



Andrew Joa stated his address is 1718 N. Wood St., Chicago, IL.

Melissa Mullins Mischke stated what need arises that he needs to build a pole barn before the residence.

Andrew Joa stated the main residence is going to be a future residence after his kids graduate and leave the house and go to college. So, they're not ready to build that yet.

Melissa Mullins Mischke stated okay. What is the purpose of it? Are they storing construction materials?

Andrew Joa stated no. They want to be able to use the land so the pole barn will be there for storage of vehicles, but the living quarters there will be so that they can go there on the weekends and enjoy a smaller home before they build the permanent structure.

No remonstrators present.

Vern Schafer stated according to the picture that they have, he has two (2) lots that are adjoining.

Andrew Joa stated that is correct. He has one, that they're talking about which is on the north is the north parcel and the other one (1) is the south parcel. That one (1) he is not planning to build anything on it for now. It might be a future parcel for his kids to build a house later.

Vern Schafer stated his driveway will come through that other parcel.

Andrew Joa stated that is the current thinking.

Vern Schafer stated this building will have living quarters.

Andrew Joa stated yes. The plan is to have living quarters in the initial pole barn building.

Vern Schafer asked if it is kind of like a barndominium.

Andrew Joa stated yes. Except it is not going to be the whole building living, but only a portion will be living and the other portion will be typical barn.

Melissa Mullins Mischke asked if he has any drawings that might show the layout of the structure where it's going to be on the property.

Andrew Joa stated yes, he thought he provided that. He can get that. Do they have that?

Vern Schafer stated it is on the last page.

Melissa Mullins Mischke asked if they know what the exterior of it will look like.

Andrew Joa stated no. He has engaged Milmar, but they have not designed anything yet other than the footprint. What he provided is roughly the footprint of the property.

Melissa Mullins Mischke asked if they will access the garage portion of it from the west side.

Andrew Joa stated it will either be in the west side of the building or the south side of the building. To be determined.

Vern Schafer stated obviously this building looks to him like it's closer to the road than where the proposed main residence is going to be.

Andrew Joa stated correct.

Vern Schafer asked when do they plan on starting to build the main residence?

Andrew Joa stated probably three to four (3 – 4) years would be the outside. If for some reason they sell their house sooner in Chicago, then they would be able to build that sooner.

Vern Schafer stated there's a possibility then if they pass this variance that they would put a stipulation in there that he has to begin the construction within a certain period of time on his primary residence, so that this doesn't become a permanent residence.

Andrew Joa stated he thinks it'll just depend on what that stipulation would be because he wouldn't be in a position to start that until he actually sold his house.

Vern Schafer stated that is why he is asking when his plan is to start construction of his primary residence.

Andrew Joa stated to give him the most flexibility would be like four (4) years when his youngest child is out. Could it happen sooner? Yes, but would it be a risk if that was a stipulation? Yes.

Vern Schafer stated that is why he was asking.

Melissa Mullins Mischke stated if they gave him a time period and he was not able to meet that then he could come back in front of them and ask them for an extension. She is not inclined to grant four (4) years before he starts any construction on the primary residence.

Andrew Joa asked how does it normally work? What is the time period normally?

Melissa Mullins Mischke stated her opinion is two (2) years, but it's going to depend on the entire board and that's actually kind of pushing it. Normally, they give a year for construction.

John Carr stated this pole barn he is going to build, it is going to have septic and electric?

Andrew Joa stated septic and well, It will have full living quarters. He doesn't know if this matters, but what if the home in the pole barn was a structure that was connected to the pole barn with a breezeway, then would it be considered a more conventional home?

Vern Schafer stated he doesn't know. He has to ask a question and he doesn't know if he is going to get an answer. Ashley, she might know this. There are a lot of people that build barndominiums now. So, it's actually a home with a large garage, you might say.

Ashley Kazmucha stated that depends on the square footage.

Vern Schafer stated right, so that would be acceptable without a variance. Is that correct?

Ashley Kazmucha stated yes.

Vern Schafer asked what the stipulations are on a barndominium.

Ashley Kazmucha stated they would have to have a at least a minimum of a thousand square feet (1,000<sup>2</sup>) of living space. She doesn't know how much living space he intends to have.

Andrew Joa stated it would probably be two thousand plus or minus (2,000<sup>2</sup>±).

Ashley Kazmucha asked if that is for living space in the pole barn.

Andrew Joa stated yes.

John Carr stated he would just need to label it as a barndominium and he doesn't even need to come in front of them.

Ashley Kazmucha stated she would just call it a barndominium and come back for a second home.

Andrew Joa stated that would be the question. The longer-term plan is to have a larger living quarters home, but he doesn't think they can build two (2) homes on a parcel.

Melissa Mullin Mischke stated he would come back for a variance from them.

Andrew Joa stated okay.

Melissa Mullins Mischke stated she is going to say that he does not want to rent out that garage space or subdivide any further.

Andrew Joa stated there's no need to subdivide it. Is there a definition of an ADU in terms of square footage and what is that here?

Ashley Kazmucha stated thirty-three percent (33%) of the primary home or eight hundred square feet (800<sup>2</sup>), whichever is larger. Since he does not have a primary home, it does not apply.

Andrew Joa stated okay. If he built a primary home in the future, as long as this residential portion of the barn is thirty-three percent (33%) or less, it can be considered an ADU?

Ashley Kazmucha stated it has to be thirty-three percent (33%) exact it's going to be bigger than eight hundred (800<sup>2</sup>). It's really hard to do. She would suggest calling this a barndominium and call it his primary home and then come back for a second home when he is ready to build.

Andrew Joa stated okay. So, no variance then required?

Melissa Mullins Mischke stated it looks that way.

Ashley Kazmucha stated not for this.

Melissa Mullins Mischke stated if he has any further questions then he can call the Building Department and Ashley can give you additional information.

Andrew Joa stated thank you.

**2. Petition for Variance of Developmental Standards for Joseph & Ann 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 west of 4347 W. 800 N., Michigan City, IN., Springfield Twp., zoned R1B on 10 acres. Parcel 46-02-20-400-006.000-062.

Attorney Biege stated notice is adequate.

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

Melissa Mullins Mischke asked what kind of things does he do out on this property for personal recreation.

Joseph Wanda stated he hunts on the property. They use it for pretty much beach camping, beaching, go to the beaches, eat out when they want to go eat out and get out of Illinois.

Melissa Mullins Mischke stated she loves using shenanigans when she can, so are there four wheelers and drinking and that kind of stuff going on?

Joseph Wanda stated he does have a four-wheeler, but that's not going to be stored there. Possibly during hunting season, because if they look at it, he was already granted that he could have a twelve by twenty (12' x 20') shed that is getting delivered Friday. So, he already got it in the mail. He was here last month, so everything was granted. There was just something was wrong with the address, or they put him under a different address.

Melissa Mullins Mischke stated okay. Very good.

No remonstrators present.

Ernie Schmidt made a motion to approve the Petition for Variance of Developmental Standards for Joseph & Ann 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 west of 4347 W. 800 N., Michigan City, IN., Springfield Twp., zoned R1B on 10 acres.

Vern Schafer seconded.

All Approved. Motion carries 5-0.

**3. Petition for Variance of Use for The Top Therapy LLC** to operate a physical and occupational therapy facility. This property is located at 101 E. Michigan St., Rolling Prairie, IN., Kankakee Twp., zoned B1. Parcel 46-07-11-182-004.000-052.

Attorney Biege stated notice is adequate.

Beth Keehn stated her address is 10351 N. 215 E., LaPorte, IN.

Richard Kaminski stated his address is 8095 N. Edgewater Dr., Walkerton, IN.

Melissa Mullins Mischke asked them to tell her about the therapy business that they're going to do.

Beth Keehn stated they grew up in this home town and they wanted to serve their community. Richard is a physical therapist and she is an occupational therapist. They went to college and always wanted to open a clinic together.

Melissa Mullins Mischke stated this is the old bank that they are looking at.

Beth Keehn stated yes.

No remonstrators present.

Vern Schafer stated he is curious, why do they need a variance.

Ashley Kazmucha stated it's not zoned for it.

Vern Schafer stated well, it's zoned B1.

Ashley Kazmucha stated yes.

Richard Kaminski stated it modeled commercially, but they were told that they should check with getting a variance because it wasn't retail anymore.

Ashley Kazmucha stated it wasn't a permitted use. She thinks it's permitted under B3.

Melissa Mullins Mischke asked Doug what he thinks.

Attorney Biege stated he thinks it's just a matter of the business categories.

Melissa Mullins Mischke stated very good. Thank you. So, hours of operation?

Beth Keehn stated Monday through Saturday seven to seven (7 a.m. – 7 p.m.).

Melissa Mullins Mischke asked if there will be anything on Sunday.

Beth Keehn stated no.

Melissa Mullins Mischke asked if they are going to have a sign there.

Beth Keehn stated yes.

Melissa Mullins Mischke asked if it will be lit.

Beth Keehn stated yes.

Melissa Mullins Mischke asked if it will be on the building.

Beth Keehn stated yes.

Melissa Mullins Mischke stated okay.

Ernie Schmidt made a motion to approve the Petition for Variance of Use for The Top Therapy LLC to operate a physical and occupational therapy facility. This property is located at 101 E. Michigan St., Rolling Prairie, IN., Kankakee Twp., zoned B1.

Deb Vance seconded.

All Approved. Motion carries 5-0.

**4. Petition for Variance of Developmental Standards for Bruce Built Construction Inc** for setbacks for the two road sides of 10' instead of the required 25' to construct a home. This property is located at 105 Fir St., Walkerton, IN., Lincoln Twp., zoned R1B. Parcel 46-12-20-417-034.000-055.

Attorney Biege stated notice is adequate.

Bruce Young stated his address is 106 Caroline Dr., Walkerton, IN.

Melissa Mullins Mischke stated she wants to mention that they had a letter of remonstrance in favor of this project so if anybody wants to see that they can see that in the Building

Commissioner's Office. She knows that the setbacks can get kind of tight in places, but why doesn't he explain the need for his setbacks less than twenty-five feet (25').

Bruce Young stated so obviously, with the new building setback, when they go to build a new home, they have to be a minimum of twenty-five feet (25') back off the property line. He doesn't know if they have a drawing of it, but right now they are five feet (5') from the property line on one (1) end and thirteen feet (13') from the other. He can pretty much fix anything, but he can't fix this house; it has to come down. It's actually for his son and his new daughter-in-law and their new baby that's coming. They'd like to tear that down and they'd like to be able to position the house to where we can get somewhat of a backyard. It's not much. They don't have a lot to work with even with this, but they are going to be able to make it work if they accept it. It gives them a reasonable size house, not anything too huge. It's a one-story on a crawl with a two-car garage. It'll just position things out nice for them to get it in the right position for the septic system and everything that is needed to put the build together.

Melissa Mullins Mischke stated congratulation Grandpa.

Bruce Young stated thank you.

Melissa Mullins Mischke stated yes, they would like him to tear this down too.

Vern Schafer stated he answered two (2) of his questions. He was wondering if this was spec home, but it's not; it's for a family member. There is a lot across the street. Is that a lake access lot or something.

Bruce Young stated that is. That is one (1) of their parcels.

**Remonstrators:**

Brandon Young stated his address is 388 Melrose St., LaPorte, IN.

Melissa Mullins Mischke asked if he is in favor of the project.

Brandon Young stated he is, yes.

Bruce Allen stated his address is 3193 W. Shorewood Dr., LaPorte. He is the executor or the court appointed representative for their next-door neighbor there. Right now, he doesn't know whether he is for or against based on it being his mother's property next to them. He just wanted to see what it entailed and how close they're going to be to his property.

Melissa Mullins Mischke asked how ten feet (10') sounds.

Bruce Young stated they're going to be a lot further than ten feet (10') from there. He can show him the drawing.

Bruce Allen stated okay.



Melissa Mullins Mischke asked if that sounds good.

Bruce Allen stated yes.

Melissa Mullins Mischke stated very good.

Bruce Allen stated he will be happy with that then. Like he said, what about septic and stuff like that.

Bruce Young stated he has drawings of it.

Bruce Allen stated okay. He will speak to him after. Thank you for their time. He appreciates it.

Melissa Mullins Mischke stated wonderful. Thank you.

Bruce Allen stated call him for it then he guesses.

Melissa Mullins Mischke stated okay.

Vern Schafer made a motion to approve the Petition for Variance of Developmental Standards for Bruce Built Construction Inc for setbacks for the two road sides of 10' instead of the required 25' to construct a home. Water runoff must be kept on the property. This property is located at 105 Fir St., Walkerton, IN., Lincoln Twp., zoned R1B.

Ernie Schmidt seconded.

All Approved. Motion carries 5-0.

**5. Petition for Variance of Use for Matthew Muller** for construction and operation of an outdoor storage facility. This property is located east of 5502 E. SR 4, LaPorte, IN., Pleasant Twp., zoned A on 2.63 acres. Parcel 46-11-13-400-009.000-057.

Attorney Biege stated notice is adequate.

Matthew Mueller stated his address is 5652 E. State Road 4, Mill Creek, IN.

Melissa Mullins Mischke asked if there is a big need for storage in the area.

Matthew Muller stated he believes it could be a good thing in the long run. Yes.

Melissa Mullins Mischke stated good location. It looks like Phase 1 will have six (6) buildings.

Matthew Muller stated depending on how much room he needs to space in between the buildings. He is thinking thirty to forty feet (30' – 40'). It might just be two (2) rows as opposed

to three (3) in the drawing. One he really gets to measuring everything out then he will know more.

Melissa Mullins Mischke asked how many units he is planning on having.

Matthew Muller stated with those, if he does it the way he is originally thinking, each one would be twenty (20) with the potential of possibly more depending on how fast they fill up.

Melissa Mullins Mischke stated ten by ten (10' x 10') is the size of the unit.

Matthew Muller stated ten by ten (10' x 10') with a hundred-foot (100') building so no, it would be forty (40) total. Every once in a while, he is a guy in blonde, and half of his intelligence is gone.

**Remonstrators:**

Ken and Anita Rosentreter stated their address is 5502 E. State Road 4, Mill Creek, IN.

Melissa Mullins Mischke asked what their concerns are.

Ken Rosentreter stated that their concerns are that something like that should be farm land. It is zoned farm land. They've lived in their house for thirty (30) years there and they bought that house with the purpose of being out in the country and being able to observe the fields and wildlife. He really doesn't want any storage facilities next to his property. He's known that they bring bugs and rats and stuff like that. They just don't feel that they want that next to their property.

Melissa Mullins Mischke asked if Anita had anything additional to add.

Anita Rosentreter stated she doesn't know what the total circumstances are in his ideas, but going into looking at the property, she realized that he bought property behind their house also. So, she's thinking they have the idea of just taking all of their view away from them. Just like he said, too, with all the creatures. She does know that there are roaches and bedbugs and mice that bring snakes. They do have coyotes. She's had coyotes in her yard. She doesn't need any more. She thinks that they're just impeding on her. They have all the greenhouses; those are his parents. They're all family over there. Why don't they build behind their place? Impede on themselves rather than impede on her.

Melissa Mullins Mischke stated okay. Thank you very much. Matthew, if he would like to come back up. Is he planning on having any fencing around the property.

Matthew Muller stated he is planning a chain link fence around. As far as what they've, because they have kind of scraped away some of the topsoil, he has stayed eight feet (8') from the Highway. He has stayed eight feet (8') from their fence row and there is nothing in the back now. As far as going anywhere behind, they don't own any of that. Well, no. He took it that as she meant is why can't he go behind the greenhouses and build.

Melissa Mullins Mischke stated he does own an L-shaped parcel.

Matthew Muller stated yes, he owns an L-shaped parcel.

Melissa Mullins Mischke stated Phase 1 does not show the storage buildings behind their property. What are the chances of Phase 1, in his opinion, Phase 1 is going to fill up so quickly and then he is going to move on to Phase 2?

Matthew Muller stated as to how fast.

Melissa Mullins Mischke stated yes.

Matthew Muller stated truthfully, that would be very hard to guess. He would assume forty (40) units would fill up relatively quickly if they start doing some leg work and touch base with some of the storage units around the area. There's also a limitation on how much that he can truly build because the driveway there is access to the greenhouses. He can't go any farther towards the greenhouses part because he still wants to allow easy access for semi-trucks and tractor trailers because he knows how hard it is for half of the trailer to get around places. The easier he makes their lives; the easier he makes everybody's lives. Everything will have light. There will be security cameras so she shouldn't have to worry about any pains, but they never know what people are going to do. They can do as much as they can to prepare and be cautious, but they still never know.

Melissa Mullins Mischke asked what kind of access are they looking at. Is it going to be twenty-four-seven (24/7). Will they enter with a card or number?

Matthew Muller stated his plans are is an electronic gate. If they see where the access point is coming off the Highway, if they go roughly thirty to fifty feet (30' – 50') off of the Highway, there will be a chain link fence. The gate will be on there. They pull in.

John Carr stated twenty-four-seven (24/7) it can have access.

Matthew Muller stated yes.

Melissa Mullins Mischke stated he will need to, if they approve the petition, he is going to need to talk with INDOT about egress and ingress because it's on a state road. So, he is aware of that and the fact that he might have trailers and things he might need to extend that.

Matthew Muller stated okay.

Melissa Mullins Mischke stated she is not super fond of the idea of coming all the way around their property. She lives in the country. She doesn't know how she would feel about storage units behind her house.

Matthew Muller stated if they wanted, they could put up a row of arbor vitae's to where they are looking at greenery. He is just trying to make everybody happy and agree.

Melissa Mullins Mischke stated she agrees.

Vern Schafer stated they've had some issues before about multiple storage units, mini warehouses, without any kind of plan for water holding capacity. He's got a runoff issue here. He hasn't been on the property, but he knows that when they put all those roofs and gravel, that he's going to have a problem with water on occasion where it has to go somewhere and it can't. There's no retention area that he sees in the plan.

Melissa Mullins Mischke stated usually when someone comes to them with a project like this, they have some engineering done with retention or where water runoff is going to stay. It needs to stay on his property and as Vern mentioned, because of the roofs there is a lot more tendency for that to be an issue with gravel. She doesn't know what the soil types are out there.

Matthew Muller stated it is heavy clay.

Melissa Mullins Mischke stated that's not going to lend itself real well to draining.

Matthew Muller stated as long as they put some kind of retention.

Melissa Mullins Mischke stated she would like to see something engineered a little bit more intentional than just this. She doesn't feel good making a decision on this based on the information he is providing. She knows that is going to cost him a little more money to go out and get somebody to engineer detention, retention, and kind of see what really is going to fit on the property and turnarounds and things of that nature. That's something she would really like to see.

Matthew Mullers asked if he can ask a question then.

Melissa Mullins Mischke stated please.

Matthew Mullers stated if they follow through with the engineering and all this, would the neighbors still have any issues.

Ken Rosentreter stated he still would have a problem with that. He really doesn't want the storage place next to his house. As far as the property behind their house, if they stand back and they look down the line, at all the greenhouses that are previously on their property down there, that is all in line. That is going to run right behind his house just like what they did behind all the neighbor's houses across the street. They blocked everybody's views back there. Some of the people that lived there were all renters at the time when they tried to get all that to go through. They were not willing to sign anything stating that they could put greenhouses back there, but it ended up happening anyway.

Anita Rosentreter stated they were doing land contract and they ended up going to their parents and had them sign it.

Ken Rosentreter stated as a matter of fact, Conrad had come over and talked to them about them signing for the greenhouses to go back there. He told Conrad he didn't want them back there. They knew the people across the street; they were in the process of buying that house. They didn't want them back there, but yet being as how they were on land contract, Conrad went to his parents' house, which was who they got the house through and had talked them into signing for it.

Melissa Mullins Mischke stated okay. She is going to stop everybody. How does he feel about the vegetation planted along the perimeter.

Anita Rosentreter stated it will be blocking their view behind them definitely.

Ken Rosentreter stated he doesn't want anything planted around his property.

Melissa Mullins Mischke stated one (1) at a time. She cannot get them both on the record if they are talking at the same time.

Anita Rosentreter stated they have a beautiful view as it is now through their back yard. They have a field and trees and it is just beautiful. They have deer that still come in their back yards so it is definitely living out in the country. If they put brush right there, then that is what they are going to see. They will have a wall there in other words.

Melissa Mullins Mischke asked if they would rather see storage units or brush.

Anita Rosentreter stated they would rather see neither.

Melissa Mullins Mischke stated okay. Thank you very much. Matthew, is he willing to get some engineering done.

Matthew Muller stated he will definitely look into it, yes.

Melissa Mullins Mischke stated okay. He might talk to them about line of sight and things like that that might help with this situation then come back in to see them.

Matthew Muller stated alright. He appreciates it.

Melissa Mullins Mischke stated she needs a motion for them to table.

Attorney Biege stated yes. They'll table it and set it for, does he think he needs ninety (90) days. So, ninety (90) days.

Vern Schafer stated that's fine.

Ernie Schmidt made a motion to table for ninety (90) days the Petition for Variance of Use for Matthew Muller for construction and operation of an outdoor storage facility. This property is located east of 5502 E. SR 4, LaPorte, IN., Pleasant Twp., zoned A on 2.63 acres.

Deb Vance seconded.

All Approved. Motion carried 5-0.

Attorney Biege asked for them to announce the date of the next meeting that they will be on so they do not have to re-notice.

Melissa Mullins Mischke stated she will unless Ashley gets to it first.

Ashley Kazmucha stated November 19<sup>th</sup>.

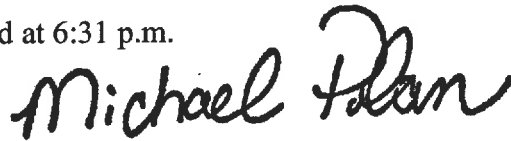
Melissa Mullins Mischke stated November 19<sup>th</sup> and he should be first.

Melissa Mullins Mischke asked for any new business.

There being no further business, meeting adjourned at 6:31 p.m.



Melissa Mullins Mischke, President



Michael Polan, Recording Secretary