



# LAPORTE COUNTY PLAN COMMISSION

Government Complex 5th Level  
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**ANNEMARIE POLAN**  
Building Commissioner

August 20<sup>th</sup>, 2019

Dear Members:

The regular meeting of the La Porte County Board of Zoning Appeals was held Tuesday, **August 20<sup>th</sup>, 2019, at 6:00 p.m.** in the Problem-Solving Courtroom of the County Complex.

MEMBERS PRESENT:      Melissa Mullins Mischke      Earl Cunningham  
   Dwayne Hogan                              Glen Minich  
   Greg Szybala

PRESENT:                      Annemarie Polan, Recording Secretary, Attorney Doug Biege; Ashley Kazmucha, Secretary

The Pledge of Allegiance.

## APPROVAL OF MINUTES:

Melissa Mullins Mischke asked for approval of the meeting minutes of July 16<sup>th</sup>, 2019.

Dwayne Hogan made a motion to approve the meeting minutes of July 16<sup>th</sup>, 2019 as presented.

Earl Cunningham seconded.

Motion carries 5-0.

Earl Cunningham made a motion to move petition thirteen to the top of the agenda.

Dwayne Hogan seconded.

Motion carries 5-0.

## Petitions:

**13. Petition for Variance/Special Exception for Jerry Pfladderer represented by counsel Andrew D. Voeltz of Howes & Howes, LLP for continued placement of a mobile home. Original approval of placement was June 17, 1986 and continued through**

until August 16, 2016. The property is located at 8581 S. 1010 W., Wanatah, IN., Clinton Twp., zoned R1B. Parcel 46-13-17-429-002.000-044.

Attorney Biege stated notice is adequate.

Andrew Voeltz stated he is an attorney with Howes & Howes located at 717 Indiana Avenue, LaPorte, IN.

Andrew Voeltz stated he is representing Jerry Pfladderer. The property was purchased by Mr. Pfladderer in 1986 and was previously granted a variance for continued placement of a mobile home outside of a dedicated mobile home park on November 25, 1983. It was reapplied for on June 20, 1989; July 2, 1992; July 21, 1995; August 18, 1998; June 19, 2001; August 19, 2004; August 21, 2007 for nine years, and August 16, 2016 for three years. He has six out of seven adjoining landowners' signed consent and there appears to be no remonstrators. He requests a variance for continued placement of the mobile home for a term longer than three years; either six or nine years.

No remonstrators present.

Earl Cunningham stated he likes that they have the authority to go more than three years. This mobile home has been very well maintained. He would have no hesitation of going six years unless the property were to change hands.

Earl Cunningham made a motion to approve the Petition for Variance/Special Exception for Jerry Pfladderer represented by counsel Andrew D. Voeltz of Howes & Howes, LLP for continued placement of a mobile home. Original approval of placement was June 17, 1986 and continued through until August 16, 2016. The property is located at 8581 S. 1010 W., Wanatah, IN., Clinton Twp., zoned R1B. Motion is approved for six years unless the property changes hands.

Dwayne Hogan seconded.

Andrew Voeltz stated the property's original variance was in 1983.

Majority approved. Motion carries 4-1.

**1. Petition for Variance of Developmental Standards for Sue Ann Tomion** to construct an addition on the side of the home, containing the basement and main floor, four feet by eighteen feet eight inches (4' x 18'8") with the side setback of two feet and five and a half inches (2'5½") instead of the ten feet (10') minimum; final structure will be over the forty-five percent (45%) lot coverage. The property is located at 3221 Lakeshore Dr., Michigan City, IN., Michigan Twp., zoned R1B on .14 acres. Parcel 46-01-12-352-007.000-021.

Attorney Biege stated notice is adequate.

Derrick Payne stated his address is 6 Walnut Street, Three Oaks, MI. He is the builder on the project.

Derrick Payne stated there are three people in the house now, the Tomion's in their eighties (80's) and a mother aged one-hundred and three (103). They downsized from a ten thousand square foot (10,000 ft<sup>2</sup>) home to a three thousand square foot (3,000 ft<sup>2</sup>) home and didn't realize there weren't any closets. It is also for a bathroom enlargement so the mother can more easily access the bathroom in a wheel chair.

Dwayne Hogan asked how much of the construction is done.

Derrick Payne stated none; the house is currently being remodeled, but the addition has not been added prior to the variance being granted.

Dwayne Hogan asked when the remodel work began.

Derrick Payne stated in March of this year.

Dwayne Hogan asked if the work is nearly complete.

Derrick Payne stated they are currently starting the mechanicals.

Dwayne Hogan asked what is going to be done on the West side of the house.

Derrick Payne stated that would be the proposed addition. The homeowners have not yet decided if the basement portion of the addition will be finished or crawlspace.

No remonstrators present.

Derrick Payne stated there should be a letter from the neighbor in the file.

Dwayne Hogan asked if it was for or against.

Derrick Payne stated it was for.

Glen Minich stated he would not make a motion because he is not in favor of it.

Dwayne Hogan asked about the neighbor behind the home, who will not be able to see out to the lake with the addition.

Derrick Payne stated they currently cannot see the lake before the addition.

Earl Cunningham made a motion to approve Petition for Variance of Developmental Standards for Sue Ann Tomion to construct an addition on the side of the home, containing the basement/crawlspace and main floor, four feet by eighteen feet eight inches (4' x 18'8") with the side setback of two feet and five and a half inches (2'5½") instead of the ten feet (10') minimum;

final structure will be over the forty-five percent (45%) lot coverage. The property is located at 3221 Lakeshore Dr., Michigan City, IN., Michigan Twp., zoned R1B on .14 acres. As a side note, this is Lakeshore Drive where virtually every home is in code violation.

Dwayne Hogan seconded.

Motion fails 2-2 with Greg Szybala abstaining.

**2. Petition for Variance of Developmental Standards for Marc Rogers** to build a garage twenty feet by twenty-five feet (20' x 25') with a height of twenty feet (20') instead of the maximum eighteen feet (18') and on the side of the house as opposed to the rear. The property is located at 14 E. Moore St., Hanna, IN., Hanna Twp., zoned CBD2. Parcel 46-18-08-404-005.000-049.

Attorney Biege stated that notice is insufficient.

Melissa Mullins Mischke postponed the petition until the September 17<sup>th</sup> meeting the following month.

**3. Petition for Variance/Special Exception for Elaine Wallis** for continued placement of a mobile home. First variance was in 2007 and last renewal was August 16, 2016. The property is located at 8451 N. 500 W., Michigan City, IN., Springfield Twp., zoned R1B on 9.830 acres.

Attorney Biege stated notice is adequate.

Elain Wallis stated her address is 8451 N. 500 W., Michigan City, IN.

Melissa Mullins Mischke asked what year the mobile home is.

Elaine Wallis stated she does not remember.

Melissa Mullins Mischke stated it looks to be in good shape and that there is a lot of acreage.

Dwayne Hogan asked about the back door that does not have steps.

Elaine Wallis stated the door is not used regularly. It is serviceable; it is low to the ground and functional.

Melissa Mullins Mischke asked if she owns the land and if anyone else lives there.

Elaine Wallis stated she owns the land and lives there with her daughter.

No remonstrators present.

Dwayne Hogan made a motion to approve the petition for the Variance/Special Exception for Elaine Wallis for continued placement of a mobile home. First variance was in 2007 and last renewal was August 16, 2016. The property is located at 8451 N. 500 W., Michigan City, IN., Springfield Twp., zoned R1B on 9.830 acres. Steps need to be added to the back door in case of emergency. The petition is approved for three years renewable.

Greg Szybala seconded.

All Approved. Motion carries 5-0.

**4. Petition for Variance of Developmental Standards for Zachary and Jennifer Alexander** for construction of a second accessory structure forty feet by sixty feet (40' x 60'). The property is located at 1319 N. Goldring Road, LaPorte, IN., Center Twp., zoned A on 2.869 acres.

Attorney Biege stated notice is adequate.

Zachary Alexander stated his address is 1319 N. Goldring Road, LaPorte, IN.

Melissa Mullins Mischke asked if there will be electric and water in the second accessory structure.

Zachary Alexander stated no; it will be cold storage.

Melissa Mullins Mischke asked what the roof height will be.

Zachary Alexander stated it should be right under eighteen feet (18').

Zachary Alexander stated he will have a 110 outlet in the structure for battery charging. He stated he is putting up a second structure because he does not like to leave things sitting outside and he likes to keep it neat.

Earl Cunningham asked if it will sit right behind the existing barn.

Zachary Alexander stated it will sit straight back from the driveway.

No remonstrators present.

Glen Minich asked if the building will match the other structures.

Zachary Alexander stated the building will look professional and nice as it is being done by Cleary Buildings.

Dwayne Hogan made a motion to approve the Petition for Variance of Developmental Standards for Zachary and Jennifer Alexander for construction of a second accessory structure forty feet by

sixty feet (40' x 60'). The property is located at 1319 N. Goldring Road, LaPorte, IN., Center Twp., zoned A on 2.869 acres.

Glen Minich seconded.

All Approved. Motion carries 5-0.

**5. Petition for Variance/Special Exception for Dignan AKA Burkhart Advertising** to relocate an existing billboard twelve feet by twenty-five feet (12' x 25') off premise to opposite corner of property due to construction of a new Dollar General. The property is located at the corner of U.S. 20 and West side of North 500 East, Rolling Prairie, IN., Kankakee Twp., zoned B1 on 46.67 acres.

Attorney Biege stated notice is adequate.

Terry O'Brien stated he is the real estate manager for Dignan and Burkhart Advertising.

Terry O'Brien stated he is here on behalf of economic development. Burkhart has had signs in Laporte County since 1962. They have been at this location along US 20 until about that same time. The owners were recently approached and decided to sell a portion of their land to Dollar General. The initial plans were to move the sign just outside of the foot print, but the owner intends to sell off all of the land to future developments. This led to the plan of the sign being moved to the far end. The current sign is the exact size as the one that will be placed after moving. The top section of the sign will actually be reused. The bottom pole section cannot be used as there is a substantial amount of pole underground.

No remonstrators present.

Glen Minich made a motion to approve the Petition for Variance/Special Exception for Dignan AKA Burkhart Advertising to relocate an existing billboard twelve feet by twenty-five feet (12' x 25') off premise to opposite corner of property due to construction of a new Dollar General. The property is located at the corner of U.S. 20 and West side of North 500 East, Rolling Prairie, IN., Kankakee Twp., zoned B1 on 46.67 acres.

Dwayne Hogan seconded.

All Approved. Motion carries 5-0.

**6. Petition for Variance of Developmental Standards for Richard W and Rebecca Tomich** for construction of a second accessory structure forty feet by sixty feet (40' x 60') with the height of twenty-eight feet (28') instead of the maximum eighteen feet (18') and water with a bathroom. The property is located at 633 W. 400 S., LaPorte, IN., Scipio Twp., zoned R1A on 2 acres.

Attorney Biege stated notice is adequate.

Richard Tomich stated his address is 633 W. 400 S., LaPorte, IN.

Richard Tomich stated the structure will be for storage. The bathroom is so there isn't traffic through the house.

Earl Cunningham asked if the additional height will be for storage.

Richard Tomich stated the height would be for storage of a camper one day.

No remonstrators present.

Glen Minich asked how tall the house is currently as the structure would be taller.

Richard Tomich stated it is similar in height to his neighbor's pole barn across the street.

Dwayne Hogan asked if all the neighbors were notified.

Attorney Biege stated all of them were.

Richard Tomich stated he obtained signatures from all the adjoining land owners.

Greg Szybala made a motion to approve the Petition for Variance of Developmental Standards for Richard W and Rebecca Tomich for construction of a second accessory structure forty feet by sixty feet (40' x 60') with the height of twenty-eight feet (28') instead of the maximum eighteen feet (18') and water with a bathroom. The property is located at 633 W. 400 S., LaPorte, IN., Scipio Twp., zoned R1A on 2 acres.

Earl Cunningham seconded.

Melissa Mullins Mischke stated there is to be no renting of the structure.

All Approved. Motion carries 5-0.

**7. Petition for Variance of Developmental Standards for Rafael Rodriguez** for the approval of an accessory structure already built to the side of the home instead of the rear. The structure is fifteen feet four inches by thirty-six feet (15'4" x 36') and eight feet three inches (8'3") from the home instead of the required ten feet (10'). The property is located at 11964 W. Cassandra Lane, Westville, IN., New Durham Twp., zoned R1A.

Attorney Biege stated notice is adequate.

Rafael Rodriguez stated his address is 11964 W. Cassandra Lane, Westville, IN.

Melissa Mullins Mischke asked if the structure is already on the property.

Rafael Rodriguez stated it is.

Melissa Mullins Mischke asked if he is using it for storage.

Rafael Rodriguez stated it will be used for storage, but it is currently empty since arrival.

Dwayne Hogan asked why the structure couldn't go further back behind the home.

Rafael Rodriguez showed that there is a septic field behind his home. Two years ago, he spoke with his neighbor and asked if he had any issues with him placing a shed in the back of the property. The neighbor stated he did not want an obstructed view of the rear corn fields. Mr. Rodriguez also stated that placement was also determined for his wife who had suffered a stroke years before. It is currently sitting in the flattest grading available and is easily accessible for his wife.

No remonstrators present.

Earl Cunningham asked if the structure was delivered early two months ago; what was the delay in coming to the board.

Rafael Rodriguez stated it took six weeks to build, but hasn't been used.

Glen Minich asked if this is a portable structure.

Rafael Rodriguez stated it is movable, but requires heavy machinery.

Glen Minich asked if it is on a foundation.

Rafael Rodriguez stated it is on about seventy or so pavers.

Glen Minich stated it will not pass code as is.

Rafael Rodriguez stated it needs to be anchored, but wasn't done pending the variance. He has a contractor lined up to do the anchoring.

Glen Minich made a motion to approve the Petition for Variance of Developmental Standards for Rafael Rodriguez for the approval of an accessory structure already built to the side of the home instead of the rear. The structure is fifteen feet four inches by thirty-six feet (15'4" x 36') and eight feet three inches (8'3") from the home instead of the required ten feet (10'). The property is located at 11964 W. Cassandra Lane, Westville, IN., New Durham Twp., zoned R1A.

Earl Cunningham seconded.

Approved. Motion carries 4-1.

**8. Petition for Variance of Developmental Standards for Jonathan and Erika Burger** for the construction of a twenty feet by thirty-two feet (20' x 32') detached



garage with the height of twenty-five feet (25') instead of the maximum eighteen feet (18'), to be placed in front of the home instead of the rear, prior to the home being built, and with a bathroom. The property is located at 1088 N. Goldring Road, LaPorte, IN., Center Twp., zoned A on 1.65 acres.

Attorney Biege stated notice is adequate.

Jonathan Burger stated his address is 308 Seimetz Drive, LaPorte, IN.

Melissa Mullins Mischke asked why the structure is going up before the home; is it for building materials.

Jonathan Burger stated yes. The purpose behind the size and placement is because of the topography. He is going for a modern farmhouse looking home and the garage needs to be detached. It will have storage for construction materials. He intends to do the mill work, doors, and cabinetry for the home and will be doing it in a wood shop to be located in the upper area of the structure.

Dwayne Hogan asked if he planned on using it for a residence.

Jonathan Burger stated no.

Dwayne Hogan stated the ground there is very tough.

Jonathan Burger agreed stating the septic is at the bottom of the hill and he designed everything to be a gravity fed system.

No remonstrators present.

Earl Cunningham made a motion to approve the Petition for Variance of Developmental Standards for Jonathan and Erika Burger for the construction of a twenty feet by thirty-two feet (20' x 32') detached garage with the height of twenty-five feet (25') instead of the maximum eighteen feet (18'), to be placed in front of the home instead of the rear, prior to the home being built, and with a bathroom. The property is located at 1088 N. Goldring Road, LaPorte, IN., Center Twp., zoned A on 1.65 acres. Not to be used as a residence.

Dwayne Hogan seconded.

Jonathan Burger stated he spoke with the Building Commissioner about expanding the footprint to be a two-car garage with the dimensions being twenty-six feet by thirty-two feet (26' x 32').

Earl Cunningham clarified twenty-six feet by thirty-two feet (26' x 32').

All Approved. Motion carries 5-0.

**9. Petition for Variance of Developmental Standards for Brian Hernandez and Jessica Colburn-Hernandez** for the placement of a modular home, which will be a larger footprint than the original, on a non-conforming lot of one-fourth (¼) acre instead of one (1) acre, eight feet five inches (8'5") from the rear property instead of the required twenty-five feet (25') and with one hundred and thirty feet (130') of road frontage instead of the required two hundred feet (200'). The existing home will be demolished. The property is located at 7 E. Snyder Road, Westville, IN., New Durham Twp., zoned R1B on .25 acres.

Attorney Biege stated notice is inadequate due to insufficient publication.

Earl Cunningham made a motion to continue to next month.

Dwayne Hogan seconded.

Melissa Mullins Mischke stated petition number 9 is postponed to the September 17<sup>th</sup> meeting.

**10. Petition for Variance/Special Exception for Michael A and Roxanne Peach** for the raising of a maximum of fifty (50) chickens on two (2) acres instead of the minimum required three (3) acres. The property is located at 6712 E. 100 S., Mill Creek, IN., Lincoln Twp., zoned A on 2 acres.

Attorney Biege stated notice is adequate.

Roxanne Peach stated her address is 6712 E. 100 S., Mill Creek, IN.

Melissa Mullins Mischke asked about the number of chickens requested.

Roxanne Peach stated she is asking for fifty (50) because she would like to have meat chickens in the spring and you only have them for eight to ten (8 - 10) weeks. She plans to have twenty-four (24) chickens, but would only have around fifty (50) for that brief time during the spring. The most meat chickens she would want is twenty-five (25).

Melissa Mullins Mischke asked what will be done with the chicken waste; will it be stored on site.

Roxanne Peach stated she will have a compost and will eventually have raised garden beds in which it will be used in.

No remonstrators present.

Dwayne Hogan asked if the barn in the back will be fixed up.

Roxanne Peach stated yes.

Dwayne Hogan asked if there is already electric.

Roxanne Peach stated yes.

Dwayne Hogan asked if a run will be added off the back of the structure for the chickens.

Roxanne Peach stated yes, eventually.

Dwayne Hogan asked if they will be free range chickens for the time being.

Roxanne Peach stated that they will be, but the run will be added eventually. She spoke to her neighbors and they do not have a problem with free range chickens.

Glen Minich stated there should be a motion made for twenty-five (25) hens out of the fifty (50) chickens. There will not be more than twenty-five (25) laying hens.

Glen Minich made a motion to approve the Petition for Variance/Special Exception for Michael A and Roxanne Peach for the raising of a maximum of twenty-five (25) laying hens and a total of fifty (50) chickens on two (2) acres instead of the minimum required three (3) acres. The property is located at 6712 E. 100 S., Mill Creek, IN., Lincoln Twp., zoned A on 2 acres.

Dwayne Hogan seconded.

All Approved. Motion carries 5-0.

**11. Petition for Variance of Use for Keith Blamey** to run an auto body shop and to construct a sixty feet by forty feet (60' x 40') third structure, with a height of twenty feet (20') instead of the maximum eighteen feet (18'), and a four feet by four feet (4' x 4') double-sided sign. The property is located at 6969 N. State Road 39, LaPorte, IN., Springfield Twp., zoned A on 7.568 acres.

Attorney Biege stated notice is adequate.

Keith Blamey stated his address is 6969 N. State Road 39, LaPorte, IN.

Melissa Mullins Mischke asked about the hours of operation.

Keith Blamey stated 8:00 a.m. to 6:00 p.m. Monday through Saturday.

Melissa Mullins Mischke asked if he would be by appointment on Sunday.

Keith Blamey stated he does not want to work on Sunday's.

Melissa Mullins Mischke stated he may want to do appointments only in case.

Keith Blamey stated Sunday by appointment only.

Melissa Mullins Mischke verified hours would be 8:00 a.m. to 6:00 p.m. Monday through Saturday and by appointment on Sunday.

Melissa Mullins Mischke asked how many cars he anticipates to have at one time at most.

Keith Blamey stated twenty (20) at most.

Earl Cunningham if he has a paved or gravel parking lot for the cars.

Keith Blamey stated yes, there is crushed asphalt for the driveway then crush stone for the lot. He plans on paving it when the new building is added.

No remonstrators present.

Annemarie Polan stated she received a call about the property today stating that the caller was very pleased with the operation and that it is very neat and clean.

Earl Cunningham stated for that type of business, it is one of the best in the county.

Dwayne Hogan agreed.

Dwayne Hogan made a motion to approve the Petition for Variance of Use for Keith Blamey to run an auto body shop and to construct a sixty feet by forty feet (60' x 40') third structure, with a height of twenty feet (20') instead of the maximum eighteen feet (18'), and a four feet by four feet (4' x 4') double-sided sign. The property is located at 6969 N. State Road 39, LaPorte, IN., Springfield Twp., zoned A on 7.568 acres. Hours 8:00 a.m. to 6:00 p.m. Monday through Saturday and by appointment on Sunday.

Greg Szybala seconded.

All Approved. Motion carries 5-0.

**12. Petition for Variance of Developmental Standards for Jeanne and James Reed (lessor) and William Barker and Josh Schneider (lessee)** to enclose two shipping containers for the storage of building materials. The property is located at 13804 S. 1050 W., Wanatah, IN., Cass Twp., zoned B2 on 3.235 acres.

Josh Schneider stated his address is 7659 E. 100 N., Greenfield, IN 46140.

Melissa Mullins Mischke asked if he is leasing these storage containers.

Josh Schneider stated he purchased the storage containers and they will be used as temporary storage for refined industrial materials for a home he is building on the lake. The home will have an airplane hangar door that is currently being stored there. There is a stack of three feet by six feet (3' x 6') tongue and groove decking from 1903 out of the Racine Wisconsin Case

Manufacturing Plant. The building will house the products until construction will commence in a few months and should take about a year to complete.

Melissa Mullins Mischke asked what will happen to the structure after the house is completes.

Josh Schneider stated it will either stay or go pending upon what the board decides. It is currently sitting on a large concrete slab that was a building. The containers are not outside the perimeter of the slab. The height is around eighteen feet (18'). The boxes were spread to allow storage in the middle and trusses were placed on top to have a covering.

Melissa Mullins Mischke asked since the home is being built on Lake Michigan, will she have to follow these materials up 421 on her way to work every day.

Josh Schneider stated no; they will be on semi-trucks all being moved at once. He stated he has seven (7) bow string trusses out of the Chicago Brick Works buildings, but they are stored closer to the lake. They are trying to keep the materials out of the weather the best they can.

Greg Szybala asked when the project would be starting.

Josh Schneider stated hopefully October or November pending on some engineering decisions. They want to build the home on pilings because the other homes in the area are having foundation issues; they are sliding down the hill.

**Remonstrators:**

Mike Kutkiewicz stated he lives just south of the property across the railroad tracks at 10751 W. 1400 S., Wanatah, IN.

James Irwin stated his address is 13951 S. 1050 W., Wanatah, IN.

James Irwin stated that where the trailers are sitting is where they used to store fertilizer and sand. There used to be an ethanol storage as well. He wants to know if those buildings are being utilized for storage.

Mike Kutkiewicz stated they are building a forty feet by sixty feet (40' x 60') building out of two-by-four's (2" x 4") and the only thing holding it up are the two storage containers. He wants to know how the storage units will go into the building when the storage units are longer than the building. He stated the wooden two-by-four's (2" x 4") are only showing about fifty feet (50') long structure. It is an expensive building, especially if done correctly. There are no four-by-four's (4" x 4") on the corners; they look to be two-by-four's (2" x 4"). The building is only being kept in place by the storage containers.

James Irwin stated they put plywood on each end to keep it from bracing again.

Mike Kutkiewicz stated the building is not being planned very well since it intends to be torn down after it's use. There are plenty of buildings that he could rent that would be sufficient that

do not require a new structure to be built. It would be cheaper to rent a building. He asked how many more storage units would be moved in. The area should also be cleaned. There used to be a shooting range in the back.

Melissa Mullins Mischke asked if they had been shooting there since they began renting.

Mike Kutkiewicz stated no, he put a stop to it years before.

Earl Cunningham stated some of his concern is how long the building will be there. For instance, if the building is there for a time period of two (2) years, it would alleviate his concern about the building being there poorly constructed. It is a temporary structure.

Mike Kutkiewicz asked what else will be moved in there. The same people tried to move an asphalt paving plant in ten years ago.

Earl Cunningham stated that is an issue for another meeting; that is not why we are here.

Melissa Mullins Mischke stated that those questions should be directed at the owner of the property.

James Irwin stated there are two trailers on the property, one that he knows is occupied.

Mike Kutkiewicz stated further down the line, those people will need to clean the cement and drainage silo because it could deteriorate or fall on the tracks.

Melissa Mullins Mischke stated she can sympathize with his concerns and he should contact Annemarie and the Building Department.

Mike Kutkiewicz stated he is concerned with how many more storage containers there will be.

James Irwin asked when they brought in the containers, why didn't they try to get a permit from the Building Department.

Mike Kutkiewicz stated he thinks they will leave the shipping container, store stuff inside, and if they move the containers the building will fall.

Earl Cunningham said they can determine how long they will stay.

Mike Kutkiewicz asked if there would be electric.

Melissa Mullins Mischke stated they will be asked.

Josh Schneider stated there will be no more containers added. The building is attached to the containers which weigh approximately ten thousand pounds each. The inspector had ordered them to stop construction which explains why it looks rickety. It will be braced much more. It

will not get six-by-six's (6" x 6") in the ground because it is a temporary building, but it will be hurricane strapped and safe. It will not blow away.

Melissa Mullins Mischke stated that some of the materials they are storing are going to be expensive; are they going to build a shoddy structure to store their expensive materials.

Josh Schneider stated he will spend the least amount of money that he has to just to maintain the materials. The RV's, one is used sporadically by William Barker's girlfriend who uses it as an artist. The RV's come and go. The shootings have nothing to do with him or their project. The containers will either stay or go pending on what the board wants.

Earl Cunningham asked how much time the entire process will require.

Josh Schneider stated two (2) years should be sufficient. It will look like a pole barn.

Melissa Mullins Mischke asked him to draw on the aerial where the structure will be to show the remonstrators.

Melissa Mullins Mischke stated that the structure is on top of an existing concrete pad.

Josh Schneider stated there is an additional eight feet (8') of concrete slab in front of the structure. The trusses are screwed through the aluminum on the containers on the top, middle, and bottom. He used a local company for the trusses; they are built to code.

Mike Kutkiewicz asked if the building will be enclosed with metal tin or will it be left open.

Josh Schneider stated the trusses will be extended out to the edge of the containers so it will be like a common roof. It will have a vinyl roof.

Glen Minich asked if the roof will be a stretch cloth vinyl roof.

Josh Schneider stated yes.

Glen Minich stated that when those are used, they are typically done with pipe, not wood, because of friction and damage to the material.

Earl Cunningham stated that he is only going to be using it for two (2) years.

Josh Schneider stated it has a five-year (5) life span.

Glen Minich stated that somebody recently built one of these. The county's requirements for these containers are much more. They have to be on a foundation, they cannot sit on a floating piece of concrete. It is code for LaPorte County for it to be anchored to a foundation.

Josh Schneider asked if it would be considered a temporary structure since it is not attached to the ground.

Attorney Biege stated he will not be able to get around building code standards by calling it a temporary structure. He will have to follow code.

Glen Minich stated that anybody in the building would be in danger of collapse if it is not built properly. It is not safe.

Melissa Mullins Mischke stated that while the board may or may not grant the variance, they would still have to go through the building permit process.

Attorney Biege stated it is not a consideration for the variance.

Earl Cunningham made a motion to approve the Petition for Variance of Developmental Standards for Jeanne and James Reed (lessor) and William Barker and Josh Schneider (lessee) to enclose two shipping containers for the storage of building materials for a maximum of two (2) years. The property is located at 13804 S. 1050 W., Wanatah, IN., Cass Twp., zoned B2 on 3.235 acres.

Attorney Biege asked if they will include removal of structure in the motion.

Earl Cunningham clarified that the structure and containers be removed within six (6) months after the two-year (2) period.

Dwayne Hogan seconded.


Approved. Motion carries 3-2.


Earl Cunningham made a motion to make it standard policy in the future to move the attorneys to the top of the agenda by alphabetical order.

Dwayne Hogan seconded.

All Approved. Motion carries 5-0.

There being no further business, meeting adjourned at 7:24 p.m.

  
Melissa Mullins Mischke, President

  
Annemarie Polan, Recording Secretary