



## LAPORTE COUNTY BOARD OF ZONING APPEALS

Government Complex 5th Level  
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ANNEMARIE POLAN  
Building Commissioner

Dear Members:

Regular Meeting of the La Porte County Board of Zoning Appeals was held Tuesday, **July 19<sup>th</sup>, 2016 at 6:00 p.m.** in the Assembly Room of the County Complex.

MEMBERS PRESENT:      Melissa Mullins Mischke      Dwayne Hogan  
                                 Candice Nelson                      Glen Minich  
                                 Wally Pritz

Dwayne Hogan asked for a motion for the minutes of May 17<sup>th</sup>, 2016.

Melissa Mullins Mischke made a motion to approve the meeting minutes of June 21<sup>st</sup>, 2016 as presented. Wally Pritz seconded.

Dwayne Hogan asked if there are any questions, comments, or concerns from the board.

All approved. Motion carried 5-0.

**1. The Petition for a Variance of Use for Mary Hiteman (Seller) & Patrick Dolan (Buyer) to operate two businesses in an existing commercial building in residential zoning. Mr. Dolan's business will be cutting and packaging filtration material, and the second business, TC Welding, the space of which is leased within the same building will be welding and fabricating. This property is located N. of 2966 S. US 35, La Porte, IN, Scipio Twp., zoned R1A. (A former petition was tabled from the May 17<sup>th</sup>, 2016 meeting due to insufficient notice, and should be dismissed, as this new petition has been submitted to include the "leased" business.**

Attorney Biege said that notice is adequate.

Dwayne Hogan asked for name and address for the record.

Patrick Dolan, 9099 S. 250 E, Hamlet, Indiana 46532.

Dwayne Hogan asked Mr. Dolan what he would like to do this evening.

Mr. Dolan said that they're applying for a variance for commercial use on a property that is currently zoned residential. Mr. Dolan said that he has a cutting, packaging and filtration business and in the back portion of the building he wants to lease that to a local business person for a welding business.

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7-19-2016

Melissa Mullins Mischke told Mr. Dolan that she thinks that we tabled this because we were concerned about the easement and lot F on your plan.

Mr. Dolan said that there are currently three lots that consume the building in question and the real estate office thought that one of the properties adjoined that and we disagreed with that.

Glen Minich said lot F actually runs into the home. Glen asked Mr. Dolan if he owns that home.

Mr. Dolan stated no. Mr. Dolan said that the property is currently split --- there are actually five parcels there that he purchased -- the three parcels that consume the commercial property do not associate with the residence.

Dwayne Hogan asked how many employees.

Mr. Dolan said he has one part time employee two days a week and TC Welding has been in business for ten years and they have not employed more than two people at any given time.

Dwayne Hogan asked about hours of operation.

Mr. Dolan said it would be 8:00 a.m. to 5:00 p.m. Monday through Friday with occasional Saturdays.

Melissa Mullins Mischke asked Mr. Dolan if Saturday would be by appointment only.

Mr. Dolan stated correct.

Melissa Mullins Mischke asked Mr. Dolan if we talked about a sign.

Mr. Dolan said we did not. Mr. Dolan said there is currently a foundation from the previous John Deere sign that was on their property and it will probably be utilized.

Dwayne Hogan asked the size of the base.

Mr. Dolan said it's approximately seventy two (72') inches by thirty (30') inches.

Dwayne Hogan asked if the sign is going to have lights.

Mr. Dolan said he might use solar lighting.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition No. 1.

Dwayne Hogan asked if there are any further questions or concerns from the board.

Glen Minich said we have to understand that they're doing two different businesses here. Glen asked if there are going to be two different signs.

Mr. Dolan said only for the welding business.

Glen said he was at that building when it was John Deere. Glen asked if the welding shop would be using the whole rear of that building and the front would be used by Mr. Dolan.

Mr. Dolan said that there is a front show room in that building and that is the space he intends to utilize and then the rear would be the welding business.

Glen Minich asked if there would be any storage outside.

Mr. Dolan said there wouldn't be any storage stored outside. Mr. Dolan said that agricultural equipment would come and go.

Dwayne Hogan asked if there are any other questions.

Glen Minich asked if we should speak to the owner of the welding business.

Dwayne Hogan asked for name and address for the record.

Bernard Metcalf, 366 W. 450 N., La Porte, Indiana.

Dwayne Hogan asked Mr. Metcalf if he would be in charge of leasing the welding part of this business.

Mr. Metcalf stated yes.

Dwayne Hogan asked Mr. Metcalf his hours of business.

Mr. Metcalf said basically 7:00 a.m. to 5:00 p.m. Mr. Metcalf said it's an agricultural business and he could be called out Saturday or Sunday because he also has road service. Mr. Metcalf said if he's there on the weekend, it's an emergency.

Melissa Mullins Mischke asked if it's 7:00 a.m. to 5:00 p.m. Monday through Saturday and Sunday by appointment only.

Mr. Metcalf stated yes.

Melissa Mullins Mischke asked Mr. Metcalf what size sign he thinks would be adequate.

Mr. Metcalf said probably a 4x8.

Mr. Hogan asked Mr. Metcalf if he's going to put a light on it.

Mr. Metcalf said probably not.

Mr. Metcalf said that the equipment can be hid in the back of the building and it comes and goes.

Dwayne Hogan told Mr. Metcalf to make sure that the address is on the building for emergency vehicles.

Mr. Metcalf said Jeff Hamilton will come out and look at the safety stuff for his gas.

Dwayne Hogan asked if there is anything else from the board.

Melissa Mullins Mischke made a motion for the Petition for a Variance of Use for Mary Hiteman and Patrick Dolan to operate two businesses in an existing commercial building in residential zoning be granted for the property located at 2966 S. US 35, La Porte, Scipio Twp, zoned R1A with the fabrication and welding hours of operation from 7:00 a.m. to 5:00 p.m. Monday through Saturday and Sunday by appointment, with a 4x8 unlit sign. The hours of operation for the business for packaging from 8:00 a.m. to 5:00 p.m. Monday through Friday and Saturday by appointment.

Candice Nelson seconded.

Dwayne Hogan asked if there are any other questions, comments, or concerns.

Glen Minich said just for a clarification for Mr. Dolan. Glen told Mr. Dolan that if his lessee would change to another business he would have to come back and ask for a new variance.

All approved. Motion carried 5-0.

**2. The Petition for Variance of Developmental Standards for James Lemmon and Laura Lemmon** to construct a second home on this parcel to take care of father. This property is located at 10414 W. 200 S., Westville, New Durham Twp., zoned R1A on 8.39 acres. (This matter was postponed to the July 19<sup>th</sup>, 2016 meeting.)

Attorney Biege said notice is adequate.

Dwayne Hogan asked for name and address for the record.

Laura Lemmon, PO Box 596, Westville, Indiana.

Dwayne Hogan asked Mr. Lemmon what she would like to do this evening.

Ms. Lemmon said she wants to petition or a variance to build a home on her father's property.

Dwayne Hogan asked Ms. Lemmon who the home is going to be for.

Ms. Lemmon said for herself.

Melissa Mullins Mischke asked Ms. Lemmon if she plans on splitting any land off to make this home, or is the property going to stay intact.

Ms. Lemmon said whatever needs to be done.

Dwayne Hogan asked for name and address for the record.

James Lemmon, 10414 W. 200 S., Westville, Indiana.

Ms. Lemmon said they want to add a second home onto this property.

Glen Minich asked if his property has been legally subdivided previously, or is it just a private road that has four residences on it.

Ms. Lemmon stated correct.

Dwayne Hogan asked Ms. Lemmon what kind of a home she is planning on putting on this property.

Ms. Lemmon said a modular.

Dwayne Hogan asked if it's a modular, or trailer.

Ms. Lemmon said it is a modular.

Dwayne Hogan asked if it would have its own well and septic.

Ms. Lemmon stated yes.

Melissa Mullins Mischke said she's looking at Beacon and wonders why it isn't going into a minor subdivision.

Annemarie Polan, Building Commissioner, said that she can't tell all those other people to do that; they came for a variance and that's what they're asking for. They aren't asking to do that.

Melissa Mullins Mischke said she's not inclined to approve this.

Annemarie Polan, Building Commissioner, told Melissa whatever she you decides, but that's what they want to do.

Ms. Lemmon said if they were to have a subdivision it has to do with a homeowner's association and there is one neighbor up there that doesn't want to be a part of a homeowner's association.

Annemarie Polan, Building Commissioner, said she's probably not going to get all those people to agree. Annemarie asked Ms. Lemmon how long they have been there.

Ms. Lemmon said twenty years.

Annemarie Polan, Building Commissioner, said they asked for the variance and that's why they're here.

Glen Minich said only one is not family.

Attorney Biege said you're not going to subdivide preexisting lots anyway.

Melissa Mullins Mischke asked who maintains the road currently.

Mr. Lemmon said that they maintain the road and everyone chips in.

Board members speaking amongst themselves.

Melissa Mullins Mischke said this is one of those areas that we've done it in the past, but it's a practice she's inclined to continue.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition No. 2.

Dwayne Hogan asked if there are any other questions, comments, or concerns from the board.

Dwayne Hogan asked how the taxes are paid.

Ms. Lemmon said per home.

Board members speaking amongst themselves.

Glen Minich asked who owns the road.

Melissa Mullins Mischke said everyone maintains the road, except the one homeowner.

Ms. Lemmon said they own the road.

Attorney Biege asked if that parcel is a separate piece of real estate.

Mr. Lemmon said that there is an easement.

Attorney Biege said we're asking for a second home on a parcel that has an easement. Attorney Biege said if we divide the property any further, we would land lock the new home.

Board members speaking amongst themselves.

Annemarie Polan, Building Commissioner, asked isn't that written in the deed somewhere. Annemarie said they would know that before they bought it.

Dwayne Hogan asked if this is going to have its own driveway and garage.

Ms. Lemmon said it will have its own driveway, but she isn't going to have a garage.

Glen Minich asked attorney Biege if they could do a subdivision off an easement.

Attorney Biege said it would be subject to the subdivision rules and they're way off.

Dwayne Hogan asked the pleasure of the board.

Ms. Lemmon said when they bought this property twenty years ago it was all family and they all pretty much agreed what they were going to do. Ms. Lemmon said those people came in when she got divorced and now that she moved back, she just wants to move back and maintain this as she always has.

Dwayne Hogan asked what happens in ten years.

Candice Nelson wanted to know what the big issue is.

Annemarie Polan told Candice it should have been a subdivision in the beginning. Annemarie said that it's an easement and you have several homes that have been there over twenty years. Annemarie said she would like the second home on the 8.39 acres.

Candice Nelson said she understands that, but what's the issue with them wanting a second home on this property.

Glen Minich said a normal lot would have road frontage and it wouldn't be an issue, but because it was never subdivided, it really creates an issue for the ownership of that next home.

Board members speaking amongst themselves.

Attorney Biege said if you grant this variance you can certainly put in there as a stipulation that there is no further subdivision of this property.

Glen Minich said he can see that it's a hardship and that's the part that weighs on it.

Wally Pritz made a Motion that the Petition for Variance of Developmental Standards for James Lemmon and Laura Lemmon to construct a second home on this parcel to take care of her father be granted on property located at 10414 W. 200 S., Westville, New Durham Twp., zoned R1A on 8.39 acres, with the stipulation there is no further subdividing.

Candice Nelson seconded.

Dwayne Hogan asked if there are any further questions, comments, or concerns.

Voting Aye: Wally Pritz, Candice Nelson, Dwayne Hogan and Glen Minich.

Voting Nay: Melissa Mullins Mischke.

Motion carried 4-1.

**3. The Petition for Variance of Developmental Standards for Paul Vincent Long** to build a (60' x 80') pole barn on side of home instead of the rear and the height to be (28'8") instead of the required (18') with electric for storage only. This property is located at 4084 N. Wozniak Road, Michigan City, Coolspring Twp., zoned R1B. (This matter was tabled from the April 19<sup>th</sup>, 2016 meeting to July 19<sup>th</sup>, 2016 meeting to see if there were any other ways to construct this pole barn.)

Melissa Mullins Mischke said that she will make a motion to remove this item from the agenda table.

Candice Nelson seconded.

All approved. Motion carried 5-0.

Dwayne Hogan asked attorney Biege if the legal is okay.

Attorney Biege stated yes.

Dwayne Hogan asked for name and address for the record.

Paul Vincent Long, 4084 N. Wozniak Road, Michigan City, Indiana.

Dwayne Hogan asked Mr. Long what he would like to do this evening.

Mr. Long said he would like to revise the original variance. Mr. Long said the twenty-eight foot request can be dropped to eighteen feet. Mr. Long said as far as the setback, previously he was asking for a forty-five foot ---he has consulted with his neighbors and he will ask for a sixty foot setback.

Board members going over the site plan with Mr. Long.

Mr. Long said he tried to move it further back on the property and page 4 will show you why. Mr. Long said he contacted the DNR, FEMA, Soil engineer, an excavator and the Health Department and he's not been able to find a good way to relocate that drain field, and even if he could, the soils to the rear are inadequate for construction.



Dwayne Hogan asked Mr. Long if he plan on putting electric only in that pole barn without water.

Mr. Long said no water.

Melissa asked Mr. Long about the exterior of the building.

Mr. Long said it's on page 2 to match to the house.

Dwayne Hogan asked if he's putting gas or heat in this building.

Mr. Long stated not. It's just for storage.

Dwayne Hogan asked if its 60' x 80' long.

Mr. Long stated that its 60' x 60'.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition No. 3.

Remonstrators:

Dwayne Hogan asked for name and address for the record.

James Tomscheck, 4024 N. Wozniak Road, Michigan City. Mr. Tomscheck is going over the site plan with the board members.

Mr. Tomscheck said what Mr. Long has looks good, but he's still concerned with the bigness of the building in a residential neighborhood.

Glen Minich said the drawing changes the perspective of the whole thing.

Mr. Tomschek is up at the bench going over the site plan with the board members (inaudible).

Melissa Mullins Mischke said that Mr. Long is proposing to come down ten feet eight inches.

Mr. Tomschek said if you lived there and you look out, it's a sixty foot barn even though he brought it down. That building is two and a half time the size of his house --- almost three and a half times to the house to the south. Mr. Tomschek said if he starts digging, the guy across the street tried the same thing and it took one scoop and he already had water. The water table is extremely high out there.

Dwayne Hogan asked if there are any other remonstrators here this evening for Petition No. 3.

Remonstrators:

Dwayne Hogan asked for name and address for the record.

Chris Deutscher, 4222 N. Wozniak Road, Michigan City.

Mr. Deutscher said he's a neighbor a little bit to the north of the property. Mr. Deutscher said he has some concerns about the setback of the proposed building. The height of the building he understands has been brought down and that's acceptable and he thinks that will fit in with the building, but the size of the building worries him. Mr. Deutscher said he also questions the use of that building being turned into an income venture, or a small auto garage.

Mr. Deutscher said he also questions the front of the building and if it will be metal, or a different finish to match the home ---whether the landscaping would be put in as mature landscaping, or are we talking about twenty years to get it to that point. How can we make sure the property in front is presented as shown on the sketch to where it does match the home, especially considering that it's going to be out front on a busy road?

Mr. Deutscher said that this building is like light industrial and not really suitable for a residential area. Mr. Deutscher said he shares these thoughts with the immediate neighbors and what this will have on potential real estate sale and the long term neighborhood feel.

Dwayne Hogan asked if there are any other remonstrators here this evening for Petition No. 3.

Melissa Mullis Mischke asked Mr. Long if he's intending to gravel around this, or concrete.

Mr. Long said that area between the building and the house – patio area, is either going to be stamped concrete, or brick block. The feel he's trying to get can be seen on page 15.

Melissa Mullins Mischke asked if the door for this structure is going to open towards the home.

Mr. Long said that's correct.

Melissa Mullins Mischke asked if that area between the barn and home would be stamped concrete.

Mr. Long said that's right.

Melissa Mullins Mischke asked Mr. Long if he's going to store vehicles and things in the barn.

Mr. Long said vehicles, bicycles, coke machine and neon signs.

Melissa Mullins Mischke said she's concerned that concrete area is going to potentially effect the wetland and flood zone behind there.

Mr. Long said this project by the time it's completed will be 8.5 percent to the county's allowed thirty-five percent, so he's only twenty-five percent.

Dwayne Hogan asked Mr. Long if he's punched any soil samples in that area.

Mr. Long said yes. Page 7 through 12 shows you the water table.

Dwayne Hogan asked Mr. Long how far his septic is going to be to Mr. Tomschek's well.

Mr. Long said the septic is going to stay where it is. The septic is actually directly behind his house and the drain field is going to stay where it is. Mr. Long said what Mr. Tomchek was talking about was at one point when he was trying to move the building back before he realized he couldn't move the drain field, the soil engineers proposed putting the drain field out front and running a two-hundred twenty five foot connection between his land and the street with an intermittent pumping station, but Mr. Tomschek's well is there and that ended that.

Dwayne Hogan asked the use of the pole barn.

Mr. Long stated storage.

Dwayne Hogan asked Mr. Long if he's going to run a business.

Mr. Long stated no.

Dwayne Hogan was asking about the assurance of the landscaping.

Mr. Long said it's on page 2 and page 13 which will give you some idea. Mr. Long said that they have been in touch with Small's landscaping and they have a proposal with them starting off with twenty-seven eight foot tall ferns and if that doesn't work a three and a half foot berm in front of the property.

Board members speaking to Mr. Long on the site plan of trees.

Dewayne asked if there are any further questions, or comments from the board.

Glen Minich told Mr. Long that he shows a front door on this building, but not really a drive or anything for that.

Mr. Long said that AT & T has a manhole cover in the front yard and that's just a door for the motor home, boat and trailer. Mr. Long said anything else would be super difficult to get back in there.

Glen Minich said it looks like a really good project and there has been a lot of improvements. Glen was also talking about the landscaping, concrete and impervious landscaping.

Melissa Mullins Mischke said her concerns is that he's really close to that creek.

Mr. Long said he's three-hundred foot away from the creek.

Dwayne Hogan asked the pleasure of the board.

Candice Nelson made a motion for a Variance of Developmental Standards for Paul Vincent Long to build a 60' x 80' foot pole barn on the side of his home instead of the rear and the height to be 19' feet with electric only and using fifty (50%) percent semi impermeable surface in his driveway.

Attorney Biege said we need to remove the request for the height of twenty (28") feet.

Dwayne Hogan said we will modify that.

Glen Minich said we can direct this drawing into the record.

Candice Nelson said using fifty (50%) percent semi impermeable surface in his driveway on the property located at 4084 N. Wozniak Road, Michigan City, Coolspring Twp., zoned R1B.

Glen Minich seconded.

Dwayne Hogan asked if there are any further questions on the motion.

All approved. Motion carried 5-0.

**4. The Petition for of Use for James Parades** to raise reptiles and exotic animals in his garage for breeding, sales and pets, having up to six-hundred (600) hundred snakes at a time. This property is located at 1786 W. Springville Road, La Porte, Springville Twp. Zoned R1B.

Attorney Biege said Mr. Parades is missing a receipt on a mailing request and he would suggest that we put him at the end to move onto the next petition.

**5. The Petition for Variance of Use for John & Bobbi Frecke** to have five chickens on their property to be kept as pets. This property is located at 3901 Country Acre Trail, Center Twp., zoned R1B.

Attorney Biege said notice is adequate.

Dwayne Hogan asked for name and address for the record.

Bobbi Frecke, 3901 Country Acre Trail, La Porte.

Dwayne Hogan asked Ms. Frecke what she would like to do this evening.

Ms. Frecke said she wants a variance to keep the five chickens.

Dwayne Hogan asked Ms. Frecke if the chickens are already there.

Ms. Frecke stated yes.

Dwayne Hogan asked Ms. Frecke how long she has had the chickens.

Ms. Frecke said she has had them since Easter.

Dwayne Hogan asked if they're using the eggs.

Ms. Frecke said that they aren't giving any eggs yet.

Dwayne Hogan asked if the chickens are for dinner.

Ms. Frecke said no.

Wally Pritz asked Ms. Frecke if she originally bought that home.

Ms. Frecke said no. Someone lived there before and they bought it.

Wally Pritz asked Ms. Frecke if they gave her a covenants for that area.

Ms. Frecke said no, but when they applied for the variance a lady told here ----

Wally Pritz said he knows there is a covenants and you're limited to one dog, or farm animals -  
--  
Board members speaking amongst themselves.

Attorney Biege said you don't take the covenants into consideration. Attorney Biege said a covenants or private agreement are amongst the property owners. You're only looking at the La Porte County Zoning Code. Depending on how the covenants is written, the neighbors could choose to take action to stop a certain action, but it's independent from the Board of Zoning Appeals decision.

Attorney Biege said that the board is not restricted to what the covenants says.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition #5.

Dwayne Hogan asked if there are any other questions, comments, or concerns from the board.

Board members speaking amongst themselves.

Board members told Ms. Frecke how nice the chicken coup is.

Melissa Mullins Mischke made a motion for a Variance Use for John & Bobbi Frecke to have five chickens on their property to be kept as pets for the property located at 3901 Country Acre Trail, Center Twp., zoned R1B be granted with five chickens being the maximum.

Candice Nelson seconded.

Dwayne Hogan asked if there are any other questions, comments, or concerns.

All approved. Motion carried 5-0.

**6. The Petition for a Use Variance for Gregory and Rebecca Samuelson** for placing a forty (40') HC Storage container to rear of property in the woods. This property is located at 0802 West 500 South, La Porte, Washington Twp., zoned Agricultural on two acres.

Attorney Biege said notice is adequate.

Dwayne Hogan asked for name and address for the record.

Gregory Samuelson, 0802 W. 500 S., La Porte.

Dwayne Hogan asked Mr. Samuelson what he would like to do this evening.

Mr. Samuelson said he would like to place a large container in the back of his property.

Dwayne Hogan asked Mr. Samuelson what he wants to do with this container.

Mr. Samuelson said he would like to store his lawn mowers and lawn furniture. Mr. Samuelson said he doesn't have any storage units right now and he really doesn't have the money to build a pole barn like he would like. Mr. Samuelson said they just went to Valparaiso University to enroll their son and he's not going to have a lot of money for a long time.

Melissa Mullins Mischke asked Mr. Samuelson if he's researched the containers.

Mr. Samuelson said there are several companies out there and he use to work for La Porte Transit in the summers and he has given him several other places to go.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition No 6.

Dwayne Hogan asked if there are any questions from the board.

Glen Minich asked if we're going to talk about this being temporary storage and in the future move it.

Mr. Samuelson said that is one reason why he didn't want to build a pole barn because he's not sure that one day they will move and this particular unit he could sell and have it moved.

Mr. Samuelson said he's putting this container where the old train track went into Kingsbury Industrial Park. Mr. Samuelson said there is a wooded area there and that's where he's going to place this.

Glen Minich asked if it would be shield from all the neighbors.

Mr. Samuelson said they have a batting cage right now that will kind of block the view. Mr. Samuelson said if he need to landscape he could put up some trees.

Dwayne Hogan asked if there are further questions of the board.

Melissa said she's always a big fan of keeping stuff kept in a building or a structure as opposed to keeping it all over the property.

Melissa Mullins Mischke told Mr. Samuelson that she's not sure exactly the location where you're putting this storage unit. Melissa asked Mr. Samuelson if he has a swimming pool in the backyard to the east.

Mr. Samuelson said it will be south of the swimming pool and batting cage.

Glen Minich asked if it will be actually on the abandoned railroad.

Mr. Samuelson said it will be bordering their property, which is real close.

Glen Minich said he's not looking forward to a bunch of these containers out in the county.

Melissa Mullins Mischke said for long term placement it might be something we want to talk to the Assessor for giving temporary structures versus a structure such as a pole barn.

Attorney Biege said he hasn't seen a request like this for several years. Attorney Biege said you could also limit the variance and set it for a review.

Mr. Samuelson said one of the reasons he likes this is because it's water proof and very strong.

Dwayne Hogan asked the pleasure of the board.

Melissa Mullins Mischke made a motion to grant a Use Variance for Gregory and Rebecca Samuelson for placing a forty (40') feet HC storage container to the rear of his property located at 0802 West 500 South, La Porte, Washington Twp., zoned Agricultural.

Glen Minich seconded.

Dwayne Hogan asked if there are any questions on the motion.

Glen Minich asked if we want to put a time frame on this.

Melissa Mullins Mischke said she will amend her motion to include a two (2) years term.

All approved. Motion carried 5-0.

**7. The Petition for a Use Variance for Todd G. Shireman and Rita Shireman (Fee Owners) and Shireman Veterinary Services, Inc., an Indiana Corporation (Petitioners),** by attorney Dave Ambers, respectfully represent to the board that the petitioners desire to operate a large animal clinic on property which is zoned M1. This property is located at 0601 South 400 West, La Porte, Scipio Twp., on 113.845 acres.

Attorney Biege said we have notice to all adjoining landowners except for Pennsylvania Lines, LLC. Attorney Biege said it doesn't tell him who it was sent to, but it does tell him the city which is Roanoke VA, he's going to leave it up to the board, but he thinks it's close enough.

Dwayne Hogan asked for name and address for the record.

Todd Gene Shireman, 9266 W. 900 S., Wanatah.

Dr. Clint Shireman, Wanatah, Indiana.

Rita Shireman, 9266 W. 900 S, Wanatah.

Dwayne Hogan asked the Shireman's what they would like to do this evening.

Mr. Shireman said they want to seek a variance on the property they purchased on 400 West. Mr. Shireman said they want to start out with a veterinary clinic.

Dwayne Hogan asked Mr. Shireman when they purchased that property.

Mr. Shireman said they closed on that property in January, 2015.

Melissa Mullins Mischke asked if that is large animals only.

Dr. Shireman said it will be cattle, sheep, hogs and swine, then hopefully with time, occasionally dog and cat service as well.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition #7.

Dwayne Hogan asked if there are any further questions or concerns from the board.



Dwayne Hogan asked the hours of operation.

Dr. Shireman said 8:00 a.m. to 5:00 p.m. with emergency services as well.

Dwayne Hogan asked if that is Monday through Saturday.

Dr. Shireman said it's pretty much a full time job.

Dwayne Hogan asked if that is seven days a week.

Dwayne Hogan asked if there is going to be a sign up front.

Mr. Shireman said that would be a small sign on their property.

Melissa Mullins Mischke asked if they want the sign to be lit.

Mr. Shireman said it doesn't necessarily have to be lit because there is no electric out by the road.

Melissa Mullins Mischke asked the size of the sign.

Dwayne Hogan asked Mr. Shireman when they thought is will be up and running.

Dr. Shireman said he should technically be ready to go next week.

Dwayne Hogan asked if there are any other questions or concerns from the board.

Melissa Mullins Mischke made a motion to grant the Use Variance for Todd G. Shireman and Rita Shireman (Fee Owners) and Shireman Veterinary Services, and Indiana Corporation (Petitioners) by attorney Dave Ambers, to operate a large animal veterinary clinic on property which is zoned M1 located at 0601 S. 400 W., La Porte, Scipio Twp. on 113.845 acres with the operating hours of Monday through Sunday 8:00 a.m. to 5:00 p.m. and all others by appointment with a 4x8 foot sign out front.

Wally Pritz and Glen Minich seconded.

All approved. Motion carried 5-0.

**4. The Petition for Variance of Use for James Parades** to raise reptiles and exotic animals in his garage for breeding, sale and pets, having up to six-hundred (600) snakes at a time. This property is located at 1786 W. Springville Road, La Porte, Springville Twp., zoned R1B.

Attorney Biege said notice is adequate.

Dwayne Hogan asked for name and address for the record.

James Paredes was telling the board members what he wanted to do with these reptiles and exotic animals.

Remonstrators were present for this hearing.

1. Jacob Pasternac, Springville Mobile Home Park.
2. Jacob Hughes, 1822 W. Springville Road.
3. Melissa Seifort, 1822 W. Springville Road.

There was a signed Petition to Object admitted as evidence from a list of names from Springville Mobile Home Park residences.

Board members were speaking amongst themselves.

Board members want to table this petition so that they can make arrangements to go out and view the animals along with the Building Commissioner. They also want to know how many animals Mr. Paredes has.

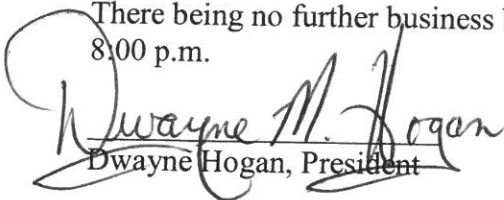
Melissa Mullins Mischke made a Motion to table this petition until the August, 2016 meeting at 6:00 p.m. Candice Nelson seconded.

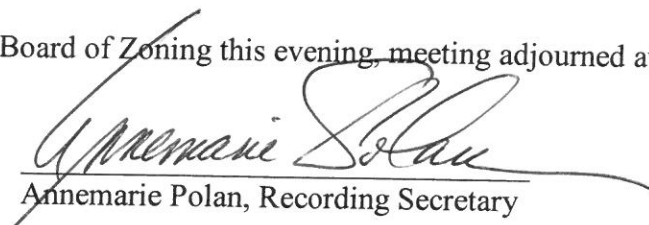
Dwayne Hogan asked if there are any questions on that motion.

Dwayne Hogan told Mr. Paredes to call or go up to the Building Commissioner's Office to secure three dates so that the board members could coordinate amongst themselves prior to the August, 2016 meeting. Dwayne also told Mr. Paredes that they want a count of all the animals that he currently has at his residence.

All approved. Motion carried 5-0.

There being no further business before the Board of Zoning this evening, meeting adjourned at 8:00 p.m.

  
Dwayne Hogan, President

  
Annemarie Polan, Recording Secretary