



**LAPORTE COUNTY
BOARD OF ZONING APPEALS**

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Michael Polan
Building Commissioner

April 21, 2026

Dear Members:

The regular meeting of the LaPorte County Board of Zoning Appeals was held Tuesday, **April 21st, 2026 at 6:00 p.m.** in the Assembly Room of the County Complex.

Members Present: Melissa Mishke Ernie Schmidt
 Jeff Baltes Eric Pointon
 Brad Mrozinski

PRESENT: Andrew Voeltz, Attorney, Michael Polan, Recording Secretary and Janet Cole, Administrative Specialist

The Pledge Allegiance.

Attorney Andrew Voeltz: My name is Andrew Voeltz. I'm obviously the appointed attorney for the LaPorte County Board of Zoning Appeals. I have a section from La Porte County Code and La Porte County Joint Zoning Ordinance that needs to be read and brought to the board's attention.

Pursuant to Section 28.01 of the La Porte County Joint Zoning Ordinance, the County Board of Zoning Appeals exists as an Advisory Board of Zoning Appeals under the authority of Indiana Code 36.74.901 at SEC, which means the following. And it shall consist of five voting members who shall be appointed and shall hold office for such terms as are provided in Indiana Code 36.74.902. Now from the Indiana Code, pursuant to Section 902, as the LaPorte County Board of Zoning Appeals is an advisory board, each division of the Advisory Board of Zoning Appeals consists of five members as follows.

Three citizen members are appointed by the executive of the municipality or county, so the County Commissioners. One of those must be a member of the Plan Commission. Two of those must not be members of the Plan Commission. One citizen member of the Board of Zoning Appeals is appointed by the fiscal body of the municipality or county, i.e. the LaPorte County Council, and that individual cannot be a member of the Plan Commission. Finally, one member is appointed by the Plan Commission from the Plan Commission and that individual must be a county agriculture agent or a citizen member of the Plan Commission other than the member appointed under subdivision one. Meaning there has to be a separate appointment by the County Commissioners of a member of the LaPorte County Plan Commission to sit on this board.

It is my position as the attorney that the board is insufficient and improperly constructed. Therefore, I would request that a member that was appointed, I'm sorry, and there needs to be a motion made to this effect, but it would be my position as the attorney that one of the members as appointed by the LaPorte County Board of Commissioners needs to step down from this meeting.

Melissa Mischke: Someone needs to make a motion to that affect? Or do we want someone to voluntarily step down?

Attorney Voeltz: Someone needs to make a motion to that effect because pursuant to the Indiana code, this board is improperly constructed as it sits today. It is my understanding that the LaPorte County Board of Commissioners are aware of this and there is a meeting to be held on May 6th at which this appointment will be rectified.

My further understanding is that the next meeting of the Board of Zoning Appeals for the agenda items, as on the agenda for this meeting, can be heard on May 12th, 2026 at 6 P.M.

Melissa Mischke: I so move that motion. Do I need a second?

Attorney Voeltz: Technically, I don't believe you do need a second, but I think to preserve the record, I think that would be appropriate.

Melissa Mischke: Okay, so I do have a motion and a second by Eric Pointon.

All approved and motion carried: 5 to 0

Melissa Mischke: As the president of the Board of Zoning Appeals and the County Council appointment, I'm going to move that we have all these petitions from tonight's agenda moved to that May 12th meeting.

Eric Pointon and Ernie Schmidt seconded.

All approved and motion carried: 5 to 0


Melissa Mischke: I'm sorry, everybody, that you had to come out. We'll see you again on May 12th.

Eric Pointon: I make a motion to adjourn.

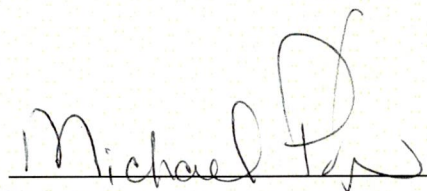
Jeff Baltes: Seconded

All approved and motion carried: 5 to 0

Meeting adjourned at 6:13 p.m.



Melissa Mischke



Michael Polan