

The City of Portage Board of Zoning Appeals met in regular session on February 23, 2015, at 6:30 p.m. in Room 103 at the University Center, 6260 Central Avenue, Portage, Indiana.

CALL TO ORDER: Chairman Adam Higgins called the meeting to order and asked all present to join in the Pledge of Allegiance.

ROLL CALL: The roll was called and found Dennis Fadely, Aaron Massow, Jeff Veach, and Adam Higgins present, Denise Little was absent. Also present were Attorney Michael Handlon, and Development Review Planner Kurt Knutsen.

APPROVAL OF MINUTES: Dennis Fadely made a motion to approve the December 22, 2014 meeting minutes. Seconded by Jeff Veach. 4 voted yes.

REPORT OF OFFICERS AND COMMITTEES: NONE

ELECTION OF OFFICERS AND APPOINTMENTS:

Dennis Fadely made a motion to appoint Adam Higgins as Chairman of the Board of Zoning Appeals. Seconded by Jeff Veach, 4 voted yes.

Aaron Massow made a motion to appoint Dennis Fadely as Vice-Chairman of the Board of Zoning Appeals. Seconded by Jeff Veach, 4 voted yes.

Dennis Fadely made a motion to appoint A.J. Monroe as Executive Secretary of the Board of Zoning Appeals. Seconded by Aaron Massow, 4 voted yes.

Dennis Fadely made a motion to appoint Handlon and Handlon Legal Counsel to the Board of Zoning Appeals. Seconded by Aaron Massow, 4 voted yes.

NEW BUSINESS - PUBLIC HEARING:

V-01-15: *David Wright, 6968 Fox Tail Avenue, Portage, Indiana, requesting a Variance from Chapter 90, Section 6.32 (C) Except as provided for in the Downtown Fence & Wall Standards section, fences and walls shall not be located in any front yard at 6968 Fox Tail Avenue*

David Wright presented the petition stating that he is building a house at 6968 Fox Tail Avenue on a lot that has two front yards, and that he would like to construct a fence into the second front yard coming 44 feet from the corner of the garage to the east as drawn in the site plan presented in the petition. Mr. Wright is also proposing placing his fence westerly to a point that is forward

of the 30 foot building line per the drawing in the application packet.

Chairman Higgins opened and closed the public hearing as no parties came forward to speak.

Dennis Fadely discussed the placement of the fence stating that he thought the fence should not exceed the building line.

Dennis Fadely made a motion that the fence should not exceed the building line on the southwest side of the lot, also the fence as drawn coming off the garage on the west side could be placed to the building line only. Seconded by Jeff Veach, 2 voted yes, 2 voted no; Motion fails to pass.

Aaron Massow made a motion to table the petition. Seconded by Dennis Fadely, 4 voted yes.

SU-01-15: *Maverick Real Estate, c/o SEH of Indiana LLC, 9200 Calumet Avenue, Suite N300, Munster, Indiana, requesting a Special Exception from Chapter 90, Section 3.41 Business Park (Truck Sales & Service) at Lot 3 of North Willowcreek Business Park 5885 Carlson Avenue*

Richard Piazza presented the petition to the board stating that Maverick Transportation is planning to purchase approximately 10 acres of property at the Willocreek Business Park to construct a Truck Sales and Service facility. The Truck Sales and Service use is a special exception in the Business Park zoning district so this is the first step in the process ultimately leading to the construction of a Truck Sales and Service facility at this location.

Chairman Higgins opened the public hearing.

Greg Johnsen (820 174th Place, Hammond, Indiana) of Maverick Transportation spoke in favor of the petition stating that the company has been in Gary, Indiana since 1983 and has outgrown that location. The company would like relocate to the Portage location which allows the company the opportunity to expand.

Chairman Higgins closed the public hearing.

After a brief discussion by the board with the petitioner, Aaron Massow made a motion to approve the Special Exception of a Truck Sales and Service use. Seconded by Jeff Veach, 4 voted yes.

V-02-15: *Maverick Real Estate, c/o SEH of Indiana LLC, 9200 Calumet Avenue, Suite N300, Munster, Indiana, requesting a Variance from Chapter 90, Section 6.23 Parking Standards, (B) All parking and circulation areas shall be surfaced with asphalt, concrete, or Portland cement concrete or other approved all-weather hard, non-eroding surface., Section 6.34 High Intensity Exceptions for Exceeding General Fence and Wall Standards, (B) Security, and Section 6.40 Landscape Standards, (B) Foundation Plantings at Lot 3 of North Willowcreek Business Park 5885 Carlson Avenue*

Chairman Higgins recused himself from hearing this petition, Vice-Chairman Fadely chaired the hearing.

Richard Piazza presented the petition stating that the unplated property to the south of lot 3 of the Willowcreek Business Park will be added to the plated section to make an approximate 10 acre lot. The site presentation in the petition represents the 10 acre lot with a sketch site plan outlining the placement of the buildings, drive and parking area, and fence placements.

Chairman Higgins opened the public hearing.

Greg Johnsen (820 174th Place, Hammond, Indiana) spoke in favor of the petition encouraging the board members to look at the corporate office and their landscaping.

Chairman Higgins closed the public hearing.

Aaron Massow questioned how the parking area was going to be maintained as it is proposed not to be paved. Mr. Johnsen responded that Maverick hires contractors to maintain the parking area and they would do things like spray the drive areas to keep the dust down in the summer time.

The board members also discussed with the petitioner the proposed increase in truck traffic as a result of this location being improved. Mr. Johnsen responded that there will be approximately 32 tractors per week from their company accessing this facility.

Aaron Massow made a motion to approve the developmental standards variances requested by the petitioner. Seconded by Jeff Veach, 3 voted yes, Higgins recused.

Chairman Higgins resumed as Chairman.

With no further business before the board Chairman Higgins adjourned the meeting.

Adam Higgins, Chairman

A. J. Monroe, Executive Secretary