

Town of Porter
Board of Zoning Appeals
Meeting Minutes
October 20, 2004

A. The meeting was called to order at 7:04 p.m.

B. Pledge of Allegiance

C. Roll Call

Present: Mr. Beckman, Mr. Snyder, Mr. Liebert, and Mr. Niepokoj.

Absent: Mr. Bell

Also present was Mr. Mandon.

D. Determination of Quorum

Quorum was established.

E. Consideration of Minutes of Previous Meeting

Motion to approve the minutes of the September 15, 2004 Executive meeting as written made by Mr. Beckman; second by Mr. Niepokoj. Motion carried 4 – 0.

Motion to approve the minutes of the September 15, 2004 regular meeting as written made by Mr. Liebert; second by Mr. Beckman. Motion carried 4 – 0.

F. Audience Participation

None

G. Old Business and Matters Tabled

1. Mr. Snyder informed the Board that the Lagestees would be appealing the denial of their Developmental Standards Variance petition. An Executive Session will be held at 6:00 p.m. on Wednesday, November 17, 2004 to discuss pending litigation.
2. Mr. Snyder informed the Board that the Town Council has acted re: the billboards on the Lagestee's property. The Lagestees have been informed via attorneys that the billboards need to be removed and the Town has filed a complaint with the Court in this matter.

D. New Business

None

E. Findings of Fact

1. David and Cheryl Lagestee Developmental Standards Variance petition denial.

Motion to accept the Findings of Fact as written made by Mr. Niepokoj; second by Mr. Liebert.

Mr. Liebert commented that he believes the second sentence in section (7) concerning the billboards did not belong in the Findings of the Developmental Standards variance. Both Mr. Snyder and Mr. Mandon stated that Mr. Lyp believed they should be included in the Findings.

Motion carried 4 – 0.

D. Other Business

Mr. Liebert brought up the subject of the time frame required to have final Findings of Fact. If the Findings of Fact must be prepared and approved within five days of a decision by the Board then we need to have a meeting in that time period to do so. The matter will be added to the November meeting agenda so we may have the input of the Town Attorney before making any decisions.

E. Adjournment

Motion to adjourn made by Mr. Beckman; second by Mr. Niepokoj. Motion carried 4 – 0.

Meeting adjourned at 7:16 p.m.

Bruce Snyder
Chairman

Lisa Liebert
Secretary