

Planning Department

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

www.valpo.us

### **MEETING AGENDA**

Valparaiso Board of Zoning Appeals Wednesday, May 18, 2022, 5:30 PM Valparaiso City Hall – Council Chambers

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Adoption of Meeting Minutes April 20, 2022
- 4. Old Business

**VAR22-004** – A petition filed by Allan Svihlik for Signarama to install a sign on an existing water tower at 405 Elm St (Commercial Neighborhood, CN), specifically:

Section 5.303 (2) to allow a sign not expressly permitted in a Commercial District

### 5. New Business

**SE22-004** – A petition filed by John Rogers to allow a cigar bar and lounge as a Special Use at 11 ½ Lincolnway (Central Business District, CBD), specifically:

 Special Use to allow Alcoholic Beverage Sales in Central Business District (CBD) per Table 2.201(B)

**UV22-004/VAR22-008** – Petitions filed by Murray & Sullivan LLC and James Fleming c/o Attorneys Katie L. Kopf and Todd A. Leeth to allow an accessory dwelling unit (in existing carriage house structure) and to allow the construction of a detached two-car garage at 703 Jefferson Street (Neighborhood Conservation, NC 60), specifically:

- Section 2.303(F) to allow the residential occupancy of accessory buildings (existing carriage house) that are not constructed and approved for residential use
- Section 2.303(D)(2) to exceed the maximum allowance of building coverage for accessory buildings (600sf maximum allowance at this property, 1074sf requested)

(continued on following page)



**Planning Department** 

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**VAR22-006** – A petition filed by Indiana Land Trust Trust No. 120520 c/o Attorney Richard E. Anderson to modify façade and transparency requirements with building remodel and addition (conversion from car wash to office building) at 2454 US Hwy 30 (General Commercial, CG), specifically:

- Section 11.502(B)(1) to eliminate the required offset of the building wall that exceeds 80' length by 3'4"
- Section 11.506(B)(2) to permit semi-transparent glass in windows rather than transparent glass

**VAR22-009** – A petition filed by Atwater Save-It-All Valparaiso LLC to reduce landscaping requirements at the self-storage facility in construction at 604 Silhavy Road (Light Industrial, INL), specifically:

- Section 10.405(D) to allow a reduction in required landscape plantings in the State Route 49 Signature Corridor Overlay from original plan provided to revised plan provided
- Section 10.407(A)(B)(C) to reduce Infill/Redevelopment Site landscaping from original plan provided to revised plan provided
- Section 10.301 to reduce On-Lot Landscaping from original plan provided to revised plan provided
- Section 10.702(D) to reduce On-Lot Landscaping (Alternative Landscape Plans) from original plan provided to revised plan provided
- 6. Other Business
- 7. Staff Items
- 8. Adjournment

Michael Micka, President – Board of Zoning Appeals

Beth Shrader, *Planning Director* 

Next Meeting: June 15, 2022

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://tinyurl.com/pebsfw97

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

PETITION TO VALPARAISO BOARD OF ZONING APPEALS	S: For Office Use Only:
This application is being submitted for (Check all that ap	1440541
Use Variance Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility	Application Type: USE VARIANCE DEV. STANDAROS VARIANCE Application Filing Fee:  Date Filed: 03   18   22  Meeting: 64   20   22
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
Property Address:	Subject property fronts on the
405 ELM STREET	side between (streets)ELM_  &POPLAR  Zoning District:INL
PETITIONER INFORMATION	
Applicant Name:  AHAN SVIHLIK  Phone:  219.280.0031  Email:  5andy@Paragoninstall.com	Address:  276 W 100 N VALPARAISO, 1N 46385
PROPERTY OWNER INFORMATION	
Applicant Name:  JEFFREY SVIHLIK  Phone:  219.616.7613  Email:  INDAYAGON Q aol. Com	- 280 LARWICK CIRCLE VARPARAISO, IN 46385
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	L EXCEPTION OR ADMIN RELIEF IS SOUGHT:
Article: 2 Section: 201B Paragraph: Item:	Article: Section: Paragraph: Item: Article: Section: Paragraph: Item: Article: Section: Paragraph: Item:
Article:Section:Paragraph:Item:	Article:Section:Paragraph:Item:

### AFFIDAVIT OF CONSENT OF PROPERTY OWNER

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

JEHREN SVIHUK being dully sworn upon his/her oath, being of sound mind states:	and legal age deposes and
1. That SEFREY SVIHLIK ("Owner") (is/are) the legal owner(s) subject of a Petition before the BZA.	of real property that is the
2. That Owner authorizes AWAN SWHUK ("Petitioner") to see Petition filed before the BZA. Petitioner is further authorized to commit to any reason by the BZA or proposed by the Petitioner.	seek the relief sought in the onable restriction requested
Property Owner Date	
Property Owner Date	
Subscribed and sworn to before me this 1 day of MARCH, 20 22	<u>1</u> .
Notary Public	
My Commission:  O2 · /5 · 24  Date	

#### Please read and sign the following statement:

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

allan Som	241
Signature of Petitioner	Signature of Property Owner
ALLAN SVIHLIK	
Printed Name	Signature of Property Owner

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

AUAN SVIHLIK & TEFFREY SVIH And acknowledge the execution of the

foregoing document, this 17 day of MAR, 20 22.

My Commission NOTARY PUBLIC Resident of P

SANDRA PENDERGRASS

Type or Print name of Notary

1ST ADD NVALPO BLK 6 & BLK 5 EX LOTS 2 & 3 & VAC STS & ALLEYS  DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. A.) EXMBIT A1 & EXHIBIT A2	LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. A.) EXHIBIT AI & EXHIBIT AI	15T ADD NVALPO BLK 6 & BLK 5 EX LOTS 2 & 3 & VAC STS & ALLEYS
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. A) EXPIGIT AT § EXTINGIT A	A Same Al SaythBit A2
	DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO. A ) EXHIBIT A ; EXHIBIT A

### 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:

IT'S SIGNAGE ON WATERTOWER
READING: SIGNARAMA
HOPE PRINTS. COM

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:

17'S SIGNAGE ON AN ACCEADY EXISTING
WATER TOWER THAT HAS BEEN THERE
SINCE 1948. THERE WILL BE NO
CHANGE IN VALUE OR HAVE ANY ADVERSE
APPRICA TO PROPERTIES ADJACENT TO
PAPSED VANIANCE PROPERTY.

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:

MING VARIANCE PER BETH SHRADER
"TONING ORDINANCE INL"

CURRENT SIGNAGE ORDINANCE IS

ANTIQUATED.

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

#### **Use Variance**

### **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:

MANUFACTURING SIGNS WILL NOT CREATE OR CONSTITUTE A NUISANCE TO SURROUNDING PROPERTY OWNERS. THE ONLY CHANGE TO BUILDING WILL BE THE ADDITION OF SIGNACIE TO THE BUILDING WHICH HAS ALREADY BEEN PERMITTEDA APPROVED.

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

USING THE ALREADY EXISTING BUILDING (FORMERY ZONED AS INL) AS AN INL PROPERTY WILL HAVE WO ADVERSE AFFECT ON VALUE OF SURROUNDING PROPERTIES. THERE WILL BE NO NOISE VIOLATIONS OR ANY ENVIRONMENTAL CONCERNS.

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

PROPERTY IS CURRENTLY TONED CN - APPROVAL FOR INL USE WILL NOT PRODUCE ANY ELEVATED NOISE LEVELS, ODOR SMOKE OR ANY OBJECTIONABLE WASTE MATERIALS. PROPERTY WILL CONTINUE TO CONDUCT BUSINESS SIMILARLY TOHOW IT OPERATES TODAY.

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:

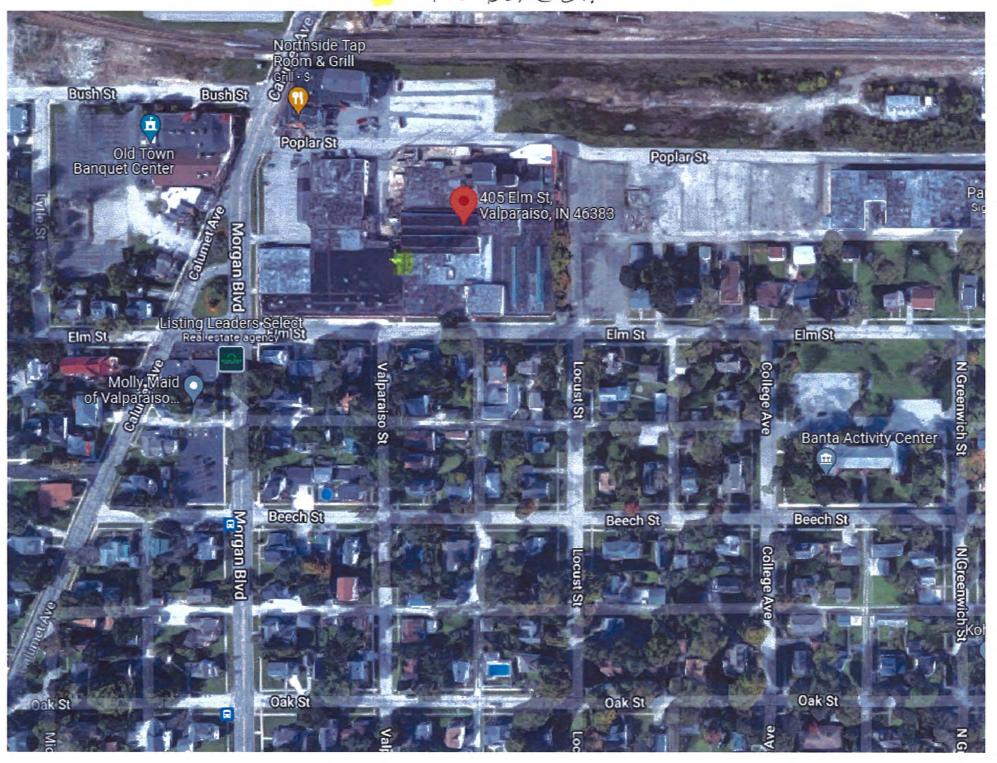
APPROVAL WILL INCREASE REVENUE AND CREATE JOBS. PACAGON INSTALLATIONS AND AMERICAN DIRECT SALES HAS CONDUCTED BUSINESS IN THIS ZONE (711 GARFIELD & 405 ELM.) AS A SIGN INSTALLER/MANUFACTURER FOR YEARS. OUR DECISION TO PURCHASE ANATIONAL FRANCHISE IS TO CREATE NAME RECOGNITION AND TO BETTER SERVE THE LOCAL COMMUNITY.

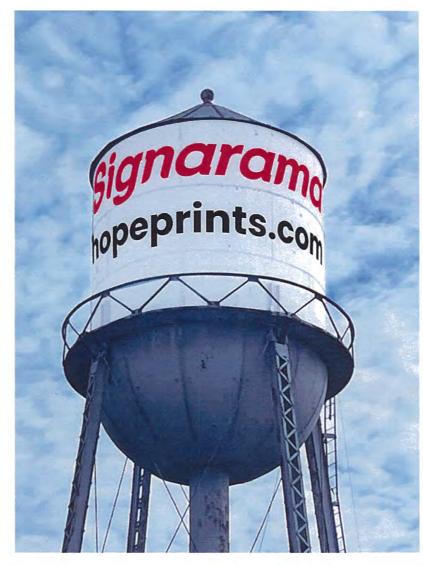
F. Approval of the proposed use variance does not interfere substantially with the comprehensive plan

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

UPON APPROVAL, THERE WILL BE NO CHANGE TO PUBLIC HEALTH, SAFETY, MORANS AND GENERAL WELFARE
TO THE COMMUNITY.

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





28.65'W

# Signarama

28.65'W

## hopeprints.com 3.77'H

Product	Size	Qty:	Sides	Notes:
Vinyl Decal	28.65' x 5.22'	1	1	
Vinyl Decal	28.65' x 3.77'	1	1	



Design By: Nathan Elliott

Approval states that contents of this proof are correct and the responsibility of the client

Please review art for accuracy in:

Dimension • Layout • Spelling • Color

Phone: 219-786-0171

Approval Signature:

Date:

405 Elm Street, Valparaiso, IN 46383

www. signarama-valparaiso.com



EXHBITA1



EXHIBIT AZ

This application is being submitted for (Check all that ap  Use Variance Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility	, or office one only.					
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK					
Property Address:	Subject property fronts on the Lincolnway					
11 1/2 Lincolnway Valparaiso, IN 46383	side between (streets) Washington  & Franklin  Zoning District: CBD					
PETITIONER INFORMATION						
Applicant Name: John Rogers  Phone: 219-241-8440	Address:  1555 Byfield Pkwy Valparaiso, IN 46385					
Email: aporkypig@aol.com						
PROPERTY OWNER INFORMATION						
Applicant Name: Chris Pavlou & Greek Empire LLC	Address:  15 Lincolnway Valparaiso, IN 46383					
Phone: 219-712-5930						
Email: chris@radiusvalpo.com						
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	L EXCEPTION OR ADMIN RELIEF IS SOUGHT:					
Article: $\frac{2}{2}$ Section: $\frac{2.524}{2.524}$ Paragraph: $\frac{B}{B}$ Item: $\frac{1}{2}$ Article: $\frac{2}{2}$ Section: $\frac{2.524}{2.524}$ Paragraph: $\frac{B}{B}$ Item: $\frac{2}{2}$	Article:Section:Paragraph:Item:					
Article: Section: Paragraph: A Item:	Article:Section:Paragraph:Item:					

Item:

Paragraph:

Section:

### AFFIDAVIT OF CONSENT OF PROPERTY OWNER

(To be presented with application for Board of Zoning Appeals)
Jaltan, Kostlois/
CHRIS PAVLOU, being dully sworn upon his/her oath, being of sound mind and legal age deposes and
states:
GREEK EMPIRE, LLC/
1. That <a href="#">CHRIS PAVLOW JOHN HOS TIBIS</a> ("Owner") (is/are) the legal owner(s) of real property that is the
subject of a Petition before the BZA.
2. That Owner authorizes $6040EN$ $LEAF/ROGERS$ ("Petitioner") to seek the relief sought in the
Petition filed before the BZA. Petitioner is further authorized to commit to any reasonable restriction requested
by the BZA or proposed by the Petitioner.
H/M/22
Property Owner Date
Property Owner Date 1 /
Property Owner Date
Subscribed and sworn to before me this day of day of 2022.
Subscribed and sworn to before the this / day of / / //// , 20
<u>Can</u>
Notary Public a (ce) 151-che
NA. Commission
My Commission:  DARLEEN S. BIRCHEL My Commission Expires
1 70 ° C7 8 8 8 2 2 2 2 3 5 4 4 4 4 2 2 2 5 5 6 6 7 5 6 7 6 2 2 2 2 5 6 7 6 2 2 2 2 2 5 6 7 6 2 2 2 2 2 5 6 7 6 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
Date SEAL Commission Number NP0S99646 Lake County
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### Please read and sign the following statement:

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

Signature of Petitioner	Signature of Property Owner
Printed Name	Signature of Property Owner
Subscribed and sworn to before me, a Notar	ry in and for said County and State, personally appeared:
John Kogers	, and acknowledge the execution of the
foregoing document, this <u>U</u> day of <u>Ap</u>	<u>ril</u> , 20 <u>22</u> .
NOTARY PUBLIC	My Commission Expires: Nov. 4.2026  Resident of Lake County
Stevie N. Fleming Type or Print name of Notary	STEVIE N. FLEMING Notary Public, State of Indiana Lake County  SEAL Commission Number NP0716794 My Commission Expires November 04, 2026

### Beacon<sup>™</sup> City of Valparaiso, IN

### Site plan 11 1/2 lincolnway



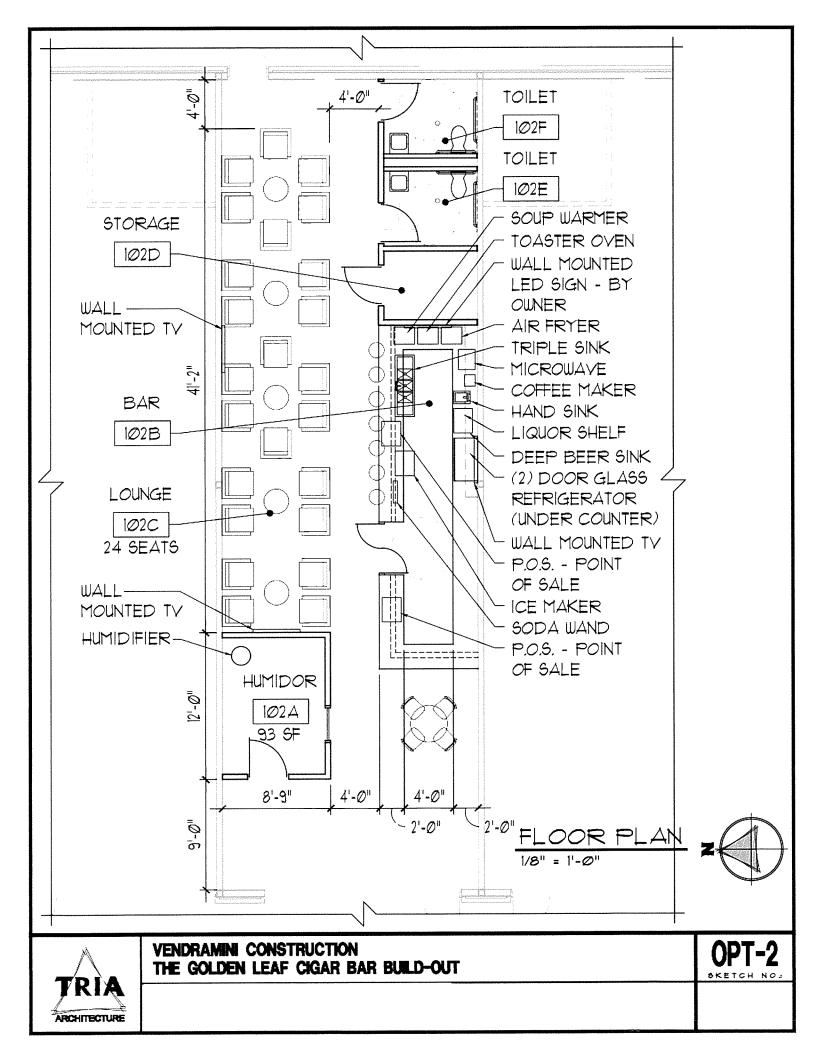
### Overview



Legend

Parcels
Street Names

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
0 S ALLEY THRU S 1/2 BLK 18
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
The proposed project is to remodel the 2,016 sf, single tenant building, into an upscale cigar bar and lounge.



### Special Exception/Special Use Petitioner's Proposed Findings of Fact

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

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Α.	The special use will not materially detract from the character of the immediate area or negatively affect the
	anticipated development or redevelopment trajectory because:
	- The use is in-line with existing establisments in the CBD, combining retail and alcoholic beverage consumption.
	- The business will be operated by an established business owner that has locations in Michigan City, IN; Chesterton, IN; and Hobart, IN.
В.	There is no practicable alternative location where the use is permitted as-of-right within one-quarter mile of the parcel proposed for development, or, if such a location exists, the proposed location is more favorable in
	terms of providing a needed community service to a population that has limited mobility because:
	The accessibility and visibility best serves the community and business at this location. The space is a single story, ground level building.
C.	The approval of the special use will not create a critical mass of similar special uses that is likely to tend to discourage permitted uses by making the vicinity less desirable for them because:
	The CBD has extremely low inventory for street level retail, restaurant, and bar locations.
D.	The special use is conducted in a manner that is not materially more disruptive to adjacent properties than
	other permitted uses in the district unless the special use is temporary and the duration of the use is limited to minimize the impact because:
	(Include any proposed conditions of approval to ensure that this requirement is satisfied.) The special use is intended to be in-line with the stated goals of the CBD according to Valparaiso's UDO Section 1.410.
Th	e petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each element listed

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

This application is being submitted for (Check all that ap  Use Variance Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility	For Office Use Only:					
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK					
Property Address:  703 Jefferson Street Valparaiso, Indiana 46383	Subject property fronts on the North side of Jefferson side between (streets) Greenwich St.					
	& Garfield Ave.  Zoning District: NC 60 (Neighborhood Conservation)					
PETITIONER INFORMATION						
Applicant Name: Murray & Sullivan LLC and James Fleming	Address: c/o Katie L. Kopf/Todd A. Leeth					
Phone: 219-464-4961	Hoeppner Wagner & Evans LLP 103 E. Lincolnway Valparaiso, Indiana 46383					
Email: kkopf@hwelaw.com/tleeth@hwelaw.com						
PROPERTY OWNER INFORMATION						
Applicant Name: Same as Petitioner	Address:					
Phone:						
Email:						
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: Section: Paragraph: Par	Article: Section: Paragraph: Item: Article: Section: Paragraph: Item: Article: Section: Paragraph: Item:					

Article:

Item:

Section:

Section:

Paragraph:

Article:

Item:

Paragraph:

### Please read and sign the following statement:

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

Signature of Petitioner Katie L. Kopf/Todd A. Leeth	Signature of Property Owner	
Printed Name	Signature of Property Owner	
Subscribed and sworn to before me, a  Katie L. Kopf	Notary in and for said County and State, personally appeared:	
foregoing document, this 15 day of	April, 20 <sup>22</sup> ,	
NOTARY PUBLIC	My Commission Expires:County	
Type or Print name of Notary	KIMBERLY S. WERNER Notary Public, State of Indiana Laporte County Commission # 685608 My Commission Expires May 20, 2024	

Feet

©2022 Sidwell. All rights reserved.

JEGAL DESCRIPTION OF SUBJECT PROPERTY (ON TO
LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
Lot Two (2), in Block Thirty (30), in Woodhull's Addition to the City of Valparaiso and the West Half of the vacated alley lying East of and adjacent to said lot (said alley having been vacated circa 1912 by the Town Council of Valparaiso)
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
To allow for the addition of a garage, and allow for the continuation of an accessory dwelling unit (carriage house).

HOEPPNER
WAGNER & Board of Zoning Appeals
EVANS LLP
Petitioner: Murray & Sullivan, LLC
James Fleming
Public Hearing: May 18, 2022

### DEVELOPMENT STANDARD VARIANCE AND SPECIAL USE REQUESTS

### MURRAY & SULLIVAN LLC JAMES FLEMING

### **Development Standard Variance**

Maximum Size of Accessory Structures §2.303 (D)(2)

Code:

600 sq. ft.

Proposed:

Existing Accessory Structure:

Proposed Garage:

498 sq. ft.

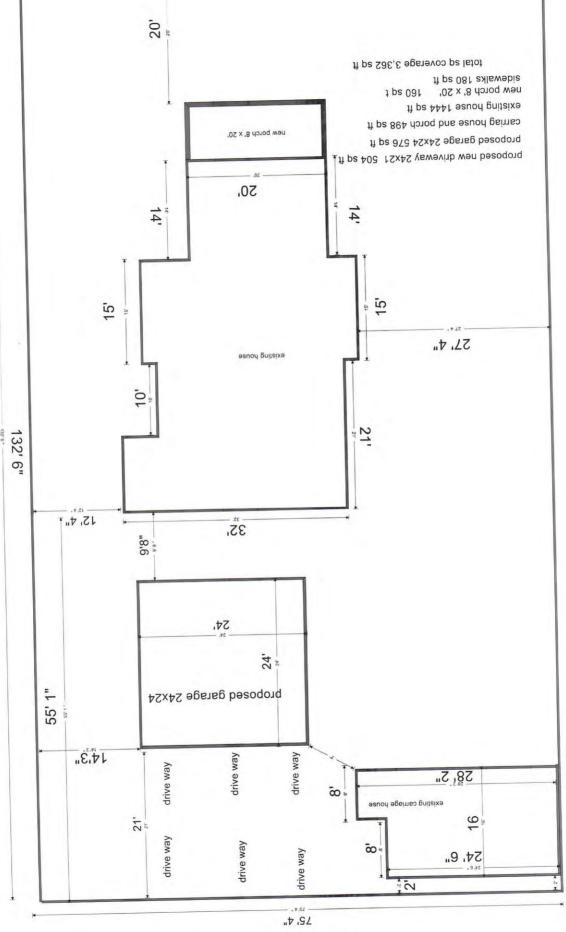
<u>576</u> sq. ft.

1,074 sq. ft.

### Use Variance

Accessory Buildings and Structures §2.303 (F)

Allow for an accessory dwelling unit in the Neighborhood Conservation (NC 60) District





City of Valparaiso Board of Zoning Appeals Petitioner: Murray & Sullivan, LLC James Fleming Public Hearing: May 18, 2022

### CITY OF VALPARAISO BOARD OF ZONING APPEALS

### PETITIONER'S PROPOSED FINDINGS OF FACT

Petitioner: Murray & Sullivan, LLC and James Fleming

Legal Description: Lot two (2), in block thirty (30), in Woodhull's Addition to the City of

Valparaiso and the West half of the vacated alley lying east of and adjacent to said lot (said alley having been vacated circa 1912 by the Town Council

of Valparaiso).

Location: 703 Jefferson Street, Valparaiso, Indiana

Current Zoning: Neighborhood Conservation (NC 60) District

Petition: use variance to allow for an accessory dwelling unit (carriage house) in the

Neighborhood Conservation (NC 60) District

Case No .:

The above named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for a variance of use to allow for an accessory dwelling unit (carriage house) on the above described real estate. 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:

### FINDINGS:

- The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
  - a. The granting of the variance will not adversely affect the safety of vehicular traffic by reducing or obstructing the line of sight at intersections of public or private roads or driveways. The vision is unobstructed both east and west. There are no hills or valleys in the road to limit visibility of on oncoming traffic or to obstruct the view of entering vehicles.
  - b. The granting of the variance will not restrict or hamper access by emergency apparatus or personnel to the proposed structure or any other structure.
  - c. The grant will not alter the essential character of the locality. The carriage house has been on the property for a long period of time, and was utilized by the previous owner of the property as a dwelling unit. The carriage house also currently contains sewer, heat, and air.
- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
  - The granting of the variance will not substantially increase noise, light, traffic, drainage or other development standards.
  - b. The granting of the variance is the most restrictive and the minimum relief available to the Petitioner.
  - c. The grant will not adversely affect the aesthetic appeal of the subject property or any neighboring property or buildings located thereon.
- The need for the variance arises from some condition peculiar to the property involved because:
  - a. The Petitioner's property is of sufficient size to accommodate the proposed use without negative impacts to the surrounding property. The Petitioner plans to make improvements to the carriage house, which will provide special use advantages for prospective renters.
  - b. The carriage house has been underutilized for some time, and the proposed use of the structure is a good use of existing resources. Specifically, the previous owners of the property utilized the home and carriage house as 4 units (3 units in the home, and 1 unit in the carriage house). Petitioner desires to remodel the existing home into a single family unit, and keep the carriage house as hobby area/"she shed".

- 4. 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:
  - a. The granting of the variance will allow the Petitioner's property improved with an existing structure to be used in the most practical way without frustrating or infringing on the use or enjoyment of neighboring properties. Petitioner would like to keep the carriage house in order to preserve the history of the property.
- The approval does not interfere substantially with the comprehensive plan because:
  - a. The granting of the variance will not alter the essential character of the locality and will provide for the orderly growth and development of the area.
  - Access to and enjoyment of all abutting property is not made difficult or frustrated by the granting of the variance.

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:

Todd A. Leeth Katie L. Kopf Hoeppner Wagner & Evans LLP 103 E. Lincolnway Valparaiso, Indiana 46384-2357



### PETITIONER'S PROPOSED FINDINGS OF FACT

### CITY OF VALPARAISO BOARD OF ZONING APPEALS

Petitioner: Murray & Sullivan, LLC and James Fleming

Legal Description: Lot two (2), in block thirty (30), in Woodhull's Addition to the City of

Valparaiso and the West half of the vacated alley lying east of and adjacent to said lot (said alley having been vacated circa 1912 by the Town Council

of Valparaiso).

Location: 703 Jefferson Street, Valparaiso, Indiana

Current Zoning: Neighborhood Conservation (NC 60) District

Petition: Development Standards Variance:

1. Maximum size of accessory structures §2.303(D)(2)

Code: 600 square feet

Proposed: Garage (detached): 576 square feet

Carriage House: 498 square feet 1,074 square feet

Case No .:

The above named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for a development standards variance to allow for the addition of a detached garage 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 variances, 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:

- 1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
  - Access to and enjoyment of all abutting property is not made difficult or frustrated by the granting of the variance.
  - b) The granting of the variance will not alter the essential character of the locality. In fact, a development standards variance would not be needed if the garage was attached.
  - c) The granting of the variance will not adversely affect the aesthetic appeal or the cohesive development of the surrounding area. Petitioner intends to rehab the property, and make it one of the most aesthetically pleasing in the area.
  - d) The granting of the variance will not adversely affect the safety of vehicular traffic by reducing or obstructing the line of sight at intersections of public or private roads or driveways.
  - e) All neighboring property abutting the Petitioner's property is presently developed.
  - 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
    - a) The granting of the variance will in no recognizable way encroach on the enjoyment or use of the surrounding properties.
    - b) The granting of the variance 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 variance is granted. The layout of the property is more suited for a detached garage than an attached garage.
    - d) The granting of the variance will preserve and enhance the scenic beauty, aesthetics and environmental integrity of the community and City.
    - e) The granting of the variance is the most restrictive and the minimum relief available to the Petitioner.

- The strict application of the terms of the Zoning Ordinance will result in practical difficulties because:
  - a) The circumstances and conditions existing on or about Petitioner's property which prevent conformance with the Unified Development Ordinance and requiring the variance are not self-created. The property is of sufficient size to accommodate the additional detached garage, and the Petitioner plans to renovate an old home into a modern home, more than tripling the market value of the subject property.
  - b) Granting the variance allows for more beneficial use of Petitioner's property without detrimentally affecting safety or aesthetics. The garage provides space for Petitioner to park vehicles indoors.

Respectfully submitted;

Todd A. Leeth

Katie L. Kopf

Hoeppner Wagner & Evans LLP

103 E. Lincolnway

Valparaiso, Indiana 46383

Attorneys for Petitioner

This Instrument Prepared By:

Todd A. Leeth Katie L. Kopf Hoeppner Wagner & Evans LLP 103 E. Lincolnway Valparaiso, Indiana 46384-2357



X:\Murray & Sullivan; Anderson, Linda 20167\703 Jefferson St -1\File Documents\Findings of Fact - DSVariance 2022-05-05.docx

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:		For Office Use Only:
This application is being submitted for (Check all that apply):		Petition #: VAR22-006
Use Variance X Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility  SUBJECT PROPERTY INFORMATION Property Address:	Subject prope	Application Type: #60. TP. V4#.  Application Filing Fee: #50  Date Filed: 64 / 14 / 2022  Meeting: 65 / 18 / 2022  TYPE OR PRINT IN INK  erty fronts on the Morthland Drive, north
2454 US Hwy 30, Valparaiso, IN 46385	side between	
	& <u>Co</u>	olwood Drive
	Zoning Distric	t: Commercial, General (CG)
PETITIONER INFORMATION		
Applicant Name: Indiana Land Trust Trust No. 120520  Phone: (219) 769-1892  Email: randerson@andersonandersonpc.com	Anderso 9211 Br Merrillvi	nard E. Anderson on & Anderson, P.C. oadway Ile, IN 46410
PROPERTY OWNER INFORMATION		
Applicant Name:  Indiana Land Trust Trust No. 120520	1	hard E. Anderson
Phone: (219) 769-1892	Anderson & Anderson, P.C. 9211 Broadway Merrillville, IN 46410	
Email: randerson@andersonandersonpc.con		MILE, IN 404 IU
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL		
Article: 11 Section: 502 Paragraph: B Item: 1		Section:Paragraph:Item:
Article: 11 Section: 506 Paragraph: B Item: 2		_Section:Paragraph:Item:
Article: Section: Paragraph: Item:	Article:	_Section:Paragraph:Item:

\_Section:\_

Paragraph:\_

Item:

Article:

\_Section:\_

Article:\_

\_item: \_

Paragraph:\_

### INDIANA LAND TRUST COMPANY Serving Indiana's land trust needs since 1952

9800 CONNECTICUT DRIVE, STE. B2-900, CROWN POINT, IN 46307 (219) 661-2792 OR 661-2793 FAX: 219-662-3489

Date: April 12, 2022

Re: Indiana Land Trust No. 120520

Property known as: 2454 US Hwy 30, Valparaiso, IN 46385

TO WHOM IT MAY CONCERN:

We hereby certify that the beneficiary/beneficiaries of the above referenced land trust have designated RICHARD E. ANDERSON AND NICHOLAS A. SCHACKI to represent them and or to sign any supplemental documents at the Valparaiso Board of Zoning Appeals with regard to the above described premises in his/her/their own name or in the name of the beneficiary/beneficiaries but not in the name of the Trustee or as our agent.

Very truly yours.

INDIANA LAND TRUST COMPANY, as Trustee under Trust No. 120520 and not personally

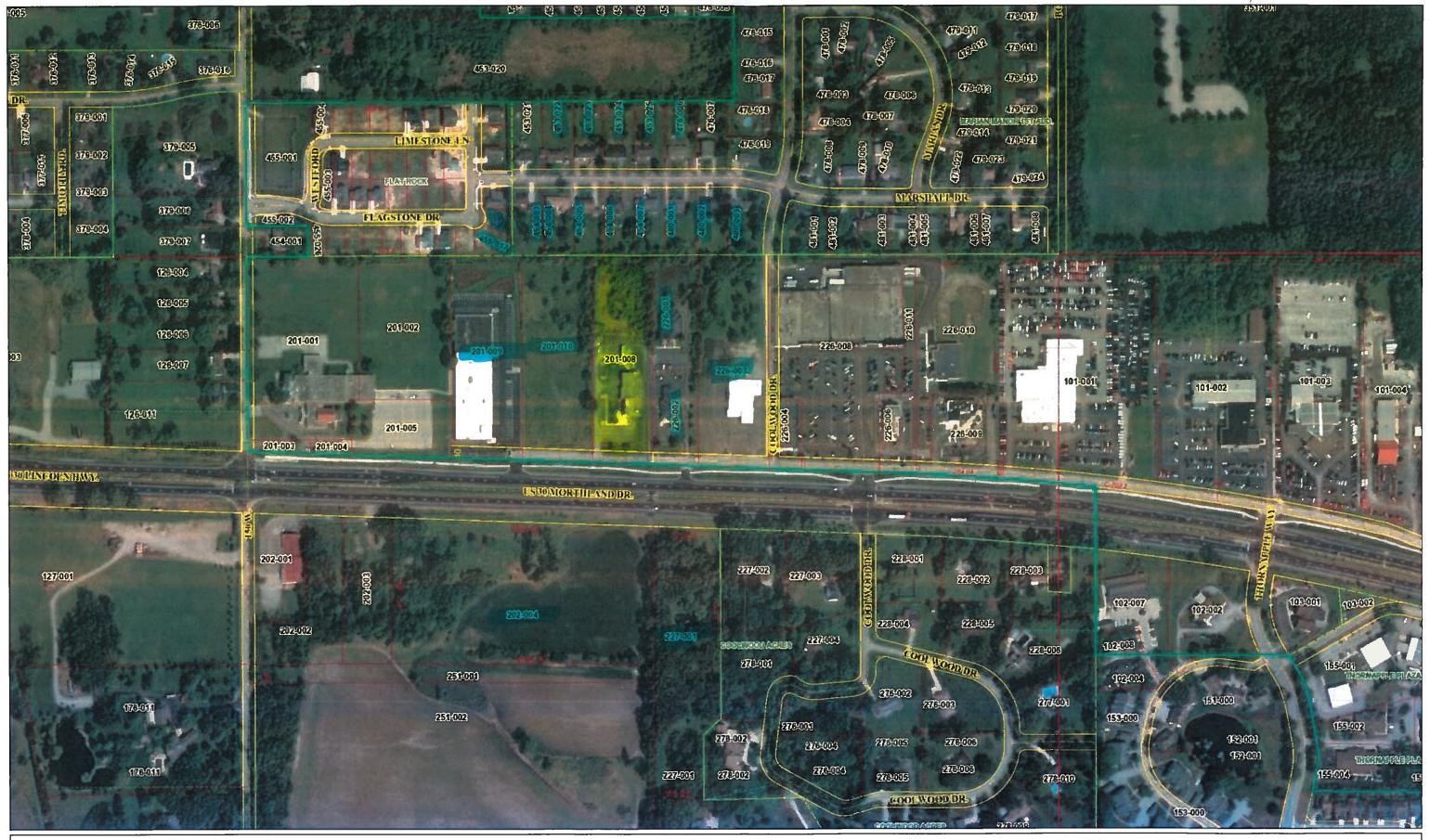
Vicky L. Bostick, Trust Officer

### Please read and sign the following statement:

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

Indiana Land Trust Trust No. 120520  By: Illy & Baxcek Trust (	
Signature of Petitioner	Signature of Property Owner V.Cky L Bestick
Printed Name	Signature of Property Owner
Subscribed and sworn to before me, a Notar	y in and for said County and State, personally appeared:
Villey L. Bostick	, and acknowledge the execution of the
foregoing document, this 12th day of Up	<u>L</u> 20 <u>22</u> .
Cla Max Caruly Joh	My Commission Expires: 3-18-2027 Resident of Lake County
Ola Mae Cauley-Johnson Type or Print name of Notary	
Oraco aparamente constant	This instrument is executed by the undersigned Land Trus not personally but solely as Trustee in the exercise of the poland authority conferred upon and yested in it as such Trustee.

OLA MAE CAULEY-JOHNSON Notary Public - Seal Lake County - State of Indiana Commission Number NP0719258 My Commission Expires March 18, 2027 This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.



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.

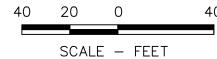
r on ble.

0 376 752

Enter Map Title...

Web Print: 04/06/2022

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
ALL THAT PART OF THE EAST 12 RODS OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 6 WEST, OF THE 2ND PRINCIPAL MERIDIAN, WHICH LIES NORTH OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30, IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA.
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
Site was previously the location of the Nate's Car Wash. The property is being converted to an office building and will include adding to the existing 8,400 square foot building an addition of 3,010 square feet along the west side of the existing structure. The variances requested include the following:  1. Elimination of the requirement of a 6' foot bump out on the west side of the building because the building exceeds 80 feet (Section 11.502(B)(1)) The building will be 83'4", or 3'4" exceed the requirement.
<ol> <li>Permit Low-E - semi transparent glass to be installed in windows in lieu of transparent glass (Section11.506(B)(2)).</li> </ol>



## **Proposed Commercial Site Notes**

1. Proposed Property Information

Parcel Number: 64-09-27-201-008.000-004 Parcel Area: 3.06 Acres 1.23 Acres (40.2%±) Impervious Area: 1.83 Acres (59.8%±) Open Space Area: Existing Floor Area (Gross): 11,379 sq.ft. (8.5%±)

2. Property is zoned Commercial, General (CG) per Valparaiso Zoning Map

Property will be utilized as office building

Landscape Ratio: 0.35 Gross FAR: 0.253 0.507

Net FAR: 10,000 sq.ft. Minimum Area: Lot Width: 50 feet

Front Yard: 20 feet Side Yard: 10 feet

10 feet Rear Yard: Max Height: 50 feet

Property lies within the US 30/Morthland Drive Regional Signature Street Overlay (Valparaiso Sec. 11.305)

Loading berths shall not be visible from street view Landscaping at right-of-way shall have Class B Bufferyard or Street Bufferyard

Parking shall be located behind principal building Commercial setback shall be 15 feet

Commercial lot dimensions shall be minimum lot size of one—half acre and width of 100 feet

Commercial lot coverage shall be 75% maximum and 25% minimum

Building height shall not exceed three stories or 35 feet unless sprinkled Signage shall be monument with height of not more than six feet

- 3. The utilities shown in plan are indicated in accordance with available records and field evidence and Indiana 811, Ticket No. 1912021043 dated December 02, 2019. The contractor shall be responsible for obtaining exact locations and elevations of all utilities, including any private utilities, from the owners of the respective utilities. All utilities shall be notified 72 hours prior to excavation.
- 4. Flood zones shown per FEMA Flood Map Service Center. The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. All of the within described land appears to lie within special flood hazard zone 'X' as said tract plots by scale on community—panel #18127C0204D of the flood insurance rate maps for the City of Valparaiso (maps dated September 30, 2015).
- 5. Parking Information (based on "Commercial Uses", "Office", "General":

Proposed
3 Stalls per 1,000 sq.ft.

11,379 sq.ft. / 1,000 = 11.4 \* 3 = 34.2 = 35 Stalls

Minimum Required Bicycle

1 space per 10 parking stalls 63 / 10 = 6.3 = 7 Bicycle Parking

<u>Parking Provided</u> 62 Standard Stalls

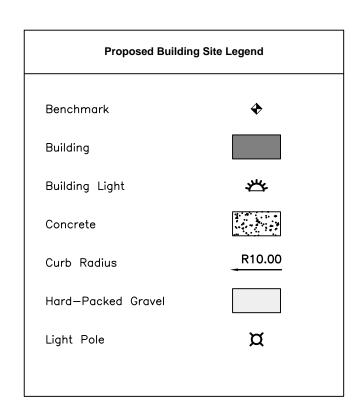
02 Handicap Stalls 63 Total Parking Stalls

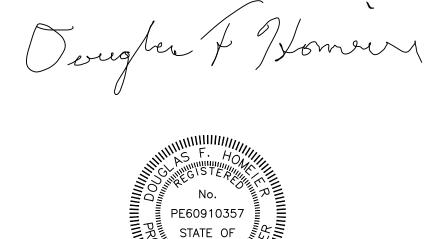
6. Traffic estimation on building use: Standard Workday:

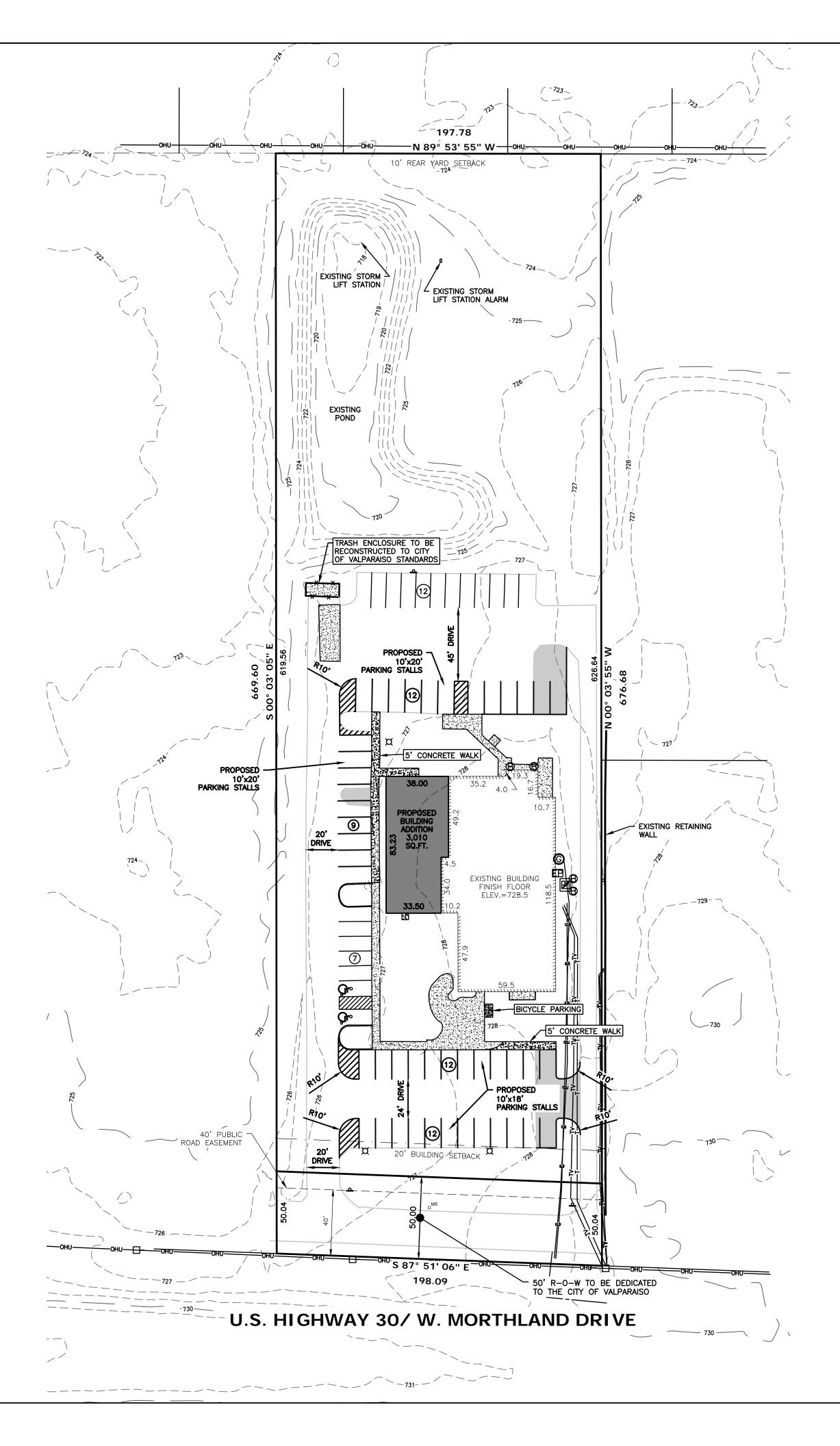
Visitors: 5-25 vehicles

(25 being max if there is a regional agency meeting — once every few months) V-Line Transportation: N/A (most workers likely live in greater Porter County Region)

- 7. Sanitary and water connections for the building addition to be connected to the internal services from the existing
- All work shall be performed in accordance with all local, state and federal codes.
- 9. The contractor shall obtain all necessary permits for construction.
- 10. Timely notification of necessary governmental agencies regarding the commencement of construction activity is
- 11. All work performed on the site shall conform to the site construction plans and specifications. Public improvements (including areas within right-of-way) shall conform to Porter County Standards.
- 12. The contractor shall be responsible for maintaining safe traffic control on the site and adjacent public streets, as related to both physical site improvements and the movement of construction traffic.
- 13. All necessary inspections and certifications, as required by ordinance, code, utility companies or government agencies shall be completed before the final connection of services.
- 14. See architectural plans for existing building modification including internal utilities.
- 15. No monument sign is proposed for this site; signage will be placed on building frontage and will approved as necessary through the City of Valparaiso.





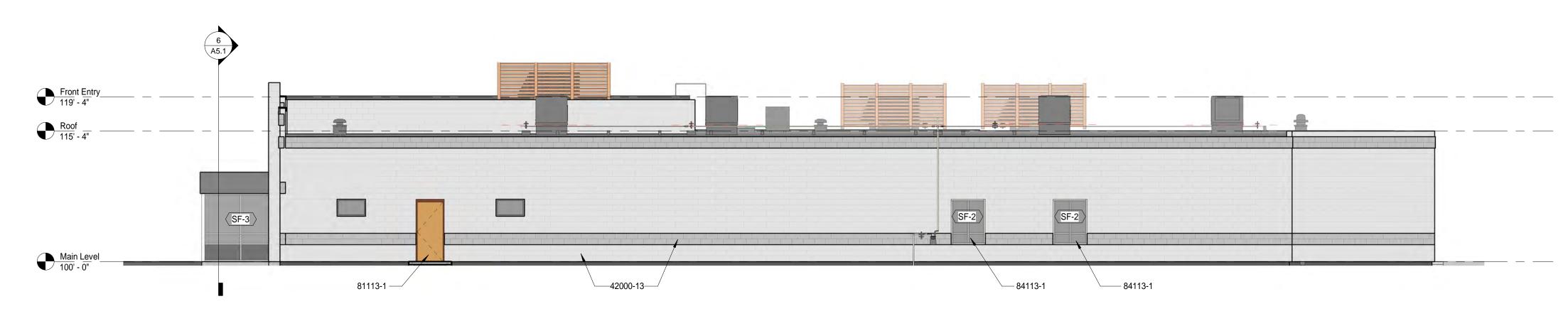


Plan S Commercial Valpa Utility Venture, High 0 North 2454

DESIGNED DFH KMC PROJECT NO.

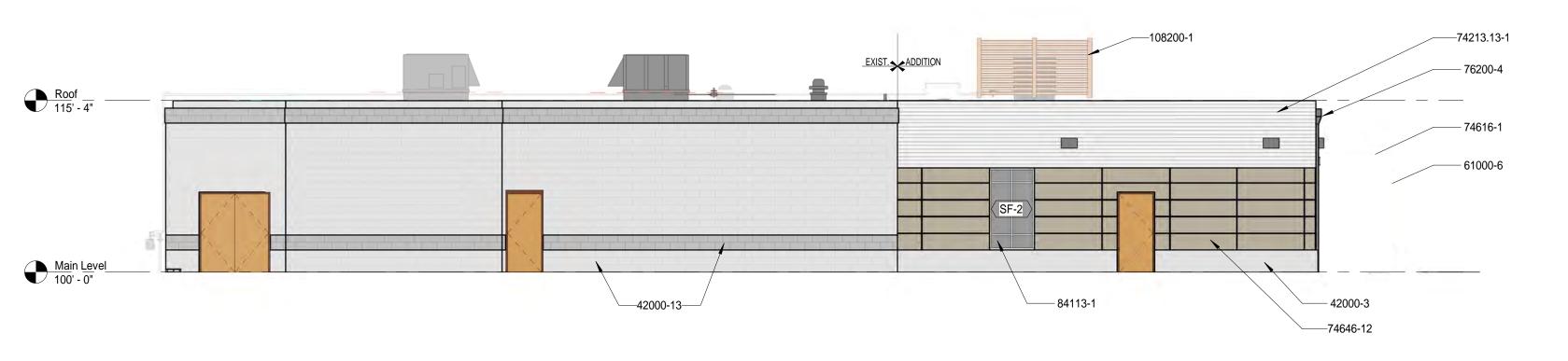
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03/18/2022 SHEET NO.

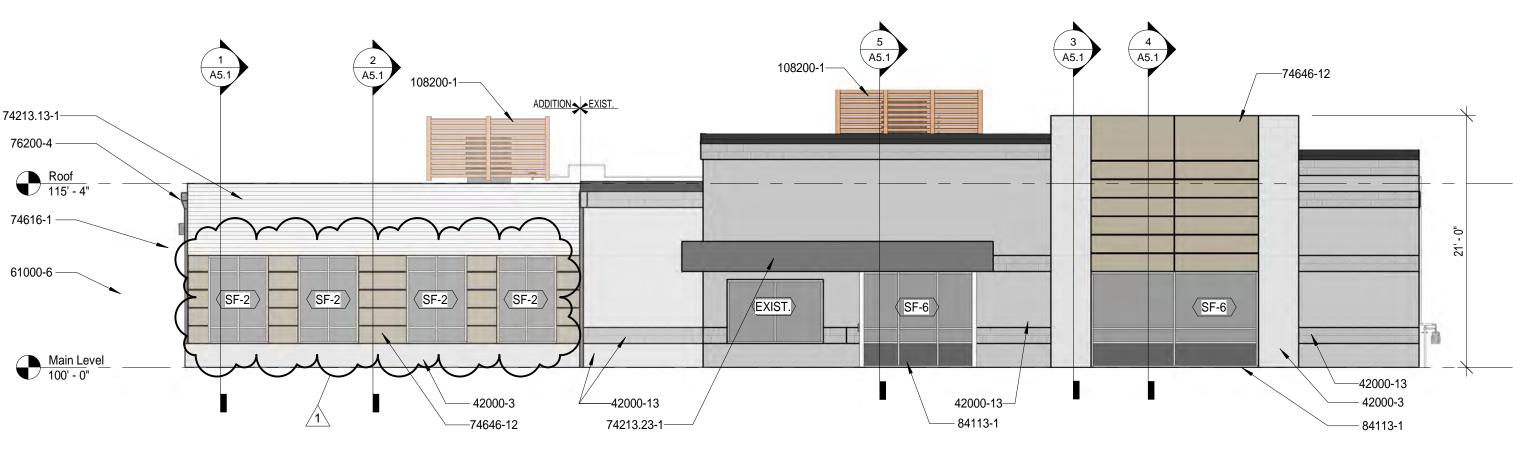


Exterior Elevation - East

SCALE: 1/8" = 1'-0"



Exterior Elevation - North SCALE: 1/8" = 1'-0"



Exterior Elevation - South

SCALE: 1/8" = 1'-0"

**EXTERIOR ELEVATION KEYNOTES** 

42000-3 8" SPLITFACE CMU REINFORCED AND GROUTED. SEE STRUCTURAL FOR REINFORCING REQUIREMENTS. 42000-13 EXISTING CMU TO BE PAINTED. COLOR TBD. 61000-6 6x6 WOOD POST. SEE STRUCTURAL.

74213.13-1 1 1/2", PREFINISHED, BOX RIB METAL WALL PANEL SYSTEM. SEE SPECIFICATIONS FOR SPECIFIC SYSTEM REQUIRED. SIZE AS

74213.23-1 PREFINISHED METAL COMPOSITE WALL PANEL SYSTEM EQUAL TO CITADEL ENVELOPE 2000 RS (COLOR 1 - SILVER TO MATCH EXISTING).

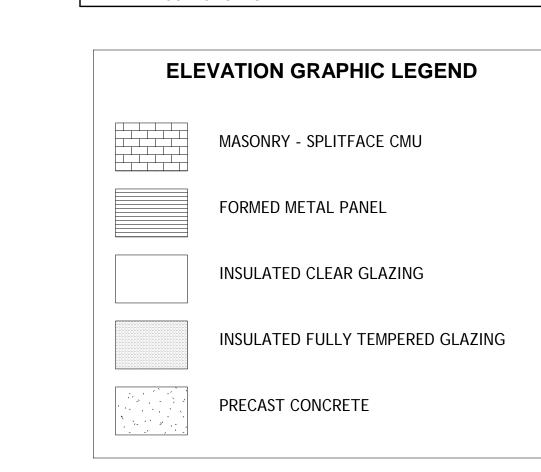
74616-1 8" ALUMINUM SIDING BEAM. SIMILAR TO LONGBOARD SIDING "1-5/8"x8" LINK AND LOCK BATTENS".

74646-12 FIBER CEMENT CLADDING SYSTEM, SIMILAR TO "TUFFBLOCK" BY NICHIHA. COLOR TO BE SELECTED BY ARCHITECT.

76200-4 PREFINISHED METAL THRU-WALL SCUPPER SYSTEM WITH CONDUCTOR HEAD AND DOWNSPOUT. REFER TO "SMACNA 1.26". 81113-1 HOLLOW METAL DOOR FRAME, GROUTED SOLID & PAINTED. SEE A7. SERIES DRAWINGS FOR SIZE.

84113-1 THERMALLY BROKEN ALUMINUM WINDOW SYSTEM. BASIS OF DESIGN - "KAWNEER TRI-FAB 451-T SYSTEM". 108200-1 FIXED, EXTRUDED ALUMINUM LOUVERED ROOF TOP EQUIPMENT SCREENS SIMILAR TO "VAJSD - 4" STANDARD BLADE SCREEN" BY

ARCHITECTURAL LOUVERS. SCREEN AND STRUCTURE TO BE MOUNTED TO ROOF TOP EQUIPMENT. MOUNTING SYSTEM SHOULD BE PERFORMED IN A WAY NOT VOID WARRANTY OF ROOF TOP UNITS.





All concepts, ideas, designs, plans and details as shown on this document are the sole property of Design Collaborative, Inc., and shall not be used for any purpose without their expressed written consent. The owner shall be permitted to retain copies for information and reference.

CONSTRUCTION DOCUMENTS

ISSUE DATE: 03/31/22

REVISIONS

4.4.22

EXTERIOR ELEVATIONS

#### **Variance from Development Standards** Petitioner's Proposed Findings of Fact

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

#### Petitio

itio	ner 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 variance is for the west side of the building which faces the parking lot of the proposed assisted living facility. The exclusion of an architectural feature is not injurious to the public health, safety, morals and general welfare of the community.
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:
	That the depth of the projection off-site of the building facades does not have any impact on the use and value of the area adjacent to the property.
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 proposed variance is to eliminate the required project on the west side of the building. Six (6) foot required projection or offset would interfere with the proposed along the side of the building. In addition, the building is only 3' 4" over the length required for a six (6) foot offset.

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.

### Article 11, Section 506(B)(2)

#### **Variance from Development Standards Petitioner's Proposed Findings of Fact**

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

#### Pe

etitio	ner 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 addition to the building will have four (4) windows along the south side of the building. Reducing the transparency by installing Low-E - semi transparent glass to the building is an aesthetic item that does not affect the public health, safety, morals and general welfare of the community.
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:
	Whether or not the windows in the building are transparent does not have an impact on the use and value of the area adjacent to the property. In addition, Low-E - semi transparent glass will not cause a perceptible difference because of the distance between the building and the travel lanes of US 30.
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 proposed variance is to permit the use of Low-E - semi transparent glass as opposed to transparent. Transparent windows will result in additional cooling to building and discomfort to occupants based on the fact that the south side of the building is subject to maximum sun exposure.

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.

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:  This application is being submitted for (Check all that app  Use Variance Development Standards Variance Special Exception/Special Use Relief to Administrative Decision Conditional Use Wireless Communications Facility		For Office ose Only:			2622
SUBJECT PROPERTY INFORMATION				ТҮРЕ О	R PRINT IN INK
Property Address:		Subject pr	operty fronts o	n the East -	Jilhavy
604 Silhavy Ra	Side between (streets) Cascade  8 Willow tree Dr  Zoning District: Inlustrial Light				
PETITIONER INFORMATION					
Applicant Name:  Atwater Save-14-all Uniper  Phone:  312.446, 7021  Email:  SADO dwd or Jorp. car	Address:  162 W Grand Ave Sude 107 Chicago; IL LO654				
PROPERTY OWNER INFORMATION					
Applicant Name:  Atwater Soure-it-all Valgaria  Phone:  312.446.7021  Email:  5070 padwidergroup.com	is LLE		y IL Lots		
SECTIONS OF UDO FROM WHICH A VARIA	ANCE, SPECIAL	EXCEPTION (	OR ADMIN RELI	EF IS SOUGHT:	
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Article:Section:Paragraph:_	Item:	Article:	Section:	Paragraph:	Item:
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Article:Section:Paragraph:_	Item:	Article:	Section:	Paragraph:	Item:

## AFFIDAVIT OF CONSENT OF PROPERTY OWNER

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

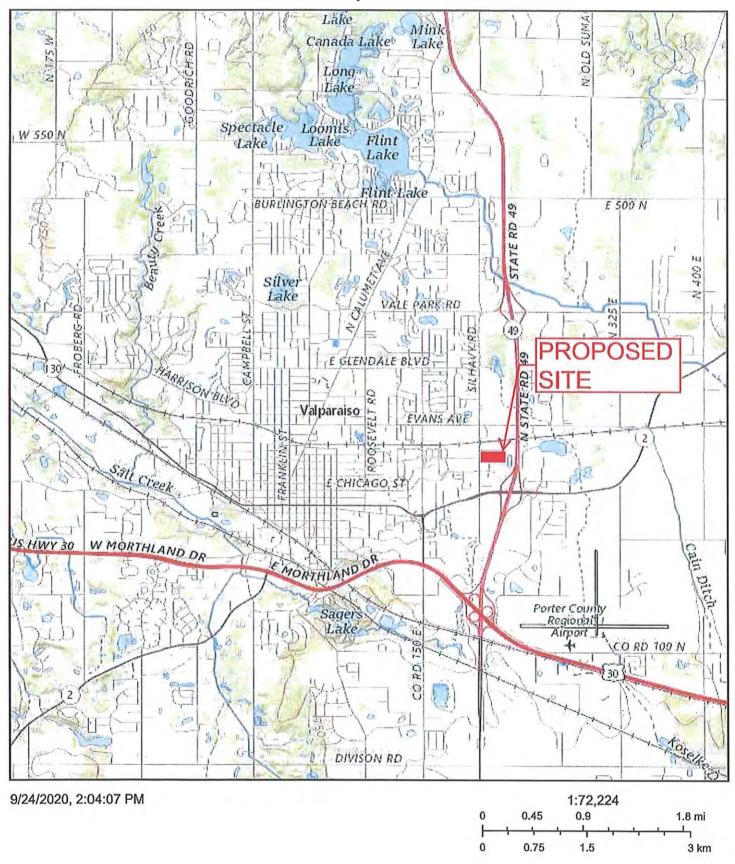
0 0 0 1	25.377
David Sido, being du	ly sworn upon his/her oath, being of sound mind and legal age deposes and
states: Hunter Sure And	1 Wife raise Lie
1. That	("Owner") (is/are) the legal owner(s) of real property that is the
subject of a Petition before t	ne BZA.
2. That Owner authorizes Da	"Petitioner") to seek the relief sought in the
Petition filed before the BZA. Pet	itioner is further authorized to commit to any reasonable restriction requested
by the BZA on proposed by the Pe	etitioner.
1 HAB	4.14.22
Property Owner	Date
1 / ///	4.111.22
Property Owner	Date
Tropertyowner	Date
Subscribed and sworn to before me t	his Lay of APri , 20 2 2.
Pay	
Lisa A Toll	
Notary Public	·
	Janasassassas
My Commission:	LISA J. LEGEL Notary Public – Seal
	Lake County – State of Indiana
Date	Commission Number 704043 My Commission Expires Aug 14, 2025

#### Please read and sign the following statement:

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

Signature of Petitioner	Signature of Property Owner
Printed Name	Signature of Property Owner
Subscribed and sworn to before me, a	Notary in and for said County and State, personally appeared:
David Soto	, and acknowledge the execution of the
foregoing document, this Hday o	f April 2020
Lisa & Logal	My Commission Expires:
NOTARY PUBLIC	Resident ofCounty
Lisa T Legel	
Type or Print name of Notary	
	The same of the sa
	LISA J. LEGEL Notary Public – Seal
	Lake County – State of Indiana Commission Number 704043
	My Commission Expires Aug 14, 2025

## The National Map Advanced Viewer



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

604 Silhavy Rd - Proposed Location - 10 Acres



LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)			
Attached			
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)			
attached			



Parcel Legal Description Revision Date 4.2-72

#### **Legal Description:**

Situated in the County of Porter, State of Indiana, and being more particularly described as follows:

Commencing Two and Sixteen Hundredths (2.16) rods South of the Northwest corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty (20), Township Thirty-Five (35) North, Range Five (5) West, and running thence South Twenty (20) rods; thence East Eighty (80) rods; thence North Twenty (20) rods; thence West Eighty (80) rods to the place of beginning, containing ten (10) acres, more or less.

EXCEPTING THEREFROM that portion of the above described real estate conveyed to the City of Valparaiso, Indiana by Warranty Deed dated April 12, 2018, and recorded as Instrument Number 2018-018371 of the Porter County, Indiana Recorder's Office, being more particularly described as follows:

A part of the Southwest Quarter of the Northwest Quarter of Section 20, Township 35 North, Range 5 West, Washington Township, Porter County, Indiana, and being that part of the grantor(s) land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked EXHIBIT "B" described as follows: BEGINNING 35.79 feet [2.16 rods (35.64 feet) by Instrument Numbers 2015-008329 and 2015-008330] South of the Northwest corner of said Quarter-Quarter Section, which POINT OF BEGINNING is located on the West line of said Quarter Section South 0 degrees 04 minutes 21 seconds East 1,362.83 feet (distance deduced from Instrument Number 2012-004223) from the Northwest corner of said Quarter Section designated as point "254" on said Parcel Plat, and being the Southwest corner of the tract of land described in said Instrument Number 2012-004223; thence South 89 degrees 41 minutes 55 seconds East 40.00 feet along the South line of said tract to the point designated "1038" on said Parcel Plat; thence South 0 degrees 04 minutes 21 seconds East 331.16 feet to the North line of Lot 1 in Willow Heights Subdivision, the plat of which is recorded in Plat Book 3, Page 159 in the Office of the Recorder of said county, designated as point "1037" on said Parcel Plat; thence North 89 degrees 49 minutes 13 seconds West 40.00 feet along the North line of said lot and the Westerly prolongation thereof to the West line of said Quarter-Quarter Section; thence North 0 degrees 04 minutes 21 seconds West 331.25 feet [20 rods (330 feet) by said Instrument Numbers 2015-008330] along said West line to the POINT OF BEGINNING and containing 0.304 acres, more or less, inclusive of the presently existing right-of-way which contains 0.076 acres, more or less.



Project Description Revision Date: 14.8-12

#### **Project Description**

Atwater Group (represented by David Soto) is proposing to develop self-storage facilities and a light industrial building on a 9.72-acre parcel located at 604 Silhavy Road, Valparaiso, Indiana. The parcel is currently Zoned INL and will be subdivided into two lots. The front portion will have climate-controlled self-storage building that will be approximately 46,000 sq. ft. Behind this building will be five smaller climate-controlled buildings that collectively add up to approximately 45,000 sq. ft. The back lot will have a single-story light industrial building that is climate-controlled and approximately 24,000 sq. ft. There will be an access drive on the north part of the front building. This drive is not a public road and is connected to Silhavy Road. The site will have detention in the back (East side) of the site. It will be a dry bottom pond with a depth of 7 ft. that will outfall to the east side of the site where another pond is located closely off site.

Variances representations
ABOUT LANDSCAPING

## 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:

See attacked

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:

See affected

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:

see attached

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.

## Board of Zoning Appeals Valparaiso, Indiana Variance from Development Standards – Findings of Fact

Petitioner: Atwater Save-it-All Valparaiso LLC, DVG, Hubinger Landscaping Corp.

Property Address: 604 Silhavy Road Existing Zoning District: INL – Light Industrial

#### Variance from Development Standards Request:

#### 1. Variance from Section 10.405.D:

State Road 49 Corridor. A class "D" bufferyard shall be required immediately adjacent to the State Road 49 Corridor, extending from U.S. Highway 30 to U.S. Highway 6.—We have a berm on the far east and did not reduce the bufferyard. The only info to add here is the reduction of landscape compared to table 10.402

Class D (65%)	40 ft.	3 / 100 linear ft.	6 / 100 linear ft.	50 / 100 linear ft.	5 foot high berm

#### 2. Variance from Section 10.407.A,B, C:

With approval of the Planning Director, developments on infill and redevelopment sites may provide for the required bufferyard by substituting a solid, decorative fence, masonry wall or earthen berm (or combination thereof) of not less than 6 feet in height instead of the required buffer described in Sections 10.402 and 10.403 above. The fence, wall, or berm shall be accompanied by evergreen trees or large evergreen shrubs of not less than 6 feet in height upon planting with spacing of not more than 10 feet on center for trees and not less than 6 feet for large evergreen shrubs to be placed on both southern side of the fence or wall. Substitution of shade trees may be permitted if it is demonstrated that the placement would result in equal or greater opacity as the use of evergreens.

We are requesting a reduction in total length of fence along the southern property line from 1,014lf of fence to 637.5lf of fence.

#### 3. Variance from 10.301 On-Lot Landscaping

Table 10.301: On-Lot Landscaping Standards				
District and Development Type Large Trees Small Trees Shrubs				
ight Industrial (INL)				
All uses	2 per acre	4 per acre	35 per acre	

#### 4. Variance from 10.702 - On-Lot Landscaping - Section D. Alternative Landscape Plans

#### Variances from Section 10.405.D, 10.407 (A,B,C), 10.301, and 10.702:

a) The proposed Variance from Development Standards will not be injurious to the public health, safety, morals and general welfare of the community because:

This development will be abundant in landscaping with no deviations from the front yard plantings noted in the 2021 approved schedule. The alternative landscaping plan has been designed by a Licensed Professional Landscape Architect with significant experience and training in the field. This revised landscape plan demonstrates that the even though the landscaping planting has been reduced from 2021 approved plan existing coverage exists in the areas we are asking for relief. The areas of relief are located in areas that will minimally visible to the general public and existing coverage already exists and plantings will be added to further obscure and offer landscaping treatments. These areas are located on the northern property line on the backside of warehouse existing buildings located on Cascade Drive with an existing treeline and in the southern portion of the subject property along the mid to far eastern portion of the north side of the willow heights subdivision where extensive tree coverage exists near properties identified as PIN 152-008 and 152-009. This tree coverage also exists along far east of property with additional tree coverage where the INDOT has an existing pond with planting additions with a focus on non-deciduous. (Photos included). We are maintaining the fence on the far south to still provide buffer protection for properties 151-001, 151-067, 151-006, 152-002, 152-009, 152-008 as the fence, berm and southern landscaping will further provide buffer coupled with the extensive tree buffer exists. Therefore, the proposed Variance from Development Standards 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. This development conforms to character and uses of adjacent properties within this commercial/industrial area. The Landscaping includes aerials and photos of surrounding areas and determined that no adverse effect will be brought to them.
- c) The strict application of the terms of the zoning ordinance will result in particular difficulties in the use of the property included in the proposed variance because:
  - That strict application of the terms of the zoning ordinance with the SR49-Class D and
    already existing landscaping coverage will result in impractical landscaping coverage
    on the property but we will be adding additional non-deciduous cover. In addition, the
    subject property will provide extensive landscaping in the front and side yards to not
    only provide buffer of beautification exceeding any neighboring property.



#### 210 East 113<sup>th</sup> Avenue Crown Point, Indiana 46307-9793

Phone: 219-662-9911 Fax: 219-662-6206

Landscape Architects & Contractors Garden Center & Landscape Supplies

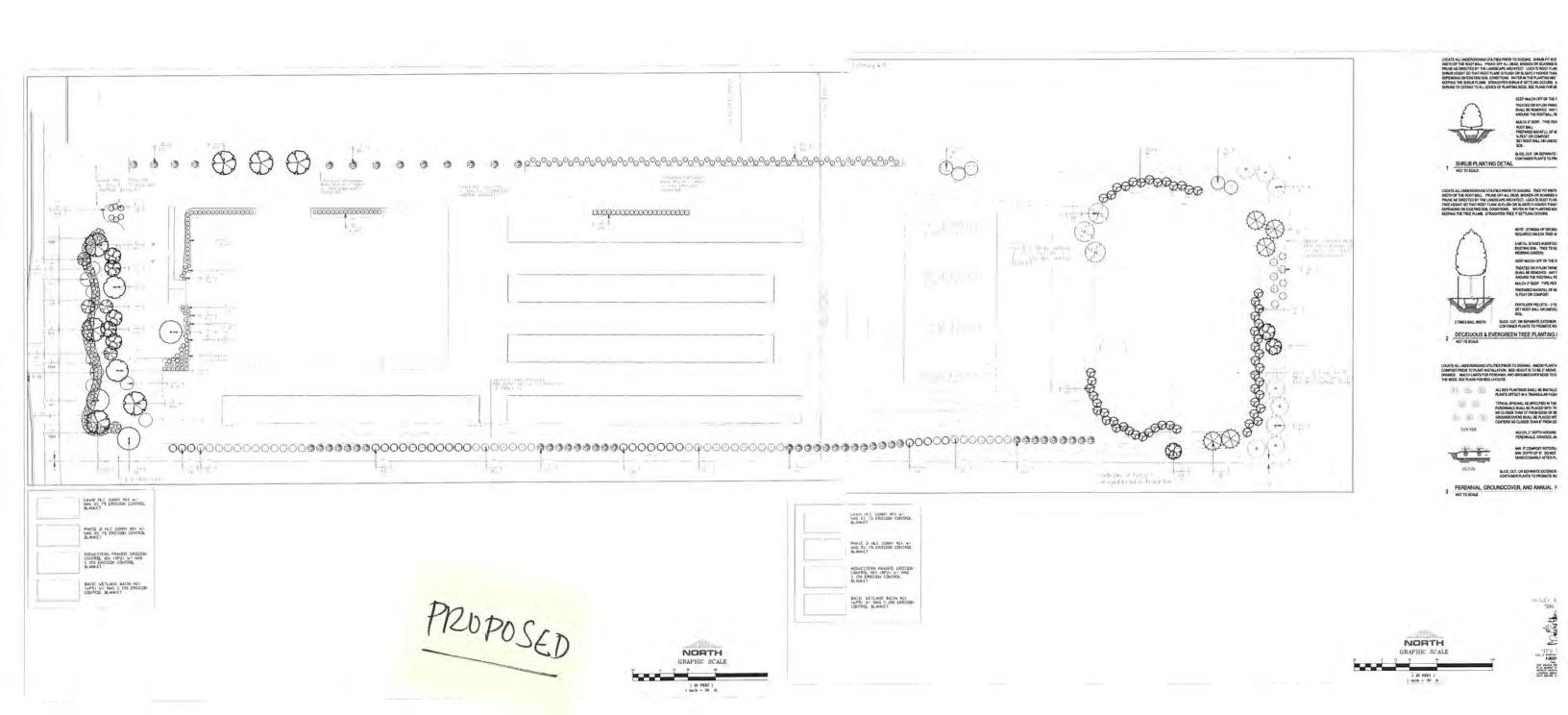
4-13-22

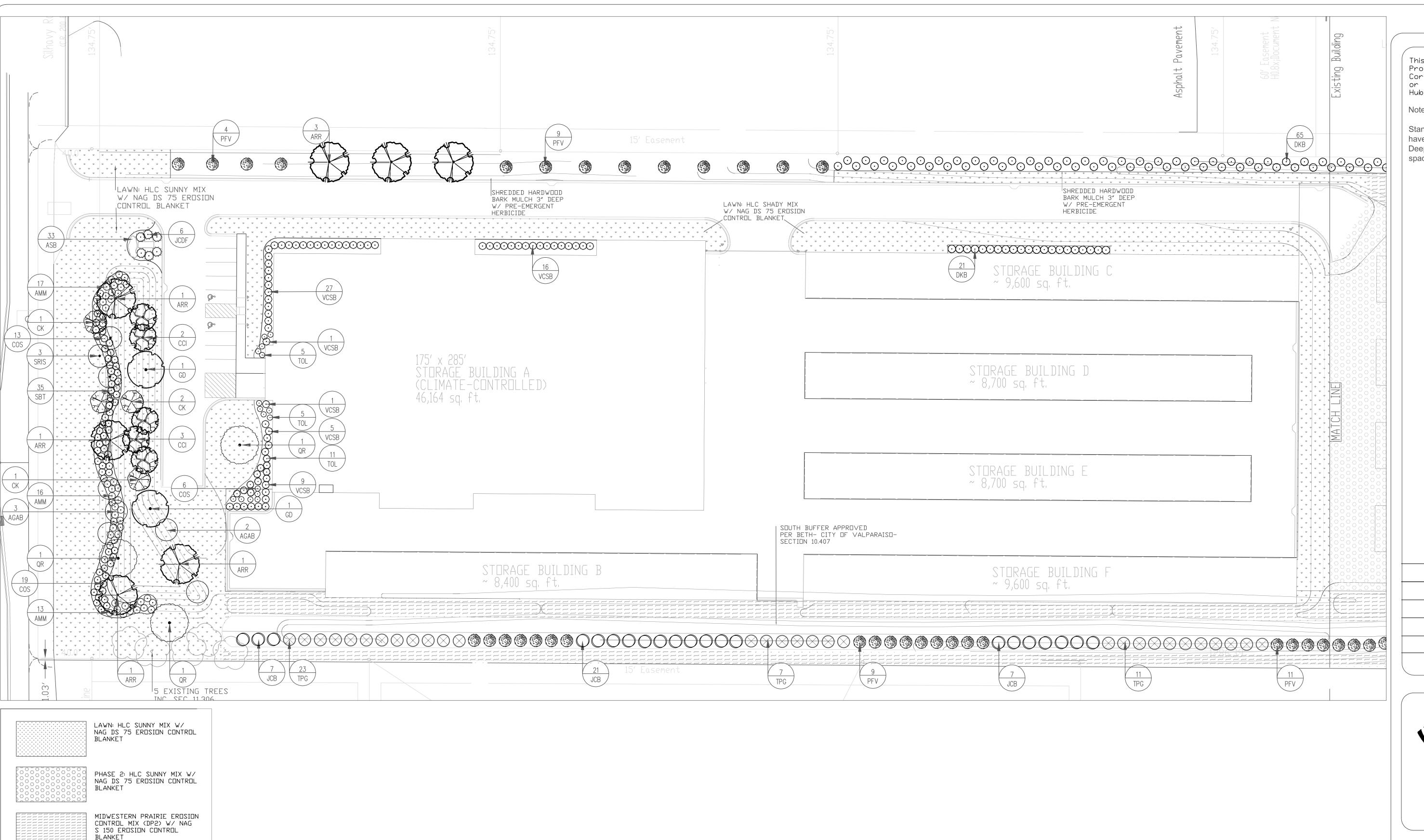
604 Silhavy Road

Proposed plan changes:

#### POND AREA

PLANT	ORIGINAL PLAN QTY	PROPOSED QTY	DIFFERENCE
River birch	6	3	-3
Spring flurry serviceberry	7	2	-5
White pine	8	8	-
Red maple	5	0	-5
Red bud	3	0	-3
Bald cypress	5	3	-2
Viburnum dentatum	79	53	-26
Hawthorn	6	2	-4
SOUTH SIDE			
Blue point juniper	64	26	-30
Green giant arborvitae	85	45	-40
Vanderwolf pine	51	35	-16
NORTH SIDE			
Vanderwolf pine	13	13	n/c
Tor spirea	36	0	-36
Red maple	6	3	-3
Iriquois beauty chokeberry	134	0	-134
Diervilla Kodiak black	65	65	n/c
Viburnum dentatum	20	0	-20
Spring flurry serviceberry	7	3	-4
Redbud	5	0	-5



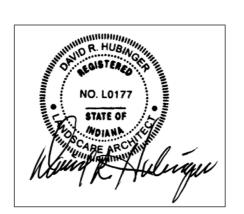


BASIC WETLAND BASIN MIX (WP5) W/ NAG S 150 EROSION

CONTROL BLANKET

This Drawing and Design is the Property of Hubinger Landscaping Corp. and is not to be reproduced or used without the permission of Hubinger Landscaping Corp.

Stand alone trees and Landscape Areas to have Shredded Hardwood Bark Mulch 3" Deep w/ Pre-emergent herbicide and have spade dug edge.



	Revised	5/2/22
	Revised	1/28/22
	Revised Plant Requirement Table	4/19/21
	Revised	3/30/21
	Revised	3/26/21
	Revised	3/11/21



210 East 113th Avenue Crown Point, Indiana Phone: 219-662-9911 www.hubingers.com

VALPARAISO, IN

HOLEY MOLEY SAYS "DIG SAFELY"

"IT'S THE LAW"

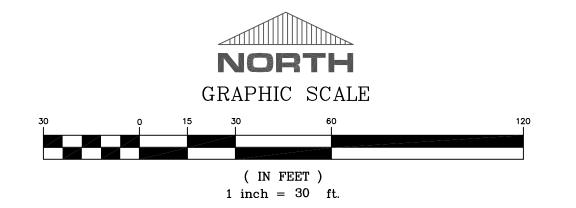
CALL 2 WORKING DAYS BEFORE YOU DIG

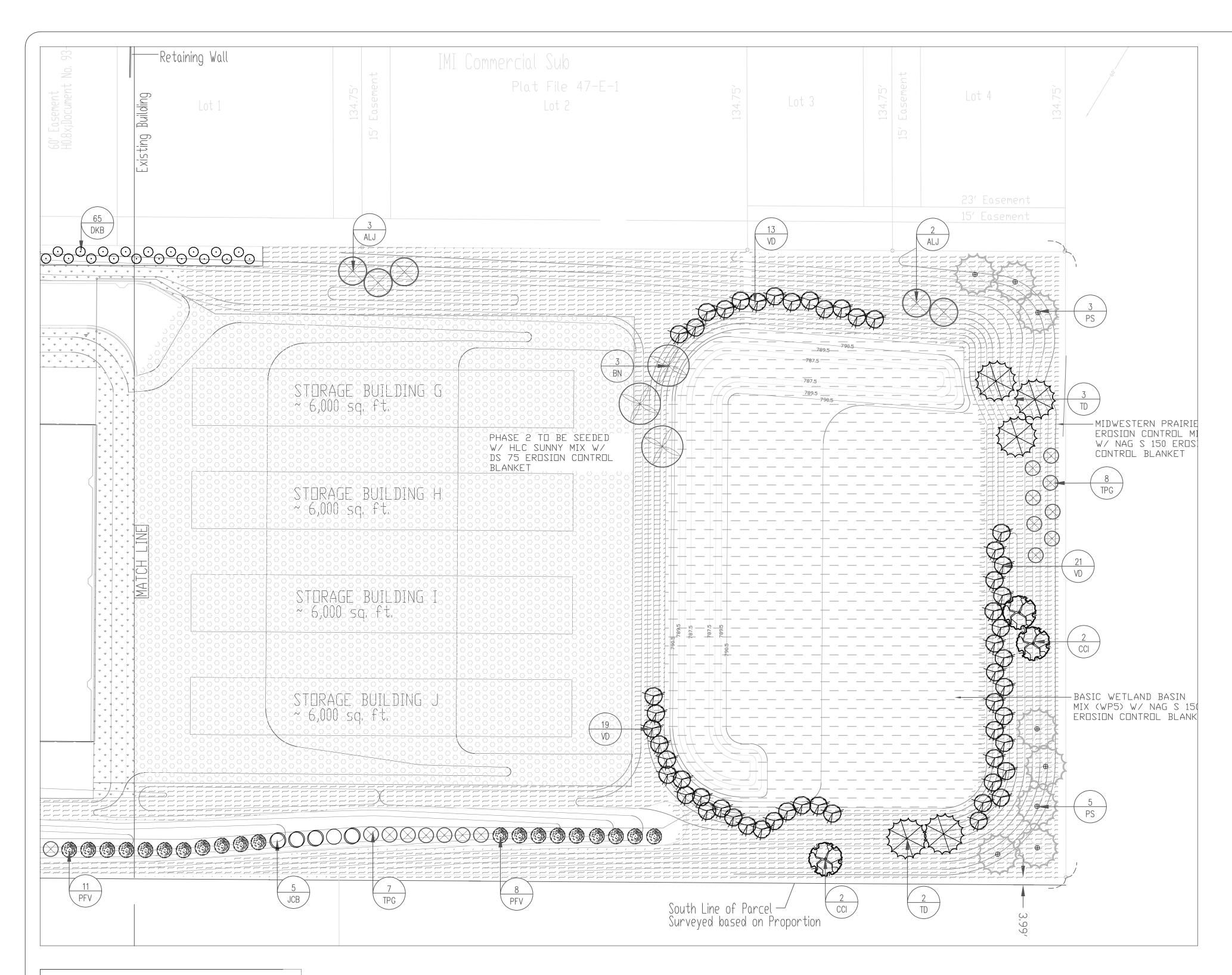
CALL 2 WORKING DAYS BEFORE YOU DIG

1-800-382-5544

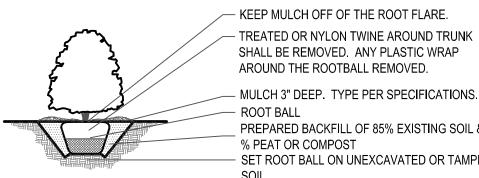
CALL TOLL FREE

PER INDIANA STATE LAW IC8-1-26.
IT IS AGAINST THE LAW TO EXCAVATE
WITHOUT NOTIFYING THE UNDERGROUND
LOCATION SERVICE TWO (2) WORKING
DAYS BEFORE COMMENCING WORK.





LAWN: HLC SUNNY MIX W/ NAG DS 75 EROSION CONTROL BLANKET PHASE 2: HLC SUNNY MIX W/NAG DS 75 EROSION CONTROL BLANKET MIDWESTERN PRAIRIE EROSION CONTROL MIX (DP2) W/ NAG S 150 EROSION CONTROL BLANKET BASIC WETLAND BASIN MIX (WP5) W/ NAG S 150 EROSION CONTROL BLANKET LOCATE ALL UNDERGROUND UTILITIES PRIOR TO DIGGING. SHRUB PIT WIDTH TO BE TWO TIMES THE WIDTH OF THE ROOT BALL. PRUNE OFF ALL DEAD, BROKEN OR SCARRED BRANCHES, AND SHAPE PRUNE AS DIRECTED BY THE LANDSCAPE ARCHITECT. LOCATE ROOT FLARE IN ROOT BALL AND SET SHRUB HEIGHT SO THAT ROOT FLARE IS FLUSH OR SLIGHTLY HIGHER THAN FINISH GRADE DEPENDING ON EXISTING SOIL CONDITIONS. WATER IN THE PLANTING MIX THOROUGHLY, WHILE KEEPING THE SHRUB PLUMB. STRAIGHTEN SHRUB IF SETTLING OCCURS. MULCH LIMITS FOR SHRUBS TO EXTEND TO ALL EDGES OF PLANTING BEDS, SEE PLANS FOR BED LAYOUTS.



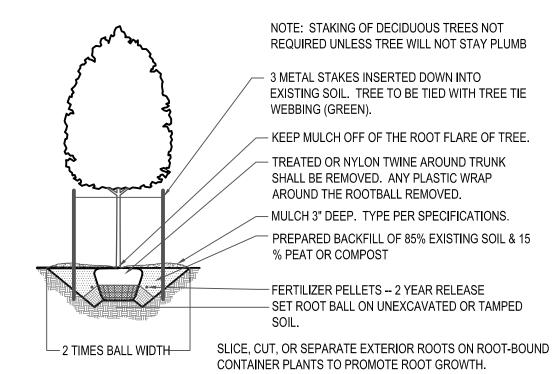
SHALL BE REMOVED. ANY PLASTIC WRAP AROUND THE ROOTBALL REMOVED. MULCH 3" DEEP. TYPE PER SPECIFICATIONS.

PREPARED BACKFILL OF 85% EXISTING SOIL & 15 % PEAT OR COMPOST SET ROOT BALL ON UNEXCAVATED OR TAMPED

SLICE, CUT, OR SEPARATE EXTERIOR ROOTS ON ROOT-BOUND CONTAINER PLANTS TO PROMOTE ROOT GROWTH.

SHRUB PLANTING DETAIL NOT TO SCALE

LOCATE ALL UNDERGROUND UTILITIES PRIOR TO DIGGING. TREE PIT WIDTH TO BE Two TIMES THE WIDTH OF THE ROOT BALL. PRUNE OFF ALL DEAD, BROKEN OR SCARRED BRANCHES, AND SHAPE PRUNE AS DIRECTED BY THE LANDSCAPE ARCHITECT. LOCATE ROOT FLARE IN ROOT BALL AND SET TREE HEIGHT SO THAT ROOT FLARE IS FLUSH OR SLIGHTLYI HIGHER THAN FINISH GRADE DEPENDING ON EXISTING SOIL CONDITIONS. WATER IN THE PLANTING MIX THOROUGHLY, WHILE KEEPING THE TREE PLUMB. STRAIGHTEN TREE IF SETTLING OCCURS.



\ DECIDUOUS & EVERGREEN TREE PLANTING DETAIL

LOCATE ALL UNDERGROUND UTILITIES PRIOR TO DIGGING. AMEND PLANTING BED SOIL WITH COMPOST PRIOR TO PLANT INSTALLATION. BED HEIGHT IS TO BE 2" ABOVE FINISH GRADE AND WELL DRAINED. MULCH LIMITS FOR PERENNIAL AND GROUNDCOVER BEDS TO EXTEND TO ALL EDGES OF



ALL BED PLANTINGS SHALL BE INSTALLED WITH PLANTS OFFSET IN A TRIANGULAR FASHION. TYPICAL SPACING, AS SPECIFIED IN THE PLANT LIST.



PERENNIALS SHALL BE PLACED WITH THEIR CENTERS NO CLOSER THAN 12" FROM EDGE OF BED. GROUNDCOVERS SHALL BE PLACED WITH THEIR CENTERS NO CLOSER THAN 6" FROM EDGE OF BED.



SECTION

- MULCH, 2" DEPTH AROUND PERENNIALS, GRASSES, AND GROUNDCOVERS.

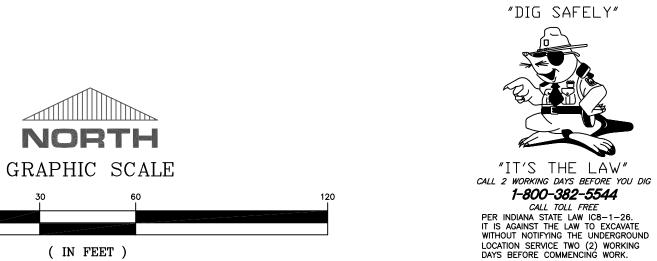
MIN. DEPTH OF 6". DO NOT COMPACT UNNECESSARILY AFTER PLANTING.

SLICE, CUT, OR SEPARATE EXTERIOR ROOTS ON ROOT-BOUND CONTAINER PLANTS TO PROMOTE ROOT GROWTH.

- MIN. 3" COMPOST ROTOTILLED INTO SOIL TO A

PERENNIAL, GROUNDCOVER, AND ANNUAL PLANTING DETAIL NOT TO SCALE

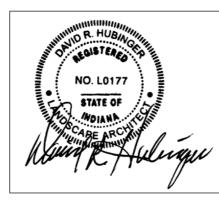
HOLEY MOLEY SAYS



( IN FEET ) 1 inch = 30 ft. This Drawing and Design is the Property of Hubinger Landscaping Corp. and is not to be reproduced or used without the permission of Hubinger Landscaping Corp.

Stand alone trees and Landscape Areas to have Shredded Hardwood Bark Mulch 3" Deep w/ Pre-emergent herbicide and have spade dug edge.

All disturbed lawn areas to be restored w/ 4" of topsoil, Seed w/ HLC Sunny Mix or approved equal w/ DS-75 Erosion Control Blanket.

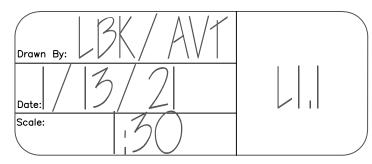


	Revised	5/2/22
	Revised	1/28/22
	Revised Plant Requirement Table	4/19/21
	Revised	3/30/21
	Revised	3/26/21
	Revisions:	3/11/21
_		



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VALPARAISO, IN



<u>Parki</u>	ng Lot											
	Calculations	Total Linear Feet (LF) or Square Feet (SF)	Large Trees Required*	Large Trees Provided	Evergreen Trees Required~	n Trees	Small Trees Required**	Trees	Large Shrubs Required^	Large Shrubs Provided	Small Shrubs Required^^	Smal Shrub Provid
	1 Large Trees/ 8 Parking Spaces	8 Parking Spaces	1	1								
	1 Shrub/ 4 Parking Spaces	8 Parking Spaces							2	2		
The P	Plant Material Below Satisfies the Requirements											
Trees			Size	Total Planted for this Section	Total Required for this Secion	Overa	ge Transferre	ed to Other	r Section	Plants T	ransferred fro	om othe
ALJ	Amelanchier laevis 'JFS-ALB'	Spring Flurry Serviceberry	1.5" TF									
	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' MS									
ARR	Acer rubrum 'Redpointe'	Redpointe Maple	2.5"									
BN	Betula nigra	River Birch	8' MS									
CC	Cercis canadensis	Eastern Redbud	5-6'									
CCI	Crataegus crus galli inermis	Thornless Cockspur Hawthorn	1.5"									
CK	Cornus kousa	Kousa Dogwood	6' MS									,
GD	Gymnocladus dioicus	Kentucky Coffee Tree	2.5"									
JCB	Juniperus chinensis 'Blue Point'	Blue Point Juniper	6'									
PFV	Pinus flexilis 'Vanderwolf'	Vanderwolf Pine	6'									
PS	Pinus strobos	White Pine	6'									
QR	Quercus rubra	Red Oak	2.5"	1	1*							
SRIS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2"									
TD	Taxodium distichum	Bald Cypress	2.5"									
TPG	Thuja plicata 'Green Giant'	Green Giant Arborvitae	6'									
Shruk	os											
AMM	Aronia macrocarpa 'Morton'	Iroquois Beauty Chokeberry	#3									
DKB	Diervilla rivularis 'SMDNDRSF'	Kodiak Black Honeysuckle Bush	#3									
SBT	Spirea betulifolia 'Tor'	Tor Spirea	#3	21	0		21 to Sec. 10					
TOL	Thuja occidentalis 'Linesville'	Linesville Arborvitae	#3	6	2		4 to Sec. 10	.301 On-Lo	t			
COS	Cephalanthus occidentalis 'Sugar Shack'	Sugar Shack Buttonbush	#3									
JCDF	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	#3									
VCSB	Viburnum carlesii 'Spice Baby'	Spice Baby Virburnum	#3	43	0	20 to Se	c. 11.306, 23	to Sec. 10.3	301 On-Lot			
VD	Viburnum dentatum	Arrowwood Viburnum	#5									
Perei												
ASB	Allium 'Summer Beauty'	Summer Beauty Allium	#1									

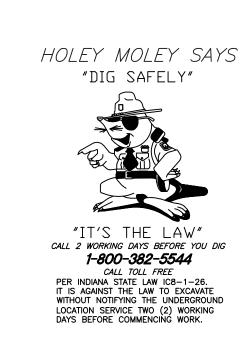
		PLANT LIST	& REQU	IKEMEN	115							
Sec 10	.402 Buffer Yard Classifications Class C											
	Calculations	Total Linear Feet (LF) or Square Feet (SF)	Large Trees Required	Large Trees Provided	Evergreen Trees Required~	n Trees	Small Trees Required	Small Trees Provided	Large Shrubs Required	Large Shrubs Provided	Small Shrubs Required	Small Shrubs Provided
	5 Large Trees/200 LF	259 LF	6	6								
	5 Small Trees/100 LF	259LF					13	13			+	+
	45 Shrubs/100 LF	259 LF					15	15			117	117
The Pl	ant Material Below Satisfies the Requirements										111/	11/
	and material percent canonics the negations			Total	Total							
				Planted	Required	Overag	ge Moved t	o Other				
				forthis	for this	0,0,0	Section	0 0 11101	Plants Ti	ransferred	I from othe	r Section
Trees			Size	Section	Secion		000000					
	Amelanchier laevis 'JFS-ALB'	Spring Flurry Serviceberry	1.5" TF									
	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' MS									
	Acer rubrum 'Redpointe'	Redpointe Maple	2.5"	3	6*							
	Betula nigra	River Birch	8' MS									
	Cercis canadensis	Eastern Redbud	5-6'									
CCI	Crataegus crus galli inermis	Thornless Cockspur Hawthorn	1.5"									
	Cornus kousa	Kousa Dogwood	6' MS									
GD	Gymnocladus dioicus	Kentucky Coffee Tree	2.5"									
JCB	Juniperus chinensis 'Blue Point'	Blue Point Juniper	6'									
PFV	Pinus flexilis 'Vanderwolf'	Vanderwolf Pine	6'	13	13**	Substitu	ute for Sma	all Trees				
PS	Pinus strobos	White Pine	6'									
QR	Quercus rubra	Red Oak	2.5"									
SRIS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2"									
TD	Taxodium distichum	Bald Cypress	2.5"									
TPG	Thuja plicata 'Green Giant'	Green Giant Arborvitae	6'									
Shrub	S											
AMM	Aronia macrocarpa 'Morton'	Iroquois Beauty Chokeberry	#3	138	117	21 For 5	Sec. 10.301	On-Lot				
DKB	Diervilla rivularis 'SMDNDRSF'	Kodiak Black Honeysuckle Bush	#3									
SBT	Spirea betulifolia 'Tor'	Tor Spirea	#3									
TOL	Thuja occidentalis 'Linesville'	Linesville Arborvitae	#3									
COS	Cephalanthus occidentalis 'Sugar Shack'	Sugar Shack Buttonbush	#3									
JCDF	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	#3									
VCSB	Viburnum carlesii 'Spice Baby'	Spice Baby Virburnum	#3									
VD	Viburnum dentatum	Arrowwood Viburnum	#5									
Peren	nial											
ASB	Allium 'Summer Beauty'	Summer Beauty Allium	#1									
ДЭБ	Amum Juniner Beauty	Janimer Bedaty Amam	1111									

		PLANT LIS	ST & REQUI	REMEN	ΓS		
Sec 10	0.407						
Pre-a	pproved by Beth						
The P	lant Material Below Satisfies the Requirements	Above					
Trees			Size	Total Planted for this Section	Total Required for this Secion	Overage Moved to Other Section	Plants Transferred from other Section
ALJ	Amelanchier laevis 'JFS-ALB'	Spring Flurry Serviceberry	1.5" TF				
AGAB	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' MS				
	Acer rubrum 'Redpointe'	Redpointe Maple	2.5"				
BN	Betula nigra	River Birch	8' MS				
CC	Cercis canadensis	Eastern Redbud	5-6'				
CCI	Crataegus crus galli inermis	Thornless Cockspur Hawthorn	1.5"				
СК	Cornus kousa	Kousa Dogwood	6' MS				
GD	Gymnocladus dioicus	Kentucky Coffee Tree	2.5"				
JCB	Juniperus chinensis 'Blue Point'	Blue Point Juniper	6'	53	64		Variance Requested Due to Existing Plant Mate
PFV	Pinus flexilis 'Vanderwolf'	Vanderwolf Pine	6'	32	64		Variance Requested Due to Existing Plant Mate
PS	Pinus strobos	White Pine	6'				
QR	Quercus rubra	Red Oak	2.5"				
SRIS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2"				
TD	Taxodium distichum	Bald Cypress	2.5"				
TPG	Thuja plicata 'Green Giant'	Green Giant Arborvitae	6'	38	82		Variance Requested Due to Existing Plant Mate
Shrub	os						
AMM	Aronia macrocarpa 'Morton'	Iroquois Beauty Chokeberry	#3				
DKB	Diervilla rivularis 'SMDNDRSF'	Kodiak Black Honeysuckle Bush	#3				
SBT	Spirea betulifolia 'Tor'	Tor Spirea	#3				
TOL	Thuja occidentalis 'Linesville'	Linesville Arborvitae	#3				
COS	Cephalanthus occidentalis 'Sugar Shack'	Sugar Shack Buttonbush	#3				
JCDF	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	#3				
VCSB	Viburnum carlesii 'Spice Baby'	Spice Baby Virburnum	#3				
VD	Viburnum dentatum	Arrowwood Viburnum	#5				
Perer	nnial						
ASB	Allium 'Summer Beauty'	Summer Beauty Allium	#1				

Sec. 1	0.301 On Lot Landscaping											
	Calculations	Total Linear Feet (LF) or Square Feet (SF)	Large Trees Required*	Large Trees Provided	Evergreen Trees Required~	Evergr een Trees Provid	Small Trees Required **	Small Trees Provided	Large Shrubs Required	Large Shrubs Provided	Small Shrubs Required^^	Small Shrubs Provided
	2 Large Trees/acre	8 acres	16	16								
	4 Small Trees/acre	8 acres					32	32				
	35 Shrubs/acre	8 acres									280	280
	lant Material Below Satisfies the Requirements			1								
rees			Size	Total Planted for this Section	Total Required for this Secion		rage Transf Other Sect		Plar	nts Transfe	rred from oth	er Section
ALJ	Amelanchier laevis 'JFS-ALB'	Spring Flurry Serviceberry	1.5" TF	6	14**				Variance F	Requested	Due to Existii	ng Plant Materia
	Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' MS									
	Acer rubrum 'Redpointe'	Redpointe Maple	2.5"	0	5*				Variance F	Requested	Due to Existii	ng Plant Materia
BN	Betula nigra	River Birch	8' MS	3	6*							ng Plant Materia
CC	Cercis canadensis	Eastern Redbud	5-6'	0	8**							ng Plant Materia
CCI	Crataegus crus galli inermis	Thornless Cockspur Hawthorn	1.5"	3	6**							ng Plant Materia
CK	Cornus kousa	Kousa Dogwood	6' MS	4	4**							
GD	Gymnocladus dioicus	Kentucky Coffee Tree	2.5"									
СВ	Juniperus chinensis 'Blue Point'	Blue Point Juniper	6'									
PFV	Pinus flexilis 'Vanderwolf'	Vanderwolf Pine	6'									
PS	Pinus strobos	White Pine	6'	0	0	1	0 for Sec. 1	1.306	Variance F	Requested	Due to Existii	ng Plant Materia
QR	Quercus rubra	Red Oak	2.5"									
RIS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2"									
ΓD	Taxodium distichum	Bald Cypress	2.5"	5	5*							
ΓPG	Thuja plicata 'Green Giant'	Green Giant Arborvitae	6'									
hrub	S S											
MM	Aronia macrocarpa 'Morton'	Iroquois Beauty Chokeberry	#3							21	From 10.402	
	Diervilla rivularis 'SMDNDRSF'	Kodiak Black Honeysuckle Bush	#3	86	86					21	From 10.402	
ВТ	Spirea betulifolia 'Tor'	Tor Spirea	#3							36	From 10.402	
OL	Thuja occidentalis 'Linesville'	Linesville Arborvitae	#3								om Parking Lo	ot
COS	Cephalanthus occidentalis 'Sugar Shack'	Sugar Shack Buttonbush	#3							4 Fro	m Parking Lo	t
CDF	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	#3								_	
/CSB	Viburnum carlesii 'Spice Baby'	Spice Baby Virburnum	#3							23 Fr	om Parking Lo	ot
/D	Viburnum dentatum	Arrowwood Viburnum	#5	89	89^							

		PLANT LIS		•								
Sec 11	306 Development Standards for Other Signatu	re Corridors										
	Calculations	T-4-11:	Large Trees Required*	Large Trees Provided	Evergreen Trees Required^	n Trees	Small Trees Required**	Small Trees Provided	Large Shrubs Required^	Large Shrubs Provided	Small Shrubs Required^^	Sma Shru Provid
	4 Shade Trees/100 LF of Frontage	Total Linear Feet (LF) or Square Feet (SF)  330 LF	13	13								
	3 Evergreen Trees/100 LF of Frontage	330 LF	15	15	10	10						
	4 Ornamental Trees/100 LF of Frontage	330 LF			10	10	13	13				
	6 Large Shrubs/100 LF of Frontage	330 LF					15	15	19	19		
	10 Small Shrubs/100 LF of Frontage	330 LF							13	1.9	33	4
The Di	ant Material Below Satisfies the Requirements										33	1 4
ne P	ant material below satisfies the requirements	ADOVE		Total	Total							
				Planted								
				for this	Required for this	Overage I	Moved to Oth	er Section	Plants T	ransferrec	I from other S	Sectio
rees			Size	Section	Secion							
iees	Existing Trees		3126	5 Section	5ecion 5*							
	Amelanchier laevis 'JFS-ALB'	Spring Flurry Serviceberry	1.5" TF	J	)							
\L	Amelanchier raevis JFS-ALB  Amelanchier grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' MS	5	5**							
	Acer rubrum 'Redpointe'	•	2.5"	4	4*							
ARR		Redpointe Maple River Birch	8' MS	4	4.							
BN	Betula nigra Cercis canadensis	Eastern Redbud	5-6 <sup>1</sup>									
CC				-	5**							
CCI	Crataegus crus galli inermis	Thornless Cockspur Hawthorn	1.5"	5		4.1						
CK	Cornus kousa	Kousa Dogwood	6' MS	4	0	4 to	Sec. 10.301 O	1-LOT				
GD	Gymnocladus dioicus	Kentucky Coffee Tree	2.5"	2	2*							
CB	Juniperus chinensis 'Blue Point'	Blue Point Juniper	6'									
PFV	Pinus flexilis 'Vanderwolf'	Vanderwolf Pine	6'									
	Pinus strobos	White Pine	6'	8	8							
QR	Quercus rubra	Red Oak	2.5"	2	2*							
SRIS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2"	3	3**							
D	Taxodium distichum	Bald Cypress	2.5"									
	Thuja plicata 'Green Giant'	Green Giant Arborvitae	6'									
hrub		T	T	I	I -	T -			I			
	Aronia macrocarpa 'Morton'	Iroquois Beauty Chokeberry	#3	46	0	46 to	Sec. 10.301 O	n-Lot				
OKB	Diervilla rivularis 'SMDNDRSF'	Kodiak Black Honeysuckle Bush	#3		_							
BT	Spirea betulifolia 'Tor'	Tor Spirea	#3	35	33	2 to	Sec. 10.301 O	n-Lot				
OL	Thuja occidentalis 'Linesville'	Linesville Arborvitae	#3									
cos	Cephalanthus occidentalis 'Sugar Shack'	Sugar Shack Buttonbush	#3	22	0		Sec. 10.301 O					
CDF	Juniperus chinensis 'Daub's Frosted'	Daub's Frosted Juniper	#3	6	0	6 to	Sec. 10.301 O	n-Lot				
	Viburnum carlesii 'Spice Baby'	Spice Baby Virburnum	#3							20^ From	Parking Lot	
/D	Viburnum dentatum	Arrowwood Viburnum	#5		1							

- \* Large Trees
- \*\* Small Trees
- ~ Evergreen Trees
- ^ Large Shrubs ^^ Small Shrubs

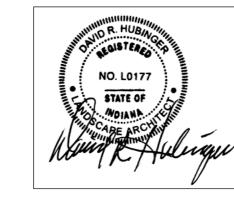


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Notes:

Stand alone trees and Landscape Areas to have Shredded Hardwood Bark Mulch 3"
Deep w/ Pre-emergent herbicide and have spade dug edge.

All disturbed lawn areas to be restored w/ 4" of topsoil, Seed w/ HLC Sunny Mix or approved equal w/ DS-75 Erosion Control Blanket.



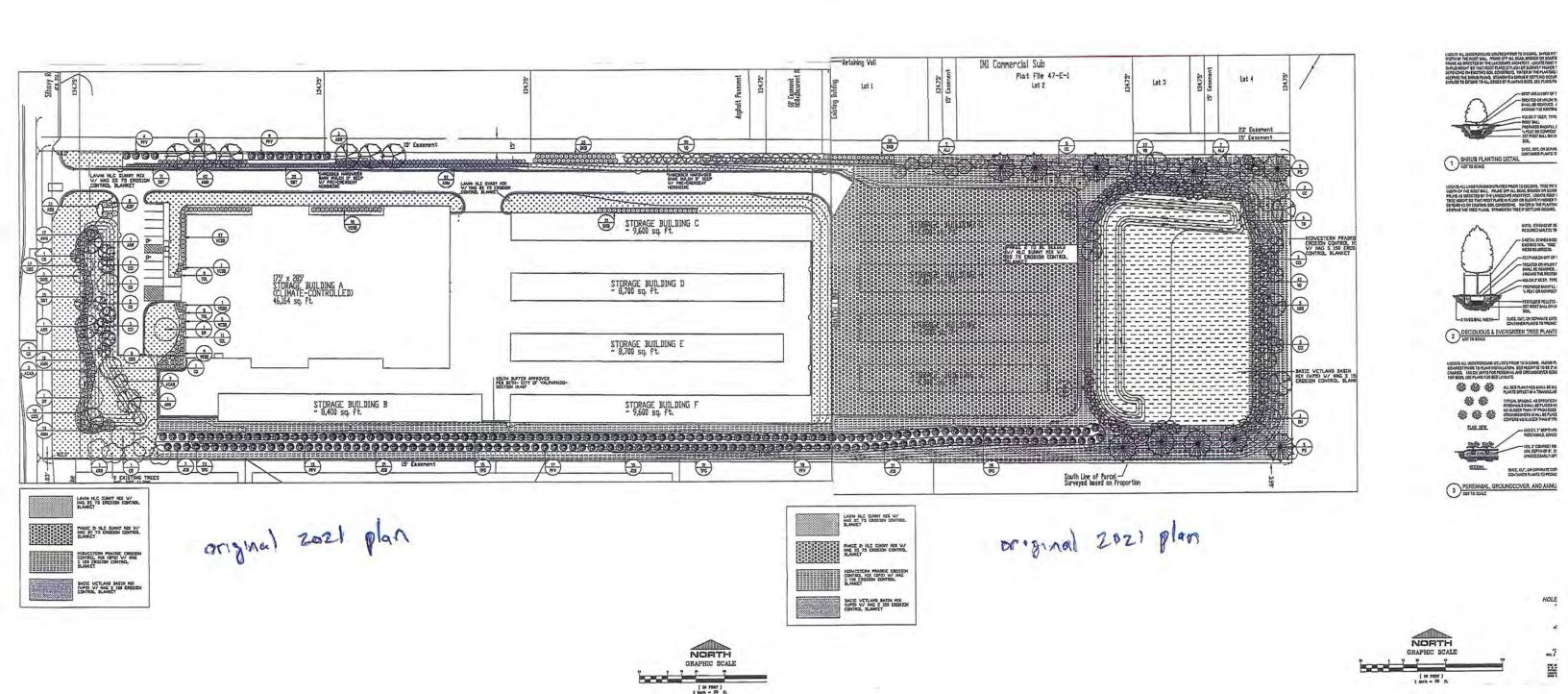
Revised	5/2/22
Revised	1/28/22
Revised Plant Requirement Table	4/19/21
Revised	3/30/21
Revised	3/26/21
Revisions:	3/11/21

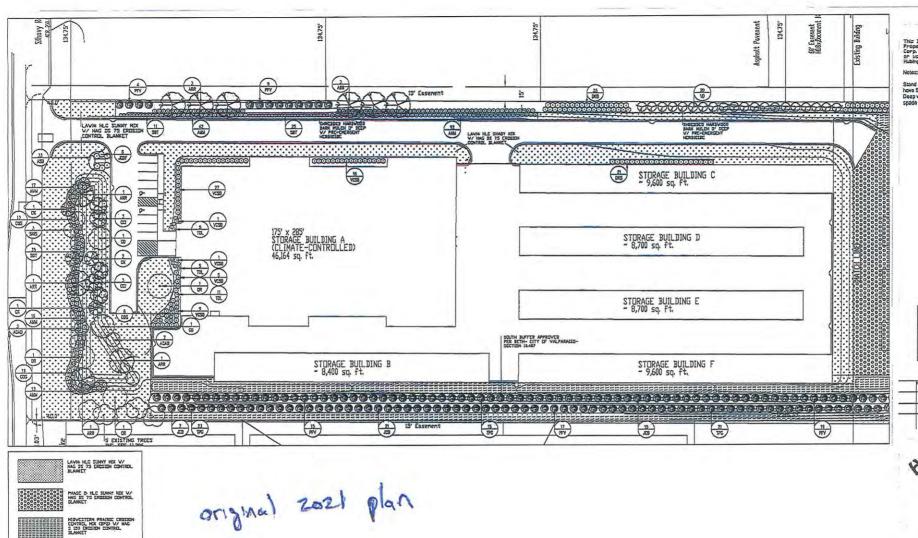


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604 SILHAVY ROAD VALPARAISO, IN







BASIC VETLAND BASIN MEX CVPD V/ NAG S 150 ERDSIGN CONTROL BLANKET

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Stand atone trees and Landscape Areas to have Shredded Hardwood Bark Mulch 3\* Deep w/ Pre-emergent herbicide and have spade dug edge,



Revised Plant Requirement Table	4/19/21
Revised	3/30/20
Revised	3/28/21
Revised	3/11/21

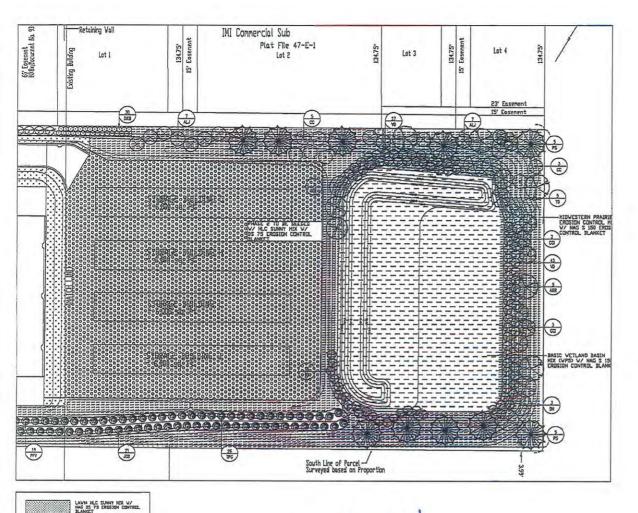


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604 SILHAVY ROAD VALPARAISO, IN







original 2021 plan

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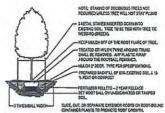
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DECIDUOUS & EVERGREEN TREE PLANTING DETAIL
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3 PERENNIAL, GROUNDCOVER, AND ANNUAL PLANTING DETAIL

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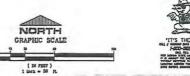
Revised Plant Requireme	mt 4/19/21
Revised	3/30/21
Revised	3/20/21
Revisions	3/11/21



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604 SILHAVY ROAD VALPARAISO, IN





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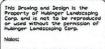
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Reduced Quanty



Stand alone trees and Landscape Areas to have Shredded Hardwood Bark Mush 3" Deep w/ Pro-emergent herbicide and have spade dug edge.

All disturbed fawn areas to be restored wi 4\* of topsoll, Seed w/ MLC Suriny Mix or approved equal w/ DS-75 Erosion Centrol Blanket.



	Revised	1/28/22
	Revised Plant Requirement Table	4/19/21
/	Revised	3/30/21
	Revised	3/26/21
Ţ	Revisions:	3/11/21



210 East 113th Avenue Crewn Paint, Indiana Phone: 219-662-9911

604 SILHAVY ROAD VALPARAISO, IN

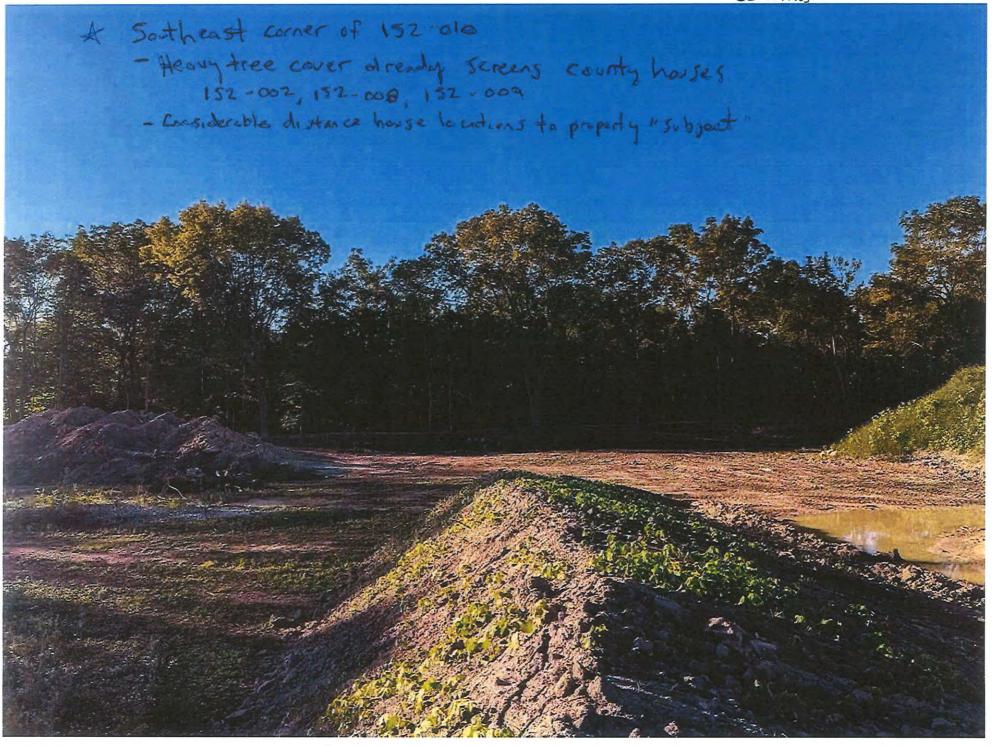


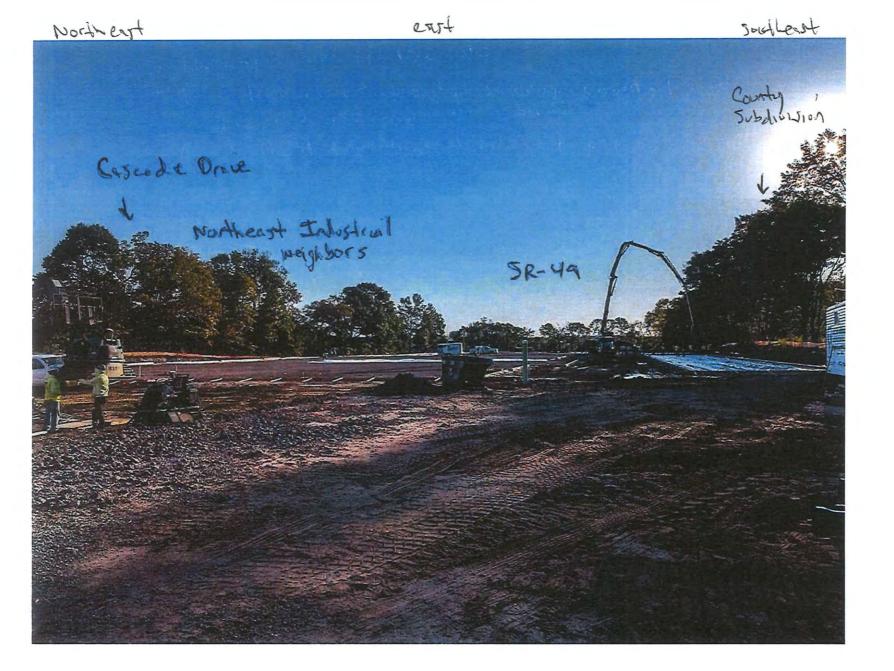
HOLEY MOLEY SAYS

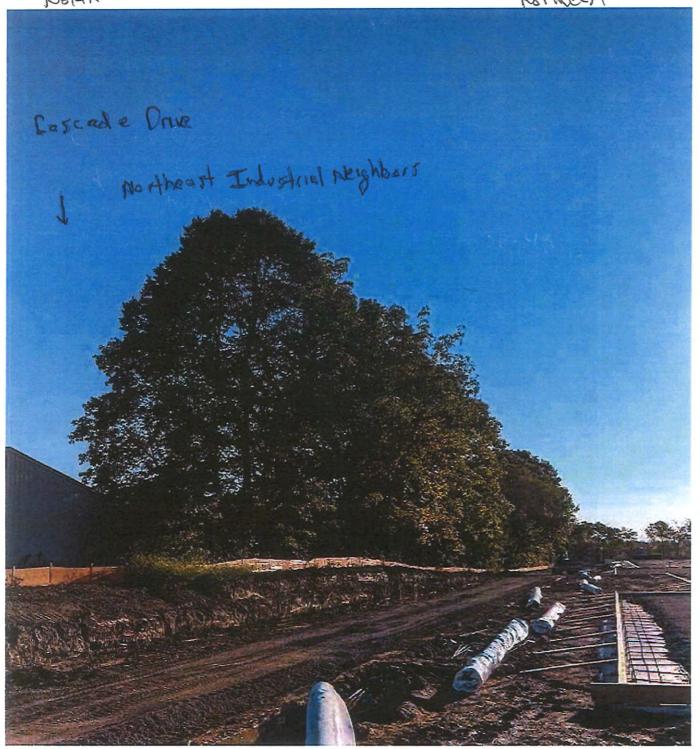
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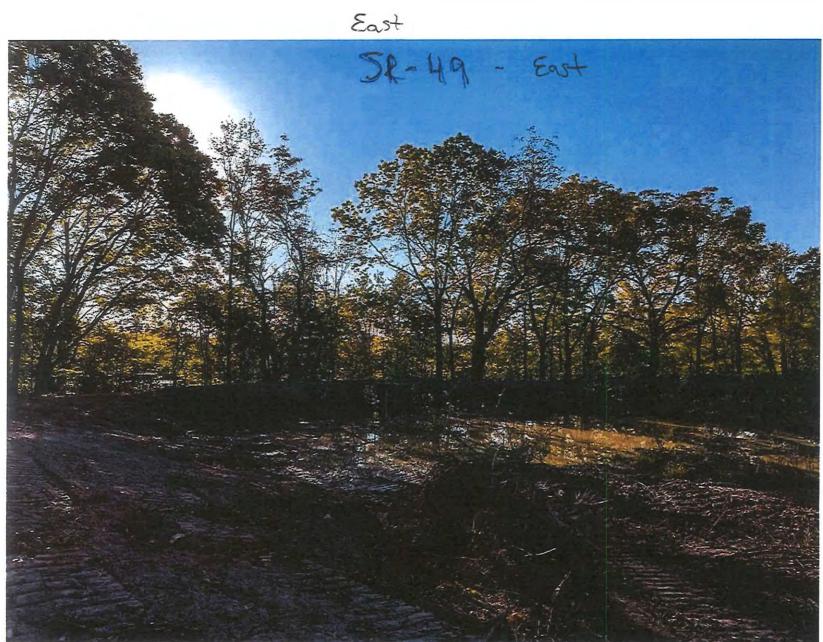


Southeast

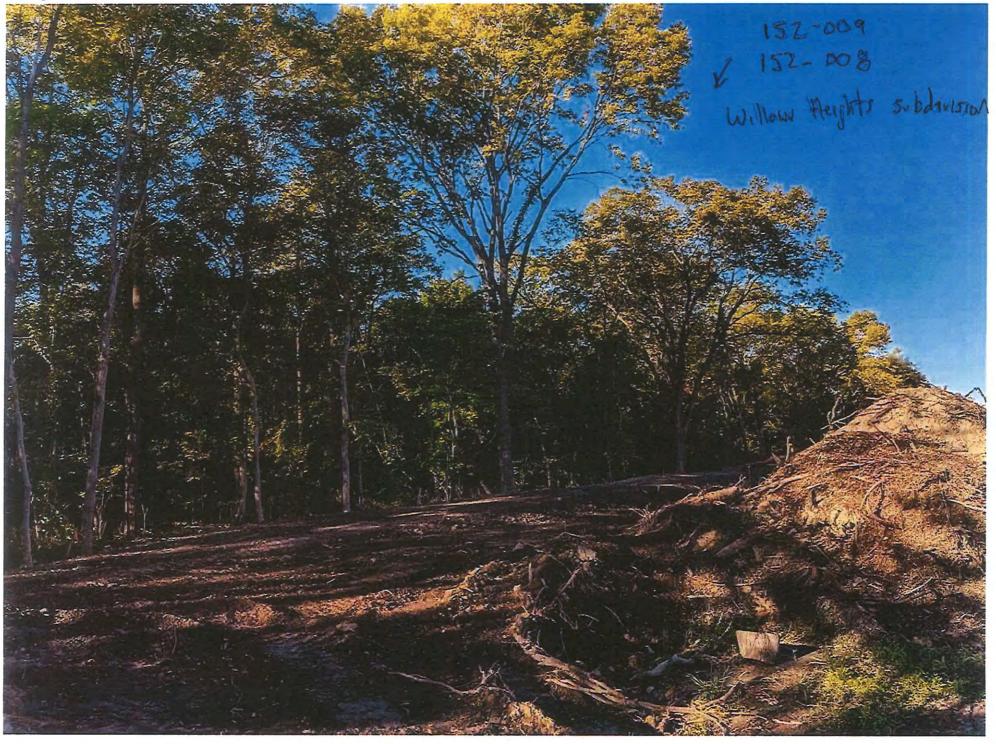




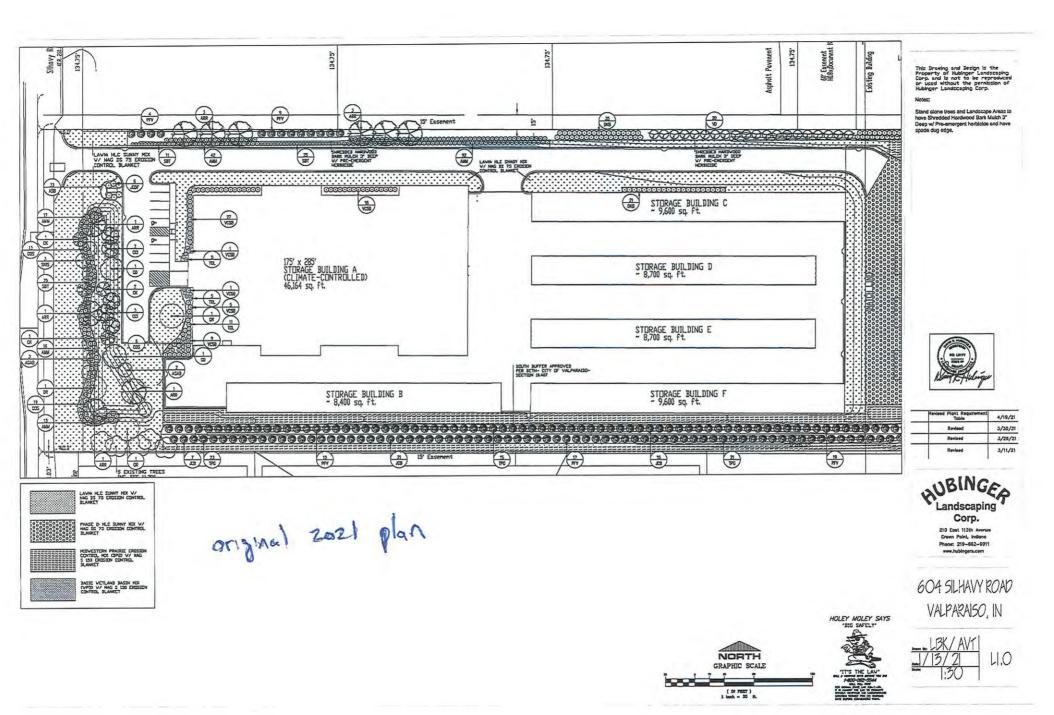


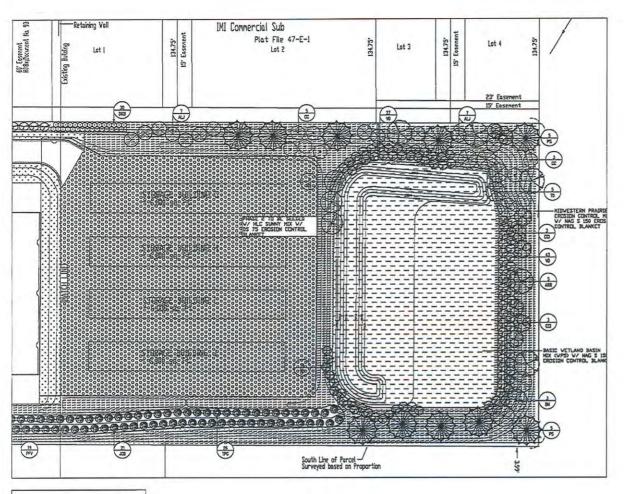


Southerst South









LAVIN HLC SUNNY HIX V/ HAG 35 75 CRESSON CONTROL BLANKET

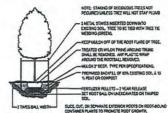
original Zozi plan



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DECIDUOUS & EVERGREEN TREE PLANTING DETAIL
NOT TO SOALE

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TYPICAL SPACING AS SPECEED IN THE PLANT LIST.

PLAN MEN

3 PERENNIAL, GROUNDCOVER, AND ANNUAL PLANTING DETAIL

Stand alone trees and Landscape Areas to have Shradded Hardwood Bark Mulch 3\*\* Deep w/ Pre-emergent herbicide and have spade dug edge.

All disturbed lawn areas to be restored w/ 4" of topsoll, Seed w/ HLC Sunny Mix or approved equal w/ DS-75 Erosion Control Blanket.

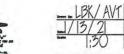


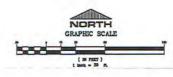
	Revised Plant Requirement Table	4/19/2
	Revised	3/30/2
Ξ	Revised	3/25/2
	Revisions:	3/11/2



210 East 115th Avenue Crown Point, Indiana Phone: 219-652-9911

604 SILHAVY ROAD VALPARAISO, IN







HOLEY MOLEY SAYS

		PLANT US	T & REQ	UIREM	ENTS							
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MN CC	Betyla nijeci Cercis conscensis	Alwer Rich Colors Redbud	2.6	-	1	-			-			
CCI	Crotangus crus galli inavnis	Therniess Cockspur Heathorn	11.5			1						
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OR	Quercus rutera	and Cair	2.5"			1						
545	Syringa reticulata Supry Sills*  Torontium distinsum	leary Silk Tree Utac	2.5			-			-			
TNG	Thuja plicata 'Creen Gient'	Bald Cypness Genes Guest Arbanestan	e	112	10	1						
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\*\* Small Trees
\*\* Small Trees
\*\* Evergreen Trees
\*\* Large Shrubs
\*\* Small Shrubs

05 Jun 1 8/20 2021

Stand alone trees and Landscape Areas to have Shredded Hardwood Bark Muich 3" Deep w/ Pre-emergent herbicide and hove spade dug edge.

All disturbed lawn areas to be restored w/ 4\* of topsoil, Seed w/ HLC Sunny Mix or approved equal w/ DS-75 Erosion Control Blanket.



П	Revised Plant Regulrement Table	4/19/2
	Revised	3/30/2
	Revised	3/25/2
Т	Revisions:	3/11/2

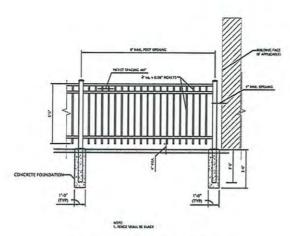


210 East 113th Avenue Crown Point, Indiana Phone: 219-862-9911 www.hubingers.com

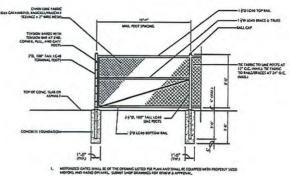
604 SILHAVY ROAD VALPARAISO, IN



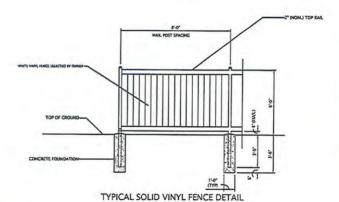
HOLEY MOLEY SAYS



TYPICAL WROUGHT IRON FENCE DETAIL



TYPICAL CHAIN LINK FENCE DETAIL



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Atwater Group
162 W. Grand Avenue, #300
Chicago, Illinois 60654

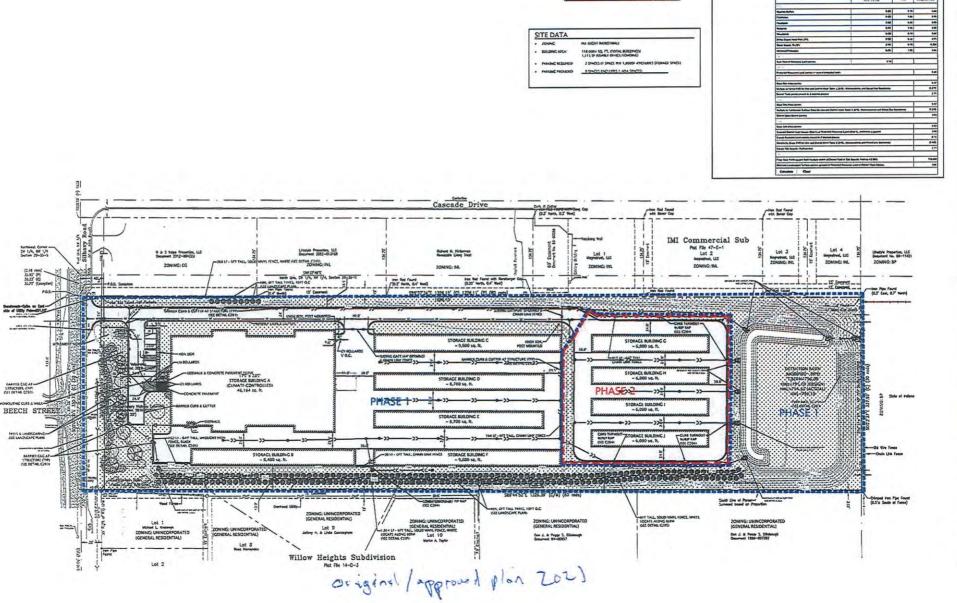


VALPO SELF STORAGE FACILITY

NO SCALE

COPPRIGHT 2917 DNC SIAM, NC SIGN BY DATE RJP 01/11/21 RECT NO. 20-1045

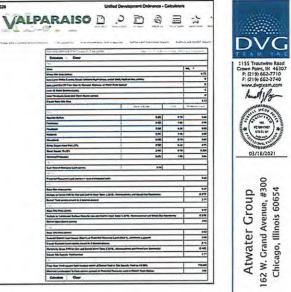
C205



LEGEND

TOTAL LOT AREA (PH1 & PH2)

Total Lot Area (sq. ft.)



VALPO SELF STORAGE FACILITY Phasing Plan & Overall Site Plan

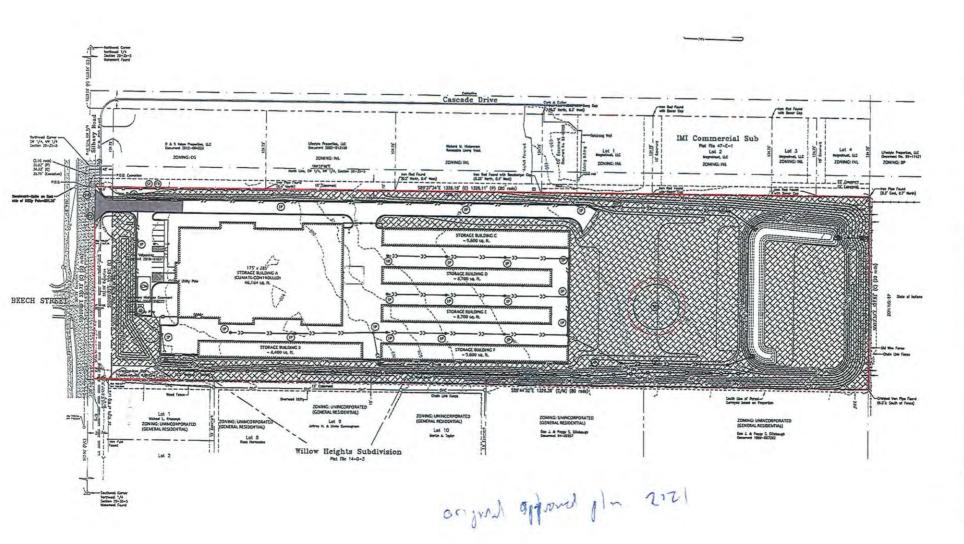
OCONFECITION DATE

RIP 01/11/21

TRIBECT NO.

20-1045 C103 TOTAL DISTURBANCE AREA = 9.72 ac

LEGEND STREET SWEETS 1 0 CONCRETE (3) (3) WASHOUT 90 ONLY CONCRETE WASHOUT SIGNAGE





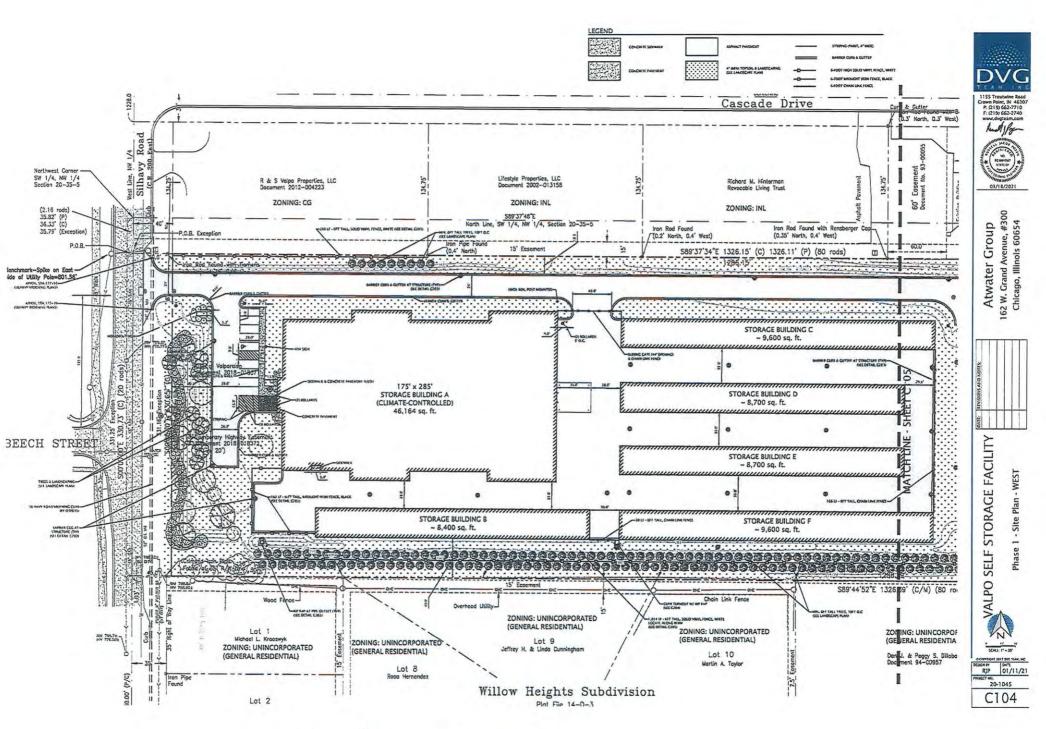


Atwater Group 162 W. Grand Avenue, #300 Chicago, Illinois 60654

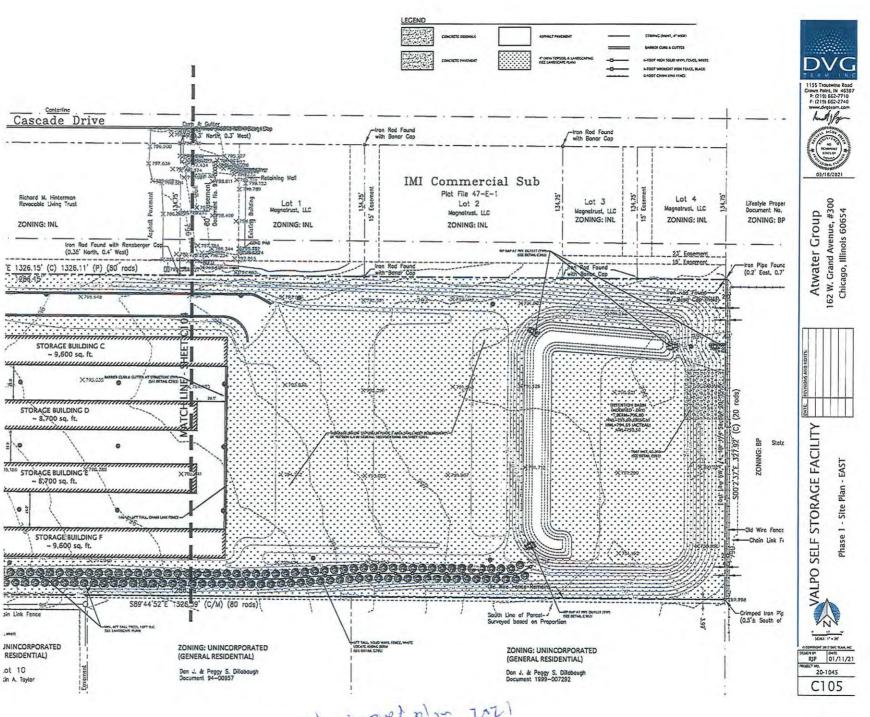


VALPO SELF STORAGE FACILITY

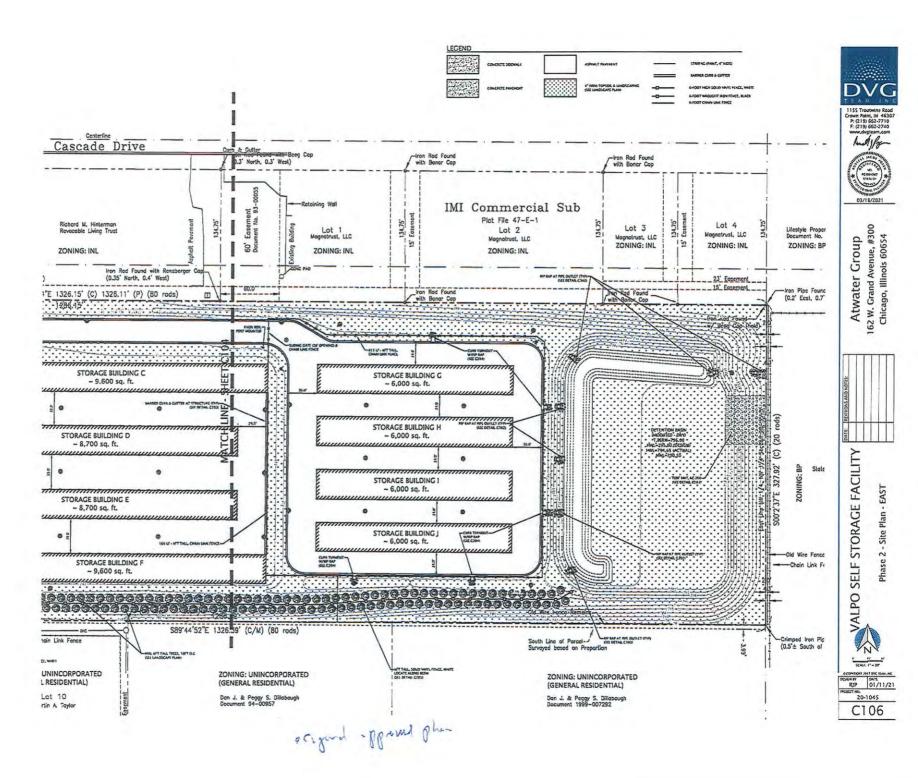
20-1045 C113



organilapproved plan 2021



order - About by Mrs



Previous Viruence - 2021 - Thx!

# VALPARAISO BOARD OF ZONING APPEALS FINDINGS OF FACT FOR VARIANCE FROM DEVELOPMENT STANDARDS

The Cit	y of Valparaiso Board of Zoning Appeals now makes the following Findings of Fact in support of its proval or denial of the following Petition for Variance from Development Standards:
Name o	of Petitioner: David L. Soto, National Retail Development, LLC Site Address: 604 Silhavy
	te to Ordinance Provision: Article 9, Section 9.403 (B), Table 9.403 (B)
	ticle 11, Section 11.502 (B)(1)
1.	That the proposed use will will not be injurious to the public health, safety, morals and general welfare of the community.  Other specific findings: See attached proposed findings of fact from petitioner.
2.	That the use and value of the area adjacent to the property will will not be affected in a substantially adverse manner.
	Other specific findings: See attached proposed findings of fact from petitioner.
3.	That strict application of the terms of the ordinance will will not result in practical difficulties in the use of the property.  Other specific findings: See attached proposed findings of fact from petitioner.
<b>√</b> Арј	proved / Denied by a vote of 4 to 0 on the 21 day of October 2020
	al based on the following contingencies: he fencing to the south is at least 8' above grade with a combination of berming and a 6'
fence.	
De	ine Worstell
-	Vorstell, Member  Attest:  Attest:

Beth Shrader, Planning Director