

BOARD OF ZONING APPEALS

The Board of Zoning Appeals of the City of La Porte held a meeting on March 14th, 2023, at 6:08 p.m. with Vice Chairperson Brian Kajer presiding in the absence of the Chairperson and the following in attendance:

Vickie Gushrowski

Drew Buchanan

Brian Kajer opened the meeting with recognition of a quorum for the three members present.

Approval of Minutes

Brian Kajer asked the board if they had reviewed the minutes from the Feb. 14th, 2023, meeting and if there were corrections or additions. Drew Buchanan made the motion to approve minutes and Vickie Gushrowski 2nd the motion. Motion passed three to zero.

Item 4. VARIANCE OF DEVELOPMENT STANDARDS #23-02 PETITION: TO ALLOW A 381.6 SQUARE FOOT ELECTRONIC CHANGEABLE MESSAGE (EMX)SIGN ILLUMINATED BY LIGHT EMITTING DIODE (LED) ON THE SUBJECT PROPERTY ADJACENT TO A RESIDENTIAL ZONING DISTRICT

Robert Miller approached and passed out photos. He explained the difference between the existing sign and what he is proposing. He talked about his company's history in advertising and that they are looking to expand their digital footprint.

Drew asked about the size of the board and David explained the ordinance of billboards and what the city standards are for static signs.

David then showed a PowerPoint on what the proposed sign would look like in size to what is current from different distances on the road for drivers.

David then read the conditions that would need to be met to approve the billboard.

Drew then asked about the standards that have been laid out and if they will be met. Robert explained all the standards and how they will be met with the new billboard.

Brian Kajer asked for public comment, there was none.

Drew Buchanan made a motion to approve the Variance of Development Standards Petition #23-02 with the following staff recommended conditions and Vickie Gushrowski 2nd the motion. Motion passed three to zero.

- 1.) That a maximum of one (1) Electronic Message Center (EMC) Sign illuminated by Light-Emitting Diode (LED) shall be permitted on the subject property adjacent to a residential zoning district.
- 2.) The maximum total sign area for the EMC Sign shall be 288 square feet.
- 3.) The message on the EMC shall remain static a minimum of twenty (20) seconds and not take longer than one (1) second to change the message.
- 4.) The EMC sign shall be equipped with a sensor or other device that automatically determines the ambient light conditions to adjust the brightness of the sign to a maximum luminescence level is not more than three-tenths (0.3) footcandles measured at a distance of 170 feet away from the sign.
- 5.) The EMC sign shall comply with all applicable requirements, conditions, and permit approval process from the Indiana Department of Transportation.

Item 5. SPECIAL EXCEPTION USE #23-03 PETITION: TO ALLOW TATTOO ESTABLISHMENT

Jake Morrel explained his petition for a tattoo establishment.

David summarized the staff report and showed a PowerPoint on where this establishment would be located.

A citizen approached and explained his concern on the potential of neon signs, and Jake Stated he doesn't need any neon signs and that is no problem.

Vickie Gushrowski made a motion to approve the Special Exception Use Petition #23-03 with the following staff recommended conditions and Drew Buchanan 2nd the motion. Motions passed three to zero.

- 1.) The use shall allow a tattoo establishment.
- 2.) The use shall operate between the hours from 8:00 AM to 10:00 PM.

Item 6. VARIANCE OF DEVELOPMENT STANDARDS # 23-04 PETITION: TO REDUCE THE MINIMUM REAR YARD SETBACK FORM 25 FEET TO 5 FEET

Jim White approached and he explained his case on why they would like the variance.

David explained the staff report.

Vickie Gushrowski motioned to approve the Variance of Development Standards Petition #23-04 and Drew Buchanan 2nd the motion. Motion passed three to zero.

Item 7. USE VARIANCE #22-10 PETITION: TO ALLOW CONVENIENCE STORE WITH GASOLINE SALES

The City Attorney explained that the petitioner emailed in and withdrew his petition. There was no action taken on this petition.

Old Business

Brian Kajer asked if there was any old business. There was not any old business.

New Business

Brian Kajer asked if there was any new business. There was not any new business.

Other Business

Brian Kajer asked if there was any other business. There was not any other business.

Adjournment

Drew Buchanan made a motion to adjourn the meeting Vickie Gushrowski 2nd the motion. Motion passed 3 to 0. The meeting adjourned at 6:30 pm.

Respectfully Submitted,
Brian Kajer, Vice Chairperson

Nickolas Owens, Secretary