



**LAPORTE COUNTY
BOARD OF ZONING APPEALS**

Government Complex, 5th Level
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Michael Polan
Building Commissioner

July 16th, 2024

Dear Members:

The regular meeting of the La Porte County Board of Zoning Appeals was held Tuesday, **July 16th, 2024, at 6:00 p.m.** in the Assembly Room of the County Complex.

MEMBERS PRESENT: Ernie Schmidt John Carr
 Deb Vance Vern Schafer

PRESENT: Michael Polan, Recording Secretary; Ashley Kazmucha, Administrative Coordinator; Attorney Doug Biege

The Pledge of Allegiance.

APPROVAL OF MINUTES:

Deb Vance asked for approval of the meeting minutes of June 18th, 2024

Vern Schafer made a motion to approve the meeting minutes as presented.

Ernie Schmidt seconded.

All Approved. Motion carries 4-0.

Petitions:

1. Petition for Variance of Developmental Standards for Madeline Clifton c/o Timmy Hamlin for construction of a second accessory structure with a height of 23' instead of the maximum 18' allowed. This property is located at 425 Lakeside Dr., Walkerton, IN., Lincoln Twp., zoned R1B. Parcel 46-12-16-305-020.000-055.

Deb Vance stated this was tabled last month.

Vern Schafer made a motion to remove the Petition from the table.

Ernie Schmidt seconded.

All Approved. Motion carries 4-0.

Attorney Biege stated notice is adequate.

Timmy Hamlin stated his address is 425 Lakeside Dr., Walkerton, IN.

Deb Vance asked him to tell them about his project.

Timmy Hamlin stated he is here for a variance for a second garage that is a little over the height limit.

No remonstrators present.

Vern Schafer stated looking at the map, he noticed this is on an adjacent lot next to his property which he also owns. This is the only building on the lot.

Timmy Hamlin stated no, this will be the second one (1); he will be building two (2). The first one (1) is just going to be a metal building. The second one (1) that is going to be two-story is going to be stick built.

Vern Schafer asked if there is any particular reason why it needs to be that high.

Timmy Hamlin stated for a second story.

Vern Schafer stated the plans for the second story.

Timmy Hamlin stated projects as he gets older. Woodworking and stuff. He says as he gets older, but he is already older.

Deb Vance stated it will have utilities.

Timmy Hamlin stated just electric.

Deb Vance stated he doesn't plan on using it for a residence or a rental.

Timmy Hamlin stated no.

Vern Schafer stated this particular building, how far is the setback from the road.

Timmy Hamlin stated it is probably sixty feet (60') from the road, then ten feet (10') off each side. He thinks that is the limit, isn't it? Ten feet (10')?

Vern Schafer stated yes. He noticed from the drawing that it sets back behind the other buildings that he has.

Timmy Hamlin stated yes.

Vern Schafer made a motion to approve the Petition for Variance of Developmental Standards for Madeline Clifton c/o Timmy Hamlin for construction of a second accessory structure with a height of 23' instead of the maximum 18' allowed. This property is located at 425 Lakeside Dr., Walkerton, IN., Lincoln Twp., zoned R1B.

Ernie Schmidt seconded.

All Approved. Motion carries 4-0.

2. Petition for Variance of Developmental Standards for Eight Hundred North LLC Und ½ Int & 4275 W 800 N (Joseph Wanda) for two accessory structures (12' x 20' and 12' x 24') on a property without a dwelling. Property used for personal recreation. This property is located east of 4347 W. 800 N., Michigan City, IN., Springfield Twp., zoned R1B on 9.22 acres. Parcel 46-02-20-400-008.000-062.

Attorney Biege stated notice is adequate.

Joseph Wanda stated his address is 14020 Thomas Dr., Orland Park, IL.

Joseph Wanda stated he had a camper there for two (2) years. He bought the property in 2021. He had a camper on the property for two (2) years and then he was looking to get rid of the property and he looked around at some of the shed places that were around and he bought a shed that was built there. It said on the sheet that he was building it, but he didn't build it; he bought it from Sheds & More in Elkhart, Indiana. He was not aware they had to have a dwelling on the property. He talked to the shed place and evidently, they didn't give him the right information when he bought the shed and put it on the property. The shed was delivered last year around August.

Deb Vance stated there is just one (1) on there now.

Joseph Wanda stated he has one (1) on there now. He would like to put a garage shed on there for four-wheelers and recreational equipment. That way it looks clean and it doesn't look like he has lawn mowers laying all over the place or anything.

Deb Vance stated what is in the one (1) that he has on there now. Is it the recreational vehicles?

Joseph Wanda stated no. He lives in Orland Park, Illinois so he has everything there, but he would like to have it all in one (1) place where they use it.

Ernie Schmidt asked if the building is on site.

Joseph Wanda stated it is on site. It was delivered last year in August.

Ernie Schmidt asked if it is way back off of the road.

Joseph Wanda stated it has to be seventy to eight feet (70' – 80') from the road. He wrote it down. He gave the measurements to Janet Cole.

Ashley Kazmucha asked if it is closer to the road than the pop-up because there is a pop-up on site right now.

Joseph Wanda stated he does not have a pop-up camper there.

Ernie Schmidt stated they must have been to the wrong property.

Joseph Wanda stated he saw pictures of what they had when Janet showed them to him. It looks like a cabin, but it is a shed; he bought it from Sheds & More in Elkhart, Indiana.

Deb Vance asked if there are any utilities or anything on it.

Joseph Wanda stated no, it does not have utilities. The only thing they use is a generator for electric. It is a gas-powered generator.

No remonstrators present.

Vern Schafer stated obviously this is just a shed setting there. It is not anchored, is that correct? It's not on a foundation.

Joseph Wanda stated it is on cinder blocks or patio pavers.

Vern Schafer stated so it is basically like a trailer or something similar.

Joseph Wanda stated that is what he figured when he bought it. He had the trailer there and they use it like for a campground when they are there. They take the grandkids fishing, go to the beaches, it is recreational when they are out there.

Vern Schafer stated so what he is asking for also, besides that as it has been red tagged because it is not according to standards. Is he seeing it correctly? The building that is on site is not really correct?

Michael Polan stated he does not recall if this was complaint induced or how this came about.

Vern Schafer stated the new structure that he is planning on putting on is a foundation type structure or a pole building? What is it?

Joseph Wanda stated it is the same thing. It is a shed that has a garage door on it. It's twelve by twenty (12' x 20'). The current one (1) is twelve by twenty-four (12' x 24') because it has a deck area on the front of it. It is going to be twelve by twenty-four (12' x 24') and it's just going to have a garage where it lifts up for storage like a storage unit. That way he can put the lawnmowers, garden equipment, four-wheelers in there. He just doesn't want the property

looking like he has things laying all around the property with tarps on it. He would rather have a shed where it looks like it belongs there. They will be the same color and the same size.

Ernie Schmidt stated so the size of those with the piers, right.

Vern Schafer stated he isn't sure how this varies from like a container that is on a piece of property without a residence or such and such and how it is supposed to be anchored or whatever in that particular situation.

Michael Polan stated if they handle the zoning part of it, if it were to be approved and they come to his office for a permit, the permit generates an inspection. The inspection makes sure that whatever the structure is, is up to building code.

Vern Schafer stated okay.

John Carr made a motion to approve the Petition for Variance of Developmental Standards for Eight Hundred North LLC Und ½ Int & 4275 W 800 N (Joseph Wanda) for two accessory structures (12' x 20' and 12' x 24') on a property without a dwelling. Property used for personal recreation. This property is located east of 4347 W. 800 N., Michigan City, IN., Springfield Twp., zoned R1B on 9.22 acres.

Vern Schafer seconded.

All Approved. Motion carries 4-0.

Deb Vance stated to make sure he gets with the Building Department and follow whatever rules.

Joseph Wanda asked if he can talk to them now about it. He just needs to know whatever he has to do to get the permits.

3. Petition for Variance of Developmental Standards for Jeremy A & Trisha R Collings for construction of an attached garage with a side setback of 3' instead of the 10' minimum required. This property is located at 1082 S. Marquette St., LaPorte, IN., Scipio Twp., zoned R1B. Parcel 46-10-10-202-004.000-060.

Attorney Biege stated notice is adequate.

Jeremy Collings stated his address is 1082 S. Marquette St., LaPorte, IN.

Deb Vance asked him to tell them about it.

Jeremy Collings stated he doesn't know if they can see the map of the property, but they have their house and the garage is there. Then they have a pool which would be to the southwest in the back. They wanted to build a pole barn or attached garage to the east of the pool. Then they could utilize the same driveway, go ahead and pull in that way. Then eventually when they get

more money saved up, they'd finish the inside of the barn and be able to utilize it a little bit more for gatherings and whatnot.

Deb Vance asked if it is on the drawing she has.

Jeremy Collings stated yes. It is forty by forty (40' x 40') with ten-foot (10') ceilings.

Ernie Schmidt stated it will have a breezeway between.

Jeremy Collings stated that is necessary, correct.

No remonstrators present.

Michael Polan stated he did receive correspondence concerning this. He will bring it up; it is in support.

Deb Vance stated okay.

Jeremy Collings stated that is from the neighbors that would be directly south of him who would be the most affected by it.

Deb Vance stated so they would be closer to the three (3'). They are on that side.

Jeremy Collings stated that is them, yes.

Vern Schafer stated he has a question on the breezeway. Obviously, he has several issues. One (1) is how does he get access to the pool now that he will have closed off all that area.

Jeremy Collings asked if he can show him a picture of the garage.

Vern Schafer stated sure. His concern is in case of an emergency or something like that.

Jeremy Collings stated this is prior to the breezeway being added.

Jeremy Collings discusses the drawing with Vern Schafer.

Vern Schafer asked where his septic is? Will he have access to get to his septic to pump.

Jeremy Collings stated it is on the other side of the house. They have a whole other empty lot on the other side. They have all that access to the other side available.

Vern Schafer stated okay. He just worried about landlocking all that stuff.

Ernie Schmidt made a motion to approve the Petition for Variance of Developmental Standards for Jeremy A & Trisha R Collings for construction of an attached garage with a side setback of

3' instead of the 10' minimum required. This property is located at 1082 S. Marquette St., LaPorte, IN., Scipio Twp., zoned R1B.

Vern Schafer seconded.

All Approved. Motion carries 4-0.

4. Petition for Variance of Developmental Standards for John D & Susan M McMahon H & W JTWROS for construction of an attached garage with a side setback of 5' instead of the 10' minimum required. This property is located at 7664 N. Huron Trl., Rolling Prairie, IN., Galena Twp., zoned R1B. Parcel 46-03-25-278-019.000-048.

Attorney Biege stated notice is adequate.

Justin Hullinger stated his address is 5309 E Iroquois Trail, Rolling Prairie, IN.

Deb Vance asked him to tell them about it.

Justin Hullinger stated the owners wanted to have an attached garage. They will have a walkway on the one side of the property. The garage on the other side is a foot (1') off the property line that the neighbor built a couple years ago.

Vern Schafer stated that is the one (1) in the rear, correct?

Justin Hullinger stated yes. They want to be able to go right into the house with the snow because they are getting older.

Deb Vance stated attached garage.

No remonstrators present.

Vern Schafer stated he didn't mention this in the last one (1), but if they're going to be that close to the property line, they have to be careful about water as it comes off their roof that it doesn't wind up going on their neighbor's property. Then they don't have a happy neighbor anymore. He wants to make sure that they have gutters.

Justin Hullinger stated the neighbor's is a foot taller than where they are at so they have to build up to that level. That neighbor of concern is also the first neighbor that signed the variance.

Vern Schafer stated okay.

Ernie Schmidt asked if the old garage is going to come down?

Justin Hullinger stated eventually.

Vern Schafer made a motion to approve the Petition for Variance of Developmental Standards for John D & Susan M McMahon H & W JTWROS for construction of an attached garage with a side setback of 5' instead of the 10' minimum required. Water must be diverted away from the neighbor's property. This property is located at 7664 N. Huron Trl., Rolling Prairie, IN., Galena Twp., zoned R1B.

John Carr seconded.

All Approved. Motion carries 4-0.

5. Petition for Variance of Developmental Standards for Rodney E & Karen L Peters for placement of a 40' x 8' shipping container to store model planes. This property is located at 15615 S. 800 W., Wanatah, IN., Cass Twp., zoned A on 7 acres. Parcel 46-17-23-300-004.000-001.

Attorney Biege stated notice is adequate.

Rodney Peters stated his address is 15615 S. 800 W., Wanatah, IN.

Deb Vance stated to tell them about it.

Rodney Peters stated it is a shipping container that is weather tight. As Ashley and Ernie saw, he has a few model airplanes and he has run out of storage in his forty by sixty (40' x 60') so he would like a nice secure, dry place to temporarily store some stuff until he gets done playing with them. Upon delivery of it, if they accept it, it will be painted the same color as the current structures. He doesn't want a pink one (1) out there in the middle of nowhere.

No remonstrators present.

Ernie Schmidt asked if this is the petition Deb read.

Deb Vance stated yes, did she not read it right?

Ernie Schmidt stated well, it eventually could get to be forty by eighty (40' x 80').

Deb Vance stated what does it say.

Ernie Schmidt stated it says forty by eight (40' x 80'), but the petition says forty by eight (40' x 8').

Deb Vance stated which one (1) is it.

Rodney Peters stated it is forty by eight (40' x 8').

Deb Vance stated she read it how it was typed.

Ernie Schmidt stated he thought she changed it or something.

Rodney Peters stated maybe Karen did that for him.

Deb Vance stated let's correct that. Placements of a forty by eight (40' x 8') shipping container to store model planes. She was going to say, he has a lot of model planes.

Rodney Peters stated he does.

Vern Schafer stated that's a heck of a shipping container. Must be a boat.

Deb Vance stated she is glad he caught that.

Rodney Peters stated he has ninety-two (92) hanging from the ceiling, so he thinks he is over his limit on the ceiling there so he has to thin them out a little bit.

Vern Schafer asked if he ever considered he has too much stuff.

Rodney Peters stated well actually, no, but yes. Everybody else in his family says that he needs help.

Vern Schafer stated obviously he is aware that it has to be on footings and anchored.

Rodney Peters stated yes, sir. He has written on there that he was going to put cables over it, but during the preliminary visit, they came out and told him about the footings and the anchors. He showed Ernie this evening the type of anchor system that he researched that looks very appropriate for it that would be safe.

Ernie Schmidt made a motion to approve the Petition for Variance of Developmental Standards for Rodney E & Karen L Peters for placement of a 40' x 8' shipping container to store model planes. This property is located at 15615 S. 800 W., Wanatah, IN., Cass Twp., zoned A on 7 acres.

Vern Schafer seconded.


All Approved. Motion carries 4-0.

Rodney Peters stated thank you very much. He appreciates their patience with this.

Deb Vance asked for any new business.

There being no further business, meeting adjourned at 6:23 p.m.


Melissa Mullins Mischke, President


Michael Polan, Recording Secretary