

Porter Township Zoning Board of Appeals

Meeting Minutes

December 5, 2024

Call to Order: Josh Hendricks called the meeting to order at 6:00 PM at the Porter Township Admin Building. Pledge to the Flag was given by those in attendance.

Roll Call: Members present were Tommy Harman, Mike Schirott, Chad Niblock, Al Newvine and Josh Hendricks. Not in attendance were Louis Harrington and Terry Schutter.

Minutes Approval There was a reading of the minutes of the October 3, 2024 meeting. By motion of Tommy Harman, seconded by Al Newvine the minutes were approved as read.

Follow-up issue: There were no issues that had to be discussed.

Open Issue: Application 24-138 Mark Ditto (owner) and Brad Birley (contractor) of Town and Country Builders requested a variance to ordinance 1, 11.804 (c), side yard set backs. Side set backs require 20 feet. The lot size is rather narrow at 54 feet. Two of the 500 foot owners wrote letters. David Behrens was opposed to the request, citing a loss of green space. Steve and Terri Cramer were in support if the shortened side could be on the southern property line. No one was physically present to oppose or support. A lively discussion took place. Meeting closed. The original variance request was denied 3 to 2. Tommy Harman pointed out such requests had been granted in the past due to a platted lot being too narrow to accommodate new construction. A compromise was presented by Josh Hendricks, seconded by Chad Niblock to allow for a side yard variance of 6 feet on each side of the lot, without an allowance for the placement of an AC unit. Motion passed 5-0.

Application 24-130 Jerry and Ruby Bontrager (owner) and Paul Delano (agent) requested a variance on Ordinance 111.703 regarding having 100 feet of frontage at the road and at the lake. The issue involved the egress point and the land split of the former Zimmyville Trailer Park into three lots. Currently the entrance is off Sunset. The variance seeks to maintain that entrance and have an emergency exit/entrance off High Street. The residents of High Street showed up to oppose any entrance from High Street. The consensus was they would not oppose an emergency entrance/exit as long as it was a permeant emergency only entrance. To facilitate that status a suggestion of a split rail fence which the emergency vehicles could breach with ease.

The consensus was that the owners of the 11 houses on High Street generally opposed the property having its main egress off High Street. That group was represented by Doug Littlepage, Robin Hansell, Kristen and Dan Panice, Marilyn and Rob Wieland.

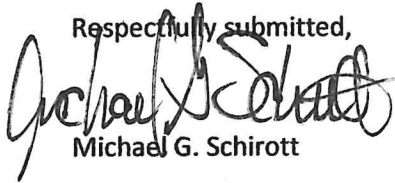
There was a lively discussion. It became apparent that the entrance off High Street could be easily accomplished but that would not make for a good neighborhood setting. Clearly the intent was to accommodate the wishes of the neighborhood and be a good neighbor by utilizing the Sunset entrance.

Meeting closed. Chad Niblock made a motion, seconded by Al Newvine to approve the variance request and grant the land division. The middle lot would grant access to the adjoining lots and the entrance off High Street would be for emergency usage only. Mike Schirott recused himself. By vote of 3 to 1 the motion passed. Polling the vote those in favor Hendricks, Newvine and Niblock. Opposed Harman, abstaining Schirott.

Application 24-148 Bob DuBois owner was requesting a variance to 111.801 (c) sheds and (d) gazebos. He installed a gazebo that is oversized at 16 by 15. He is requesting permission to maintain the structure he built but to convert part of it into a shed while leaving the remainder a gazebo. There were numerous neighbors there to support the proposal. Laore and Scott Ezell, Richard and Anita King as well as Andrew Doublestein were there to support the variance request. Meeting closed. Motion by Chad Niblock, seconded by Josh Hendricks to approve the requested variance. By vote of 4 to 0 the motion passed. Tommy Harman abstained on the vote.

Mike Schirott made a motion to adjourn. Seconded by Josh Hendricks. Meeting adjourned.

Respectfully submitted,



Michael G. Schirott