



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

Ms. Hott said that she is just checking to see if everything was okay with having the business at the residence.

Dwayne Hogan asked Annemarie Polan, Building Commissioner if there has been any complaints.

Annemarie Polan, Building Commissioner said that there hasn't been any complaints.

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

Dwayne Hogan asked the pleasure of the board.

Melissa Mullins Mischke asked Ms. Hott if the business hours are Monday through Friday 4:45 a.m. to 8:00 p.m. and Saturdays from 7:00 a.m. to 2:00 p.m.

Ms. Hott said actually she does have one (1) client that wanted to go at 4:00 a.m. on Mondays and Fridays. Ms. Hott asked if that is okay? Ms. Hott said that her other question would be on Sundays every once in a while on a fluke having a class?

Melissa Mullins Mischke asked if Sunday would be by appointment only.

Ms. Hott stated yes.

Earl Cunningham asked Ms. Hott if she has already done 4:00 in the mornings sometimes.

Ms. Hott said that she tried it a couple of times.

Earl Cunningham asked if there were any complaints from the neighbors.

Ms. Hott stated no. Ms. Hott said that she is close with her neighbors and nobody seems to have any issues. Ms. Hott said now that they've been there longer, they're more open to talk to them about it and she actually had one of the neighbors come to it.

Melissa Mullins Mischke said as she recalls, we were concerned about parking. Melissa asked Ms. Hott if parking has been an issue.

Ms. Hott said that they're parking on her property.

Attorney Biege asked Ms. Hott for the hours of business.

Ms. Hott said that Monday through Fridays she would ask if it was possible from 4:00 a.m. to 8:00 p.m. and Saturdays from 7:00 a.m. to 2:00 p.m. and Sundays by appointment only.

Attorney Biege asked if we're limiting the number of people.

Ms. Hott said ten (10) or less. Ms. Hott said that they would be crawling all over each other if there were more than ten (10).

Attorney Biege said if the board is so inclined, if you want to make a motion to make this permanent and he will enter Findings of Fact and Conclusion of Law.

Melissa Mullins Mischke made a motion that the petition for Variance of Use for Jeffrey Hott & Sarah Hott to operate a yoga/exercise class out of their residence and to conduct classes inside/outside depending on weather be granted on the property located at 246 E. Aspen Lane, La Porte with the hours of operation Monday through Friday 4:00 a.m. to 8:00 p.m., Saturday 8:00 a.m. to 2:00 p.m. and Sunday by appointment, limiting the classes to ten (10) people or less.

Johnny Stimley seconded.

Dwayne Hogan asked if there are any questions, or clarifications.

All approved. Motion carried 5-0.

**2. The Petition for a Special Exception for Hickman Williams & Company** to place office trailers until a permanent office can be constructed. This property is located at 2321 West Progress Drive, off of Highway 39 North, La Porte, Center Twp., zoned M1. **(This Petition is continued to November 21<sup>st</sup>, 2017 at 6:00 p.m.)**

**3. The Petition for Variance of Developmental Standards for John A. and Mary A. Baumer** to place a second accessory structure on their property in front (16'x36') for storage. This property is located at 3336 W. Waverly Road, La Porte, Center Twp., zoned R1B on .875 acres.

Attorney Biege said notice is adequate.

Dwayne Hogan asked for names and address for the record.

John & Mary Baumer, 3336 W. Waverly Road, La Porte, Indiana 46350.

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

Mr. Baumer said that he wants to put a small storage building on the front part of their property in front of the house. Mr. Baumer said basically he has flat land behind the house.

Dwayne Hogan asked Mr. Baumer how far in front of the house.

Mr. Baumer said that the house is setback one-hundred fifty (150') from the road, so he's probably going to be almost one-hundred (100') from the house. Mr. Baumer said that he's on the east property line, or ten (10') away from it.

Dwayne Hogan asked Mr. Baumer the purpose of the building.

Mr. Baumer said it's for storage.

Dwayne Hogan asked Mr. Baumer if he's going to put water and electric in this.

Mr. Baumer said that there is an outlet nearby that was used for a motor home and he will probably plug into that one. Mr. Baumer said that he won't have water.

Melissa Mullins Mischke asked Mr. Baumer if he has a sketch of what the proposed building will look like.

Mr. Baumer stated that he did. Mr. Baumer is up at the bench showing the picture of the proposed building. Mr. Baumer said that they're built off site.

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

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

Melissa Mullins Mischke said that the only issue is if it's going to blend well with the neighborhood out there, having a metal structure right up front and closer to the road.

Mr. Baumer said that there are other ones, not next door, but nearby.

Melissa Mullins Mischke asked if they were in the front yard.

Mr. Baumer said that property is above the road and is not easily visible.

Ms. Baumer said that there are a lot of trees.

Melissa Mullins Mischke said she saw that.

Melissa Mullins Mischke said that she has one more question from the sketch. There is kind of a turn off before the garage and the house, is that the location.

Mr. Baumer said that there is a turnaround.

Melissa Mullins Mischke said so it's going to be in front of that.

Dwayne Hogan asked the pleasure of the board.

Johnny Stimley made a motion to grant John & Mary Baumer to place a second accessory structure on their property in front for storage on property located at 3336 W. Waverly Road, La Porte, Center Twp., zoned R1B on .875 acres.

Earl Cunningham seconded.

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

All approved. Motion carried 5-0.

Attorney Biege told the Baumers that he would suggest that they record the Findings when you receive them with the Recorder's Office.

**4. The Petition for Variance of Developmental Standards for Scott Allen Wilda & Allyson Marie Zaner to construct a pole barn with living quarters, with living area having 1344' square feet and pole barn with 1168' square feet. (There was a house there at one time and it's torn down. There also is a two car garage on this property.)**  
This property is located at 3603 E. Morton Road, Rolling Prairie, Indiana, Galena Twp., zoned Agricultural on seven (7) acres.

Attorney Biege said notice is adequate.

Dwayne Hogan asked for names and address for the record.

Scott Allen Wilda, 52215 Juniper Rd., South Bend, Indiana 46637.

Allyson Zaner, 300 E. Michigan Street, Rolling Prairie, Indiana.

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

Mr. Wilda said build a pole barn with living quarters.

Dwayne Hogan asked if there is any particular reason why?

Mr. Wilda said for living quarters and storage with a small workshop.

Melissa Mullins Mischke asked if there is an existing garage on this property?

Mr. Wilda stated correct.

Melissa Mullins Mischke asked if that garage is going to stay?

Mr. Wilda said not yet determined.

Melissa Mullins Mischke asked Mr. Wilda if the intent is to eventually build a separate residence and then turn this building into only storage and garage space.

Mr. Wilda said that would be the ideal plan, yes.

Melissa Mullins Mischke asked Mr. Wilda how long he thinks after this is erected he would be able to look at getting a permanent residence separate from the building.

Mr. Wilda said five (5) to ten (10) years.

Earl Cunningham asked Mr. Wilda the dimensions of the pole barn.

Mr. Wilda said that the pole barn is going to be forty-two (42') by seventy-two (72') and the living space will be forty-two (42') by thirty-two (32').

Dwayne Hogan asked what the construction would be.

Mr. Wilda said that it will be pole built steel exterior. Mr. Wilda said that the post are going to be the laminate style.

Dwayne Hogan asked Mr. Wilda if forty-two (42') by thirty-two (32') is just the living space?

Mr. Wilda stated correct.

Dwayne Hogan asked Mr. Wilda if he's putting one (1) bathroom in that?

Mr. Wilda stated correct.

Dwayne Hogan asked Mr. Wilda if there are any aspirations of building a permanent house back there.

Mr. Wilda said five (5) or ten (10) years down the road. Mr. Wilda said that would be nice.

Dwayne Hogan asked if there are any remonstrators here this evening for Petition No. 4.

Remonstrators:

Dwayne Hogan asked for name and address for the record.

Connie Eckert, 3403 E. Morton Road, which is right next door.

Dwayne Hogan asked Ms. Eckert her concerns and questions.

Ms. Eckert said that her question would be if they intend to have any horses on the property – the seven (7) acres.

Ms. Eckert asked how many horses they intend to have at any given time; how many horses are legally allowed on the seven (7) acres.

Ms. Eckert said that the property slips down to wetlands; where do they intend to pile the horse manure, and where would that be spread if they intend to spread it, or will it be taken somewhere. Ms. Eckert asked how it would affect the wetlands if it reaches the water.

Ms. Eckert said that one of the adjoining neighbors has claimed that Krista did not get notified, but you probably have that.

Ms. Eckert thanked the board.

Dwayne Hogan asked Mr. Wilda how many horses.

Allyson Zaner said at the moment there are four (4).

Dwayne Hogan asked Ms. Zaner if they're currently there.

Ms. Zaner stated no.

Dwayne Hogan asked Ms. Zaner how many horses she wants to have there.

Ms. Zaner stated two (2).

Dwayne Hogan asked what about the wetlands.

Mr. Wilda said as far as that goes, obviously they're not going to keep them in the wetlands; its two wet for the horses to be back there. Mr. Wilda said the other side of the property is fairly dry and there is still a lot of ground up top, which is why they're putting the barn closer to the road so that they do have room to put the horses.

Dwayne Hogan asked the purposes of the horses; recreational/4-H.

Ms. Zaner stated recreational.

Dwayne Hogan asked Ms. Zaner what she plans on doing with the waste.

Mr. Wilda said that can be disposed offsite if it's an issue, otherwise it could be taken to the back and spread because there is woods and stuff in the back. Mr. Wilda said offsite isn't an issue either.

Dwayne Hogan asked legally how many horses he can have on that site.

Attorney Biege said its zoned Agricultural, so over three (3) acres there is no limit.

Earl Cunningham said regarding the number of horses since you have unlimited, would you be willing to limit it to four (4) horses.

Mr. Wilda and Ms. Zaner stated two (2). Ms. Zaner said that she has four (4) of them now, but two (2) of them just turned thirty-two, and they're not being moved right away, but they will be moved in a couple of years.

Earl Cunningham said in the Variance we can limit it to two (2) horses.

Ms. Zaner stated yes. Ms. Zaner said the neighbor before them had seven (7) there and that was too much. Ms. Zaner said that is far too much for that property.

Connie Eckert said this is the first time she got to meet her neighbors today because she lives in Indianapolis. Ms. Eckert said that she guesses her question would be if there is intent to board other people's horses currently, or in the future, or run a business out of the barn.

Earl Cunningham said if we limit the variance to two (2) horses, then anything more than (2) horses they would have to come back and get another variance.

Attorney Biege said they can't run a business unless it's Agricultural, but he would suggest that you give yourself a little padding, having had horses himself, you tend to get more horses. Attorney Biege said you may want to limit it more than two (2) horses.

Earl Cunningham said that is why he said four (4) to give them cushion.

Ms. Zaner said you can put it at four (4), but there will only be two (2).

Johnny Stimley said he can't see a limiting it to two (2), he's sure you're going to want another one if you're horse lovers.

Attorney Biege told the board members to remember the variance is to construct a barn with living quarters. The restriction on the number of horses is not an issue. Attorney Biege said they can have as many as they want.

Earl Cunningham said that's his point. He's more inclined to grant the variance if they're willing to make a concession to the neighbors since there is a wetland. Earl said if there wasn't a



wetland, this is probably less an issue, but he thinks with fifteen (15) horses out there then some of the manure is going to run into the wetland. Earl said that is why he said four (4) originally. Earl said that gives them a cushion and elevates Ms. Eckert's concern as well. Earl said first of all, we don't have to grant the variance. Earl said that this is a condition that we grant the variance and everyone is happy.

Annemarie Polan, Building Commissioner said that they have to be two-hundred and fifty (250') away from any stream, creek, and property line with the manure.

Melissa Mullins Mischke said that she thinks that Scott indicated if there was a manure issue they would be able to locate it offsite.

Ms. Eckert asked if it has to be two-hundred and fifty (250') away from any stream –

Annemarie Polan, Building Commissioner said two-hundred and fifty (250') to any property line, creek, or stream and shall not be allowed to become a nuisance.

Melissa Mullins Mischke asked if they have a picture of what kind of structure –

Mr. Wilda said honestly he forgot to bring it.

Melissa Mullins Mischke said that you were talking about forty-two (42') by seventy-two (72') and the living space forty-two (42') by thirty-two (32'); are you talking a single storage structure?

Mr. Wilda said single story. Mr. Wilda said basically it will be divided with two overhead doors if you need to bring a vehicle in, or whatever, with a normal house, windows on the exterior and patio door to go outside and windows for the bedroom.

Dwayne Hogan asked if they're going to be boarding horses in the future.

Mr. Wilda and Ms. Zaner stated no.

Earl Cunningham asked Mr. Zaner if he's going to do a cement slab, or are you going to put some wood under the living quarters.

Mr. Wilda said that it will be cement slab as far as the floor structure for the living quarters, but he hasn't one-hundred percent (100) decided.

Earl Cunningham told Mr. Zaner that he can tell him from experience. Earl said a friend of his did the same thing and putting his living quarters on a slab and he said he would never do that again because how cold the floor is; he would have raised it up.

Mr. Wilda said he's contemplating putting in floor heat.

Melissa Mullins Mischke asked Mr. Zaner if he's going to tie into the septic from the previous house, or are you intending putting a new one in.

Mr. Wilda said he would like to put a new one in. Mr. Wilda said that there is an existing well already and it's fairly new that they could tie into.

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

Dwayne Hogan asked the pleasure of the board.

Earl Cunningham made a motion that we grant the Variance for Developmental Standards for Scott Allen Wilda & Allyson Marie Zaner to construct a pole barn with living quarters, with living area having 1344' square feet and pole barn with 1680' square feet. Property is located at 3603 E. Morton Road, Rolling Prairie, Indiana, zoned Agricultural on seven (7) acres with the following stipulation: That they have a four (4) horses maximum unless they come back for a Variance.

Melissa Mullins Mischke asked if we need to put the horse limit on since it's unlimited at seven (7) acres.

Attorney Biege said it should be in there since it was a condition and we have neighbors that have concerns.

Melissa Mullins Mischke seconded.

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

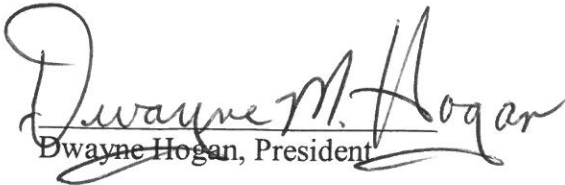
All approved. Motion carried 5-0.

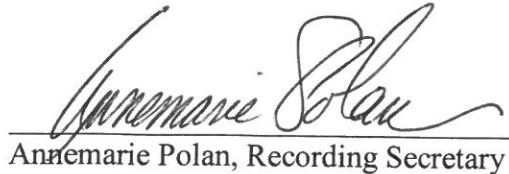
Dwayne Hogan asked if there is any other new business this evening before the BZA.

Dwayne Hogan said that he will entertain a motion

Melissa Mullins Mischke made a motion to adjourn.

There being no further business, meeting adjourned at 6:35 p.m.

  
Dwayne Hogan, President

  
Annemarie Polan, Recording Secretary