



City of La Porte Board of Zoning Appeals Meeting Minutes	
Tuesday, September 12, 2023 at or after 6:00 PM Immediately upon conclusion of Plan Commission meeting	
City Hall Council Chambers, 801 Michigan Ave.	
www.cityoflaporte.com	(219) 362-8260

A meeting of the City of La Porte Board of Zoning Appeals (“BZA”), was held at City Hall on Tuesday, September 12, 2023 at the hour of 6:00 PM, (“local time”), pursuant to notice duly given in accordance with the rules of the Commission and the Indiana Open Door Law.

ITEM 1. Call Meeting to Order

The meeting was called to order by Vice Chair Brian Kajer at 6:13 PM.

ITEM 2. Roll Call & Determination of Quorum

On a call of the roll, the members of the BZA were shown to be present or absent as follows:

Members Present:	Members Absent:	Staff Present:
Brian Kajer, Vice Chair	Pete Saunders, Chair	Mark Worthley, BZA Attorney
Vickie Gushrowski		David Heinold, City Planner
Drew Buchanan		
Mark Danielson		

ITEM 3. Approval of Minutes: August 8, 2023 Meeting Minutes

Vice Chair Brian Kajer called for any changes or corrections to the August 8, 2023 Meeting Minutes. There being no changes or corrections to the meeting minutes, Drew Buchanan made a motion to **approve the August 8, 2023 Meeting Minutes** and the motion was seconded by Mark Danielson. The motion passed 4-0.

ITEM 4. **SPECIAL EXCEPTION USE #23-14 PETITION: To Allow for Convenience Store with Gasoline Sales**

Applicant: Matthew Kirkwood (Danch, Harner & Associates, Inc.)

Property Owner: Balvir Singh

Address: 2204 East Lincolnway

Located at the southwest corner of East Lincolnway and Fail Rd.

Staff Report: David Heinold

Applicant Presentation

Vice Chair Brian Kajer called for the petitioner to present the special exception use petition.

Matthew Kirkwood identified himself as the applicant for the petition and explained the project for a proposed gas station and convenience store at the southwest corner of East Lincolnway and Fail Road.

Staff Presentation

Vice Chair Brian Kajer called for a staff report presentation.

David Heinold, Assistant City Planner, presented the staff report and recommendation for the special exception use petition.

Public Comment

Vice Chair Brian Kajer opened the meeting to public comment and called for public comments either for or against the variance petition.

Vice Chair Brian Kajer called for additional public comment. There being no further public comment, Vice Chair Brian Kajer closed the floor to public comment.

Applicant Response

There were no further comments from the applicant.

Board Discussion/Action

Vickie Gushrowski made a motion to **approve Special Exception Use #23-14 Petition** and the motion was seconded by Drew Buchanan. The motion to **approve** passed 4-0.

Special Exception Use #23-14 Petition – Approved

ITEM 5. **VARIANCE OF DEVELOPMENT STANDARDS #23-15 PETITION: To Exceed the Maximum Accessory Building Area – Requesting 1,500 Square Feet**

Applicant: Eugenia A. Reutter & Mark B. Bantz

Property Owner: Eugenia A. Reutter

Address: 1012 Division Street

Staff Report: David Heinold

Applicant Presentation

Vice Chair Brian Kajer called for the petitioner to present the variance petition.

Mark Bantz, 1012 Division Street, identified himself as the petitioner and owner of the subject property. Mr. Bantz described that he is requesting 1,500 square feet of total accessory building area for personal storage of kayaks, 2 boats, and lots of fishing gear. He further explained that the proposed building will be 11 feet tall with one ten foot door. He mentioned that the pine trees will be removed as part of the project to construct the accessory building. Mr. Bantz explained that they plan to add an additional 200 square feet on the house next year.

Staff Presentation

David Heinold, Assistant City Planner, explained the staff report and recommendation for the limiting the total accessory building area to 1,000 square feet based on the sizes of accessory buildings on similar properties.

Mark Danielson questioned if the additional 200 square feet on the house would impact the current variance petition.

David explained that the staff recommendation for the current variance petition is based on the existing footprint of the house.

Public Comment

Vice Chair Brian Kajer opened the meeting to public comment and called for public comments either for or against the variance petition.

Vice Chair Brian Kajer called for additional public comment. There being no further public comment, Vice Chair Brian Kajer closed the floor to public comment.

Applicant Response

Vickie Gushrowski asked the petitioner if he would be okay with the staff recommendation for 1,000 square feet of total accessory building area.

Mr. Bantz mentioned that he will need more than 1,000 square feet.

Board Discussion/Action

Mark Worthley, BZA Attorney, explained that the petitioner would have to state that they would like to amend their variance of development standards petition to allow 1,000 square feet of total accessory building area.

Drew Buchanan mentioned that he understands the petitioner's view that we all have too much stuff, but the approval of the large accessory building size may set a precedent. Drew clarified that the board needs to be careful about this size allowance and he is comfortable with the 30% increase in total accessory building area as recommended by City staff. He further mentioned that he is not comfortable with doubling the total accessory building area beyond the maximum area limitations permitted by the zoning ordinance.

Mark Bantz stated that he would like to amend the variance of development standards petition to allow 1,000 square feet of total accessory building area.

Drew Buchanan made a motion to **allow the petitioner to amend the Variance of Development Standards Petition #23-15 to 1,000 square feet** and the motion was seconded by Vickie Gushrowski. The motion passed 4-0.

Drew Buchanan made a motion to **approve the Variance of Development Standards #23-15 with staff recommended conditions** and the motion was seconded by Vickie Gushrowski. The motion passed 4-0.

Variance of Development Standards #23-15 – Approved with conditions

- 1.) The maximum total accessory building area shall be 1,000 square feet.
- 2.) The detached accessory building shall only be used for personal storage. No commercial business or storage shall be permitted at any time.

ITEM 6. **SPECIAL EXCEPTION USE #23-16 PETITION: To Allow Minor Automobile Service and Repair – Automotive Oil Change Facility**

Applicant: Michael Haigh (Quattro Development, LLC)

Property Owner: Quattro Development, LLC (Michael Liyeos, Member Manager)

Address: 103 Warren Street Located at the northeast corner of
Pine Lake Ave. and Warren St.

Staff Report: David Heinold

Applicant Presentation

Michael Liyeos identified himself as the Member Manager for Quattro Development, LLC and explained the special exception use petition to allow the Valvoline Instant Oil Change Facility.

Staff Presentation

David Heinold, City Planning, provided a brief summary of the staff report and recommendation for the special exception use petition. David explained the criteria for consideration of the special exception use petition.

Public Comment

Vice Chair Brian Kajer opened the meeting to public comment and called for public comments either for or against the Special Exception Use Petition.

Vice Chair Brian Kajer called for additional public comment. There being no further public comment, Chair Saunders closed the floor to public comment.

Applicant Response

Vickie Gushrowski asked the petitioner if there are any proposed building elevations for the development.

Mr. Liyeos explained that the facility will be a prototype Valvoline Instant Oil Change building. He showed the proposed building elevations on the powerpoint presentation to the board and individuals in attendance.

Brian Kajer asked the petitioner which way the tower would face.

Mr. Liyeos explained that the tower would face towards Pine Lake Avenue away from the residential uses.

Mark Danielson asked about the hours of operation for the proposed facility.

Mr. Liyeos explained that the hours of operations will be from 8 am to 7 pm that usually is about 40 oil changes per day. He further mentioned that there will be 7 employees per shift and 11 parking spaces mostly for employees since there is no particular need for parking space with this type of facility.

Brian Kajer questioned if there will be any large truck deliveries.

Mr. Liyeos explained that there will not be any truck deliveries to the facility. He continued to explain that there will only be small box truck deliveries to the facility.

Board Discussion/Action

Drew Buchanan mentioned that the proposed oil change facility is a good fit for the immediate area.

Drew Buchanan made a motion to **approve the Special Exception Use #23-16 Petition** and the motion was seconded by Mark Danielson. The motion to **approve** passed 4-0.

Special Exception Use #23-16 Petition - Approved

ITEM 7. Old Business

a. Request to withdraw Variance of Development Standards #23-12 Petition
VARIANCE OF DEVELOPMENT STANDARDS #23-12 PETITION: To Extend the House Foundation within the minimum front yard setback to Connect the House to the Detached Garage

Applicant: Claudia Winter

Property Owner: Mark Bruso

Address: 1211 Indiana Avenue

Staff Report: David Heinold

Staff Presentation

David Heinold, City Planning, explained that the petitioner is requesting to withdraw Variance of Development Standards #23-12 from consideration. This item will be withdrawn from future consideration at the request of the petitioner.

ITEM 7. New Business

There was no new business.

ITEM 8. Other Business

A. Public Comments on Non-Agenda Items

There was no public comment on non-agenda items.

ITEM 9. Adjournment

Vickie Gushrowski made a motion to **adjourn** and the motion was seconded by Mark Danielson. The motion to **adjourn** passed 4-0. The meeting was **adjourned** at 6:54 pm.

Brian Kajer, Vice Chair

David Heinold, Secretary