



<b>City of La Porte Board of Zoning Appeals Meeting Minutes</b>	
<b>Tuesday, May 14, 2024 at 6:00 PM</b>	
<b>City Hall Council Chambers, 801 Michigan Ave.</b>	
<a href="http://www.cityoflaporte.com">www.cityoflaporte.com</a>	<b>(219) 362-8260</b>

A meeting of the City of La Porte Board of Zoning Appeals (“BZA”), was held at City Hall on Tuesday, April 9, 2024 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 Chair Pete Saunders at 6:00 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:

<b>Members Present:</b>	<b>Members Absent:</b>	<b>Staff Present:</b>
Brian Kajer, Vice Chair	Mark Danielson	Mark Worthley, BZA Attorney
Vickie Gushrowski		Craig Phillips, CDP Director
Nate Loucks		Josette Schoof, Eng. Coord.
Pete Saunders, Chair		

**ITEM 3. Approval of Minutes: April 9 2024 BZA Meeting Minutes.**

Chair Pete Saunders called for any changes or corrections to the April 9, 2024 Meeting Minutes. There being no changes or corrections to the meeting minutes, Nate Loucks made a motion to approve the April 9, 2024 Meeting Minutes and the motion was seconded by Vickie Gushrowski. The motion passed 3-0.

**ITEM 4. VARIANCE OF DEVELOPMENT STANDARDS #24-02 PETITION: TO REDUCE THE MINIMUM FRONT YARD SETBACK FROM 40 FEET TO 20 FEET ALONG THE FACTORY STREET PROPERTY FRONTAGE**

**Applicant:** Anthony Oss, Director of Preconstruction Services, Larson-Danielson Construction Co., Inc. (as agent of The New York Blower Company)

**Property Owner:** Timothy Daniels, Controller & Treasurer, The New York Blower Company

**Location:** 171 Factory Street and 621 Boston Street

**Staff Report:**



<b>ITEM 4. Variance of Development Standards # 24-02 Petition</b> to reduce the minimum front yard setback from 40 feet to 20 feet along the Factory Street Property Frontage
<b>Type of Request:</b> Variance of Development Standards
<b>Staff Report:</b> David Heinold

**APPLICANT**

Name – Anthony Oss, Director of Preconstruction Services, Larson-Danielson Construction Co., Inc. (as agent of The New York Blower Company)
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**PROPERTY OWNER**

Name – Timothy Daniels, Controller & Treasurer, The New York Blower Company
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**PREMISES AFFECTED**

Parcel Number - 46-06-36-202-002.000-043 and 46-06-36-202-001.000-043				
Actual/approximate address or location from major streets – 171 Factory St. & 621 Boston St.				
Total Acreage – 5.48 acres		Flood Zone on Site? - No		
Zoning of Subject Property – M2		Use of Subject Property – Manufacturing/Office/Parking Lot		
Zoning of Adjacent Properties	North: M2	South: B2	East: M2	West: M2
Land Use of Adjacent Properties	North:	South:	East:	West:

**SUMMARY:** The petitioner proposes to construct a two-story office building addition to the existing Plant 3 at New York Blower that will be no less than twenty (20) feet from the front yard property line along Factory Street.

**HISTORY OF SITE:** Per the site aerial image, the parcel is 5.48 acres and is currently zoned M2 (Heavy Industrial District). Historically, the property has been used as a manufacturing business and office space. The petitioner proposes to reduce the minimum front yard building setback from 40 feet to 20 feet to allow construction of the two-story office building addition.

**DESCRIPTION OF PROPOSED VARIANCE OF DEVELOPMENT STANDARDS:**

The petitioner is requesting a variance of development standards to reduce the minimum front yard building setback from 40 feet to 20 feet to allow construction of the proposed two-story office building addition to the existing Plant 3 building. The approval of the requested variance of development standards would allow the reduction of the minimum front yard building setback from 40 feet to 20 feet.

**STATEMENT OF COMPLIANCE:** Section 9.04 shall be met for the proposed two-story office building addition.

**SITE REVIEW FINDINGS:** Site review was held on April 17, 2024 to discuss the proposed development and it was mentioned that the two-story office building addition will need a variance of development standards to reduce the minimum front yard building setback. The notes from the site review meeting are attached for your review on the requested variance.

**DECISION CRITERIA:**

**(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;**

The approval of the requested variance of development standards to allow the proposed reduction in the minimum front yard building setback to construct the two-story office building addition to an existing manufacturing building will not be injurious to the public health, safety, morals, and general welfare of the community. The proposed reduction in the minimum front yard building setback along Factory Street will not negatively impact surrounding properties in the M2 Heavy Industrial District or B2 General Commercial District.

**(2) The use and value of the area adjacent to the property will not be affected in a substantially adverse manner; and**

The use and value of the area adjacent to the property will not be affected in a substantially adverse manner with the proposed reduction in the minimum front yard building setback. The petitioner's request to allow the proposed reduction in the minimum front yard building setback is compatible with the existing building setbacks along Factory Street for buildings already permitted in the general vicinity.

**(3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.**

The strict application of the terms of the zoning ordinance with the requirement for a minimum forty

(40) foot front yard building setback would result in practical difficulties with the use of the property for manufacturing and office space. The existing manufacturing and office buildings along Factory Street are already within the minimum 40 foot front yard building setback.

**STAFF RECOMMENDATION:**

Staff finds that the requested variance of development standards petition is in compliance with the 2017 City of La Porte Revised Joint Zoning Ordinance and does conform to the goals and policies of the Countywide Land Development Plan. The petitioner's request to allow the proposed reduction in the minimum front yard building setback is compatible with the existing building setbacks along Factory Street for buildings already permitted in the general vicinity. Staff recommends **approval** of the petitioner's request to allow the reduction in the minimum front yard building setback from 40 feet to 20 feet along the Factory Street property frontage.

Submitted to the Board of Zoning Appeals May 9<sup>th</sup>, 2024.

**Applicant Presentation**

Tony Oss representative of Larson Danielson on behalf of New York Blower Company. Explained the history of New York Blower Company. Tony Oss mentioned that this variance request is to allow for the new addition to align with previous construction. The new expansion will be a two-story building with approximately 14,000 square feet of floor area. Mr. Oss explained that the new addition will accommodate the consolidation of several current employees into a central office building.

Nate Loucks asked if they are tearing down some of the current facility to make room for the growth.

Tony Oss stated that the removal of the existing door on the northwest corner will become the new entry way off Factory Street.

Vickie Gushrowski stated that it's pretty much going to be even along with the current building.

Tony Oss stated yes that is the intent & that the materials will match as best as possible with the character of the existing office façade on the front.

Nate Loucks stated it's basically approving a variance that was already approved when the building was built.

Tony Oss stated he didn't know if a variance was approved but the zoning requirements asked that the design continue with the way the building is currently designed. Tony Oss mentioned that notices were sent out and he handed the green certified mail cards to Mark Worthley.

**Public Comment**

Chair Pete Saunders opened the meeting to public comment and called for public comments either for or against the variance petition.

There being no public comment for or against the variance petition, Chair Pete Saunders closed the floor to public comment.

**Staff Presentation**

Craig Phillips, CDP Director, briefly explained the staff report and recommendation for the variance of development standards petition to reduce the minimum front yard setback from 40 feet to 20 feet along the Factory Street Property Frontage.

### **Applicant Response**

There was no response from the applicant.

### **Board Discussion/Action**

Brian Kajer made a motion to **approve the Variance of Development Standards #24-02 to reduce the minimum front yard setback from 40 feet to 20 feet along the Factory Street Property Frontage with the staff recommended findings** and the motion was seconded by Vickie Gushrowski. The motion passed 4-0.

ITEM 5. Old Business

There was no old business.

ITEM 6. New Business

There was no new business.

ITEM 7. Other Business

A. Public Comments on Non-Agenda items

There was no public comment on non-agenda items.

ITEM 8. Adjournment

Chair Pete Saunders called for a motion to adjourn. Nate Loucks made a motion to **adjourn**, and the motion was seconded by Vickie Gushrowski. The motion to **adjourn** passed 4-0. The meeting was **adjourned** at 6:56 pm.

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Pete Saunders, Chair

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Josette Schoof, Secretary