

AGENDA

MONDAY – NOVEMBER 27, 2023 – 6:30 PM

City Hall Council Chambers – 6070 Central Avenue - Portage, IN 46368

CALL TO ORDER

ROLL CALL & DETERMINATION OF QUORUM

APPROVAL OF MINUTES – SEPTEMBER 25, 2023

REPORT OF OFFICERS AND COMMITTEES

OLD BUSINESS:

UV-02-23: Goce Naumoski c/o Alex Kutanovski with Kutanovski Law Offices, 1504 North Main Street, Crown Point, Indiana, requesting a Use Variance from Chapter 90, Article 3, Section 3.41, BP (Business Park), to allow a Truck Terminal Facility at 5380 Melton Road. (6-month review of improvements to the property per the Boards request at the April 24, 2023, meeting.)

SU-04-23: Pavie Petrovski, 126 Poplar Court, Hebron, Indiana, requesting a Special Exception from Chapter 90, Article 3, Division 19, Section 90-3.37 (C2 - Auto Sales Facility), to allow an Auto Sales Facility at 5853 U.S. Highway 6.

OLD BUSINESS: PUBLIC HEARING

V-08-23: Phillip C. Pokorney, 2884 & 2886 Edgewood Street, Portage, requesting a Variance from Chapter 90, Article 6, Development Standards, Section 90-6.16, (I) to allow a Steel Shipping Container as an Accessory Structure and Section 90-6.17, (A) to exceed the number of allowable enclosed accessory structures in an R4 Zoning District at 2884 & 2886 Edgewood Street.

V-13-23: John S. (Magdi) Mourani, 2093 Willowcreek Road, Portage, requesting a Variance from Chapter 90, Article 6, Development Standards, Section 90-6.32, Fence and Wall Standards - General Subsection (C) fences shall not be located in any front yard at 2093 Willowcreek Road.

UV-10-23: Nathan Moore, 534 E. 37th Avenue, Lot 409, Hobart, Indiana, requesting a Use Variance from Chapter 90, Article 3, Division 16, NC District, Neighborhood Commercial, Section 90-3.31, Permitted Uses to allow a Tattoo Parlor at 5987 McCasland Avenue.

V-15-23: Jason W. Carson, 5254 Lyndell Avenue, Portage, requesting a Variance from Chapter 90, Article 6, Section 90-6.16, (G) and (I) An accessory structure must be located in the rear or

side of the primary structure unless specifically permitted otherwise and Accessory structures shall be architecturally compatible with the primary structure at 5254 Lyndell Avenue.

V-16-23: Olthof Homes c/o Todd A. Leeth of Leeth Law LLC, 2700 Valparaiso Street #2412, Valparaiso, requesting (6) Variances from the City of Portage Chapter 90 Zoning Ordinance.

- 1) Chapter 90, Article 3, Division 7, M1 - Multi-Family District, Section 90-3.14 Development Standard Basics, Minimum Setback Side Yard from 15 feet per side to 0 feet per side.
- 2) Chapter 90, Article 3, Division 8, M2 – Multi-Family District, Section 90-3.16 Development Standard Basics, Maximum Lot Coverage from 65% to 70%,
- 3) Minimum Front Yard Setback from right-of-way of collector or local street from 30 feet to 15 feet,
- 4) Minimum Side Yard Setback from 25 feet per side to 0 feet per side,
- 5) Minimum Main Floor Area of 800 square feet per dwelling unit to 625 square feet per dwelling unit (Ground Floor),
- 6) Chapter 90, Article 6, Development Standards, Section 90-6.25 Parking Standards - Residential sites (B) at least two add 'l spaces per dwelling unit are required for visitor parking and shall be spread evenly throughout the development. Visitor parking spaces cannot include spaces in carports or garages. Reducing Visitor spaces from 80 spaces to 51 spaces at the South side of the 6100 block of Lute Road.

NEW BUSINESS: PUBLIC HEARING

V-19-23: Rigoberto Nunez, 5453 Independence Avenue, Portage, requesting a Variance from Developmental Standards, Chapter 90, Article 6, Development Standards, Section 90-6.32 Fence and Wall Standards, Subsection C., Fences, and walls shall not be located in any front yard at 5453 Independence Avenue.

V-20-23: KJ Dev. 1 LLC, Biggby Coffee c/o Todd A. Leeth of Leeth Law LLC, 2700 Valparaiso Street #2412, Valparaiso, requesting (9) Variances from the City of Portage Chapter 90 Zoning Ordinance.

- 1) Chapter 90, Article 3, Zoning Districts, Division 18, Section 90-3.36 – C1 District Development Standard Basics, Accessory Structure Setbacks.
- 2) Chapter 90, Article 4, Overlay Districts, Section 90-4.3, Additional Development Standards for the Corridor Enhancement Overlay District, Subsection (D) Design and Placement of Structures (1.) Structures placed along the corridor,
- 3) Section 90.4.3, Subsection (H) Architectural Features (2.) Exterior Facades,
- 4) Section 90.4.3, Subsection (I) Landscaping Package (1.) Landscaping partial Screening of Parking lot.
- 5) Chapter 90, Article 6, Development Standards, Section 90-6.8 General Setback Standards (I) (1.) Allow the Dumpster and enclosure in the rear (west) and side (north) yard setback,
- 6) Article 6, Section 90-6.27 - Parking Standards - All Parking lots, Subsection (A) Parking Lot Design (1.) Parking lot encroachment into minimum yard setback,
- 7) Article 6, Section 90-6.29 Waste/Recycle Receptacle Standards Subsection (B) Dumpster to be constructed with the same exterior building materials as Primary Structure,
- 8) Article 6, Section 90-6.30 Drive-thru Standards, Subsection (A) General Drive-Thru Design (2.) Community Focus. Stacking lane between primary facade and public street,
- 9) Article 6, Section 90-6.40, Landscape Standards - Businesses (B) Foundation Planting Area (1.) and (2.) ten feet wide and twenty feet wide planting areas at 2872 Willowcreek Road.

Any other matters that may come before the Board of Zoning Appeals.