

**Minutes of the Meeting of the  
DeMotte Board of Zone Appeals  
September 10, 2013**

In attendance were Cecile Wilbourne, John DeKock, Rick Eenigenburg, Attorney Gordon Etzler and Town Manager John Dyke. Not present was Cori Kale and Dr. Ray Ooms.

John DeKock called the meeting to order at 7:45 p.m.

The minutes from August 13, 2013 were read and approved. Motion by Cecile Wilbourne and seconded by Rick Eenigenburg. Motion passed.

The final drainage plan for the Buchanan parking was approved by the Town Engineer.

Jim Sheets owner of The Smoke Shop located at 5928 E St Rd 10, stated that there is no access to the parking lot. Mr. Jim Buchanan, owner of Shoppes of DeMotte, claims the additional parking is for employees only. There is a recorded access and parking easement (see attached) that allows vehicles to park in the back of the store. John Dyke said the easement was granted years ago. Mr. Jim Sheets is the owner but there is an easement to allow access. Mr. Jim Buchanan will require the employees to park in the rear of the building.

Anita Lockhart of 533 Almond St. NW asked why the access is allowed now and wasn't allowed before. She also was against the parking because she doesn't want to live near a parking lot. Mr. Tom Schiesser of 509 Almond St. NW said the utility poles will be in the way and there won't be a total of 15 spaces. Anita Lockhart stated that she was not notified by Jim Buchanan.

The motion is as follows: To approve with the stipulation that employee parking only is used for the 15 proposed spaces. Motion was made by Rick Eenigenburg and seconded by Cecile Wilbourne. Motion passed.

The next item on the agenda is the Site Enhancement Services, who is representing Advance Auto, request for a variance for a sign that is 25 square feet larger than the code allows. Site Enhancement Services wants to combine the 2 square footages to one in sign and add it to their request. They also claim cars would be pulling into other driveways. Cecile Wilbourne asked if they had one entrance like the other businesses that have code compliant signs. Sign enhancement Services will agree to not add an interchangeable message board in the future. The next size down is 48 square feet which is code compliant. They do not want to use the code compliant sign because the letters would be smaller.

The public comment time was opened. Anita Lockhart said that if we had code rules in place, why would the Board grant the variance? Dale Tuck of 886 Trail, Valparaiso, spoke in favor of the variance. The public hearing was closed. Rick Eenigenburg motioned to approve the 75 square foot sign with no future message board allowed for this business. Cecile Wilbourne did not support the motion. Chairman John DeKock supported the motion but the motion is not passed. This item will be on the agenda for October.

The next item on the agenda is "Anytime Fitness". Membership averages approximately 600. Mr. Dale Tuck wants to open his business in DeMotte, the parking will include lot #3 of the highway complex. The building is well lit at night. Public hearing was opened and no

comments were made. Motion was made by Cecile Wilbourne and seconded by Rick Eenigenburg. Motion passed.

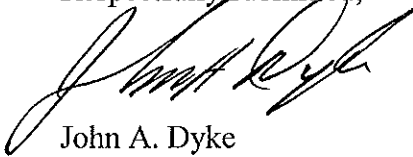
The next item on the agenda is Faith Lutheran Church. They are planning an addition, additional parking, and a place for the camper building crew to stay. Motion was made by Cecile Wilbourne to approve the special exception for the addition, remodel of the Church, and camper parking and was seconded by Rick Eenigneburg. Motion approved.

Motion was made to approve the lot for the construction of the parking lot and campers to begin in April of 2014.

Copies of the easement agreement for Buchanan parking access will be obtained for the Board Members.

Motion was made by Rick Eenigenburg to adjourn at 8:30pm and was seconded by John Dekock. Motion passed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Dyke", written in a cursive style.

John A. Dyke  
Town Manager