City of La Porte Board of Zoning Appeals Meeting Minutes	
Wednesday, September 9, 2026 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 Wednesday, September 9, 2026, 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 6:00 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	Mark Danielson	David Heinold, City Planner
Vickie Gushrowski	Pete Saunders	Josette Schoof, Eng. Coordinator
Vice Chair, Nate Loucks		

ITEM 4. Approval of Minutes: July 14, 2026 Meeting Minutes

Chair Brian Kajer called for any changes or corrections to the July 14, 2026 Meeting Minutes. There being no changes or corrections to the meeting minutes, Nate Loucks made a motion to **approve the July 14, 2026 Meeting Minutes** and the motion was seconded by Vickie Gushrowski. The motion passed 3-0.

ITEM 5. Use Variance # 26-02 Petition
to Allow an Accessory Dwelling Unit in the Existing Accessory Building

Type of Request: Use Variance

Staff Report: David Heinold

APPLICANT

Name – Rhonda Hotwagner

PROPERTY OWNER

Name – same

PREMISES AFFECTED

Parcel Number - 46-10-02-235-006.000-043				
Actual/approximate address or location from major streets – 302 C Street				
Total Acreage – 0.20 acre		Flood Zone on Site? - No		
Zoning of Subject Property – R1C		Use of Subject Property – Residential		
Zoning of Adjacent Properties	North: R1C	South: R1C	East: R1C	West: R1C
Land Use of Adjacent Properties	North: Residential	South: Residential	East: Residential	West: Residential

SUMMARY: The petitioner proposes to allow an accessory dwelling unit within the existing accessory building located at 302 C Street as part of the variance request.

HISTORY OF SITE: Per the site aerial image, the proposed accessory dwelling unit is located on a property with an existing single family dwelling and accessory building that previously contained a living quarters. Section 29.01 (e) states that in the event that a nonconforming use of any building or land is abandoned or discontinued for a period of one (1) year, the use shall thereafter conform to the uses permitted in the district in which it is located. Currently, the property is used as a single family dwelling with a detached accessory building and the petitioner proposes to continue use of the existing accessory building as an accessory dwelling unit.

DESCRIPTION OF PROPOSED USE VARIANCE:
The petitioner is requesting a use variance to allow an accessory dwelling unit in the existing accessory building.

STATEMENT OF COMPLIANCE: Section 4.02 Uses sets forth use and development requirements for the R1C Single Family Residential. The proposed use for an accessory dwelling unit is not permitted in the district, which requires the approval of a Use Variance as specified in Section 28.11 of the 2017 City of La Porte Revised Joint Zoning Ordinance.

SITE REVIEW FINDINGS: Site review is not required for this type of variance petition.

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 use variance to allow an accessory dwelling unit within the existing accessory building will not be injurious to the public health, safety, morals, and general welfare of the community because the existing building was constructed similar to a living quarters. The requested use variance to allow an accessory dwelling unit within the existing accessory building is appropriate for the size and type of residential property.

(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 requesting a use variance to allow an accessory dwelling unit will not be affected in a substantially adverse manner because there are other similar accessory building sizes on comparable lots in the surrounding neighborhood. The existing accessory building is a legal nonconforming building that was constructed around the 1940s similar to style of the existing single family dwelling.

(3) The need for the variance arises from some condition peculiar to the property involved;
The need for the use variance to allow an accessory dwelling within the existing accessory building arises from the condition peculiar to the property involved because the existing building was constructed similar to a living quarters and is a reasonable use of the existing building. The subject property has the appropriate amount of land to provide for minimum setbacks between existing structures and setbacks to surrounding properties.

(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 will constitute an unnecessary hardship if applied to the property for which the use variance is sought because the existing building was constructed similar to a living quarters and it is a reasonable use of the residential property in the City of La Porte near Downtown La Porte to allow an accessory dwelling unit within the existing accessory building for the size and type of the subject property.

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

The approval of the use variance to allow an accessory dwelling in an existing accessory building on a property located in close proximity to Downtown La Porte will not interfere substantially with the Comprehensive Land Development Plan because the City of La Porte recognizes that accessory dwelling units may be appropriate on similar residential properties where the minimum requirements for building setbacks, open space, and parking requirements can be met for the type of land use. The proposed accessory dwelling unit will not interfere substantially with the Countywide Land Development Plan or the City of La Porte Zoning Ordinance because it is an important land use that is often used to fill a need in the community for a certain type of housing for individuals.

STAFF RECOMMENDATION:

Staff finds that approval of the use variance petition to allow an accessory dwelling unit within the existing accessory building is appropriate for the surrounding area in close proximity to Downtown La Porte. Staff recommends **approval** of Use Variance Petition #26-02 to allow an accessory dwelling unit within the existing accessory building.

Submitted to the Board of Zoning Appeals September 4th, 2026.

Applicant Presentation
Jim Fry of 6941 Youngren Road, Harbert Michigan Jim Fry appeared on behalf of the property owner, Rhonda Hotwagner. He explained that the accessory building had previously been used as a dwelling unit.

Vickie Gushrowski asked if it is currently used as a dwelling unit.

Jim Fry stated it is not at this moment. Jim mentioned that use had lapsed after the property was vacant for more than one year following bankruptcy and foreclosure. The current owner has made improvements to the property and is seeking to reinstate the ADU use, primarily for rental purposes.

Vickie Gushrowski asked if there is parking for both dwelling rentals.

Jim Fry mentioned there is no designated parking but there is parking on the street.

Public Comment
Chair Brian Kajer opened the meeting to public comment and called for public comments. There being no public comment for or against the use variance, Chair Brian Kajer closed the meeting to public comment.

Staff Presentation
David Heinold explained that the property is approximately 0.20 acres and in the R1C Single Family Residential District, which permits one dwelling. Because an additional dwelling unit is not currently permitted in the district, a use variance is required.

David Heinold reviewed the five applicable use-variance criteria and determined the request:

1. Would not be injurious to public health, safety, morals, or general welfare.
2. Would not substantially adversely affect the use or value of adjacent properties.
3. Arises from conditions peculiar to the property, including the existing accessory building's design and history.
4. Would otherwise create an unnecessary hardship under strict application of the zoning ordinance.
5. Would not substantially interfere with the City's Comprehensive Land Development Plan.

Staff recommended approval of Use Variance Petition 26-02.

Board Discussion/Action
Nate Loucks asked where parking would be.

David Heinold mentioned currently there are no specific parking requirements for accessory dwelling units and that there is parking on a corner lot.

Nate Loucks how will the building be accessed.

Jim Fry mentioned that access to the accessory building will be through the existing fence and gates.

Nate Loucks asked if the potential use of the property be short-term rentals like Airbnb.

Jim Fry stated that is correct.

Nate Loucks asked if the City has specific regulations governing Airbnb or other short-term rentals.

Davied Heinold confirmed that the city does not currently have specific guidelines for such rentals.

Vickie Gushrwoski made a motion to approve **Use Variance #26-02 Petition to Allow an Accessory Dwelling Unit in the Existing Accessory Building.** The motion was seconded by Nate Loucks. A roll call vote was taken. The motion passed 3-0.

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

Use Variance #26-02 Petition – Approved 3-0

ITEM 6. Variance of Development Standards #26-08 Petition to Exceed Maximum Accessory Building Area – Requesting 1,600 Square Feet
Type of Request: Variance of Development Standards
Staff Report: David Heinold

APPLICANT

Name – Jeremy Siford

PROPERTY OWNER

Name – Jeffrey Dorrian

PREMISES AFFECTED

Parcel Number - 46-10-01-253-008.000-043				
Actual/approximate address or location from major streets – 1819 Michigan Avenue				
Total Acreage – 0.95 acre		Flood Zone on Site? - No		
Zoning of Subject Property – R1B		Use of Subject Property – Single Family Dwelling		
Zoning of Adjacent Properties	North: R1B	South: R1B	East: R1B	West: R1B
Land Use of Adjacent Properties	North: Single Family Dwelling	South: Single Family Dwelling	East: Single Family Dwelling	West: Single Family Dwelling

SUMMARY: The petitioner proposes to allow construction of an approximately 30 foot by 40 foot detached accessory building with covered leanto additions for personal storage and use on the subject property. The variance of development standards request is to allow 1,600 square feet of maximum accessory building area.

HISTORY OF SITE: Per the site aerial image, the parcel is 0.95 acre and is currently zoned R1B (Single Family Residential District). Historically, the property has been used as a single family residence. The existing single family dwelling is approximately 1,800 square feet measured in building footprint on an acre residential property.

The petitioner proposes to utilize the area at the southeast end of the subject property in the backyard for an approximately 30 foot by 40 foot detached accessory building for personal storage and use.

DESCRIPTION OF PROPOSED VARIANCE OF DEVELOPMENT STANDARDS:
The petitioner is requesting a variance of development standards to allow 1,600 square feet of maximum accessory building area.

STATEMENT OF COMPLIANCE: Section 7.04 Building Dimensional Requirements shall be met for the subject property.

SITE REVIEW FINDINGS: Site review is not required for the type of variance petition.

DECISION CRITERIA:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
The proposed accessory building size will not be injurious to the public health, safety, morals, and general welfare of the community because the existing use of the subject property is for single family residential and the proposed accessory building will be compatible with surrounding residential properties within the immediate vicinity. The sizes of residential accessory buildings ranges from 120 square feet to 1,800 square feet in the surrounding area. The proposed accessory building size is comparable to the existing accessory buildings and carports on similar residential properties. On March 5, 2025, the City of La Porte Board of Zoning Appeals approved a Variance of Development Standards to allow 1,600 square feet of maximum accessory building area located at 2 Greenacres, which is approximately one mile south of the subject property with similar types of houses and lot sizes near Kingsbury and Michigan Avenues.

(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 construction of a 1,600 square foot accessory building for storage of personal storage of vehicles and lawn maintenance equipment. The proposed 1,600 square foot accessory building will not negatively impact the use and value of the area adjacent to the property because the carport will be used for personal storage. The sizes of residential accessory buildings ranges from 120 square feet to 1,800 square feet in the surrounding area. City staff recommends adding a condition that the petitioner utilize the existing driveway easement for ingress and egress to the proposed accessory building to limit the number of driveways on Michigan Avenue.

(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 to limit the size of the accessory building to 721 square feet on 0.95 acre will constitute practical difficulty in the use of the property to store personal vehicles and property maintenance equipment on site. The sizes of residential accessory buildings ranges from 120 square feet to 1,800 square feet in the surrounding area.

City staff recommends adding a condition to the approval of the variance that the proposed single-story accessory building shall be composed of similar exterior materials for site-built residential dwellings. Section 14.01 (b) (1) sets forth requirements for primary materials on site-built residential dwellings to consist of one (1) or more of the following:

1. Residential horizontal aluminum, vinyl, or fiber cement lap siding;
2. Cedar or other wood siding;
3. Stucco;
4. Brick;
5. Stone (including native stone, cultured stone cast stone or other masonry material with the appearance of stone);
6. Other similar quality material to the above, as determined by the enforcement official.

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 exceed the maximum area limitations for accessory buildings to allow 1,600 square feet of total accessory building area is appropriate for the surrounding area. Staff recommends **approval** of the petitioner's request to exceed the maximum area limitations for accessory buildings to allow 1,600 square feet of total accessory building area as part of Variance of Development Standards Petition #26-08 with the following condition:

1.) That the accessory building shall be composed of similar exterior materials for site-built residential dwellings as required by Section 14.01 (b) (1) in the 2017 City of La Porte Revised Joint Zoning Ordinance.

2.) That the petitioner shall utilize the existing access easement adjacent to the southern property boundary for ingress and egress to the accessory building.

Submitted to the Board of Zoning Appeals September 4th, 2026.

Applicant Presentation
Jeremy and Ashlan Siford of 184 West Greenlawn Drive appeared before the Board regarding their request for a variance to construct a detached accessory building on the property they intend to purchase at 1819 Michigan Avenue. The purchase is contingent upon approval of the variance. The proposed building would be approximately 30 by 40 feet, with possible lean-to additions, and would be used primarily for personal storage, vehicles, and lawn/maintenance equipment.

The property is approximately 0.95 acres and is zoned R1B Single Family Residential.

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

Janice Martinson, 1905 Michigan Avenue: Expressed concern about the size of the proposed building and strongly requested that access be provided from Michigan Avenue rather than through her driveway.

Tom Buell, 1906 Michigan Avenue: Supported the applicants and welcomed them to the neighborhood but expressed concern about the proposed 1,600-square-foot size and the potential precedent it could establish. He also requested greater detail about the building's design and materials, particularly to ensure it would be compatible with the historic character of Michigan Avenue.

Howard Jones, 1815 Michigan Avenue: Requested additional information regarding the building's construction type, dimensions, height, and appearance.

Elizabeth McCluskey, 1602 Michigan Avenue: Expressed concern that a building of this size would not fit the historic character of the neighborhood unless designed to resemble a period carriage house and complement the existing home.

There being no further public comment for or against the use variance, Chair Brian Kajer closed the meeting to public comment.

Staff Report
Davied Heinold reviewed Variance of Development Standards Petition 26-08 and the applicable variance criteria, noting the following:

- The request is for 1,600 square feet of total accessory building area on a property of approximately 0.95 acres.
- The current zoning is R1B Single-Family Residential District.
- Existing accessory buildings in the surrounding area range from approximately 120 to 1,800 square feet.
- A similar variance allowing 1,600 square feet of accessory building area was approved by the Board at another property in March 2025 that is within one mile south of the subject property.
- Strictly limiting the accessory building to 721 square feet would create practical difficulty in accommodating the applicants' intended storage of personal vehicles and property-maintenance equipment.
- Staff found the request consistent with the Countywide Land Development Plan and appropriate for the surrounding area.

Staff recommended approval subject to two conditions:
1. The accessory building must use exterior materials similar to those required for site-built residential dwellings under Section 14.01B of the zoning ordinance.
2. The applicants must use the existing access easement along the southern property boundary for ingress and egress to the accessory building, helping limit additional driveways along Michigan Avenue.

Board Discussion/Action
The Board discussed the concerns raised by neighboring property owners, particularly the building's size, appearance, and access.

The applicants stated that the proposed building would be designed to closely match the existing house, including its exterior materials and color. A rendering presented by the applicants showed a design intended to complement the home. The Board noted that the large lot, existing fencing, and trees would limit the visibility of the accessory building.

Staff clarified that the access easement functions similarly to an alley and is city property. The applicants indicated that the proposed garage would not generate significant traffic and would primarily be used for storage and vehicles.

The Board further discussed how the proposed aesthetic requirement would be enforced. Members determined that additional assurance regarding the building's historic appearance was appropriate**.**

Nate Loucks made a motion to approve **Variance of Development Standards #26-08 Petition to Exceed Maximum Accessory Building Area – Requesting 1,600 Square Feet with the Three Conditions Listed Below.** The motion was seconded by Vickie Gushrowski. A roll call vote was taken. The motion passed 3-0.

1. The accessory building must use exterior materials similar to those required for site-built residential dwellings.
2. The existing access easement along the southern property boundary must be used for ingress and egress.
3. The project must receive approval from the Historic Preservation Committee regarding the building's design before final project approval.

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

Variance of Development Standards #26-08 Petition – Approved 3-0

ITEM 7. Old Business

There was no old business.

ITEM 8. New Business

There was no new business

ITEM 9. Other Business

There was no other business

ITEM 10. Adjournment

Brian Kajer 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 3-0. The meeting was **adjourned** at 6:37 pm.

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Brian Kajer, Chair Josette Schoof, Secretary