

Melissa Mullins Mischke asked for name and address for the record.

James Heimbuch, 8170 E. Ivy Blvd, New Carlisle, Indiana.

Melissa Mullins Mischke asked Mr. Heimbuch to explain to her why he wants to keep the mobile home on the property for another year.

Mr. Heimbuch said it's just he and his granddaughter living there and he can't afford anything else.

Melissa Mullins Mischke asked Mr. Heimbuch if they're the only two residents.

Mr. Heimbuch stated yes.

Earl Cunningham asked the granddaughter's age.

Mr. Heimbuch stated sixteen (16).

Melissa Mullins Mischke told Mr. Heimbuch that when they saw him last year there were some concerns about the condition of the mobile home that maybe it was in need of some attention.

Mr. Heimbuch said that they did do some cleaning up.

Dwayne Hogan asked Mr. Heimbuch if it's fair to say that your intention is to stay in that mobile home.

Mr. Heimbuch said as long as he can.

Attorney Biege said that we have a letter that was received and he's going to read it into the record.

My letter is being written in regards to a trailer at 8170 Ivy Blvd., New Carlisle, IN, 46552.

This trailer is located in a residential area around Hudson Lake and it is used as a permanent residence by a person name James B. I don't recall his last name in full.

Evidently every year at this time, all of the surrounding residents around this trailer are given the opportunity to disapprove of the presence of this trailer in our neighborhood. Evidently, the certified mail that was most likely mailed to us, actually was sent to our prior residence in Wyoming. Therefore, not yet receiving this certified mail, as we did last year, this is the forum that I wish to express total objection to this trailer being there. It is a dilapidated trailer that simply does not belong there. It most definitely is a detraction from nearby homes property values.

Another huge reason that I strongly object to this trailer being allowed there is because of loud and belligerent irate drunken behavior from James B. and the other persons he has allowed to live there. We have been subjected to this appalling behavior along with strong suspicions of hardcore street drugs being bought and used there. While trying to enjoy some peace and serenity in my own back yard, I have been forced to overhear loud arguing with references to heroin and accusations of someone being a heroin addict. In fact, I have been extremely embarrassed when a male individual that Jim B. was allowing to live there, in the trailer last summer, approached a hired contractor of mine that was working in my front yard and asked the contractor if he wanted to buy heroin. This utterly disgusted me and made me very concerned, not only of this activity itself, but the kind of rift raft undesirables and thieves that this type of drug activity festers. Btw, I did formally report this incident to the La Porte County Drug Task Force.

We, as well as other nearby neighbors have made and are making investments in our homes and property with absolute hopes of at least maintaining our property values. What I have just described to you in this letter are the exact kind of conditions and allowed behaviors that ruin neighborhoods and plummet property values, if it is allowed to continue. We absolutely do not wish for this to be in our neighborhood. Thank you and we appreciate and expect a response and decision that is favorable to our wishes. Mr. & Mrs. Lesar, 7559 N. Catalpa Lane, New Carlisle.

Mr. Heimbuch said that was a temporary situation and his son and daughter-in-law have since moved out. Mr. Heimbuch said that he lives there with his granddaughter.

Melissa Mullins Mischke asked if there are any additional remonstrators here this evening for Petition No. 1, either for or against.

Melissa Mullins Mischke asked if there are any questions, or concerns from the board.

Dwayne Hogan said it still needs to continue to be cleaned up.

Mr. Heimbuch said that he's cleaned up some of this, however he was still going through Chemotherapy last year. Mr. Heimbuch said his son is going to help him with the cleanup.

Dwayne Hogan asked Mr. Heimbuch if his son is going to be living with him.

Mr. Heimbuch stated no.

Glen Minich said that he did do what we asked him to do. Glen said that the property does look better. Glen said that the yard is being kept up. Glen said we might consider doing this for a year just because it has been an ongoing problem. Glen said that we are trying to get these trailers taken out, but we have been letting the residence live their lives and not allowing them to go onto another generation, or to another ownership. Glen said it is a hardship.

Earl Cunningham said that he will be supporting a one (1) year extension, but certainly if you came back a year from now and we still see the same, he would be very concerned. Earl said that it's one-hundred (100%) better on the front side from what he saw a year ago.

Melissa Mullins Mischke said that she will entertain a motion.

Dwayne Hogan made a motion that the Petition for Variance of Developmental Standards for James Heimbuch for continued placement of a mobile home be granted for a one (1) year period on the property located at 8170 E. Ivy Blvd., New Carlisle, IN., Hudson Twp., zoned R1B.

Earl Cunningham seconded.

All approved. Motion carries 4-0.

2. Petition for Variance of Developmental Standards for Barry & Shirley Pontius to construct a second accessory building thirty by forty eight (30' x 48') with the height at twenty (20') feet, instead of the maximum eighteen (18') feet. This property is located at 302 W. 250 S., La Porte, IN., Scipio Twp., zoned R1A.

Attorney Biege said notice is adequate.

Melissa Mullins Mischke asked for name and address for the record.

Barry Pontius, 302 W. 250 S., La Porte.

Melissa Mullins Mischke asked Mr. Pontius to tell us about your petition.

Mr. Pontius said that when they moved into the house two (2) years ago, there was no outside storage. Mr. Pontius said that they built a twelve by seventeen (12' x 17') foot building and they quickly out grew that.

Mr. Pontius said that they bought an RV and they would bring it home in the winter time and they're wanting to store that in the new building.

Melissa Mullins Mischke said as Dwayne would say, are you sure this is going to be big enough.

Mr. Pontius stated yes.

Dwayne Hogan asked Mr. Pontius if he's going to add water.

Mr. Pontius stated no.

Dwayne Hogan asked if there is going to be electric.

Mr. Pontius said eventually, but right now he just wants to get the building up and then he will have to update his service.

Melissa Mullins Mischke asked if there are any remonstrators here this evening for Petition No. 2, for or against.

Mr. Pontius said the height is probably going to be ceiling height close to the eighteen (18') feet.

Attorney Biege said that he would recommend, if the board is so inclined, make it the twenty (20') feet so there isn't an issue.

Glen Minich asked Mr. Pontius if he has a concept on what it's going to look like on the outside. Glen told Mr. Pontius that he's in a highly residential area.

Mr. Pontius said that it's going to match the house with the brown trim.

Melissa Mullins Mischke asked if there are any questions, comments, or concerns from the board.

Earl Cunningham moved to approve the Petition for Variance of Developmental Standards for construction of a second accessory building, thirty (30') by forty-eight (48'), with the height at twenty (20') feet, or less on the property located at 302 W. 250 S., La Porte, IN., Scipio Twp., zoned R1A.

Dwayne Hogan seconded.

All approved. Motion carries 4-0.

3. Petition for Variance of use for Jameson Luther Barnett for four (4) storage units with office and plumbing. This property is west of 8834 W. US 20, Michigan City, IN., Coolspring Twp., zoned B2 on 3.731 acres.

Attorney Biege said notice is adequate.

Melissa Mullins Mischke asked for name and address for the record.

Jameson Barnett, 6556 W. 300 N., La Porte, Indiana.

Melissa Mullins Mischke asked Mr. Barnett to give her a little bit more information about his request this evening.

Mr. Barnett said that he purchased the property a while back and he wants to utilize the space. Mr. Barnett said that he wants to develop retail buildings. Mr. Barnett said its three-hundred and thirty (330') feet deep so you really don't need all that land back there for retail upfront. Mr.

Barnett said it's in between three (3) major farming complexes. Mr. Barnett said that the ground is clay out there and the weather has been kind of slowing him down.

Mr. Barnett said in the meantime, he does want to put one building up front that is permitted under the B3 zoning. Mr. Barnett is up at the bench going over the site plan with the board members.

Mr. Barnett said he wants to put an office up in the corner. Mr. Barnett said just in case this falls through he wants the building up front.

Melissa Mullins Mischke asked if he's still going with that twenty (20') by twenty-five (25') foot building.

Mr. Barnett said that he wanted to change that because there would have been a big gap there and nothing to put there.

Melissa Mullins Mischke said that it looks like a rectangular building twenty-five (25') feet by one-hundred sixty (160).

Earl Cunningham told Mr. Barnett that he would have an office with storage behind it. Earl told Mr. Barnett that he would get started with the storage connected to the office.

Mr. Barnett stated yes.

Earl Cunningham asked Mr. Barnett how close would that building be to the east edge of the property.

Mr. Barnett said thirty (30') feet.

Melissa Mullins Mischke asked Mr. Barnett if he's still going to stay twenty-five (25') feet away from the north.

Mr. Barnett said that he wants to move the office building because he wants to put a different building there.

Dwayne Hogan asked if that expansion is to the left.

Mr. Barnett stated yes. Mr. Barnett said he needs about one-hundred fifty (150') feet for that, so it would be about one-hundred eighty (180') feet from the east property line.

Melissa Mullins Mischke asked Mr. Barnett that the storage units he's proposing are all going to be climate control.

Mr. Barnett stated no. Mr. Barnett said that two (2) of them will. Mr. Barnett said that they're really expensive to put up.

Melissa Mullins Mischke said she thinks what we're hearing, we would like you to come up forward to the bench and draw the building that you're proposing so we have clear understanding of additional footage.

Mr. Barnett is up at the bench drawing on the site plan (Unintelligible).

Dwayne Hogan told Mr. Barnett that the State will tell him what the dimensions will be.

Melissa Mullins Mischke asked if there are any remonstrators here this evening for Petition No. 3, for or against.

Melissa Mullins Mischke asked if the board has any questions.

Attorney Biege said that if there is a positive motion, let's call it a variance and special exception to cover both.

Melissa Mullins Mischke asked if there are any other comments, questions, or clarifications from the board.

Melissa Mullins Mischke said that she will entertain a motion.

Glen Minich made a motion that we grant a Use Variance and Special Exception to Jameson Luther Barnett for a storage building twenty (25') by one-hundred sixty (160') feet to be located as shown on the map, located just west of 8834 W. US 20, Michigan City, IN., Coolspring Twp., zoned B2.

Melissa Mullins Mischke said just to verify that the motion includes the four (4) storage units and the office building.

Glen Minich said including the four (4) storage units that were shown, along with the office.

Dwayne Hogan seconded.

All approved. Motion carries 4-0.

4. Petition for Variance of Developmental Standards for Terry West & Luz West to construct an accessory structure two thousand (2000') square feet even with the residence. This property is located at 6361 E. State Road 2, Rolling Prairie, IN., Wills Twp., zoned R1B on 5.32 acres.

Attorney Biege said notice is adequate.

Melissa Mullins Mischke asked for name and address for the record.

Terry West, 6361 E. State Road 2, Rolling Prairie, Indiana.

Melissa Mullins Mischke asked Mr. West to give her some more information on two thousand square (2000') feet.

Mr. West said that he doesn't know if any of you have been down State Road 2, but they collect a lot of Volkswagens and the trailers are off the driveway to his woods. Mr. West said that where they lived before they had a fifty (50') by one-hundred (100') pole barn so he didn't have any issue.

Melissa Mullins Mischke asked Mr. West if he anticipates all of the vehicles on the property are currently going to be housed within structure.

Mr. West stated everything, even the trailers.

Melissa Mullins Mischke asked Mr. West if he plans on putting electric and water in there.

Mr. West said electric in the future.

Melissa Mullins Mischke asked Mr. West if he does any kind of business fixing automobiles at this location.

Mr. West said storage and maintenance on his personal vehicles.

Melissa Mullins Mischke said that we do have a letter of remonstrance.

Attorney Biege said it's actually a phone message.

Attorney Biege said that the neighbor, Ray Kowalski called and wants you to know that he has no problem with the location of the new pole barn. Mr. Kowalski was very insistent that I relay this to you.

Melissa Mullins Mischke asked if there are any more remonstrators, for or against this petition.

Earl Cunningham asked where that two thousand (2000') square feet will be in relation to the house.

Mr. West said just to the right.

Earl Cunningham said that it's pretty well wooded all around there and you won't be able to see it anyway.

Melissa Mullins Mischke asked if there are any other questions, comments, or concerns of the board.

Melissa Mullins Mischke said that she will entertain a motion.

Dwayne Hogan made a motion to accept the Developmental Standards for Terry West and Luz West to construct an accessory structure two thousand (2000') square feet even with the residence located at 6361 E. State Road 2, Rolling Prairie, IN., zoned R1B on 5.32 acres.

Earl Cunningham seconded.

All approved. Motion carries 4-0.

5. Petition for Variance of Developmental Standards for William Johannes & Jennifer Dimmett for construction of a second accessory structure thirty (30') by forty (40') with a height of twenty-two (22') feet instead of the minimum eighteen (18') feet. This property is located at 5142 W. 450 N., La Porte, IN., Center Twp., zoned R1B on two (2) acres.

Attorney Biege said notice is inadequate.

This Petition is continued to April 16th, 2019 at 6:00 p.m.

Dwayne Hogan made a motion to postpone Petition #5 for Variance of Developmental Standards for William Johannes & Jennifer Dimmett to construct a second accessory building, thirty (30') by forty (40') with the height of twenty-two (22') feet instead of the maximum eighteen (18') feet on property located at 5142 W. 450 N., La Porte, Center Twp., zoned R1B on two acres until the next meeting on April 16th, 2019 at 6:00 p.m.

Earl Cunningham and Glen Minich seconded.

All approved. Motion carries 4-0.

6. Petition for Variance of Use for Scott & Michelle Diussa (Sellers) and Julian Vasquez (perspective buyer) to run a wedding venue on weekends, seasonal being April 30th through October 30th. This property is located at 4899 E. 700 N., Rolling Prairie, IN., Galena Twp., zoned Agricultural on 14.39 acres.

Attorney Biege said notice is adequate.

Melissa Mullins Mischke asked for name and address for the record.

Julian Vasquez, 1163 Burns Blvd., Chesterton, Indiana.

Melissa Mullins Mischke asked Mr. Vasquez to explain his petition request.

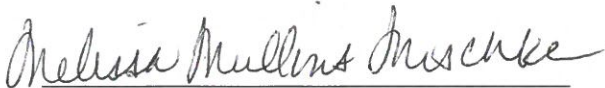
Mr. Vasquez presented his proposal for a wedding venue and through the end of the conversation with Mr. Vasquez and board members, Mr. Vasquez stated that this was a learning experience for him and in fact that property was already sold to another cash buyer.

Board members told Mr. Vasquez that he would have to go through this process again here in La Porte County if in fact he found another piece of property to purchase.


7. Petition for Clarification of an Appeal to Challenge “Red Tag” and Stop Work Determination. Comes now, D & M Excavating, Inc. by Ryan J. Miller, President, (“Petitioner”) and by counsel Andrew D. Voeltz of Howes & Howes, LLP, respectfully submits to the La Porte County Board of Zoning Appeals its Petition for Clarification of an Appeal to Challenge “Red Tag” and Stop Work Determination that was issued by the Building Commissioner on or about February 6th, 2019 for the property located on County Road 400 West, La Porte, IN., Center Township, zoned R1B.

A copy of the complete transcript of D & M Excavating on the Appeal of the (“Red Tag”) and Stop Work Determination is attached and incorporated herein with the minutes of March 19th, 2019 meeting.

There being no further business, meeting adjourned at 8:25 p.m.



Melissa Mullins Mischke, President



Annemarie Polan, Recording Secretary