



<b>City of La Porte Board of Zoning Appeals Meeting Minutes</b>	
<b>Tuesday, October 11, 2023 at or after 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, October 11, 2023 at the hour of 6:20 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 6:20 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	Pete Saunders, Chair	Mark Worthley, BZA Attorney
Vickie Gushrowski		David Heinold, City Planner
Drew Buchanan		Craig Phillips, CDP Director
Mark Danielson		

**ITEM 3. Approval of Minutes: September 12, 2023 Meeting Minutes**

Vice Chair Brian Kajer called for any changes or corrections to the September 12, 2023 Meeting Minutes. There being no changes or corrections to the meeting minutes, Drew Buchanan made a motion to **approve the September 12, 2023 Meeting Minutes** and the motion was seconded by Mark Danielson. The motion passed 4-0.

**ITEM 4. SPECIAL EXCEPTION USE #23-19 PETITION: To Allow Drive Thru Restaurant**

**Applicant:** Excel Engineering, Inc.  
**Property Owner:** J & K Commercial Rentals, LLC  
**Address:** 1403 East Lincolnway  
**Staff Report:** David Heinold

**Applicant Presentation**

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

Reid Jahns, Excel Engineering, Inc., identified himself as a representative for the petitioner and explained the special exception use petition to allow the proposed drive through restaurant on the subject property.

**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 #23-19 Petition contingent upon favorable recommendation of the Preliminary and Final Plat approval from the Plan Commission** and the motion was seconded by Drew Buchanan. The motion passed 4-0.

**Special Exception Use #23-19 Petition – Approved**

ITEM 5. **VARIANCE OF DEVELOPMENT STANDARDS #23-20 PETITION: To Exceed the Maximum Area Limitations – Requesting 1,008 Square Feet of Total Accessory Building Area**

**Applicant:** Chris Pintzke

**Property Owner:** same

**Address:** 1011 Plain Street

**Staff Report:** David Heinold

**Applicant Presentation**

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

Alberto Leyva, 1011 Plain Street, identified himself as the tenant residing at the subject property and representing the petitioner on the variance request. Mr. Leyva explained that the petitioner is requesting approval of the variance petition to build a 22'x17' carport, which is less than the 1,000 square foot maximum area limitations as recommended by City Planning Staff in the staff report recommendation. He continued to mention that the petitioner sent an email to City Planning Staff for amending the variance petition to 1,000 square feet of total accessory building area to allow construction of the proposed carport addition to the existing detached garage.

**Staff Presentation**

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

**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**

Mark Danielson made a motion to **approve the Variance of Development Standards #23-20 with staff recommended conditions** and the motion was seconded by Drew Buchanan. The motion passed 4-0.

**Variance of Development Standards #23-20 – 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. Old Business

There was no old business.

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 6:46 pm.

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Brian Kajer, Vice Chair

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David Heinold, Secretary