

## MEETING AGENDA

**Valparaiso Board of Zoning Appeals**  
**Wednesday, September 15<sup>th</sup>, 2021, 5:30 PM**  
**Valparaiso City Hall – Council Chambers**

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

#### 4. New Business

**UV21-006** – A petition filed by TNJ Office Rentals, LLC c/o William A. Ferngren of Ferngren Law Offices, LLC. The property is located at 2 Sturdy Rd in the General Residential (GR) Zoning District. The petitioner requests the following variance(s):

- Section 2.201, Table 2.201(B) – To allow for a Cottage Industry Use in the General Residential (GR) Zoning District.

**VAR21-029** – A petition filed by Olthof Homes c/o Todd Leeth and Katie Kopf of Hoepfner, Wagner and Evans LLP. The property is located at 3850 Vale Park Rd (Parcel # 64-09-09-401-001.000-003)(Westwind Subdivision) in the Suburban Residential (SR) Zoning District. The petitioner requests the following variance(s):

- Section 3.603, Table 3.603(A) – To vary the required percentage of lot widths for single-family to allow a range of lot widths between 55 ft up to 150 ft
- Section 3.603, Table 3.603(B) – To vary the required percentage of lot widths for village home to allow a range of lot widths between 50 ft up to 90 ft
- Section 3.603, Table 3.603(C) – To vary the required percentage of lot widths for twin home to allow a range of lot widths between 42 ft up to 72 ft
- Section 3.301, Table 3.301(A) – To vary the minimum required Open Space Ratio (OSR) of .50 to allow for a minimum OSR of .47

**VAR21-034** – A petition filed by Legacy Sign Group – Shaun O’Brien. The property is located at 1051 Southpoint Dr in the Commercial General (CG) Zoning District. The petitioner requests the following variance(s):

- Section 5.303(I) – To allow one (1) additional ground sign for a single tenant.

5. Staff Items

**Board of Zoning Appeals (BZA) Rules and Procedures Amendment** – A Rules and Procedures amendment updating the meeting day/date and adding language on petition filling fees in reference to the Unified Development Ordinance.

6. Adjournment

Michael Micka, *President – Board of Zoning Appeals*

Beth Shrader, *Planning Director*

Next Meeting: **October 20<sup>th</sup>, 2021**

*Interested persons can view the public hearing Live on the City of Valparaiso Website, [www.valpo.us](http://www.valpo.us) or via web conference at <https://bit.ly/3yyrNvI>.*

**\*\*Requests for alternate formats please contact the Planning Department at [planningdepartment@valpo.us](mailto:planningdepartment@valpo.us) or (219) 462-1161. \*\***

**PETITION TO VALPARAISO BOARD OF ZONING APPEALS:**

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

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

DB 53445 CK# 5147 7/16/21

For Office Use Only:

Petition #: VAR 21 031

Application Type: DEV. STANDARDS

Application Filing Fee: 8150

Date Filed: 07 / 16 / 21

Meeting: 08 / 18 / 21

**SUBJECT PROPERTY INFORMATION**

**TYPE OR PRINT IN INK**

Property Address:

815 Lincolnway

Subject property fronts on the North  
 side between (streets) N.Garfield Ave. and Roosevelt Rd.  
 & N.Garfield Ave. and Roosevelt Rd.

Zoning District: Commercial General within Eastgate Overlay District

**PETITIONER INFORMATION**

Applicant Name:

Daniel Tursman

Phone:

Email:

Address:

3492 N. Hobart Rd.  
Hobart, IN  
46342

**PROPERTY OWNER INFORMATION**

Applicant Name:

Uptown Valpo Ventures, LLC

Phone:

Email:

Address:

5209 Garden Gtwy.  
Valparaiso, IN 46383

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

|                                                                            |                                                                        |
|----------------------------------------------------------------------------|------------------------------------------------------------------------|
| Article: <u>9</u> Section: <u>403</u> Paragraph: <u>B/C</u> Item: _____    | Article: <u>11</u> Section: <u>404</u> Paragraph: <u>F</u> Item: _____ |
| Article: <u>10</u> Section: <u>403</u> Paragraph: <u>B</u> Item: _____     | Article: <u>11</u> Section: <u>407</u> Paragraph: <u>A</u> Item: _____ |
| Article: <u>11</u> Section: <u>402</u> Paragraph: <u>B</u> Item: <u>1a</u> | Article: <u>11</u> Section: <u>407</u> Paragraph: <u>D</u> Item: _____ |
| Article: <u>11</u> Section: <u>403</u> Paragraph: <u>C</u> Item: <u>1b</u> | 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 part 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 rebar 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 Lincolnway 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 131.90 feet (8 rods Deed); thence S89°51'48"E 65.93 feet (4 rods Deed) to a rebar with PTGR I.D. cop on the East line of Lot 5 in said Brown's Subdivision Unrecorded; thence S00°04'56"W along said East line 132.15 feet (8 rods Deed) to a rebar with PTGR I.D. cop at the Southeast corner of said Lot 5, said Point being on the North right-of-way of said Lincolnway; thence S89°58'47"W 132.14 feet (8 rods Deed) along said North right-of-way line to a 1 inch diameter iron pipe; thence N89°52'41"W 131.40 feet (8 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.



Phone: [REDACTED]

Fax: [REDACTED]

July 16, 2021

Valparaiso Board of Zoning Appeals  
166 Lincolnway  
Valparaiso, Indiana 46383

RE: Petition for Developmental Variance for Proposed Luke Convenience Store / Gas Station at 815 Lincolnway, Valparaiso, IN

Dear Board Members:

The Luke Family of Brands currently is under contract to purchase parcel number 64-09-24-428-035.000-004 located at 815 Lincolnway and is planning for construction of a convenience store and automobile fueling station. As part of the proposed plan, the Developer is requesting the Board of Zoning Appeals' consideration of the attached petition for Developmental Variances to allow a food establishment with drive-thru within the US 41 Commercial Corridor Overlay District upon finding that:

1. Approval of the variances from Developmental Standards will not be injurious to the public health, safety, morals, or general welfare of the community: 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.
2. 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: 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.
3. 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.

Included in this submittal are the following Documents and Exhibits:

- Petition to Valparaiso Board of Zoning Appeals
- Exhibit A – Proposed Site Plan of overall development plan showing proposed onsite and offsite ingress / egress, parking and building layouts, landscape areas, and lot information.
- Sample Notice to Surrounding Property Owners



- List of Surrounding Property Owners within 300' of the Subject Parcel

Developer/Petitioner: Dan Tursman, Director of Development  
Luke Family of Brands  
3592 N. Hobart Road  
Hobart, IN 46342  
[REDACTED]

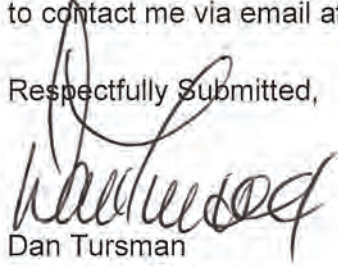
Property Owner: Uptown Valpo Venture, LLC  
5209 Garden Gateway  
Valparaiso, IN 46383

Consulting Engineer: Tiemens Nagai Surveying & Engineering, LLC  
Dave Tiemens  
527 North Halleck St., Ste. E  
DeMotte, IN 46310  
[REDACTED]

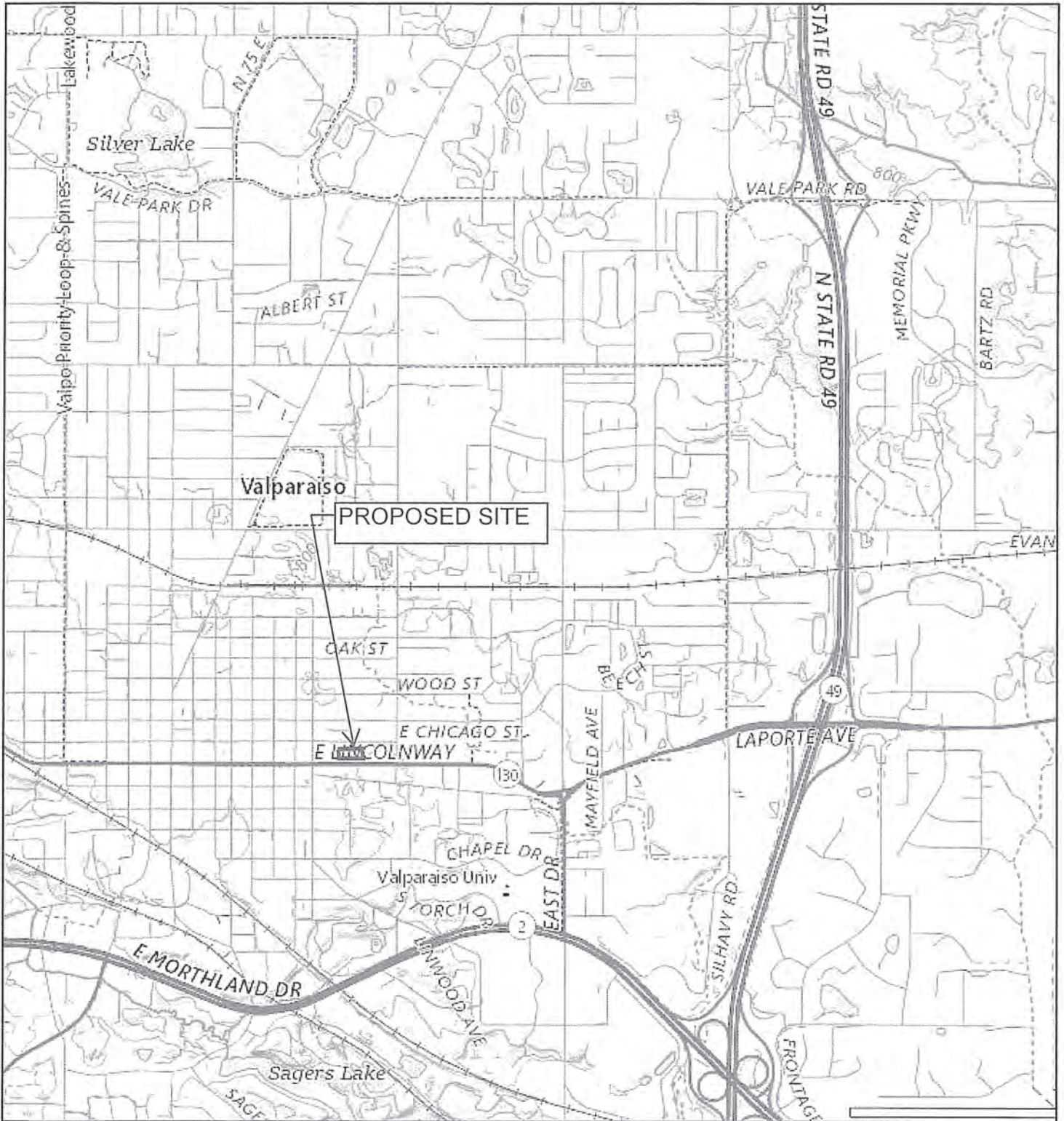
Subject Parcel: 64-09-24-428-035.000-004  
815 Lincolnway  
Valparaiso, IN

Thank you for your consideration. Should you have any questions or concerns, please feel free to contact me via email at [dtursman@lukebrands.com](mailto:dtursman@lukebrands.com) or by telephone at [REDACTED]

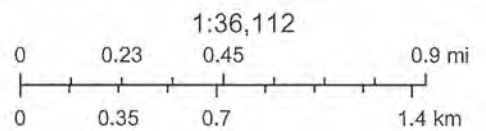
Respectfully Submitted,

  
Dan Tursman  
Director of Development

# Vicinity Map



3/4/2021, 3:08:46 PM



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. It 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.

| <i>Non-Site ADT Traffic Counts (October 2018)</i> |                |
|---------------------------------------------------|----------------|
| <i>Lincolnway</i>                                 | <i>Through</i> |
| 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, 10<sup>th</sup> Edition. Those results are below:

**Convenience Market with Gasoline Pumps**  
 Land Use 853  
 Average Vehicle Trip Ends vs. GFA (Gross Floor Area)

| <i>4,000 SFT</i> |                 | <i>Forecasted Trip Ends</i> |           |            |
|------------------|-----------------|-----------------------------|-----------|------------|
|                  |                 | <i>Two Way</i>              | <i>IN</i> | <i>OUT</i> |
| 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

| <i>Intersection Name</i>        | <i>AM Peak Hour LOS</i> | <i>PM Peak Hour LOS</i> |
|---------------------------------|-------------------------|-------------------------|
|                                 | <i>2026 (Exhibit #)</i> | <i>2026 (Exhibit #)</i> |
| 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 95<sup>th</sup> 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 95<sup>th</sup> 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 95<sup>th</sup> 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 95<sup>th</sup> 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 [REDACTED]

Very truly yours,

*DVG Team Inc.*



Robyn L. Pappenheim, PE  
Project Manager



**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:

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.

- 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 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.

- 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:

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.

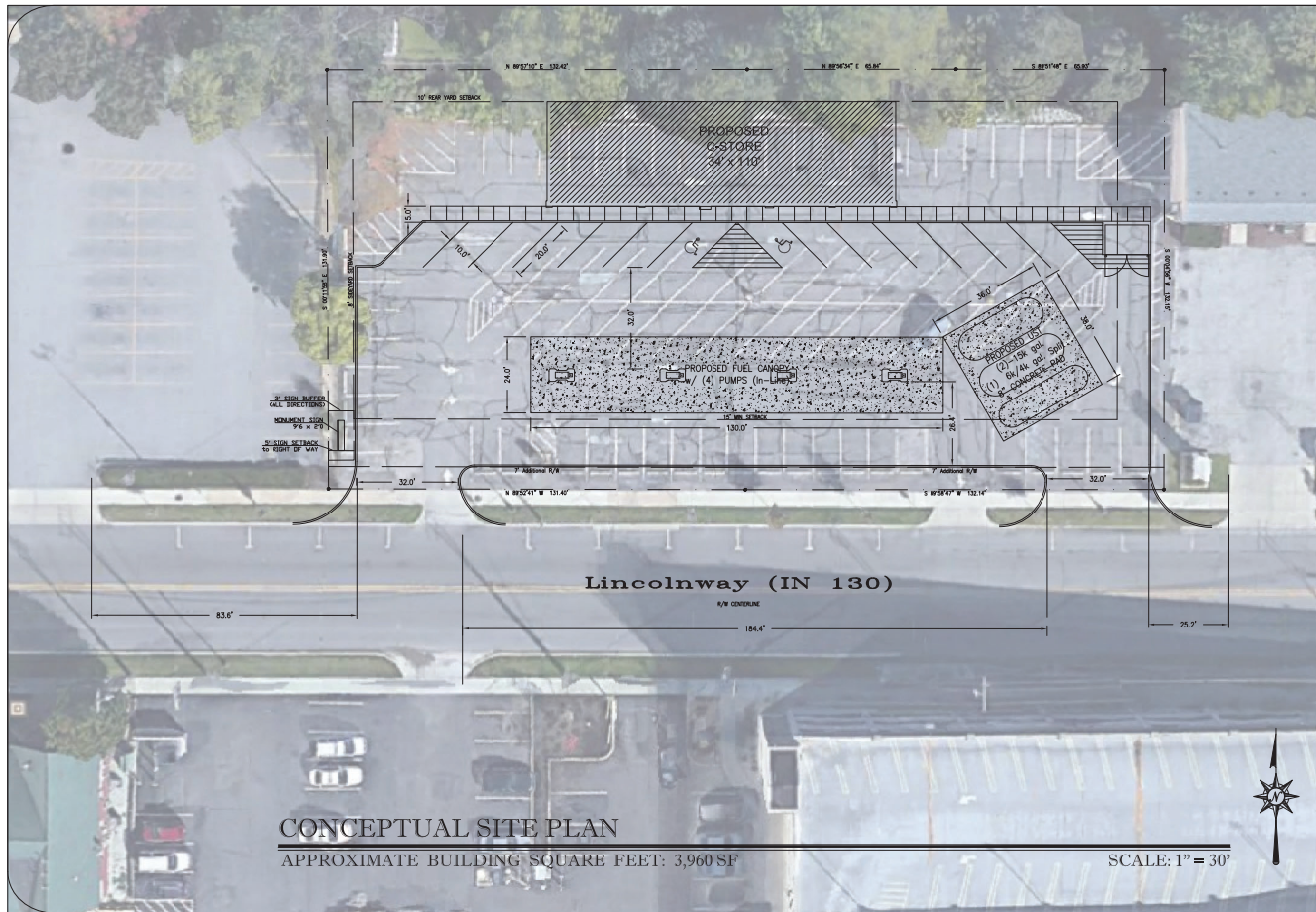
***The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each and every one of the elements listed above.***



**Luke**  
FAMILY OF BRANDS

815 Lincolnway, Valparaiso, IN  
BZA Zoning Exhibit





**CONCEPTUAL SITE PLAN**  
 APPROXIMATE BUILDING SQUARE FEET: 3,960 SF

SCALE: 1" = 30'

General Notes

| No. | Revision/Issue | Date |
|-----|----------------|------|
|     |                |      |



**Project Name and Address**  
 Luke Oil Store #223  
 Access Spacing Exhibit  
 815 Lincolnway  
 Valparaiso, IN

| Project   | Sheet    |
|-----------|----------|
| Luke #223 | A        |
| Date      | 8/2/21   |
| Scale     | 1" = 30' |



Browns Unrecorded Subdivision

Lot 4

Lot 5

0.76 Acres

Proposed C-Store  
3,520 s.f.

110.0'

6

6

Proposed Fuel Canopy  
w/ (4) Pumps (In-Line)

Proposed USF

2-15ft. Stor.

1-6ft/4ft. gpr. Spd.

8" Concrete Pad

N89°52'41"W 154.40'

S89°58'47"W 132.14'

Lincolnway (IN 130)



Luke Oil  
Store #223  
815 Lincolnway  
Valparaiso, IN

Luke  
FAMILY OF BRANDS

SEAL

ISSUE FOR:

8/21 B2

OVERALL  
LANDSCAPE  
PLAN

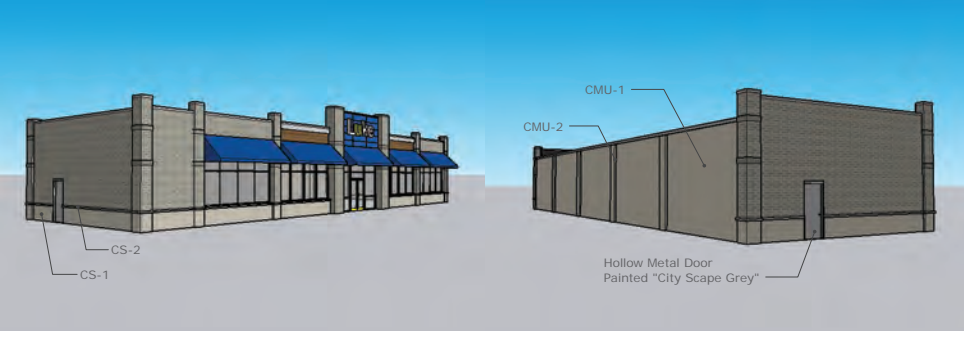
SCALE AS NOTED

PROJECT No. 011

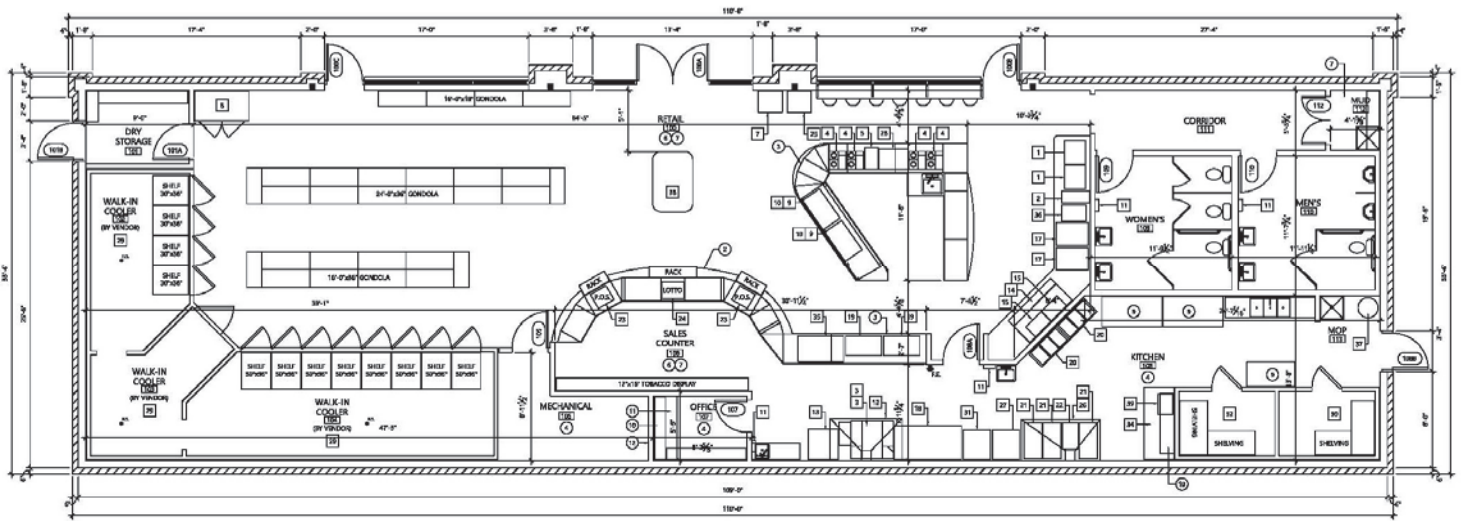
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| MATERIAL            | QUANTITY         | % OF PRIMARY FAÇADE | UDC Standards            |
|---------------------|------------------|---------------------|--------------------------|
| Masonry             | 1008.3 SF        | 49%                 | 40% min                  |
| Glass               | 732.7 SF         | 35%                 | See Fenestration Summary |
| Cerm. Panels        | 118.1 SF         | 6%                  | 10% max (Accent Color)   |
| TruGrain            | 187.0 SF         | 9%                  |                          |
| EIFS                | 31.9 SF          | 2%                  | 30% max                  |
| <b>Total Façade</b> | <b>2077.9 SF</b> | <b>100%</b>         |                          |

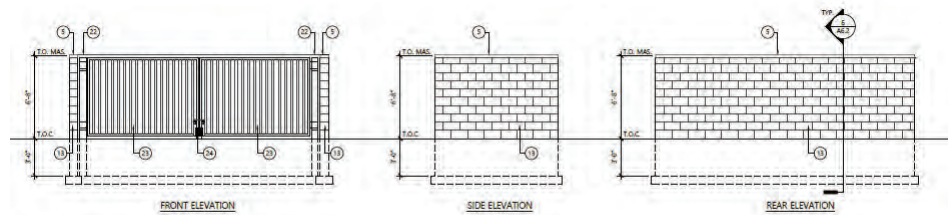
| FENESTRATION SUMMARY                  |          |     |     |
|---------------------------------------|----------|-----|-----|
| TOTAL Area of Wall (3' to 8' AFF)     | 552.5 SF |     |     |
| Clear Glass                           | 253.3 SF | 46% |     |
| Spandrel Glass                        | 173.3 LF | 31% |     |
| Total Fenestration at Primary Façade: |          |     | 77% |



| EXTERIOR FINISH SCHEDULE |       |          |                                         |                        |         |         |
|--------------------------|-------|----------|-----------------------------------------|------------------------|---------|---------|
| ITEM                     | TAG   | MANUF.   | DESCRIPTION / SPEC.                     | RNGCH / COLOR          | REMARKS | REMARKS |
| CMU BLOCK                | CMU-1 |          | SPEC FACE LIGHTWEIGHT                   | "LIGHT GREY"           |         |         |
| CMU BLOCK                | CMU-2 |          | SPEC FACE LIGHTWEIGHT                   | "LIGHT GREY"           |         |         |
| BRICK                    | B-1   | CONROY   | CONCRETE BRICK, SURFACE COLECTION       | "AID BLEND"            |         |         |
| CAST STONE               | CS-1  | MATCHING | CAST STONE                              | "MURSTONE"             |         |         |
| FIBER CEMENT PANEL SOUNG | FS-1  | NOVONA   | 14" x 11" x 1/4" (FORMAL)               | CUSTOM BLUE COLOR      |         | Y       |
| EIFS BOARD               | EF-1  | SPD      | 17 7/8" x 71 9/16" (EIFS) (FORMAL)      | "OFFSHORE GREY"        |         |         |
| TRU GRAM                 | TRU-1 | SPD      | 3/8" THICK x 48" x 96" (FORMAL)         | "POUR WHITE"           |         | Y       |
| WOOD SOUNG               | WS-1  | TRUSSMAN | SPRANGHAW RESISTANT SOUNG               | "SAPWOOD"              |         | Y       |
| ACM PANEL                | ACM-1 | SPD      | 48" x 96" (FORMAL)                      | CUSTOM BLUE COLOR      |         | Y       |
| CAST STONE WATER TABLE   | CS-2  | MATCHING | CAST STONE                              | "MURSTONE"             |         | Y       |
| GLASS                    |       |          | TWO TONE ALUM. W/ COLOR ANODIZED FINISH | "SLICKERSHAW" (INDOOR) |         | Y       |
| DOOR                     |       |          | ALUM. W/ COLOR ANODIZED FINISH          | "OFFSHORE GREY"        |         | Y       |
| WINDOW                   |       |          | ALUM. W/ COLOR ANODIZED FINISH          | "OFFSHORE GREY"        |         | Y       |
| EIFS                     |       |          | ALUM. W/ COLOR ANODIZED FINISH          | "OFFSHORE GREY"        |         | Y       |
| EIFS                     |       |          | ALUM. W/ COLOR ANODIZED FINISH          | "OFFSHORE GREY"        |         | Y       |

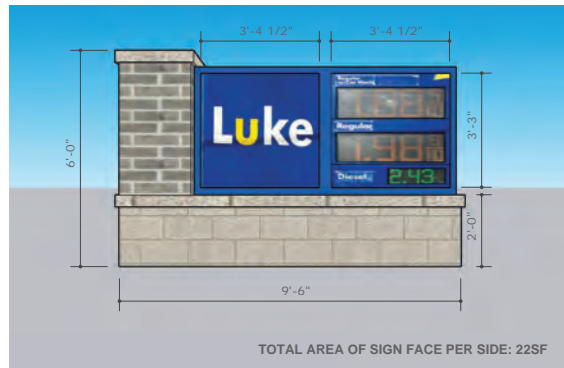


FLOOR PLAN



3 DUMPSTER ENCLOSURE ELEVATIONS

Scale: 1/4"=1'-0"



TOTAL AREA OF SIGN FACE PER SIDE: 22SF

MONUMENT / PRICE SIGN DETAIL











**PETITION TO VALPARAISO BOARD OF ZONING APPEALS:**

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

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

*For Office Use Only:*

**Petition #:** CV 21-006

**Application Type:** Use VARIANCE

**Application Filing Fee:** \$200.00

**Date Filed:** 8 / 16 / 21

**Meeting:** 9 / 15 / 21

✓3910 JW

**SUBJECT PROPERTY INFORMATION** **TYPE OR PRINT IN INK**

Property Address:

2 Sturdy Road  
Valparaiso, Indiana 46383

Subject property fronts on the east  
side between (streets) LaPorte Avenue  
& LaPorte Avenue  
Zoning District: GR

**PETITIONER INFORMATION**

Applicant Name:

TNJ Office Rentals, LLC

Phone:

Email:

Address:

c/o William A. Ferngren  
Ferngren Law Offices, LLC  
570 Vale Park Road, Suite B  
Valparaiso, Indiana 46385

**PROPERTY OWNER INFORMATION**

Applicant Name:

same as petitioner

Phone:

Email:

Address:

[Empty address box]

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

Article: 2 Section: 2.201 Paragraph: A 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 Exhibit No. 1.

**DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. \_\_\_\_\_)**

A use variance to allow for the property to be used as a contractor's office / storage facility, and uses incidental thereto.

Exhibit No. 1

TNJ Office Rentals, LLC

2 Sturdy Road, Valparaiso, Indiana 46383

Legal Description

Lots 10 and 11 in Kaplans Subdivision, as shown in Plat Book 1, Page 63, now shown in Plat File 4-B-6, Porter County, Indiana commonly known as 2 Sturdy Road, Valparaiso, Indiana 46383



**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 property is located in an area of the City where similar and even more intense uses are currently in place and have been for many years. The property abuts commercially zoned property at the front and rear. Traffic flow from the property use of the property will be minimal. The use of the property will not be discernable from the roadway.

- 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 variance requested allowed for the construction and/or remodeling of older existing structures on the property. The use variance will allow for the continued investment and improvement of property in the City. The property is located in an area of the City where similar and even more intense uses are currently in place and have been for many years. The property abuts commercially zoned property at the front and rear. Traffic flow from the property use of the property will be minimal.

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

While zoned GR, the property is principally situated in essentially a commercial area of the City, abuts a parking lot to the rear and a furniture loading dock to the west, and to continue to solely use the property for residential purposes does not allow the property to put to its highest and best use.

- 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:

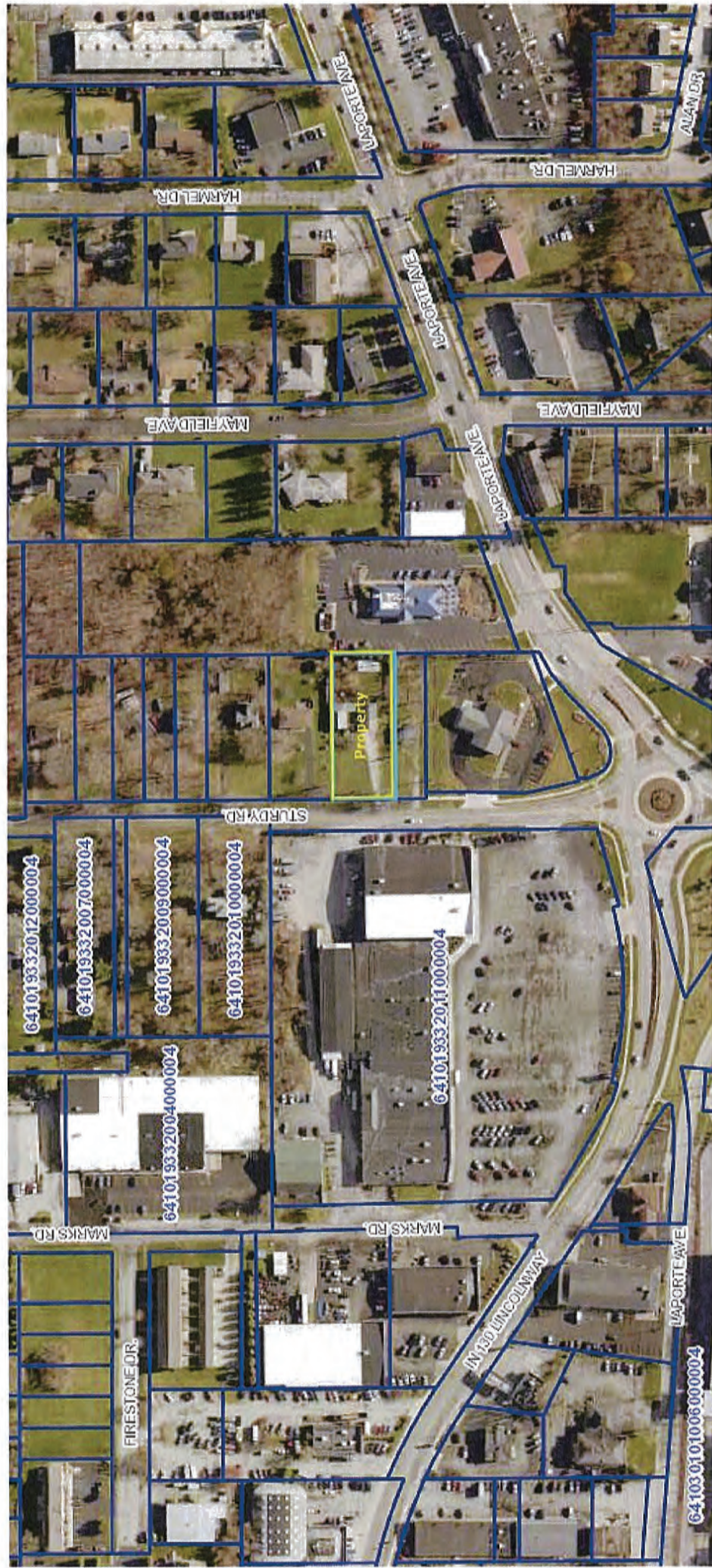
Same as D.

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

The City promotes growth and development in its community, including those types of uses proposed for the property in this location. The use of the property in this manner will not be discernable from the roadways and allowed for the continued investment in the City.

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





Property

641019332012000004

641019332007000004

641019332009000004

641019332010000004

641019332011000004

641019332004000004

641030101006000004

LAPORTE AVE

HARMEI DR

HARMEI DR

ALAN DR

MAYFIELD AVE

MAYFIELD AVE

LAPORTE AVE

STUDY RD

MARKS RD

MARKS RD

FIRESTONE DR

IN NO LINCOLNWAY

LAPORTE AVE







**PETITION TO VALPARAISO BOARD OF ZONING APPEALS:**

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

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

*For Office Use Only:*

**Petition #:** \_\_\_\_\_  
Application Type: \_\_\_\_\_  
Application Filing Fee: \_\_\_\_\_  
Date Filed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Meeting: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**SUBJECT PROPERTY INFORMATION**

**TYPE OR PRINT IN INK**

Property Address:

400 N Valparaiso, Indiana 46385

Subject property fronts on the North  
side between (streets) 250 W  
& Froberg Road

Zoning District: SR - Suburban Residential

**PETITIONER INFORMATION**

Applicant Name:

Olthof Homes

Phone:

[REDACTED]

Email:

[REDACTED]

Address:

c/o Todd A. Leeth and Katie L. Kopf  
Hoepfner Wagner & Evans LLP  
103 E. Lincolnway  
Valparaiso, Indiana 46383

**PROPERTY OWNER INFORMATION**

Applicant Name:

Froberg Holdings

Phone:

\_\_\_\_\_

Email:

\_\_\_\_\_

Address:

16553 Cava Dr.  
Fishers, Indiana 46037

**See Attached**

**SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL 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. \_\_\_\_)**

Single family residential community with mixed housing styles and variable lot sizes.





|                                 |                                                                                                                       |                          |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>Village Home – Lot Width</b> |                                                                                                                       | §3.603 B (Table 3.603 B) |
| Percent in Width Type           |                                                                                                                       |                          |
| Code:                           | 60 ft.                                                                                                                | Remainder %              |
|                                 | 55 ft.                                                                                                                | 50%                      |
|                                 | 50 ft.                                                                                                                | 25%                      |
| Proposed:                       | To vary the required percentage of lot widths for village home to allow a range of lot widths between 50 ft to 90 ft. |                          |
| <b>Twin Home - Lot Width</b>    |                                                                                                                       | §3.603 C (Table 3.603 C) |
| Percent in Width Type           |                                                                                                                       |                          |
| Code:                           | 48 ft.                                                                                                                | Remainder %              |
|                                 | 45 ft.                                                                                                                | 50%                      |
|                                 | 42 ft.                                                                                                                | 25%                      |
| Proposed:                       | To vary the required percentage of lot widths for twin home to allow a range of lot widths between 42 ft to 72 ft.    |                          |
| <b>Open Space Ratio</b>         |                                                                                                                       | §3.301 (Table 3.301 A)   |
| Code:                           | 50%                                                                                                                   |                          |
| Proposed:                       | To vary the minimum required Open Space Ratio (OSR) of .50 to allow for a minimum OSR of .47.                         |                          |

This Amendment to Application for Development Standards Variance made this 1<sup>st</sup> day  
of September, 2021.

Respectfully submitted,

Electronic Signature

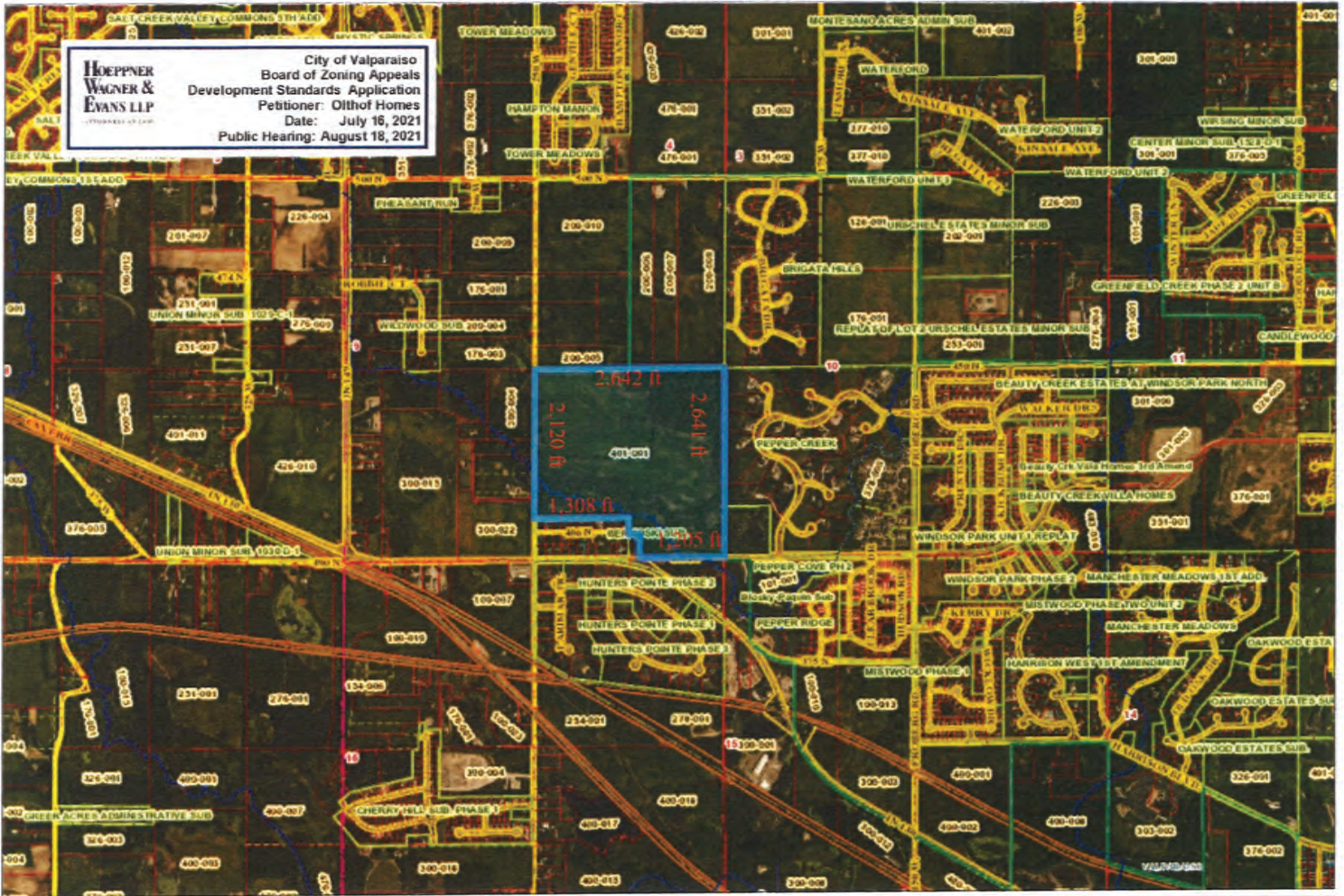


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Todd A. Leeth  
Katie L. Kopf  
HOEPPNER WAGNER & EVANS LLP  
103 E. Lincolnway  
Valparaiso, Indiana 46383  
Attorneys for Olthof Homes

**HOEPPNER  
WAGNER &  
EVANS LLP**  
ATTORNEYS AT LAW

City of Valparaiso  
Board of Zoning Appeals  
Development Standards Application  
Petitioner: Olthof Homes  
Date: July 16, 2021  
Public Hearing: August 18, 2021



Enter Map Title...

Web Print: 06/11/2021

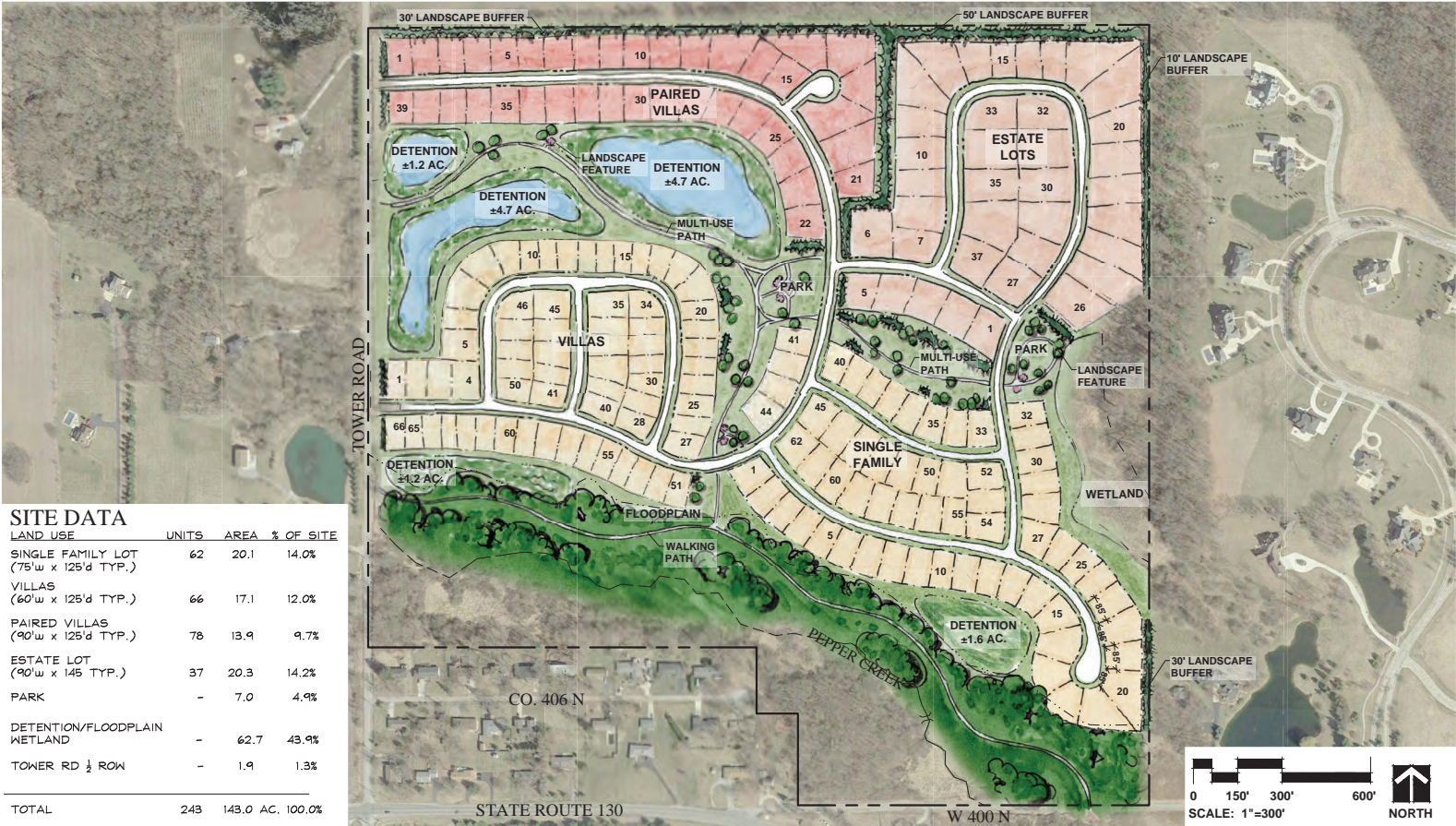


This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



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**SITE DATA**

| LAND USE                                 | UNITS      | AREA             | % OF SITE     |
|------------------------------------------|------------|------------------|---------------|
| SINGLE FAMILY LOT<br>(75'w x 125'd TYP.) | 62         | 20.1             | 14.0%         |
| VILLAS<br>(60'w x 125'd TYP.)            | 66         | 17.1             | 12.0%         |
| PAIRED VILLAS<br>(90'w x 125'd TYP.)     | 78         | 13.9             | 9.7%          |
| ESTATE LOT<br>(90'w x 145' TYP.)         | 37         | 20.3             | 14.2%         |
| PARK                                     | -          | 7.0              | 4.9%          |
| DETENTION/FLOODPLAIN<br>WETLAND          | -          | 62.7             | 43.9%         |
| TOWER RD ½ ROW                           | -          | 1.9              | 1.3%          |
| <b>TOTAL</b>                             | <b>243</b> | <b>143.0 AC.</b> | <b>100.0%</b> |

**WESTWIND - CONCEPT PLAN**  
VALPARAISO, INDIANA

8/4/2021





**PETITION TO VALPARAISO BOARD OF ZONING APPEALS:**

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

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

ck # 2241  
8/6/21  
\$150.00

*For Office Use Only:*

Petition #: VAK 21-034

Application Type: DEV. STANDARDS

Application Filing Fee: \$150

Date Filed: 08 / 06 / 21

Meeting: 09 / 15 / 21

**SUBJECT PROPERTY INFORMATION** **TYPE OR PRINT IN INK**

Property Address: Subject property fronts on the West

1051 Southpoint Drive, Valparaiso, IN 46383

side between (streets) Ore Street

& Southpoint Circle

Zoning District: CG - Commercial General

**PETITIONER INFORMATION**

Applicant Name: Address:

Legacy Sign Group - Shaun O'Brien 7933 W. Hwy 6

---

Phone: Westville, IN 46391

---

Email: [Redacted]

---

**PROPERTY OWNER INFORMATION**

Applicant Name: Address:

Mike Forset 1151 Morthland Drive

---

Phone: Valparaiso, Indiana 46385

---

Email: [Redacted]

---

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

|                                                                                    |                                                                                    |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Article: <u>5</u> Section: <u>5.303</u> Paragraph: <u>1</u> Item: <u>    </u>      | Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> |
| Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> | Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> |
| Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> | Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> |
| Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> | Article: <u>    </u> Section: <u>    </u> Paragraph: <u>    </u> Item: <u>    </u> |

**LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO. \_\_\_\_\_)**

\*See attached legal description

**DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. \_\_\_\_\_)**

Install (1) additional monument sign where only one (1) monument sign is allowed and (1) already exists.



**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 proposed signage will be fabricated and installed by skilled craftsmen.

- 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:

Signage already exists and is similar to surrounding properties and similar business signage. The signage will be installed by skilled craftsmen with years of experience.

- 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:

Due to the unique location of the front door and placement of wall signage, the proposed monument sign will assist the public's ability to visibly and easily identify the building.

***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.***



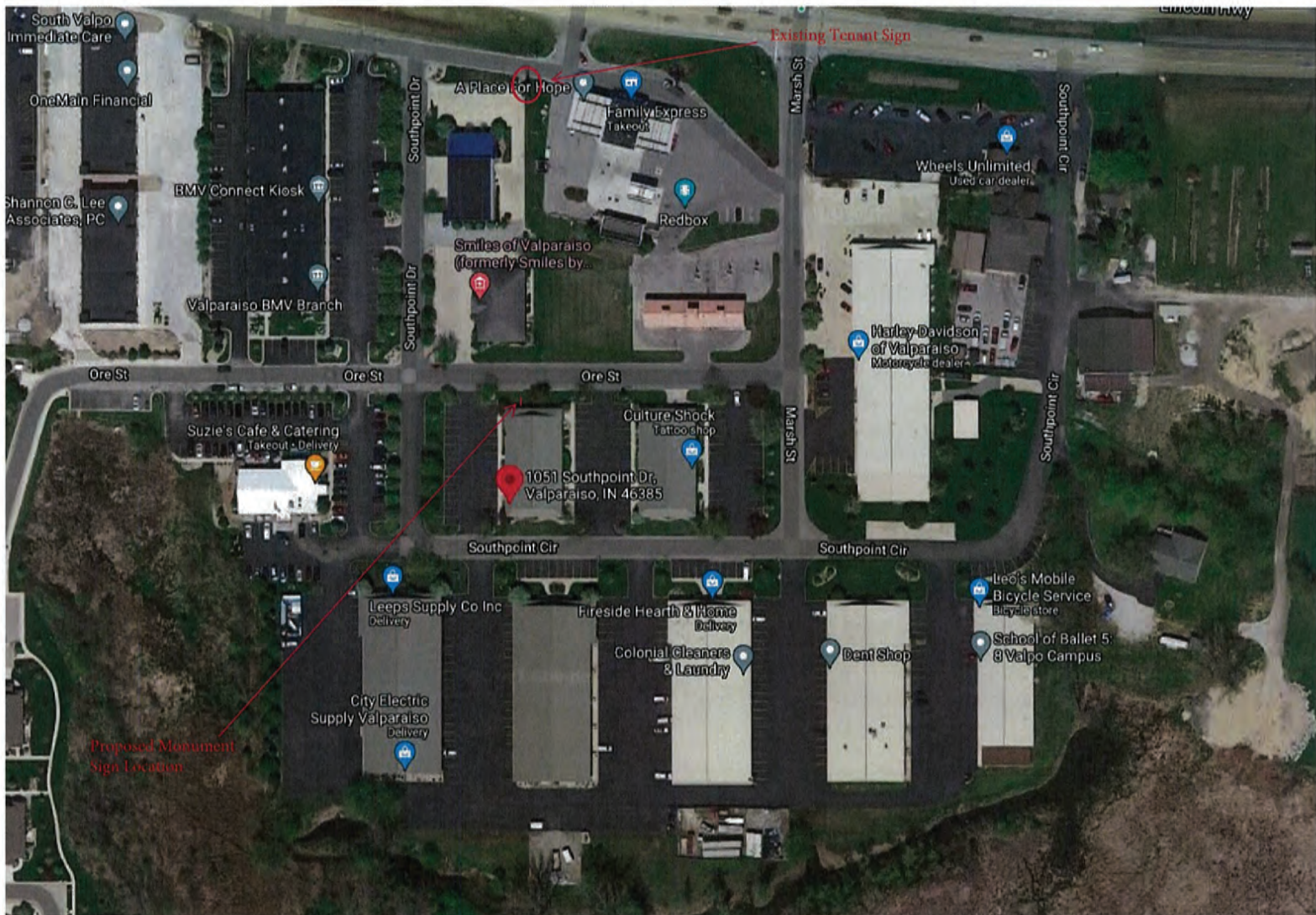


Proposed Monument Sign Location











Existing Tenant Sign

The signpost features the following logos and text from top to bottom:

- NAPA AUTO PARTS** (Logo with yellow and blue background)
- SUZIE'S CAFE** (Red and white text)
- LEEPS SUPPLY COMPANY** (Logo with a stylized 'L' and 'S')
- CARTRONIX MOBILE ELECTRONICS** (Large blue and red text)
- CAR AUDIO | REMOTE STARTS | TINT** (Text below Cartronix)
- THE DENT SHOP** (Text in a small box)
- LICENSE BRANCH** (Text in a small box)
- CHIROPRACTOR DR. DOUGLAS TOULI** (Text in a small box)
- SOUTHPOINT SALON** (Text in a small box)
- SANDY'S NAILS** (Text in a small box)
- TERRY'S Discount Windows & More LLC** (Logo with a wheel icon)
- Culture Check TATTOO'S** (Text with a green arrow)
- AMERICAN COIN LAUNDRY** (Logo with an American flag)

AQUA EXPRESS DRIVE-THRU



Ore St

Ore St

Ore St

5'-0"

20'-0"

Proposed monument  
sign location

1051 Southpoint Dr,  
Valparaiso, IN 46385

Southpoint Cir

Southpoint Cir

Southpoint Cir

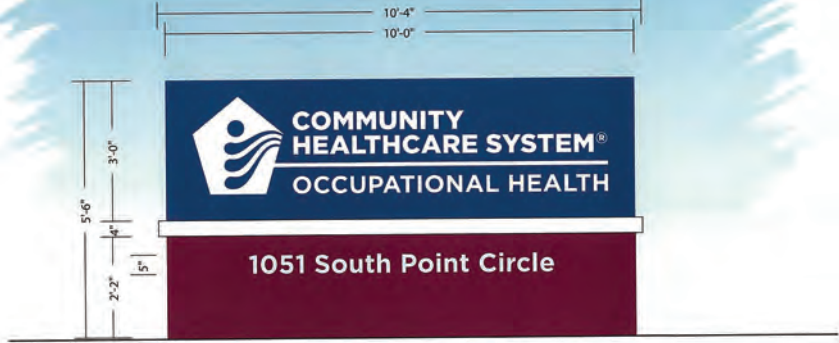
Southpoint Cir





Porter County GIS, Esri Community Maps Contributors, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Porter County Auditor's Office, Porter County GIS, Maxar

Proposed Monument Sign  
 \*55.11 sq. ft.\*



Scale: 1/2" = 1'

- ONE (1) INTERNALLY ILLUMINATED DOUBLE FACE SIGN / ROUTED ALUMINUM FACES BACKED WITH WHITE ACRYLIC / FABRICATED ACCENT / ALUMINUM POLE COVER WITH VINYL ADDRESS

**BACKGROUND** = MATCH 3630-137 EUROPEAN BLUE VINYL  
**COPY** = WHITE  
**ACCENT** = MAP WHITE  
**POLE COVER** = MATCH BURGANDY VINYL 3630-49  
**ADDRESS** = WHITE VINYL



Sign Location



7933 W Hwy. 6, Westville, IN 46391

PROJECT: St Mary Hospital  
 1051 South Point  
 Valparaiso, IN

REP: Shaun O'Brien

DATE: 3-10-21

DRAWING #: SO-0071-8

DESIGNER: Shaun O'Brien

REVISIONS:  
 1. Rev. 3-2-21  
 2. Rev. 3-10-21  
 3. REV PRINT 3-24-21 SO

CLIENT APPROVAL: \_\_\_\_\_

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