

Burns Harbor Board of Zoning Appeals

Minutes of Tuesday, March 23, 2021

The Board of Zoning Appeals of the Town of Burns Harbor, Porter County, Indiana met in its regular session on Tuesday, March 23, 2021. The meeting was called to order by Board of Zoning Appeals President, Bernie Poparad at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Poparad: We have a new member, Travis Dunlap and Attorney Brazil will swear him in before we begin.

Roll Call:

Bernie Poparad	Present
Bob Crecelius.....	Absent
Travis Dunlap.....	Present
Jim Meeks.....	Absent
Timothy Minier	Present

Additional Officials Present

Attorney-Michael Brazil
Building Commissioner-Rob Wesley
Secretary-Marge Falbo

Also Present

Todd Kobitz
Jack McGraw
Sarah Oudman
Wilbur Oudman

Minutes

Minier makes a motion to approve the minutes of February 23, 2021. Dunlap seconded the motion. Motion carried by all in favor vote.

Communication, Bills, Expenditures

None

Report of Officers, Committee, Staff

Building Commissioner Wesley: I would like to introduce Jack McGraw. He will be taking my place as the Building Commissioner.

Preliminary Hearing

Todd and Carlee Kobitz
Ruff Luxury Inn at the Dunes

Seeking a Use Variance to open an all-inclusive dog care facility which is not a permitted use in the Downtown District.

Seeking a Use Variance for a pole barn that has an existing Use Variance dated October 23, 2011 which has current owner conditions and sits on property they intend to purchase.

Kobitz: My name is Todd Kobitz. I'm from Valparaiso. My wife and I own Ruff Luxury Inn in Valparaiso, Indiana. We've had that for five years. We are looking to build here in Burns Harbor at 311 Melton in a roughly 8,000 square foot facility. It will be built by FBI Buildings. I am also a police officer in Valparaiso. She runs it primarily and I'm, in and out of there. I'm asking to get the zoning approval basically saying we can build there and have our facility there. A dog kennel facility. We don't own the property yet. We're in a land contract with them. Basically, from the bank and real estate side we need approval from the Town.

Poparad: Describe for us what you're going to do for your business.

Kobitz: The business is a dog boarding, daycare, grooming and a retail facility for dog food, treats and toys. Primarily the same things we have down at the other place. The only thing we won't be doing up here is dog training. That's the primary things for that. The only difference between down there and up here is I'm going to have more in and out kennels up here on the outsides of the building. There will also be indoor only kennels. So, everything we do down there, we're going to do up here. Play with the dogs, letting the dogs out, just taking care of people's dogs.

Poparad: Will you have overnight boarding?

Kobitz: There will be overnight boarding, yes

Poparad: Will they be outside at night?

Kobitz: Absolutely not. I have different philosophies than a lot of other places. It helps keep the dog safer and the staff safer. Basically, everybody overall is safer. There are no large playgroups. We introduce the dogs differently. We have small groups. Employees are out there with the dogs at all times. We strive to be as perfect as we can.

Our goal is to make the building and property look as nice as possible.

Minier: Are you going to have veterinary services there?

Kobitz: No, I do not plan on that at this point in time because there are plenty of veterinary services in this area.

Poparad: Are you going to use the small building up front for your grooming and daycare and the building in back for the kennels?

Kobitz: What we want to do is use the small building for grooming and then the back building we want to add on a 40-foot by 40-foot pole barn. We want to add on a 40 x 120 coming up towards the parking lot and then go over 40 foot as well. We're going to have roughly 8,000 square feet. Then we're going to connect the two buildings with a fence so when there are dogs going from the grooming to the boarding and daycare area, there's a fenced in area to avoid any loose dogs or anything like that.

Poparad: I see on the schematics a driveway that runs on the East side of you. Are you going to use that? Is that your driveway?

Kobitz: The only area we plan on using is the parking lot out in the front. We're going to have an overhang on the side of the building. We're going to fence that off and then if I have room, I want to do a double fence, if possible, for more protection for the dogs.

Poparad: How far back is the building that's there right now?

Kobitz: The plot map says 40 feet and we only plan on going 8-10-12 feet on the backside of the building with a fence.

Building Commissioner Wesley: I reviewed the plans and read Global Engineering's notes and the majority of those items can be addressed down the road. I'd love to see him move to the Town.

Minier: Are there any concerns with the DOT because of the size of the business, the traffic and is the driveway far enough away from the intersection?

Building Commissioner Wesley: No concerns.

Poparad: Attorney Brazil, do you have anything?

Attorney Brazil: No, I looked it over and he's got the affidavit that we developed particularly for that property and that that's filled out and it's good.

Dunlap: Is there any room for growth that you are seeking beyond the initial establishment?

Kobitz: For this property? No. I have 13,000 feet at my current facility and in my current business plan and our finances, we don't make that much more money. I plan on having 50 kennels inside of there – more like rooms because we don't fill them like cages. They have doors and are just like a small room which makes us different from other places. I don't anticipate any expansion there.

Poparad: What's the percentage of your capacity in Valpo right now?

Kobitz: 100%. We have two red zones. One red zone is Valpo and the second red zone is Chesterton and Burns Harbor. We get requests all the time from Chesterton, Burns Harbor and Porter residents to build in this area. I want to put something up here because there is nothing like it up here. Right now, with daycare, we are around 80 dogs a day. We have indoor playrooms and an outdoor area. So, if it's raining like this, the dogs go inside and we're going to have the same thing at this facility. It's turf area that drains down to a drain so we can wash it. We pride ourselves in being clean, taking care of people's dogs and the safety of the dogs. We're present

in our business in Valpo, we're going to be present at this one. An absent owner is bad for business.

Poparad: Attorney Brazil, what do we want to say in this motion? We want to make sure it encompasses both rejections regarding the use.

Attorney Brazil: The motion should include that the variance be the kennel and then the second one I believe will no longer be a factor, but we should address it for what it's use is going to be.

Minier: I move that we have a Public Hearing with Attorney Brazil's stipulations.

Minier makes a motion to hold a Public Hearing for Todd and Carlee Kobitz, Ruff Luxury Inn on April 27, 2021 with the first variance being for a dog kennel and then the second variance will no longer be a factor. The building will be used for dog grooming. Dunlap seconded the motion. Motion carried by all in favor vote.

Old Business

None

New Business

None

Good of the Order of the Community & Any Other Business

None

Announcements

None

Adjourn

Minier motions to adjourn at 7:46 pm. Dunlap seconded the motion. Motion carried by all in favor vote.

APPROVED on April 27, 2021

Bernie Poparad, President

Marge Falbo, Secretary