City of La Porte Board of Zoning Appeals Meeting Minutes	
Tuesday, September 9, 2025 at 6:00 PM	
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 9, 2025 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 Brian Kajer at 7:05 PM.

ITEM 2. Pledge of Allegiance

ITEM 3. 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:
Chair, Brian Kajer	Pete Saunders	Mark Worthley, BZA Attorney
Vice Chair, Nate Loucks	Mark Danielson	David Heinold, City Planner
Vickie Gushrowski		Josette Schoof Eng. Coordinator

ITEM 4. Approval of Minutes: August 12, 2025 Meeting Minutes

Chair Brian Kajer called for any changes or corrections to the August 12, 2025 Meeting Minutes. There being no changes or corrections to the meeting minutes, Nate Loucks made a motion to **approve the August 12, 2025 Meeting Minutes** and the motion was seconded by Vickie Gushrowski. The motion passed 3-0.

ITEM 5. Use Variance # 25-02 Petition

to Allow Bank/Credit Union with Drive-through operations in the R1C Single Family Residential District

Type of Request: Use Variance

Staff Report: David Heinold

APPLICANT

Name – DVG Team, Inc. (James Hus, Jr.)

PROPERTY OWNER

Name – Laporte Community Federal Credit Union

PREMISES AFFECTED

Parcel Number - 46-06-35-462-011.000-043				
Actual/approximate address or location from major streets – 1304 Jefferson Avenue				
Total Acreage – 0.47 acre		Flood Zone on Site? - No		
Zoning of Subject Property – R1C		Use of Subject Property – Existing Bank/Credit Union use		
Zoning of Adjacent Properties	North: R1C	South: R1C	East: R1C	West: R1C
Land Use of Adjacent Properties	North: Auto Repair Shop	South: Single Family Dwelling	East: Multiple Family Dwellings	West: Single Family Dwelling

SUMMARY: The petitioner proposes to allow reconstruction of the existing bank/credit union land use on property zoned R1C Single Family Residential District.

HISTORY OF SITE: Per the site aerial image, the parcel is 0.47 acre and is currently zoned R1C (Single Family Residential District). The property has been and is currently used as a bank/credit union. The petitioner proposes to allow reconstruction of the existing bank/credit union land use on property zoned R1C Single Family Residential District.

DESCRIPTION OF PROPOSED USE VARIANCE:

The petitioner is requesting a use variance to allow reconstruction of the existing bank/credit union land use on property zoned R1C Single Family Residential District.

STATEMENT OF COMPLIANCE: Section 4.02 Uses sets forth requirements for how land and buildings may be used within the residential zoning districts. In addition, the development of the site shall be required to meet the development standards as set forth in Section 9.04 Building Dimensional Requirements for building setbacks. Table 17.02 (c)(2) requires a minimum of 10 feet of landscape screening between the bank/credit union land use and adjacent R1C District Single Family Residential properties on all sides.

SITE REVIEW FINDINGS: Site review was held on 8/20/2025 and the following comments are attached to the staff report for your review.

DECISION CRITERIA:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
The approval to allow the reconstruction of the existing bank/credit union land use on the property zoned R1C Single Family Residential District will not be injurious to the public health, safety, morals, and general welfare of the community because the use has existed in this location since prior to the 2017 zoning ordinance changes. The petitioner is also requesting a variance of development standards from the minimum building, landscape, and trash enclosure setbacks.

(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 because the existing land use is currently a credit union and will not have any major changes to the operations on the subject property other than moving the building east towards the property line along Tyler Street. The proposed site development plan for the reconstruction of a credit union and drive through will improve the site conditions on the subject property.

(3) The need for the variance arises from some condition peculiar to the property involved;
The need for the use variance arises from the condition peculiar to the property involved because the petitioner is requesting to reconstruct the existing bank/credit union land use in the R1C Single Family Residential District that existed prior to the 2017 zoning ordinance changes when the property was removed from the CBD2 Zoning District. The existing bank/credit union with drive-through operations became a legal nonconforming use and the need for the use variance arises from the condition that the full reconstruction of the existing credit union and drive-through in a new space on the subject property exceeds the minimum dollar threshold for legal nonconforming uses.

(4) The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
The strict application of the terms of the zoning ordinance to not allow the reconstruction of the bank/credit union land use in the R1C Zoning District that existed prior to the 2017 zoning ordinance changes will constitute an unnecessary hardship because the subject property would not be allowed to reconstruct the bank/credit union as the owner intends without following the requirements of the current zoning ordinance.

(5) The approval does not interfere substantially with the Comprehensive Land Development Plan.

The approval of the variance request to allow reconstruction of the bank/credit union land use does not interfere substantially with the Comprehensive Land Development Plan because the plan aims to encourage full use of land in established communities. The result of this goal is to eliminate unintended regulatory impediments to residential and commercial infill development that is consistent with established neighborhood patterns and character. The proposed reconstruction of the bank/credit union land use is consistent with the automobile repair shop, commercial retail, and office buildings to the north along Lincolnway.

STAFF RECOMMENDATION:

Staff finds that approval of the use variance petition to allow the reconstruction of the bank/credit union land use is appropriate for the surrounding commercial land uses. Staff recommend **approval** of Use Variance Petition #25-02 to allow the reconstruction of the bank/credit union land use.

Submitted to the Board of Zoning Appeals September 4th, 2025.

ITEM 6. Variance of Development Standards #25-08 Petition to Reduce the Minimum Front Yard Building Setback from 25 Feet to 9 Feet on Tyler Street, 4.04; Reduce the Minimum Buffer Zone Landscaping from Adjacent Residential from 10 Feet to 0 Feet, 17.02(c); and Allow Waste Receptacle closer than 20 Feet from an Adjacent Residential District, 17.05(b)
Type of Request: Variance of Development Standards
Staff Report: David Heinold

APPLICANT

Name – DVG Team, Inc. (James Hus, Jr.)

PROPERTY OWNER

Name – Laporte Community Federal Credit Union

PREMISES AFFECTED

Parcel Number - 46-06-35-462-011.000-043				
Actual/approximate address or location from major streets – 1304 Jefferson Avenue				
Total Acreage – 0.47 acre		Flood Zone on Site? - No		
Zoning of Subject Property – R1C		Use of Subject Property – Existing Bank/Credit Union use		
Zoning of Adjacent Properties	North: R1C	South: R1C	East: R1C	West: R1C
Land Use of Adjacent Properties	North: Auto Repair Shop	South: Single Family Dwelling	East: Multiple Family Dwelling	West: Single Family Dwelling

SUMMARY: The petitioner proposes to allow reconstruction of the existing bank/credit union land use on property zoned R1C Single Family Residential District. The variance of development standards request is to reduce the minimum front yard building setback from 25 feet to 9 feet on Tyler Street, reduce the minimum buffer zone landscaping from adjacent residential from 10 feet to 0 feet, and allow the waste receptacle closer than 20 feet from adjacent residential districts.

HISTORY OF SITE: Per the site aerial image, the parcel is 0.47 acre and is currently zoned R1C (Single Family Residential District). The property has been and is currently used as a bank/credit union. The petitioner proposes to allow reconstruction of the existing bank/credit union land use on property zoned R1C Single Family Residential District.

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 25 feet to 9 feet on Tyler Street, reduce the minimum buffer zone landscaping from adjacent residential from 10 feet to 0 feet, and allow the waste receptacle closer than 20 feet from adjacent residential district.

STATEMENT OF COMPLIANCE: Section 4.02 Uses sets forth requirements for how land and buildings may be used within the residential zoning districts. In addition, the development of the site shall be required to meet the development standards as set forth in Section 9.04 Building Dimensional Requirements for building setbacks. Table 17.02 (c)(2) requires a minimum of 10 feet of landscape screening between the bank/credit union land use and adjacent R1C District Single Family Residential properties on all sides. Section 17.05(b) requires that the trash receptacle be located a minimum of 20 feet from the adjacent residential district.

SITE REVIEW FINDINGS: Site review was held on 8/20/2025 and the following comments are attached to the staff report for your review.

DECISION CRITERIA:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
The approval to allow reconstruction of the existing bank/credit union closer to the front yard along Tyler Street and reduction of the minimum landscape setback to the adjacent residential properties will not be injurious to the public health, safety, morals, and general welfare of the community because the use has existed in this location since prior to the 2017 zoning ordinance changes. The reduction in the minimum trash enclosure setback will not negatively impact the surrounding residential properties because it will be located further than the existing dumpster. The proposed site development for the reconstruction of the credit union is compatible with the surrounding commercial and residential properties within the immediate vicinity.

(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 because the existing land use is currently a credit union and will not have any major changes to the operations on the subject property other than moving the building east towards the property line along Tyler Street. The reduction in the minimum building, landscaping, and trash enclosure setbacks will not negatively affect the surrounding residential properties compared to how the subject property is currently developed.

(3) The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.

The strict application of the terms of the zoning ordinance to not allow the reconstruction of the bank/credit union land use in the R1C Zoning District that existed prior to the 2017 zoning ordinance changes will constitute an unnecessary hardship because the subject property would not be allowed to reconstruct the bank/credit union as the owner intends without following the requirements of the current zoning ordinance.

The need for the use variance arises from the condition peculiar to the property involved because the petitioner is requesting to reconstruct the existing bank/credit union land use in the R1C Single Family Residential District that existed prior to the 2017 zoning ordinance changes when the property was removed from the CBD2 Zoning District. The existing bank/credit union with drive-through operations became a legal nonconforming use and the need for the use variance arises from the condition that the full reconstruction of the existing credit union and drive-through in a new space on the subject property exceeds the minimum dollar threshold for legal nonconforming uses.

STAFF RECOMMENDATION:

Staff finds that the requested variance of development standards petition conforms to the goals and policies of the Countywide Land Development Plan. The requested variance to reduce the minimum building, landscaping, and trash enclosure setback to the residential districts is appropriate for the type of commercial business located near downtown La Porte. Staff recommends **approval** of the petitioner's request to reduce the minimum front yard building setback from 25 feet to 9 feet on Tyler Street, reduce the minimum buffer zone landscaping from adjacent residential from 10 feet to 0 feet, and allow waste receptacle closer than 20 feet from an adjacent residential district as part of Variance of Development Standards Petition #25-08

Submitted to the Board of Zoning Appeals September 4th, 2025.

Applicant Presentation
James Hus with DVG Team, Inc. business address 1155 Troutwine Road in Crown Point mentioned that he is speaking on behalf of the LaPorte Community Federal Credit Union at 1304 Jefferson Street. James Hus was allowed to speak about items number five and six on the agenda. James Hus stated that he is accompanied by Robbie Masterson, President of Laporte Community Credit Union and Tim Webber of Tonn and Blank Construction who will be performing improvements to the site pending tonight's decision. James Hus mentioned that the design team has been working with the city staff on improvements to the credit union branch on 1304 Jefferson Avenue. James Hus mentioned the city staff at the Site Review meeting held on August 20th was satisfied with the project and the plans. James Hus mentioned there would be an eventual demolition of the existing structure then construction of a new branch at the same location. James Hus mentioned while working with the city, staff recommended some small items be cleaned up. James Hus stated the use variance being requested is for the credit union to continue to provide the same operations, drive-through access, and ATM access that is currently there. James Hus stated the property is zoned R1C Residential District and that the credit union sits on a transition zone between B2, CBD1, and R1C Districts. James Hus mentioned that the credit union currently exists as a legal non-conforming use on the lot and that the use variance process would change that. James Hus stated that is all the remarks related to item number five. James Hus started discussion regarding item number six to reduce front yard setback. James Hus mentioned a R1C lot requires a 25-front yard setback and that they are proposing a 9.4-foot setback along Tyler Street. James Hus explained that full setback compliance would prevent drive-through operations and may compromise parking needs. James Hus stated that the 9.5-foot setback was selected because it would orientate the building with the primary parking area along Tyler Street and it would improve site aesthetics. James Hus mentioned the buffer zone options required by the city are a 20-foot vegetated yard, a 3-foot-tall berm, or 8-foot wall/fence. James Hus stated currently there is an existing fence that was constructed by the credit union in 2009 and is requesting that the fence be allowed to remain to serve as the buffer requirement. James Hus discussed the requirements by the city for refuge enclosures. James Hus mentioned that a landscaping plan for the green space areas has been provided.

Staff Presentation
David Heinold mentioned that Items #5 and #6 will be discussed together. David Heinold further discussed the three variances and provided photos to view regarding the site. David Heinold mentioned staff finds both the Use Variance and the Variance of Development Standards petition meets the goals and policies of the countywide land development plan and the goal. David Heinold stated staff does recommend approval of Use Variance 25-02 and Variance of Development Standards 25-08 petition.

Public Comment
Chair Brian Kajer opened the meeting to public comment and called for public comments.

Bert Cook, Executive Director of the La Porte Economic Advancement Partnership, expressed his appreciation that DVG and Tonn & Blank met with the city as part of the site review process.

There being no public comment for or against the variance petition, Brian Kajer closed the floor to public comment.

Board Discussion/Action
Vickie Gushrowski made a motion to **approve Use Variance #25-02 Petition** to allow Bank/Credit Union with drive through operations in the R1C Single Family Residential District and **Variance of Development Standards #25-08 Petition** to reduce the minimum front yard building setback from 25 feet to 9 feet on Tyler Street, 4.04 Reduce the minimum buffer zone landscaping from adjacent residential from 10 feet to 0 feet, 17.02 (c); and allow waste receptacle closer than 20 feet from an adjacent residential District**.** The motion was seconded by Nate Loucks. A roll call vote was taken. The motion passed 3-0.

Yes Brian Kajer Yes Nate Loucks Yes Vickie Gushrowski
Absent Pete Saunders Absent Mark Danielson

Use Variance #25-02 Petition – Approved
Variance of Development Standards #25-08 Petition – Approved

ITEM 7. Old Business

There was no old business.

ITEM 8. New Business

There was no new business.

ITEM 9. Adjournment

Nate Loucks made a motion to **adjourn,** and the motion was seconded by Vickie Gushrowski. The motion to **adjourn** passed 3-0. The meeting was **adjourned** at 7:22 pm.

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Brian Kajer, Chair Josette Schoof, Secretary