



LAPORTE COUNTY
BOARD OF ZONING APPEALS

Government Complex, 5th Level
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Michael Polan
Building Commissioner

March 18th, 2025

Dear Members:

The regular meeting of the La Porte County Board of Zoning Appeals was held Tuesday, **March 18th, 2025**, at 6:00 p.m. in the Assembly Room of the County Complex.

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

The Pledge of Allegiance.

APPROVAL OF MINUTES:

Melissa Mischke asked for approval of the meeting minutes of February 18th, 2025.

Ernie Schmidt made a motion to approve the meeting minutes as presented.

Jeff Baltes seconded.

All Approved. Motion carries 3-0.

Petitions:

1. Petition for Variance of Developmental Standards for Kellie Nicole Mrozinski for construction of a second home to care for the elderly parents. This property is located at 4203 N. 175 E., LaPorte, IN., Kankakee Twp., zoned A on 3.724 acres. Parcel 46-07-08-400-012,000-052.

Attorney Biege stated notice is adequate.

Kellie Mrozinski stated her address is 4203 N. 175 E., LaPorte, IN.

Melissa Mischke asked what the need is to have her elderly parent right there.

Kellie Mrozinski stated her parents are getting elderly and her mom is starting to have some health issues so it would be easier to have them closer to her.

Melissa Mischke asked what type of a home are they looking at.

Kellis Mrozinski stated on her property she built a barndominium and they wanted to stick with that style of her home so it wouldn't stick out. It would just be something small and just for them. In the winter time, maybe they could go see family or relatives down south and then they would maintain it. The main thing is just health issues with her mom and keeping her close.

No remonstrators present.

Ernie Schmidt asked what she intend to do with the second house on the property.

Kellie Mrozinski stated when they pass.

Ernie Schmidt stated yes.

Kellie Mrozinski stated she does have three (3) children so it would probably go down to one (1) of her children.

Melissa Mischke stated if they choose to approve this, there will be no renting. That will probably be one (1) of the restrictions they will put on it as well.

Ernie Schmidt asked if they will be putting in a second drive.

Kellie Mrozinski stated no. They would use the existing drive.

Ernie Schmidt made a motion to approve the Petition for Variance of Developmental Standards for Kellie Nicole Mrozinski for construction of a second home to care for the elderly parents. This property is located at 4203 N. 175 E., LaPorte, IN., Kankakee Twp., zoned A on 3.724 acres.

Jeff Baltes seconded.

All Approved. Motion carries 3-0.

2. Petition for Variance of Use for Edward E & Jacqueline K Burek for operation of a maker's retreat. This property is located at 3857 S. Hwy 35, LaPorte, IN., Pleasant Twp., zoned R1B. Parcels 46-11-19-351-001.000-057, 46-11-19-351-002.000-057, 46-11-19-351-003.000-057.

Attorney Biege stated notice is adequate.

Jackie and Edward Burek stated their address is 0361 E. 400 S., LaPorte, IN.

Melissa Mischke stated she is kind of excited about this. Talk to her about what they envision for this.

Jackie Burek stated her vision for this is to have a place for people, mainly crafters, makers of all such as crocheting, quilting, scrapbooking, all kind of crafting people, to come and gather in this place and be able to do their thing for the weekend and go home. It is basically just like a weekend rental type of property. It is built as a regular house with a basement and everything. She would also like to conduct classes. The basement has a private entrance so she will be able to conduct quilting classes, maybe some cooking or canning classes showing people how to preserve food and that kind of thing since they are in the produce business on the other side of things. It's going to be more like a classroom and a fun place for people to come and gather for the weekends as they so choose.

Melissa Mischke stated her mom does this kind of stuff all the time so if her mom is watching she is sorry. They travel around quite a bit to places that they rent for a weekend or a week, strangers or whatever and they all get together and hangout and there is lots of fellowship.

Jackie Burek stated they come in as strangers, but they don't leave as strangers.

Melissa Mischke stated right.

Jackie Burke stated she has been going to these retreats for probably the better part of fifteen to twenty (15 – 20) years. She loves going to them and they are always looking for new places to go. Circumstances gave them the opportunity to do such a thing so she thinks it will be a good thing for not only them, but the community as well.

No remonstrators present.

Ernie Schmidt stated they are going to use this just for the weekends or are they going to share it with the community all week. What are the hours going to be?

Jackie Burke stated it is set up so they can rent it from Thursday to Sunday type of situation. If somebody wanted any other day of the week and they contacted her to rent from Monday to Saturday for whatever and what they can agree on price wise she would entertain the idea. She doesn't want wild parties. It is not going to be a party house. No bachelor or bachelorette parties; nothing wild like that. If somebody wanted to come in for company meetings or religious retreats that would be fine with her.

Melissa Mischke asked if they are looking to put a sign up.

Jackie Burek stated no, not really. There might be a small one (1) up by the house somewhere just to let people know they are in the right place when they come looking for it.

Melissa Mischke asked how much parking does she have there.

Jackie Burek stated the driveway isn't complete yet, but they will have enough for ten to twelve (10 – 12) cars.

Jeff Baltes asked if there will be a maximum number of people that she has in mind. A cap of the amount of people.

Jackie Burek stated yes. Right now, she can accommodate twelve (12) people.

Jeff Baltes stated okay.

Melissa Mischke asked Attorney Biege if they need to in a motion include business hours of operation.

Attorney Biege stated he doesn't think so. This strikes him more as a modified B & B.

Jackie Burek stated basically. She's not going to really do an Airbnb type of thing only because she wants to be able to control who comes in and who she can rent to.

Melissa Mischke stated okay. Sounds good.

Ernie Schmidt made a motion to approve the Petition for Variance of Use for Edward E & Jacqueline K Burek for operation of a maker's retreat. This property is located at 3857 S. Hwy 35, LaPorte, IN., Pleasant Twp., zoned R1B.

Jeff Baltes seconded.

All Approved. Motion carries 3-0.

3. Petition for Variance of Developmental Standards for Andriy Prots to amend the previously granted variance to allow for more vehicles. This property is located at 2005 W. Hwy 6., LaPorte, IN., Scipio Twp., zoned B2 on 1.6816 acres. Parcel 46-10-35-300-003.000-060.

Attorney Biege stated notice is adequate.

Andriy Prots stated his address is 1044 Mulberry St., Hammond, IN.

Melissa Mischke stated since they have seen each other last, how is business going.

Andriy Prots stated slowly picking up.

Melissa Mischke stated he is selling some cars.

Andriy Prots stated yes, of course.

Melissa Mischke stated she thinks they originally granted him twenty (20).

Andriy Prots stated yes, they allowed twenty (20), but he didn't even notice he had already passed that so that is why he came back to ask for more.

Melissa Mischke stated okay. How many cars does he have out there right now?

Andriy Prots stated maybe twenty-nine (29). He counted today and he didn't even know how many he had.

Melissa Mischke stated when she drives through there, she thinks to herself that it looks more than twenty (20), but she doesn't stop to count. So, that's the only reason he is here today is to increase the number of cars.

Andriy Prots stated yes.

No remonstrators present.

Ernie Schmidt asked how many more vehicles is he bringing.

Andriy Prots stated he has room up to one hundred (100) so he wants to ask up to one hundred (100) so he doesn't have to come back again in three (3) months, but he is going to try to not fill it up that quick.

Melissa Mischke stated let's pretend they increase the number to one hundred (100), would he pave concrete? What kind of surface would he put in?

Andriy Prots stated he is trying to gravel for now, but when everything is complete, he will have to pave it one day, but for now it will be gravel.

Melissa Mischke stated she is not excited about a hundred (100) cars out in the middle of nowhere.

Jeff Baltes stated a hundred (100) looks like a pretty big number to him. He is not opposed to expanding it.

Ernie Schmidt asked how much area does he have to keep green for his septic and stuff.

Andriy Prots stated he is not touching that. It is in the middle and it will stay allotted for that. The cars will go around on the front and the back side. The septic will stay in the middle and remain with green grass.

Melissa Mischke asked how many cars could he fit in there comfortably without doing a whole lot more work.

Andriy Prots stated seventy-five (75). It is already done. He already graveled so everything is almost prepared for this amount. He is not saying he is going to fill it up in one (1) week.

Melissa Mischke stated she knows, but they told him twenty (20) and he put twenty-nine (29) on there so she doesn't know.

Andriy Prots stated he hadn't even counted when this happened.

Melissa Mischke asked if they put a number out there, is there something where he wouldn't have to come back in? If they give it a year and then if everything is good, they can up that number?

Attorney Biege stated they can up the number now and say that if there are no further complaints in twelve (12) months the number can increase to X.

Melissa Mischke asked how does that sound?

Andriy Prots stated that's fine.

Melissa Mischke stated what if she made the number like fifty (50) and then they are good for a year with no complaints and then he won't have to come back in front of them and he can contact the Building Department and they will grant the additional vehicles up to one hundred (100), no further. Not a hundred and one (101). Not a hundred and nine (109).

Andriy Prots stated that is fine.

Melissa Mischke asked if that will work?

Jeff Baltes made a motion to approve the Variance of Developmental Standards for Andriy Prots to amend the previously granted variance to allow for fifty (50) vehicles for twelve months and if there are no complaints, the number increases to one hundred (100). This property is located at 2005 W. Hwy 6., LaPorte, IN., Scipio Twp., zoned B2 on 1.6816 acres.

Ernie Schmidt seconded.

All Approved. Motion carries 3-0.

4. Petition for Variance of Developmental Standards for David & Rhonda Weiler (seller) & Dillon Radosevich (buyer) for construction of a home with 117' of frontage instead of the 200' minimum required. This property is located South of 6279 S. 625 W., Union Mills, IN., New Durham Twp., zoned A on 4.62 acres. Parcel 46-09-36-400-043.000-027.

Attorney Biege stated notice is adequate.

Dillon Radosevich stated his address is 7758 W. State Road 2, LaPorte, IN.

Melissa Mischke stated it was going to be ugly if she tried to say his last name so thank you. She believes that they have seen him before for this property.

Dillon Radosevich stated no.

Melissa Mischke stated the property itself has been before them. So, he wants to build a home in the rear of the property.

Dillon Radosevich stated yes.

Melissa Mischke stated she just loves flag parcels. Did he know that?

Dillon Radosevich stated no, he didn't actually.

Melissa Mischke stated she doesn't love them. So, it is a fairly long driveway area and then he will open up. How much space does he think is back there?

Dillon Radosevich stated he thinks there are two and half (2½) acres of square in the back.

Melissa Mischke asked what the actual frontage is? They have one hundred and seventeen (117'), but it's not quite.

Dillon Radosevich stated it is ninety-five (95').

Melissa Mischke stated okay.

Remonstrators:

Nancy Henley stated her address is 6279 S. 625 W., Union Mills, IN. She is right in front of the property in question. This is the third (3rd) time they have come here, her husband couldn't make it today, to oppose this variance. There's just not enough room. It's supposed to be two hundred feet (200') and it's going to be eighty-three feet (83') short. They won't be able to get fire trucks back there. They have Christmas trees in back of their house, about a hundred (100) of them. If there was a fire, those trees would go up instantly. Their road will not support more traffic in the back there. Since she and her husband have moved there, six (6) houses have been built. No other house has less than two hundred feet (200') frontage.

Melissa Mischke stated okay. Thank you so much.

Nancy Henley stated thank you.

Melissa Mischke stated she sees that he has taken some trees out.

Dillon Radosevich stated no. It is still fully wooded. He would only take out what is needed to build the house and distance around it. There is already a driveway there. He might have to widen it a little bit.

Melissa Mischke asked how wide does he think it is right now.

Dillon Radosevich stated is it probably ten to twelve feet (10' – 12').

Melissa Mischke stated he should probably widen that a little bit.

Dillon Radosevich stated he does plan on keeping the privacy up front being that the house would be a thousand feet (1,000') off the road. It does offer quite a bit. Even at this time of the year they can't really see anything back there.

Melissa Mischke stated she agrees. It is wooded enough that it will give some protection from seeing the neighbors' properties. She has the concern about the ninety-five feet (95') because of visibility for emergency services and access. So, if he thinks he can get the driveway large enough for fire trucks and ambulance to get back there and turn around and come back out that would be best. If they were to approve this, she wants to make sure that he talks to the New Durham Township or Westville Fire Department, whichever is out in that area, and make sure they are aware that he is back there and make sure that his address is very visible at the road.

Jeff Baltes asked if there is anything back there now? What is the driveway there for?

Dillon Radosevich stated if they look online, it used to be a nursery it looks like so there are little paths going one (1) direction and that appears to be one (1) of the main paths.

Jeff Baltes made a motion to approve the Variance of Developmental Standards for David & Rhonda Weiler (seller) & Dillon Radosevich (buyer) for construction of a home with 95' of frontage instead of the 200' minimum required. This property is located South of 6279 S. 625 W., Union Mills, IN., New Durham Twp., zoned A on 4.62 acres.

Ernie Schmidt seconded.

All Approved. Motion carries 3-0.

5. Petition for Variance of Developmental Standards for Carl J & Corina (deceased) Barneyback for construction of a pole barn before the primary home. This property is located at 7878 W. Orchard Dr., Michigan City, IN., Coolspring Twp., zoned R1A on 16.162 acres. Parcel 46-05-23-300-085.000-046.

Attorney Biege stated notice is adequate.

Carl Barneyback stated his address is 3096 S. 1050 W., Westville, IN.

Melissa Mischke stated he is going to build a new house out there.

Carl Barneyback stated yes.

Melissa Mischke stated he wants to build the pole barn first to store building materials.

Carl Barneyback stated that and to get out of a couple of storage units that he is having to use because he is cleaning out his father's house as well which is elsewhere.

Melissa Mischke stated she hears that. Okay. It's definitely a good-sized parcel. It looks like everything is being situated in the middle, if she can say the middle.

Carl Barneyback stated yes. There is a cleared area. Each piece of that is about a third ($\frac{1}{3}$) of the total. Where he is going to build the house is in the east end of the cleared area where it is being farmed.

Melissa Mischke asked if he is going to do the construction himself.

Carl Barneyback stated no. He is going to engage the services of a general contractor and then get subs for the building of the house. The barn, Cleary Building Company and he are working on the barn project.

No remonstrators present.

Ernie Schmidt asked what his plans for the rest of the property are.

Carl Barneyback stated it is part of the old Miller Orchard apparently and he intends to put that property which still has trees on it into the conservation program so that it will remain forested with the orchard trees.

Melissa Mischke asked if he is trying to split parcels off at this point or is that a plan in the future.

Carl Barneyback stated no.

Melissa Mischke stated so the whole thing might go into conservation.

Carl Barneyback stated the cleared land he leases year to year to a farmer. It's like five (5) acres and he comes and plants. So, the east two (2) acres of it will be reserved for the residence and the barn and also the septic field which has already gotten approval from LaPorte County. The rest of it he doesn't intend to ever split off, but just put it in the conservation program so it will be preserved.

Melissa Mischke stated okay.

Ernie Schmidt made a motion to approve the Petition for Variance of Developmental Standards for Carl J & Corina (deceased) Barneyback for construction of a pole barn before the primary home. This property is located at 7878 W. Orchard Dr., Michigan City, IN., Coolspring Twp., zoned R1A on 16.162 acres.

Jeff Baltes seconded.

All Approved. Motion carries 3-0.

6. Petition for Variance of Developmental Standards for Kevin and Colleen Hutson
for placement of 2 shipping containers for storage. This property is located at 5523 W. 450 N., LaPorte, IN., Center Twp., zoned R1B on 6.5 acres. Parcel 46-06-07-126-005.000-042

Attorney Biege stated notice is adequate.

Colleen and Kevin Hutson stated their address is 5523 W. 450 N., LaPorte, IN.

Melissa Mischke asked what is unique about their property that they are requiring some storage containers.

Kevin Hutson stated he was a contractor and he had a twenty-five hundred square foot (2,500²) shop and he shut it down when he retired and it has all his tools in it. He wants to build a building over top of it. He has a picture if they would like to see it.

Melissa Mischke stated she would love to see it. Would he approach?

Kevin Huston stated sure.

Kevin Hutson approaches the Board to show them the visual.

Melissa Mischke asked if those containers would stay after construction?

Kevin Hutson stated yes. He is going to build the building over the top of them.

Colleen Hutson stated it's almost like putting a carport over the top of it.

Melissa Mischke stated they won't know they are there in there.

Kevin Hutson stated no. It will be sided and look like an old barn. Matter of fact, he tore down the building next to Lady Rose and all that material from the big barn in the back is what he is using to build the structure.

No remonstrators present.

Melissa Mischke stated she is kind of interested about this. Is he going to dismantle them once they are in there? They're just going to stay and be different storage for different stuff.

Kevin Hutson stated he will cut out chunks of it so he could use it for a shop or whatever he wants to use it for, but mostly it's going to be for entertaining his grandkids in the long run.

Melissa Mischke stated okay.

Colleen Hutson stated it is a place to go in the winter.

Melissa Mischke stated they definitely have the property for it. They're not lacking for land. It looks back enough that she is not going to drive by and look at it.

Kevin Hutson stated yes. Ernie came out and looked at it.

Melissa Mischke stated way to go, Ernie.

Ernie Schmidt stated they talked at the site and he is going to go up to the Building Department and there are guidelines for footings and stuff for these two structures. There are also guidelines for framing to help him accomplish this project.

Melissa Mischke stated Mike's Office can help him with that.

Ernie Schmidt stated yes, so they have already discussed that part of it.

Ernie Schmidt made a motion to approve the Variance of Developmental Standards for Kevin and Colleen Hutson for placement of 2 shipping containers for storage. This property is located at 5523 W. 450 N., LaPorte, IN., Center Twp., zoned R1B on 6.5 acres.

Jeff Baltes seconded.

All Approved. Motion carries 3-0.

Melissa Mischke stated she doesn't normally like to do storage containers because she doesn't have one (1), but good luck.

Melissa Mullins Mischke asked for any old business.

Melissa Mullins Mischke asked for any new business.

There being no further business, meeting adjourned at 6:27 p.m.

Melissa Mullins Mischke
Melissa Mullins Mischke, President

Michael Polan
Michael Polan, Recording Secretary