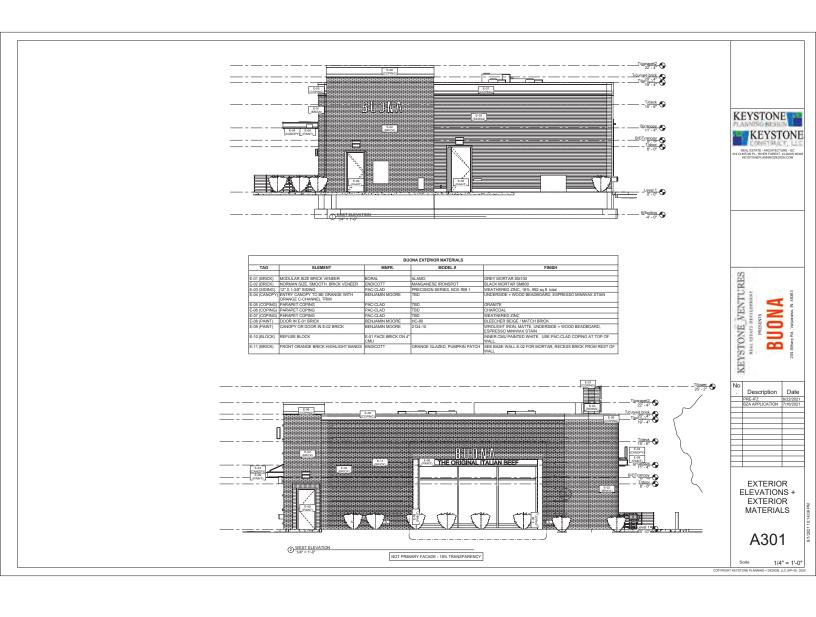
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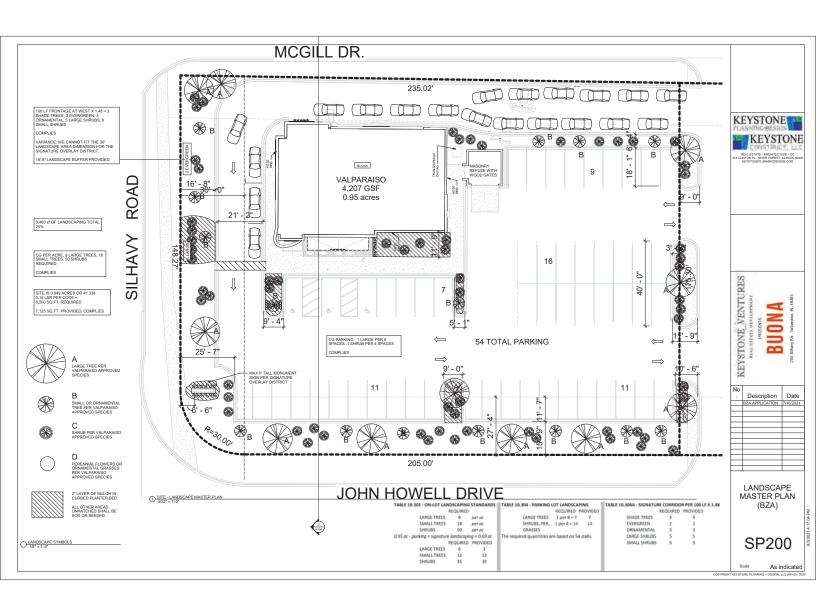
PYRIGHT KEYSTONE PLANNING + DESIGN, LLC (KP+D)

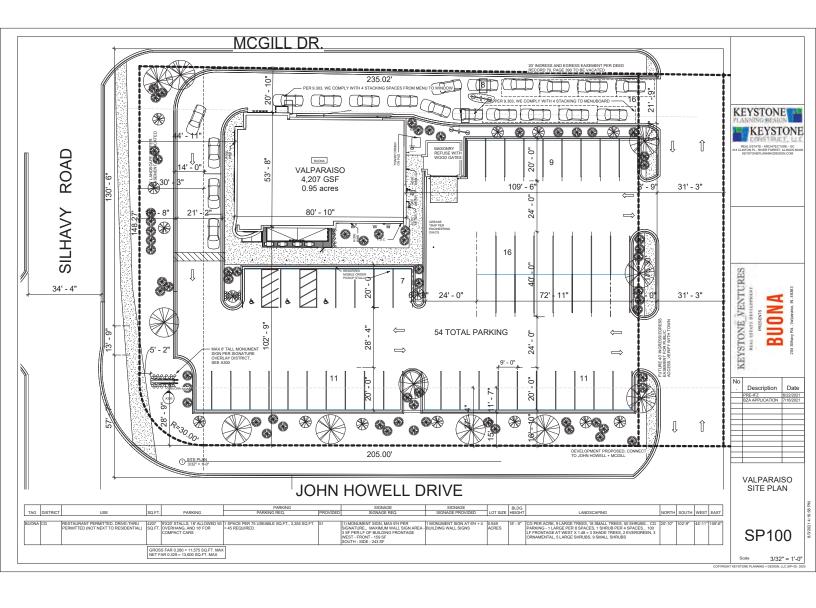


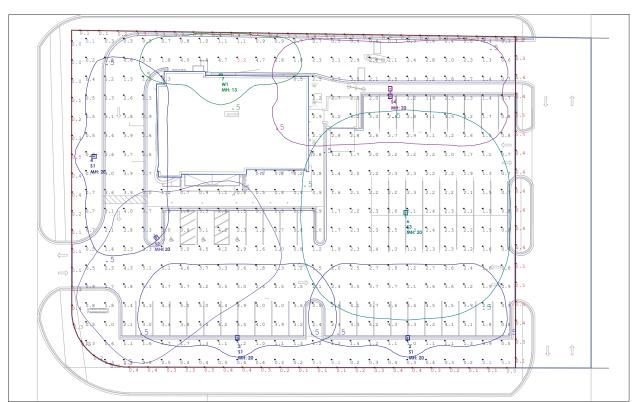












	Luminaire Schedule- Part numbers are provided by the manufacturer and are only intended to be used as a reference to output and optics used.										
	Symbol	Qty	Tag	Arrangement	Lum. Watts	Arr. Watts	Lum. Lumens	Arr. Lum. Lumens	LLF	Manufacturer	Description
	-	3	S1	SINGLE	133	133	10680	10680	0.900	HUBBELL OUTDOOR	RAR-2-320L-140-4K7-4-X-AX-X-BC
		1	S2	SINGLE	133.2	133.2	19094	19094	0.900	HUBBELL OUTDOOR	RAR2-320L-140-4K7-4W-X-AX-X
		1	S3	SINGLE	153.6	153.6	21834	21834	0.900	HUBBELL OUTDOOR	RAR-2-320L-165-4K7-5QW-X-AX-X
	0.0	1	S4	2 @ 180 DEGREES	105	210	8002	16004	0.900	HUBBELL OUTDOOR	RAR-2-320L-110-4K7-2-X-AX-X-BC (2@180)
П	П	1	W1	SINGLE	46.1	46.1	8888	8668	0.900	HUBBELL OUTDOOR	PWI 2-140L-45-4K7-2-Y-Y

LumNo	Tag (Qty)	Label	Mounting Ht	Orient	Til
1	S4 (2)	RAR-2-320L-110-4K7-2-BC-2	20	90	0
2	S1 (1)	RAR-2-320L-140-4K7-4-BC	20	90	0
3	S1 (1)	RAR-2-320L-140-4K7-4-BC	20	90	0
4	S1 (1)	RAR-2-320L-140-4K7-4-BC	20	0	0
5	S2 (1)	RAR2-320L-140-4K7-4W	20	305	0
6	S3 (1)	RAR2-320L-165-4K7-5QW	20	90	0
7	W1 (1)	RWL2-160L-45-4K7-2	13	90	0

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PROPERTY LINES	Illuminance	Fc	0.29	0.5	0.0	N.A.	N.A.	READINGS @ GRADE
SITE_Planar	Illuminance	Fc	2.10	5.2	0.1	21.00	52.00	READINGS @ GRADE
PAVED AREAS	Illuminance	Fc	2.59	5.2	0.5	5.18	10.40	READINGS @ GRADE

Basic (for typical conditions)	Basic Enhanced Security (in consideration of persons security or vandalism)	Security of (security lighting for public spaces)	High Security (security lighting for publi spaces)	
lux/fc	lux/fc	lux/fc	lux/fc	
2.0/0.2	5.0/0.5	10.0/1.0	30.0-60.0/3.0-6.0	
20:1	15:1		*4:1 *Avg-Min	
1.0/0.1	2.5/0.25	5.0-8.0/0.5-0.8	12-60/1.2-6.0	
	lux/fc 2.0/0.2 20:1	Security or vanadism) Security or vanadism) Number Number	(br typical consisting security or vanishirm) spices spices surfic sur	

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by other



Project Name:

BUONA VALPARAISO SITE

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FEITHON TO VALPARAISO BOARD OF ZONING AFFEALS.	For Office Use Only:						
This application is being submitted for (Check all that app	Petition #:						
Use Variance		Application Type:					
Development Standards Variance Special Exception/Special Use		Application Filing Fee:					
Relief to Administrative Decision							
Conditional Use		Date Filed:/					
Wireless Communications Facility		Meeting: / /					
CURLET PROPERTY INFORMATION		TVDE OD DDINT IN INV					
SUBJECT PROPERTY INFORMATION		TYPE OR PRINT IN INK					
Property Address:		rty fronts on the east					
351 Washington Street	side between	(streets) Washington & Franklin					
	& Washington	& Franklin					
	Zoning Distric	t: CG, Commercial General					
DETITIONED INFORMATION	_						
PETITIONER INFORMATION							
Applicant Name:	Address:						
Jessica Vargas	c/o Holladay Properties						
Phone:	6370 AmeriPlex Drive, Suite 110						
	Portage, IN 46368						
Email:							
PROPERTY OWNER INFORMATION							
Applicant Name:	Address:						
Zackary Marvel	c/o K12 Tech Repairs						
Phone:	7100 E. Pleasant Valley Road						
(2	Independence, OH 44131						
Email:							
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL I	EXCEPTION OR	ADMIN RELIEF IS SOUGHT:					
Article: 9 Section: 201 Paragraph: A Item:		Section: Paragraph: Item:					
Article: 10 Section: 305 Paragraph: A Item:		Section: Paragraph: Item:					
Article: 11 Section: 306 Paragraph: A Item: 1		Section: Paragraph: Item:					
Article: 11 Section: 507 Paragraph: E Item: 3	Article:	Section: Paragraph: Item:					

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
Short Form: In O S Of OI S As Desc Dr211 P486 Pt Of OI 10
Long Form: PART OF OUTLOT 10 IN THE ORIGINAL SURVEY OF OUTLOTS TO THE TOWN, NOW CITY, OF VALPARAISO, AS PER PLAT THEREOF RECORDED IN DEED RECORD "A", PAGE 621, IN THE OFFICE OF THE RECORDER IN PORTER COUNTY, INDIANA, BOUNDED AS FOLLOWS COMMENCING AT A POINT ON THE WEST LINE OF SAID OUT LOT 9, 5 RODS AND 6 FEET NORTH OF THE SOUTHEAST CORNER THEREOF AND RUNNING THENCE EASTLY IN A DIRECT LINE TO THE SOUTHEAST CORNER OF SAID OUTLOT, BEING ON THE EAST LINE OF SAID OUTLOT AND THE WEST LINE OF FRANKLIN STREET; THENCE NORTH ALONG THE WEST LINE OF FRANKLIN STREET TO THE SOUTH LINE OF THE RIGHT OF WAY OF THE PITTSBURGH, FT. WAYNE, AND CHICAGO RAILROAD; THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID SOUTH LINE OF THE RIGHT OF WAY TO THE WEST OF SAID OUT LOT OR THE EAST LINE OF WASHINGTON STREET EXTENDED; AND THENCE SOUTH 126 FEET, MORE OF LESS, TO THE PLACE OF BEGINNING, ALL IN PORTER COUNTY, INDIANA.
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO.)

The Owner, Zachary Marvel of K12 Tech Repairs, intends to completely redevelop the property located at 351 Washington Street. Formerly the Von Tobel cabinet warehouse, Mr. Marvel plans to locate his Midwest Headquarters for his technology repair company. The redeveloped existing 11,600 square foot building (5,800 square feet per floor) will include office space and a service repair and parts area on the 1st floor, with storage/ product shipping and receiving on the lower level.

The existing building currently has no real street frontage along either Washington or Franklin. The remodel will include adding a new front entrance along Washington Street addressing the signature corridor and downtown gateway. This entrance will be fronted by a small parking lot that will serve the office function of the building and will include a new entry stair, ADA ramp, and entrance canopy. The exterior façade will be completely refaced with a new architectural metal façade that matches the surrounding buildings, including the Valparaiso Police Station, Von Tobel Hardware and Lumber (newly remodeled), Green's auto repair, and the building at 451 S. Franklin. The façade will use two types of metal siding to add visual interest and architectural appeal. Several new windows will be added to the building, with most of the windows being on the Washington Street elevation, adding transparency to the façade. The Franklin Street side will still make use of the existing drive-in door for loading service vehicles and the dock door for infrequent shipments. The lot fronting Franklin will be paved for additional parking.

The interior of the building will house office space on the first floor along with a service repair department area. The office space will have 4 private offices, open office area, conference room, lounge/ kitchen area and restrooms. The Owner plans to offer co-working rental space in the office area as well. The repair area will have tech repair stations along with parts storage. The lower level of the building is predominantly storage with a break room, employee restroom with shower, mechanical room, and a shipping and receiving area.

Surrounding Property Owners of 351 Washington



Board of Zoning Appeals

Valparaiso, Indiana

Variance from Development Standards – Findings of Facts

Petitioner: Jessica Vargas, Holladay Properties
Property Owner: Zach Marvel, K12 Tech Repairs

Property Address: 351 Washington

Zoning District: CG, Commercial General, within a Signature Corridor

Variance from Development Standards Requested:

1. Variance from Section 9.201(A), Table 9.201: Minimum Off-Street Parking and Loading Requirements

Request: To vary the required 26 Parking Spaces to allow for a minimum of 16 Parking Spaces.

- From Table 9.201
 - o Office 3 spaces/ 1000 SF @ 4,000 SF = 12 spaces
 - Services 2.5 spaces/ 1000 SF +1 FTE + 1 Fleet Car @ 2,500 SF/ 8 FTE/ 2 Fleet Car = 16.25 spaces
 - Storage 0 required = 0 spaces
 - o Accessory Use 0 required = 0 spaces

Off-street Required spaces by Use = 28.25 spaces

- From 9.202.G Reduction for Onsite Bicycle Amenities 10%
 - o 28.25 x 10% = 2.82 space
- Total Required Off-Street Parking = 26 spaces. We have provided 16 spaces.

- A. The proposed Variance from Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - The owner of the property plans to have 8 Full Time Employees to start with future growth to 12 FTE. There will also be some available co-working space for rent in the office area. The property is located directly adjacent to the Downtown Central Place district with on-street parking (along Franklin Street) and a municipal lot (Monroe Street Parking) within 600 feet of the property. Taking these factors into consideration, the provided 16 off-street spaces would be sufficient for the normal daily use of the 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 proposed project will not have a substantially adverse effect on the use and value of the
 properties adjacent to the property. The redevelopment of this property conforms to
 character and uses of adjacent properties within the Commercial and adjacent Central Place
 districts.
- C. The strict application of the terms of the zoning ordinance will result difficulties in the use of the property included in the proposed variance because:

- The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property due to the existing lot size, the existing structure placement on the lot and overall lot configuration.
- 2. Variance from Section 10.301(B), Table 10.301: On-Lot Landscaping Standards

 Request: To vary the required On-Lot Landscaping for All Uses in Commercial General to allow for landscaping per proposed landscape plan.

Findings of Facts:

- A. The proposed Variance from Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - The redevelopment of the site will include new landscaping, thus improving the overall site appearance; therefore, will not be injurious to the public health, safety, morals, and 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 project will not have a substantially adverse effect on the use and value of the
 properties adjacent to the property. The redevelopment of this property conforms to
 character and uses of adjacent properties within the Commercial and adjacent Central Place
 districts.
- C. The strict application of the terms of the zoning ordinance will result difficulties in the use of the property included in the proposed variance because:
 - The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property due to the existing lot size, the existing structure placement on the lot and overall lot configuration that limits available area to provide required on-lot landscaping requirements.
- 3. Variance from Section 10.304(B), Table 10.304: Parking Lot Landscaping Standards

 Request: To vary the required Parking Lot Landscaping for Commercial General (CG) to allow for landscaping per proposed landscape plan.

- A. The proposed Variance from Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - The redevelopment of the site will include new landscaping, thus improving the overall site appearance; therefore, will not be injurious to the public health, safety, morals, and 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 project will not have a substantially adverse effect on the use and value of the properties adjacent to the property. The redevelopment of this property conforms to character and uses of adjacent properties within the Commercial and adjacent Central Place districts.
- C. The strict application of the terms of the zoning ordinance will result difficulties in the use of the property included in the proposed variance because:
 - The strict application of the terms of the zoning ordinance will result in practical difficulties
 in the use of the property due to the existing lot size, the existing structure placement on
 the lot and overall lot configuration that limits available area to provide required parking lot
 landscaping requirements.
- 4. Variance from 11.306(A1), Table 11.306(A): General Landscape and Screening Requirements (Signature Corridor)

Request:

- (1) To vary the required minimum Landscaped Yard along R.OW. of 30 feet to allow for a minimum Landscaped Yard of five (5) feet,
- (2) To vary the landscape requirements per 100 Linear Ft of Frontage to allow for landscaping per proposed landscape plan, and
- (3) To vary the other requirements to screen service areas with dense planting of shrubs/evergreen trees to allow for landscaping per proposed landscape plan.
 - From Table 11.306.A Commercial Land Use,
 - o Minimum Landscaped Yard along R.O.W. 30 ft.
 - Landscape Requirements, per 100 Linear Feet frontage 2 Shade Trees, 1
 Evergreen, 2 Ornamental trees, 3 large shrubs, 6 small shrubs.
 - Also requesting to locate the Large Shade Trees to the corner of the parking and replace the
 Evergreen with a smaller ornamental tree or larger evergreen shrub to avoid growth into
 the existing overhead power lines (required per Article 10.705.B). Also with the narrower
 landscape yard, larger tree surface roots will be destructive to adjacent concrete and paving,
 or the trees will die before growing to maturity. Appropriate street trees will be planted in
 the public right of way. All required shrubs, perennials, and ground cover will be planted.

- A. The proposed Variance from Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - The redevelopment of the site will include new landscaping, thus improving the overall site appearance; therefore, will not be injurious to the public health, safety, morals, and 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 project will not have a substantially adverse effect on the use and value of the properties adjacent to the property. The redevelopment of this property conforms to

character and uses of adjacent properties within the Commercial and adjacent Central Place districts.

- C. The strict application of the terms of the zoning ordinance will result difficulties in the use of the property included in the proposed variance because:
 - The strict application of the terms of the zoning ordinance will result in practical difficulties
 in the use of the property due to the existing lot size, the existing structure placement on
 the lot and overall lot configuration that limits available area to provide the required offstreet parking and all landscaping requirements. The narrow lot size in the service areas
 hinders the ability to maintain service vehicle access if landscaping requirements are met.
- 5. Variance from Section 11.507(E3): Prohibited Materials

Request: To allow for metal siding as predominant exterior building material.

- Per the current UDO, the use of metal siding is a prohibited material.
- Requesting use of metal siding to replace existing building metal siding. New siding will be an upgrade to the aesthetics of existing building and update an existing dilapidated building on one of the main downtown district gateways.

- A. The proposed Variance from Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - The redevelopment of the existing building will transform a deteriorating structure into an aesthetically pleasing addition to the signature corridor and south gateway to the City's downtown, thus improving the overall site appearance; therefore, will not be injurious to the public health, safety, morals, and 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 project will not have a substantially adverse effect on the use and value of the
 properties adjacent to the property. The redevelopment of this property conforms to
 character of adjacent properties within the Commercial and adjacent Central Place districts,
 such as recently remodeled Von Tobel Hardware Store, the City of Valparaiso Police
 Department, Greer's Auto Repair, and the neighboring 451 S. Franklin property.
- C. The strict application of the terms of the zoning ordinance will result difficulties in the use of the property included in the proposed variance because:
 - The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property due to the existing building structure being specifically designed to be clad with a siding product. The existing building currently has metal siding exterior cladding. The owner is looking to install an upgraded metal siding product that will add visual appeal and architectural interest to the building. These materials are consistent in aesthetics with materials used on adjacent properties.

Vicinity Map of 351 Washington

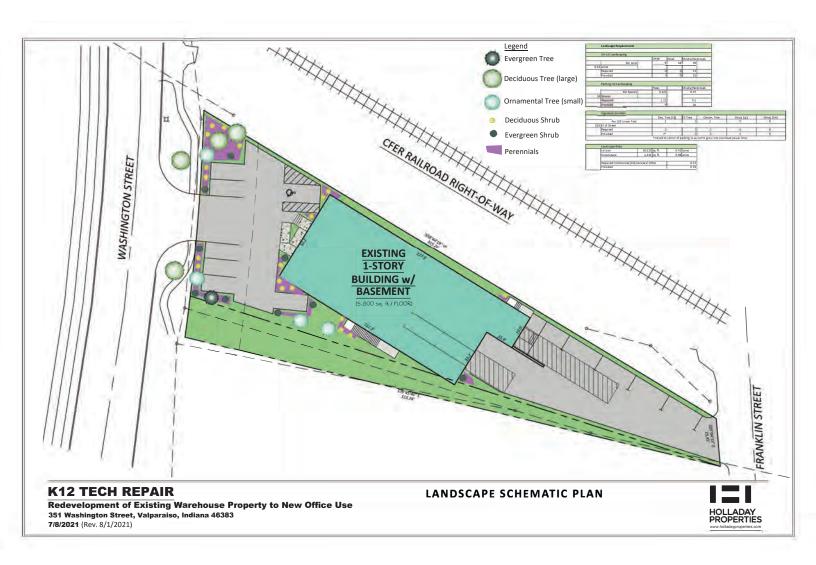


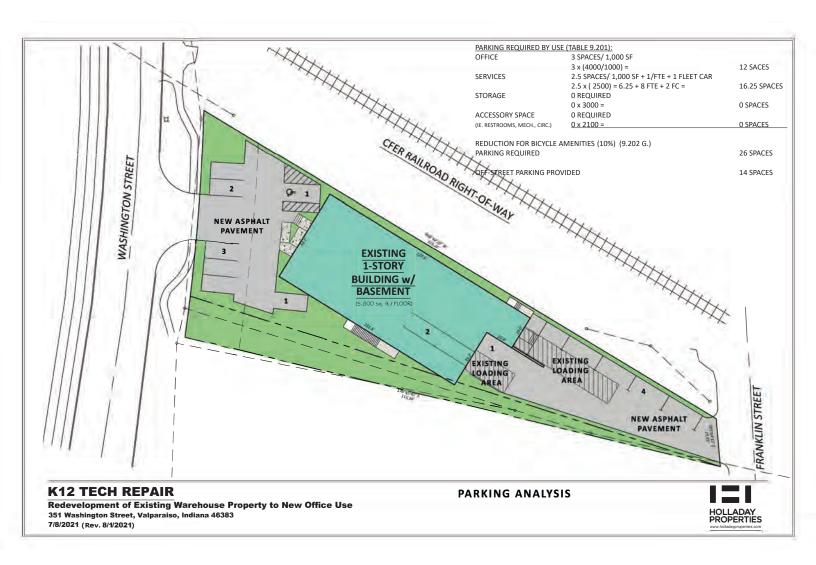


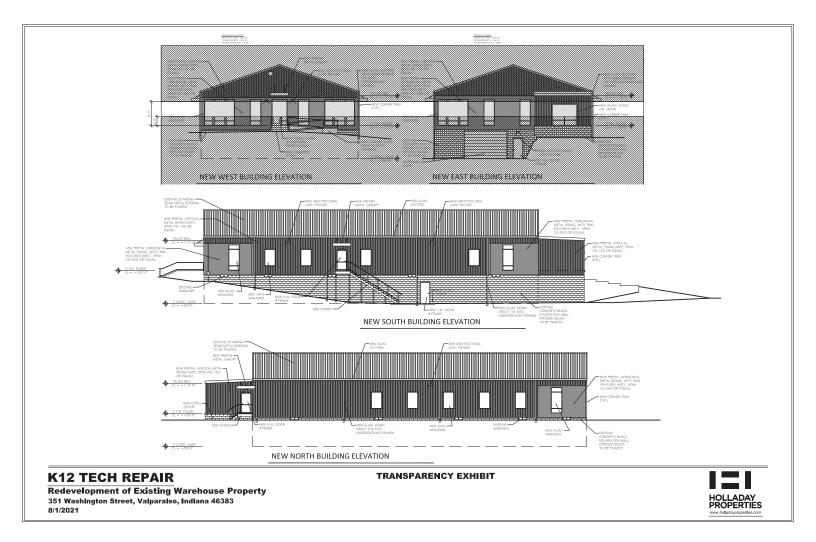


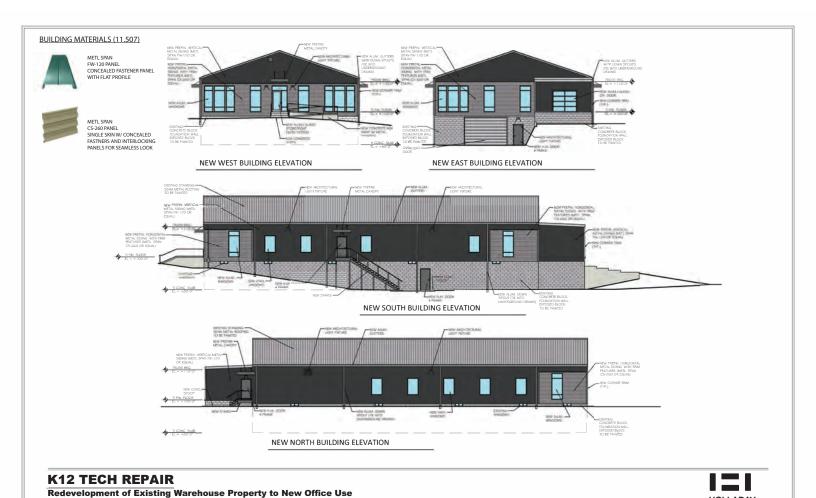












351 Washington Street, Valparaiso, Indiana 46383 6/18/2021

HOLLADAY PROPERTIES

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:		For Office Use Only:
This application is being submitted for (Check all that apply):		Petition #:
Use Variance		Application Type:
✓ Development Standards Variance Special Exception/Special Use		Application Filing Fee:
Relief to Administrative Decision Conditional Use		Date Filed: / /
Wireless Communications Facility		Meeting: / /
SUBJECT PROPERTY INFORMATION		TYPE OR PRINT IN INK
Property Address:		erty fronts on the South
2101 Laporte Ave, Valparaiso, IN 46383	side between	(streets) Sturdy Rd & Mayfield Ave
	& Sturdy Ro	8 & Mayfield Ave
	Zoning Distric	ct: CG & SR
PETITIONER INFORMATION		
Applicant Name:	Address:	
McCON Building Corporation	1059 Circle	
Phone:	Highland, \	WI 53543
COO 007 45 45		
Email:		
PROPERTY OWNER INFORMATION		
Applicant Name:	Address:	
S&L Properties Valparaiso, LLC	2651 Kirking Ct Portage, WI 53901	
Phone:		
200 740 0000		
Email:		
ioff@bloodblue.not		
	•	
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL	EXCEPTION OR	ADMIN RELIEF IS SOUGHT:
Article: 10 Section: 10.401 Paragraph: A Item:	Article:	Section: Paragraph: Item:
Article: Section: Paragraph: Item:		
Article: Section: Paragraph: Item:	Article:	Section: Paragraph: Item:

Section: _

Paragraph: _

_Item: _

Article: _

Section:

Article:

Paragraph:

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 WEST, OF THE SECOND PRINCIPAL MERIDIAN, IN PORTER COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT AN IRON PIPE LOCATED AT 684.8 FEET SOUTH, AND 255.6 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER SECTION, THENCE RUNNING EAST 182.3 FEET TO A PIPE, THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION 684.5 FEET TO THE CENTER OF STATE ROAD NO. 2; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID STATE ROAD NO. 2, 193.4 FEET; THENCE NORTH 749 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM THAT LAND TAKEN FOR RIGHT-OF-WAY DEDICATION, RECORDED NOVEMBER 19, 2001 AS DOCUMENT 2001-035039, DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE S.E. 1/4 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 WEST OF THE 2ND P.M. IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF THE S.E. 1/4; THENCE SOUTH ALONG THE WEST LINE OF SAID S.E. 1/4, 684.8 FEET; THENCE EAST AT 90 DEGREES TO SAID WEST LINE, 255.6 FEET TO THE N.E. CORNER OF LOT 2 IN KAPLAN'S SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT 4-B-6 IN THE OFFICE OF THE RECORDER'S OFFICE OF PORTER COUNTY, INDIANA; THENCE S 00 DEGREES 00' 30" E ALONG THE EAST LINE OF KAPLAN'S SUBDIVISION AND SAID EAST LINE EXTENDED, 753.90 FEET TO THE CENTERLINE OF FORMER STATE ROAD NO. 2, NOW LAPORTE AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 71 DEGREES 07' 24" E ALONG SAID CENTERLINE, 194.66 FEET; THENCE N 00 DEGREES 05' 40" W, 52.81 FEET; THENCE S 71 DEGREES 07' 24" W, 194.58 FEET TO THE EAST LINE OF SAID KAPLAN'S SUBDIVISION; THENCE S 00 DEGREES 00' 30" E, 52.64 FEET TO THE POINT OF BEGINNING. CONTAINING 0.22 AC, MORE OR LESS.
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
Modifications to parking lot and second drive-thru lane to accommodate increased drive-thru traffic. Dumpster coral will need to be relocated as well to make these modifications. Parking will be increased by 3 spaces for 70 total parks.

Use Variance Petitioner's Proposed Findings of Fact

(Please use fillable pdf, print neatly, or attach printed document.)

Petitioner Submits that:

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

The variance sought is in harmony with the intent and purpose of the comprehensive plan adopted by the City of Valparaiso. If allowed, the variance will improve the guest experience on our property. It will provide aditional landscaping and a zone buffer on the East and West.

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 project incorporates the design guidance of County Department Officials, good planning and design principles, is compatible with the surroundings, will protect natural resources by providing improved landscaping, and protects the property owner's / applicant's rights by allowing them to use the property they already own and avoid the significant hardship that would result from a strict application of the requirements from which waivers are sought.

D. The need for the use variance arises from the following condition peculiar to the property involved, which is:

The property includes two zones on one, singular plat. This property is zoned partially residential (SR) and commercial general (CG).

E. 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:

In order to improve our site plan and accommodate increased drive-thru traffic, we must expand our parking lot to include additional parking to the North and an additional drive-thru lane to better serve our community. We are seeking to do this expansion in a context sensitive way.

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

The project incorporates the design guidance of County Department Officials, good planning and design principles, is compatible with the surroundings as a minor expansion of the existing, will protect natural resources by providing improved landscaping and improved storm water managment, and protects the property owner's / applicant's rights by allowing them to use the property they already own to avoid the significant hardship that would result from a strict application of the requirements from which waivers are sought.

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

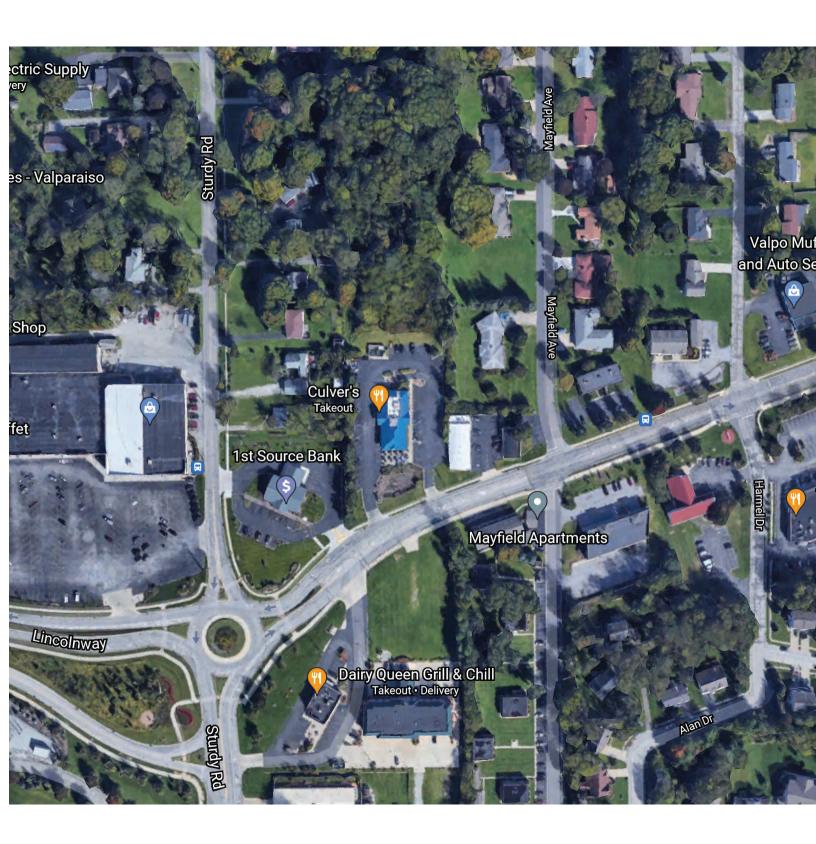
Variance from Development Standards Petitioner's Proposed Findings of Fact

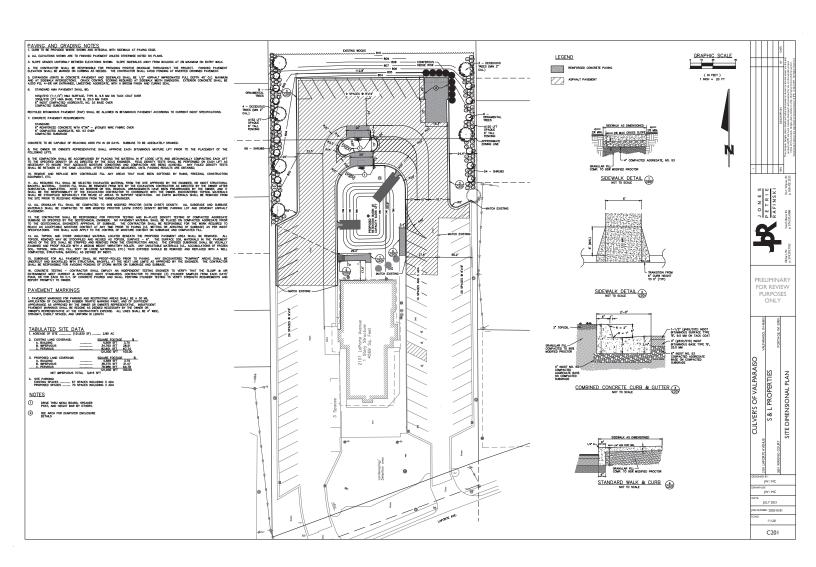
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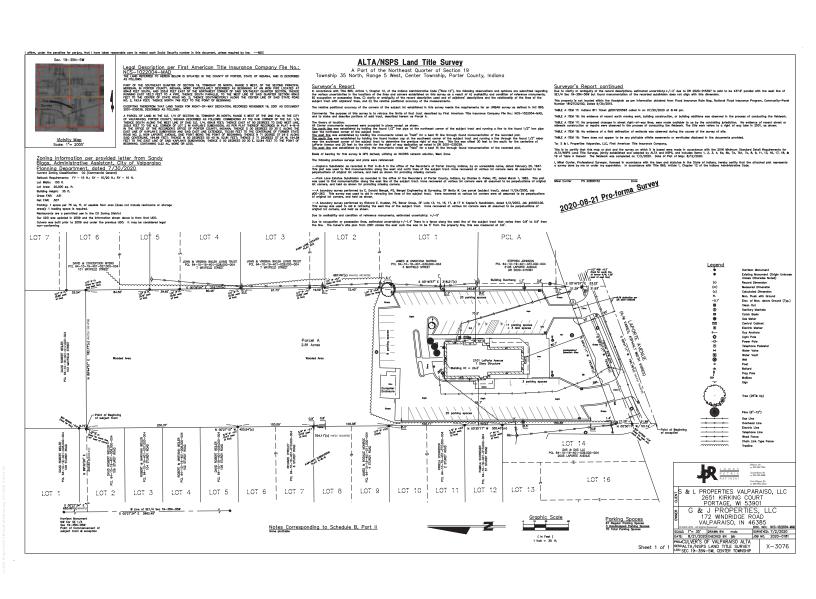
Petitioner submits that:

А. Г	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 variance sought is in harmony with the intent and purpose of the comprehensive plan adopted by the City of Valparaiso. If allowed, the variance will improve the guest experience on our property. It will provide additional landscaping and a zone buffer on the East and West.
В.	The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:
	The project incorporates the design guidance of the County Department Officials, good planning and design principles, is compatible with the surroundings, will protect natural resources by providing improved landscaping and protects the property owner's / applicant's rights by allowing them to use the property they already own and avoid the significant hardship that would result from a strict application of the requirements from which waivers are sought.
L 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:
	In order to improve our site plan and accommodate increased drive-thru traffic, we must expand our parking lot to include additional parking to the North and an additional drive-thru lane to better serve our community. We are seeking to do this expansion in a context sensitive way.
	a natitionar carries the burden of proving to the Poard of Zoning Appeals the existence of each and every

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.











Culver's of Valparaiso, IN – East Side Yard Landscaping





Culver's of Valparaiso, IN – West Side Yard Landscaping

