

CHESTERTON BOARD OF ZONING APPEALS
DECEMBER 22, 2020
(Zoom Meeting)
6:30 P.M.

The meeting was called to order at 6:50 P.M. due to the secretary experiencing some technical difficulties with Zoom access. Present were members F. Owens, R. Riley, J. Ackerman, J. Carney and president J. Kowalski. Town Engineer M. O'Dell was in attendance. Attorney J. Paulson was present as legal advisor. The pledge of allegiance was recited.

APPROVAL OF MINUTES

Member J. Carney moved approval of the minutes from November 24, 2020 seconded by member R. Riley and passed by a unanimous roll call vote of 5 to 0.

PRELIMINARY HEARINGS

Mark Markovich, Mark I Construction 506E- Lot coverage shall not exceed 30 percent of an interior lot or exceed 40 percent of the net area of a corner lot, where residence property adjoins a part adjoins a part or other permanent open space, the coverage may be increased to 40 percent and 50 percent respectively for interior and corner lots. A second variance is requested to decrease a side yard from 8 feet to 7.5 feet. **Petition 20-21** Mr. Markovich told the board they had purchased the lot last year with the intention of building a duplex. He believes the construction of the proposed duplex will bring value to the surrounding neighborhood. They would be looking to reduce a side yard setback and increase the percentage of lot coverage.

Town Engineer M. O'Dell clarified for the petitioner and board that these lots were platted as 50- foot lots Zoned R-2. The petitioner is required to meet the front, side and rear yard setbacks but the parcel does not need to meet the minimum lot width of 75-feet. He recommended requesting a 7-foot side yard setback. A variance for lot coverage would be required. He reminded the petitioner that the addition of a shed or patio would also factor into the percentage of lot coverage. He advised the petitioner to consider tying the downspouts into the inlet in the front of the house. He suggested this be included as a condition to obtain a building permit. He requested a site plan drawn to scale. Additionally, the petitioner needed to include a map of property owners within 300 feet.

Attorney J. Paulson required the Findings of Fact be filled out and submitted.

Member F. Owens commented that the petitioner needed to address each variance request separately on the petition and complete Findings of Fact for each request.

Member J. Ackerman commented that this looks like an appropriate project for the neighborhood.

Attorney J. Paulson advised the petitioner that the deficiencies in the petition would need to be addressed and turned into town hall 17 days prior to the January 28, 2021 meeting. There was a

**BOARD OF ZONING APPEALS
DECEMBER 22, 2020
PAGE 2**

question whether the board felt confident in setting this item for public hearing given the many deficiencies presented this evening.

It was questioned whether the January meeting would be conducted via Zoom. Additionally, the rules for publishing the public hearing would need to be changed as a result of the Chesterton Tribune halting service.

Attorney J. Paulson said she would work with the secretary regarding publication requirements. It was likely the January meeting would be conducted via Zoom.

Mr. Markovich told the board he would be fine with holding off with a public hearing until the February meeting. The soonest he might break ground would be in April.

It was the general consensus of the board that the petitioner, staff and board might be better served agreeing to hold the public hearing in February.

Member F. Owens moved to continue the preliminary hearing until the January 28, 2021 meeting. The motion was seconded by member J. Ackerman and passed by a unanimous roll call vote of 5 to 0.

It was clarified that the preliminary hearing was being continued. The petitioner understood he should be in attendance in person or via Zoom when that determination is made.

Town Engineer M. O'Dell suggested the petitioner get the necessary paperwork submitted to him for review. If any modification were necessary, they could have them addressed before the continued preliminary hearing in January.

PUBLIC HEARINGS- None

OLD BUSINESS- None

NEW BUSINESS- None

**BOARD OF ZONING APPEALS
DECEMBER 22, 2020
PAGE 3**

MISCELLANEOUS BUSINESS- None

ADJOURNMENT

There being no further business before the board member F. Owens moved adjournment seconded by member J. Carney and passed by a unanimous roll call vote of 5 to 0. The meeting adjourned at 7:10 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved:

President,