



City of La Porte Board of Zoning Appeals Meeting Agenda	
Tuesday, December 13, 2022 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

MEETING NOTES:

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the City of La Porte Office of Community Development & Planning at (219) 362-8260 by 10:00 am, Friday, preceding the meeting to make any necessary arrangements.

Regular Meeting Agenda Items

Members of the public should understand the Board of Zoning Appeals members may be unable to thoroughly review and consider materials delivered by the day of the public hearing. The order of business shall be:

- A. Staff Report B. Applicant Presentation C. Public Comment
D. Applicant Response E. Board Discussion/Action

ITEM 1. Call Meeting to Order

ITEM 2. Roll Call & Determination of Quorum

ITEM 3. Public Comments on Non-Agenda Items

ITEM 4. Approval of Minutes: October 11, 2022 Meeting Minutes

ITEM 5. **USE VARIANCE #22-07 PETITION: TO ALLOW FOUR-UNIT MULTIFAMILY RESIDENTIAL DWELLINGS**

Applicant: Cary & Sharon Kirkham

Property Owner: same

Location: 1530 Michigan Avenue

Staff Report: David Heinold

ITEM 6. **USE VARIANCE #22-09 PETITION: TO ALLOW ADDITION TO REAR SOUTHWEST CORNER OF EXISTING SINGLE FAMILY DWELLING**

Applicant: Matthew Collins

Property Owner: Bryan E. & Ann P. Ramey Jtwros

Location: 804 Pine Lake Avenue

Staff Report: David Heinold

ITEM 7. VARIANCE OF DEVELOPMENT STANDARDS #22-11 PETITION: TO REDUCE THE MINIMUM FRONT YARD SETBACK FROM 25 FEET TO 18 FEET

Applicant: Sarah & Christi Murrell

Property Owner: same

Location: 2308 Hillside Court

Staff Report: David Heinold

ITEM 8. USE VARIANCE #22-10 PETITION: TO ALLOW CONVENIENCE STORE WITH GASOLINE SALES

Applicant: Mandeep Singh (David Ambers)

Property Owner: Great Development, LLC (Greg Engstrom)

Location: 2437 Monroe Street

Staff Report: David Heinold

ITEM 9. Old Business

ITEM 10. New Business

ITEM 11. Other Business

ITEM 12. Adjournment

BOARD OF ZONING APPEALS

The Board of Zoning Appeals of the City of La Porte held a meeting on October 11th, 2022, at 6:00 p.m. with Chairperson Pete Saunders presiding and the following in attendance:

Drew Buchanan

Vickie Gushrowski

Brian Kajer

And the following absent:

None

Chairperson Saunders asked the board if they had reviewed the minutes from the July 12th, 2022, meeting and if there were corrections or additions. Hearing none he asked for a motion to approve the minutes. Mrs. Gushrowski made a motion to approve the minutes and Mr. Buchanan 2nd the motion. Motion carried and minutes were approved.

1530 Michigan Ave

Use Variance #22-07 Petition: To allow Four-Unit Multifamily Residential Dwellings

Mr. David Heinold explained that the applicant wrote a letter seeking a deferral until November's meeting. Mr. Kajer made a motion to allow the applicant to defer until November's meeting. Mrs., Gushrowski 2nd the motion and a continuance was granted.

2927 Silverbrook

Use Variance #22-04 Petition: To allow Two Family Dwelling

Mr. John Christodoulakis, the owner of the property explained that the property is zoned for a two-family dwelling however the previous owner reverted it back to single family. He would like to fix the property up and rent out both sides. Mrs. Gushrowski asked if he was planning to take the pool in the back down and make improvements. Mr. Christodoulakis stated that he has already began improvements including removal of the pool as well as roof and other items. Mr. Buchanan shared that he drove the neighborhood and noted that most of the homes in the area are duplex/two family homes.

Public comment was opened. There were no public comments.

Mr. Kajer made a motion to approve the use variance, Mrs. Gushrowski 2nd the motion and the variance was granted.

1301 5th Street

Special Exception Use #22-05 Petition: To Allow Expansion of Commercial Mini-Storage Units

Mr. Tyler Watkins the Vice President of Strategy and Finance for Kabelin Ace Hardware and Mr. Andrew Voltz began by explaining there is a need for self-storage, and they are looking to acquire land next to their store to provide mini storage units. They are looking to expand their current storage from 32 to 340 units when they are all done. It will have state of the art technology and the site will have a wrought iron fence with landscaping around the perimeter to keep the home feel in the neighborhood. Mr. Saunders asked if this is purely for storage and not business operating? Mr. Watkins answered

by saying it will be just storage. This will not be a 24-hour self-storage site. There will be business hours and will also have security cameras on site as well. He also said there is already electricity on site, and they plan to do drainage under the site and plan to use the utilities that are already onsite.

Public comment was opened. There were no public comments.

Mrs. Gushrowski asked how will the lighting affect the neighbors? Mr. Watkins explained that the lighting will have to go "straight down" and not outward.

Mr. Saunders asked what they will do to make sure that nothing injurious or combustible be stored in the units. Mr. Watkins explained that they will have signs posted and it will also be stated in the contract. Mr. Voltz added that they can add verbiage in the contract that would allow self-inspection by the property owner to make sure certain things are not being stored in the units.

Mr. Kajer asked about the operating hours. Mr. Watkins stated "plus or minus 10 pm but not 24 hours. Mr. Kajer also asked what the lot would be made up of? Mr. Watkins explained the intention is a slab of concrete under each building going out 3 to 6 inches from where the building ends and asphalt everywhere else. Mr. Kajer also asked if the existing buildings are going to remain or replaced. Mr. Watkins explained that the existing buildings will be demolished and replaced with state-of-the-art technology buildings.

Mr. Buchanan asked if there will be outdoor storage for campers, boats, etc.? Mr. Watkins stated that there will not be outdoor storage available at this location.

Mrs. Gushrowski asked David Heinold about conditions set in the staff report. David then read the following:

Staff finds that approval of the special exception use petition to allow expansion of the existing commercial self-storage unit facility is consistent with the Countywide Comprehensive Land Development Plan. Staff

recommends **approval** of Special Exception Use Petition #22-05 with the following conditions:

- (1) The minimum building and parking setback shall be 20 feet from the western property boundary.
- (2) The side yards adjacent to residential land uses shall include wrought iron or similar decorative fencing and landscaping. Landscaping must be a minimum of 6 feet tall.
- (3) The subject property shall be limited to storage within completely enclosed buildings.
- (4) All lighting shall be directed downward onto the subject property. Lighting must adhere to the requirements provided in Table 17.04 Required Site Illumination of the 2017 City of La Porte Revised Joint Zoning Ordinance.
- (5) There shall be no storage of combustible or flammable liquids, combustible fibers, or explosive materials as defined in the fire prevention code, or toxic materials, within the self-storage buildings or upon the premises at any time.

Mr. Drew Buchanan made a motion to approve the request with the conditions, Mr. Brian Kajer 2nd the motion and the special exception was granted.

1505 Lincolnway

Special Exception Use #22-06 Petition: To Allow Major Automobile Body Collision Repair and Paint Shop

Ryan Leaf from Legacy Commercial Property has owned the property at 1505 Lincolnway since 1992 and he began his career with Family Video. Marco's Pizza also occupies the building, and they are a franchised owner. Caliber Collision are a repair body shop for automobiles. They formed in 1997 and

have grown quickly to 1500 locations. They are a highly sought-after tenant as they invest in their communities with high paying jobs. 1505 Lincolnway is roughly 1.3 acres and has multiple access points so there won't be an issue with bottlenecks. The building currently has 12,000 square feet of vacancy and is what Caliber would need to occupy the building. This would be well over a million-dollar capital improvement to the building and the site. Brett Flory, the architect for the owner of the building explained they would be renovating most of the building and that he works with Caliber to design most of their buildings. They would put up an eight-foot steel picket type of fence with masonry columns to make it more appealing and revitalize the building. Caliber does all their work inside their buildings and there would be no additional sound added outside of the building. They use all the latest technology in their buildings along with using high quality painting equipment and would meet all air quality requirements. Caliber would add roughly twenty employees with the painter making over \$100,000 dollars a year which would help with tax revenues because they try to buy all parts locally. Their corporate slogan is, "Restoring the rhythm of your life," and they want to follow that slogan.

Public comment was opened. Jason (inaudible last name) who also works for Highland Ventures, explained that in February/March of 2021 Family Video closed and there has been a full court press to try and lease out multiple Family Video locations including 1505 Lincolnway. There is also a team in their offices to try to bring people into the vacant buildings and in the last year and a half there hasn't been any interest in 1505 Lincolnway. He explained that have been homeless issues at this building and having a tenant will help with not only homeless issues but also vandalism. There was no other public comment and public comment was closed.

Chairperson Saunders opened the discussion to the board members. Mr. Kajer asked about fencing. Brett Flory answered by saying they would install a steel picket fence that would be 8 foot tall with added masonry columns every so often with heavy landscaping plus a black mesh that will provide a screen that you can't see through. Caliber would have their own security

system and any wrecked vehicles will be stored behind the fence/mesh and totaled vehicles are removed within twenty-four hours. Mr. Pete Saunders asked David Heinold to explain staff recommendations and to also read Mr. Bert Cook's letter. David showed photos of the location and surrounding areas. He then read the following staff report:

- (1) General Welfare. The proposal will not be injurious to the public health, safety, and general welfare of the community.**

The proposed location for the automobile body collision repair and paint shop presents major conflicts with existing commercial, retail, medical, and residential land uses due to the proximity of the Central Business District less than a quarter mile to the northeast.

- (2) Surrounding Property. The special exception use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish or impair property values within the neighborhood. The establishment of the special exception use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

Approval of the special exception use for an automobile body collision repair and paint shop would be injurious to the use and enjoyment of surrounding restaurants, residential, and retail establishments. The establishment of a special exception use for an automobile body collision repair and paint shop will inhibit the normal and orderly development of surrounding properties for permitted land uses. The subject property is located in or adjacent to an area of the city which has been and will continue to be focused on redevelopment of uses that are typically related to and compatible with medical, mixed-use residential, office and commercial and downtown-adjacent uses.

- (3) Hazard. The special exception shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property.**

The proposed special exception use involves operations that typically cause noise, odor, fumes, vibration, illumination hazards, and other negative effects which are detrimental to the health, safety, or general welfare of surrounding properties and pedestrian traffic.

- (4) Public Facilities and Services. The use will be served adequately by essential public facilities and services such as: highways, streets, police and fire protection, drainage**

structures, water and sewage facilities, refuse disposal and schools. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The proposed use will be operated from an existing building that has access to highways, streets, police and fire protection, drainage structures, water and sewage systems, refuse disposal and schools. The petitioner will need to obtain necessary approvals from the appropriate governing body regarding ingress and egress from the proposed use.

- (5) Development Requirements. The development of the property will be consistent with the intent of the development requirements established by this ordinance for similar uses. The development will be designed, constructed, operated and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity, based upon the County Comprehensive Land Development Plan.**

The proposed development of the property for an automobile body collision repair and paint shop would significantly alter the intended character of the general vicinity based upon the Countywide Comprehensive Land Development Plan objective to create walkable, user-friendly neighborhoods where residents have the choice to walk to schools, nearby institutions, and at least basic commercial services. The general neighborhood area has developed with a mixed variety of commercial retail, restaurants, office, medical, and residential land uses that encourage more walkable neighborhoods. The subject property is located in or adjacent to an area of the city which has been and will continue to be focused on redevelopment of uses that are typically related to and compatible with medical, mixed-use residential, office and commercial and downtown-adjacent uses.

- (6) Ordinance Intent. Granting the special exception use will not be contrary to the general purposes served by this ordinance and will not permanently injure other property or uses in the same zoning district and vicinity.**

The approval of the special exception use to allow an automobile body collision repair and paint shop will be contrary to the general purposes served by the 2017 City of La Porte Revised Joint Zoning Ordinance to promote the best use of land at strategic locations and avoid encouraging marginal strip business development along major streets. The proposed use is incompatible with surrounding medical and retail and restaurant uses in terms of odor, fumes, noise, and other negative effects often associated with automobile body collision repair and paint shop uses.

- (7) County Land Development Plan. The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the County Land Development Plan.**

The proposed use will negatively affect the general character of the zoning district where the subject property is located. The Countywide Comprehensive Land Development Plan recommendations state that urbanized areas should encourage development that promotes a walkable neighborhood center. The subject property is located in or adjacent to an area of the city which has been and will continue to be focused on redevelopment of uses that are typically related to and compatible with medical, mixed-use residential, office and commercial and downtown-adjacent uses.

- (8) Use Regulations. Where there are use-specific regulations contained in Article 14, the special exception use shall comply with all of the regulations applicable to the use.**

Article 14, Section 14.05 of the 2017 City of La Porte Revised Joint Zoning Ordinance states that Vehicle Service and Repair Shops must adhere to the following requirements:

- (1) All repair work shall be conducted completely within an enclosed building.
- (2) Storage of wrecked, partially dismantled, or other derelict vehicles is prohibited, unless such storage is required under police or court order. Vehicles awaiting repair shall not be stored outdoors for more than seven (7) days and shall be screened with an eight (8) foot high screen wall in accordance with section 17.03.
- (3) There shall be no outdoor storage or display of vehicle components and parts, supplies, or equipment or other merchandise, except within an area defined on the site plan which extends no more than 10 feet beyond the building.

STAFF RECOMMENDATION:

Staff finds that approval of the special exception use petition to allow an automobile collision repair and paint shop is not consistent with the Countywide Comprehensive Land Development Plan and the general character of the surrounding area. Staff recommends **denial** of Special Exception Use Petition #22-06.

Mr. David Heinold then went on to read the attached letter from Mr. Bert Cook, Executive Director of La Porte Economic Advancement Partnership.

Mr. Craig Phillips
Director of Community Development and Planning
City of La Porte
801 Michigan Avenue
La Porte, IN 46350



Re: 1505 Lincolnway—Major Automobile Collision Repair and Paint Shop

Mr. Phillips,

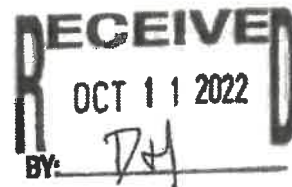
As the Executive Director of the La Porte Economic Advancement Partnership (LEAP) I am writing to express my concern with the proposal to build a Major Automobile Collision Repair and Paint Shop at 1505 Lincolnway. The project requires a Special Exception from the Board of Zoning Appeals to proceed and will be heard on October 11th, 2022.

As you know LEAP focuses a good deal of its efforts on developing or redeveloping the City of La Porte. This area recently experienced major growth with the construction of the new Northwest Health La Porte Hospital and subsequent medical office buildings. The area continues to grow, and the demolition of the old hospital will only expedite the continued development in this area. The proposal to build a collision repair center conflicts with the neighboring uses in this area and is not a fit with our strategic plan for this corridor. While we appreciate their desire to invest in La Porte, we feel this would be far better suited for other areas of the City and/or county.

Please feel free to let me know if you have any questions or need further information.

Bert Cook

Bert Cook
Executive Director
La Porte Economic Advancement Partnership
(219) 324-8584



Chairperson Saunders opened the meeting up for response from the petitioner.

Brent Conley asked Mr. David Heinold for current examples of what is allowed to operate at 1505 Lincolnway under the current zoning. Mr. Heinold explained that retail and restaurant would be acceptable. Mr. Conley asked if several stores would be acceptable such as liquor stores, smoke shops or tattoo shops would be acceptable. He then said, "I think you can see where we are going with this." He made it clear that being invested in the community breeds further success and he feels that they were able to meet each line item that Mr. Heinold spoke about in the staff report. He also had concern about the ease of access with pedestrian traffic and values the pedestrian traffic, but he doesn't feel that in the thirty years there was never strong pedestrian force that made an impact on his business.

Mr. Ryan Leaf went on to explain that this business would bring in eighteen fulltime jobs with salaries ranging from \$25,000 to \$110,000 with an average payroll payout annually around 1.2 to 1.4 million dollars. Regarding the staff concerns he doesn't feel that this is an accurate representation of what this project is, and Caliber Collision is the gold standard of an autobody shops. He believes this will improve pedestrian traffic because it will no longer be a vacant building and will make the area look much better.

Mr. Saunders shared his concern about vehicles being stored outside while they are waiting to be repaired. Mr. Brett Flory explained that they reduced the footprint of where cars would be stored so there won't be a large number of cars sitting outside and it's a week or two at max for cars to sit in this location. Mr. Flory explained that Caliber is a very "green company" and uses water-based paints and eventually will use water based clear coat.

Mr. Craig Phillips addressed the floor by saying he agrees with Mr. Bert Cook's letter that there are better locations for this business within our city. The city has goals moving forward to continue the trajectory of what has already been happening in the Lincolnway corridor to the west of downtown. The medical community has invested substantially, and we plan to see more investment after the demolition of the old hospital in the next month. Mr. Phillips stated that he looked at where Caliber Collisions are located, and they are located on major roads just not in downtown areas. They are usually located on the edges of towns typically where car lots are located. Mr. Phillips explained that we would love to work with Caliber Collision, and we would welcome them to our community just in a different location.

Mrs. Gushrowski added that she feels the location may not be the best option and Mr. Buchanan agreed.

Mr. Pete Saunders made a motion to approve the petition and the board voted nay. There were four votes of nay and no votes of approval. The petition was denied.

120 Eastshore Parkway

Variance of Development Standards #22-08 Petition: To Reduce the Minimum Rear Yard Setback From 25 Feet to 12 Feet

Mr. David Ambers on behalf of John C. Diedrich Living Trust dated 03-16-2007 to request a variance of development standards. This property is so narrow which is why they were seeking this variance. Mr. Diedrich wants to build this

building to help young entrepreneurs with an office space and workspace which is a building he started out in when he was younger.

Mr. Pete Saunders opened the meeting for public comment. Mr. Ed Fay, owner of Fay's Marina stated that he had some concern regarding the overhead doors in the back of the building. He was told that the doors will be in the front and with there only being thirteen feet property there and a big truck would take more room than that to turn in. He just wanted some clarification and wants the land to be developed.

Mr. Ambers confirmed the overhead doors will be in the front of the building and will not cause any issues.

There wasn't any further public comment and public comment was closed.

Mr. Pete Saunders asked if the board had any questions or comments. There were none.

Mrs. Gushrowski made a motion to approve the variance and Mr. Buchanan 2nd the motion. The variance was granted.

There was no old business.

There was no new business.

There was no other business.

Mr. Brian Kajer made a motion to adjourn and Mrs. Vickie Gushrowski 2nd the motion. Meeting was adjourned.

Respectfully Submitted,

**Mr. Pete Saunders,
Chairperson**

Minutes prepared by Jamie Novak, Engineering Assistant Project Manager



ITEM 5. Use Variance # 22-07 Petition to Allow Four-Unit Multifamily Dwellings
Type of Request: Use Variance
Staff Report: David Heinold

APPLICANT

Name – Cary & Sharon Kirkham

PROPERTY OWNER

Name – same

PREMISES AFFECTED

Parcel Number - 46-10-01-176-011.000-043				
Actual/approximate address or location from major streets – 1530 Michigan Avenue				
Total Acreage – 0.33 acres		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 the use of the existing house as a four-unit multifamily residential dwelling. On November 16, 2022, Bradley J. Adamsky submitted a formal notice of withdrawal for Use Variance Petition #22-07 on behalf of the petitioner, Cary and Sharon Kirkham on the property located at 1530 Michigan Avenue. The withdrawal letter is attached to the staff report.

STAFF RECOMMENDATION:

Staff recommends **withdrawal** of the petitioner’s request to allow a use variance for a four-unit multifamily residential dwelling.

Submitted to the Board of Zoning Appeals December 6th, 2022.

David Heinold

From: Bradley Adamsky <bjadamsky@dbselaw.com>
Sent: Wednesday, November 16, 2022 1:28 PM
To: David Heinold; mark@worthleylegal.com
Subject: LaPorte BZA

Caution: This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

David,

Per our discussions today and my voicemail yesterday, please consider this a formal notice of withdrawal for Petition 22-07 for my clients Cary and Sharon Kirkham and their property at 1530 Michigan Ave. This withdrawal is pursuant to Section 28.07(e)(1) of the Joint Zoning Ordinance.

Brad Adamsky

Bradley J. Adamsky
[Drayton, Biege, Sirugo & Elliott, LLP](#)
820 Jefferson Avenue
La Porte, IN 46350
Phone (219) 362-7575
Fax (219) 325-0284

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IRS Circular 230 Disclosure: Any tax advice contained in this communication was not written and is not intended to be used for avoiding penalties imposed by the IRS, or giving any opinion as to any transaction addressed herein.

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BY: DH



ITEM 6. Use Variance # 22-09 Petition to Allow Addition to Rear Southwest Corner of Existing Single Family Dwelling
Type of Request: Use Variance
Staff Report: David Heinold

APPLICANT

Name – Matthew Collins

PROPERTY OWNER

Name – Bryan E. & Ann P. Ramey Jtwros

PREMISES AFFECTED

Parcel Number - 46-06-27-426-003.000-043				
Actual/approximate address or location from major streets – 804 Pine Lake Avenue				
Total Acreage – 0.31 acres		Flood Zone on Site? - No		
Zoning of Subject Property – B2		Use of Subject Property – Residential		
Zoning of Adjacent Properties	North: B2	South: B2	East: B2	West: B2
Land Use of Adjacent Properties	North: Yacht Club	South: Residential	East: Residential	West: Pine Lake

SUMMARY: The petitioner proposes to allow a building addition to the existing single family dwelling.

HISTORY OF SITE: Per the site aerial image, the parcel is 0.31 acres and is currently zoned B2 (General Commercial District). Historically, the property has been used as a single family residential dwelling. The subject property requires a use variance petition in order to allow a building addition to the existing single family dwelling.

DESCRIPTION OF PROPOSED USE VARIANCE:

The petitioner is requesting a use variance to allow a building addition to the existing single family dwelling located in the B2 General Commercial District.

STATEMENT OF COMPLIANCE: Article 7 shall be met for the proposed building addition to the existing single family dwelling. Article 12 shall be met for the residential dwelling located within the Waterfront View Protection Overlay District.

SITE REVIEW FINDINGS: Site review was not required for the proposed use due to the nature of the proposed use on the subject property.

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 proposed building addition to the existing single family dwelling located within the B2 General Commercial District will not be injurious to the public health, safety, morals, and general welfare of the community. The surrounding area primarily consists of large single family dwellings south of the subject property. There are a wide variety of commercial land uses to the north of the subject property.

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

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner with the proposed building addition to the existing single family dwelling. The surrounding area primarily consists of large single family dwellings south of the subject property. There are a wide variety of commercial land uses to the north of the subject property.

(3) The need for the variance arises from some condition peculiar to the property involved;

The need for the variance to allow the proposed building addition to the existing single family dwelling arises from the condition that the subject property is located within the B2 General Commercial District. The approval of the use variance petition would permit the property owner to insure full use of the property as a residential house.

(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 only allow the existing single family dwelling to be used with certain limitations on repairs and improvements as a nonconforming structure on the subject property will constitute an unnecessary hardship. The approval of the use variance would insure that the property owner would be able to make full repairs and improvements in the event of any possible future building damage.

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

The approval of the variance does not interfere substantially with the Countywide Comprehensive Land Development Plan. The Comprehensive Plan encourages a variety of

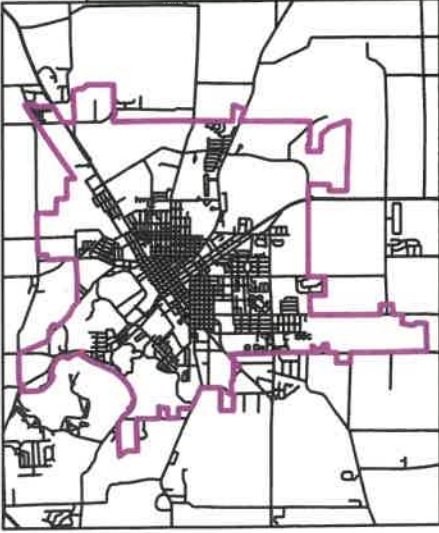
housing types compatible with the existing neighborhood character. There are several large single family dwellings located to the south of the subject property. The proposed building addition is compatible with the existing neighborhood character of the surrounding area.

STAFF RECOMMENDATION:

Staff finds that the requested use variance to allow a building addition to the existing single family dwelling is compatible with the neighborhood character. Staff recommends **approval** of the petitioner's request to allow a use variance for the building addition to the existing single family dwelling.

Submitted to the Board of Zoning Appeals December 6th, 2022.

804 Pine Lake Ave.



-  Subject Property
-  City Limits

Date Created: November 23, 2022

Document Path: M:\City Planner\GIS\Map Requests\Board of Zoning Appeals\2022\VAR_22-09
Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



PINE LAKE AVE

BRYAN E. RAMEY
ANN P. KIBLER JBWROS
804 PINE LAKE AVE

44'

EXISTING
HOME

42'

44'

PROPOSED
ADDITION

22'

20'

18'

PROPERTY LINE ↑

PINE LAKE

Attachment D: Standards for Evaluating a Use Variance

Use the following form or attach a separate sheet(s) to explain the Use Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

USE OF PROPERTY IS SINGLE FAMILY RESIDENCE AND CONTINUED USE FORWARD WILL BE SAME.

Standards for Evaluation

1. The approval of the Use Variance will not be injurious to the public health, safety, morals, and general welfare of the community because....

THE HOME AND PROPOSED ADDITION WILL CONTINUE TO BE USED AS A SINGLE FAMILY RESIDENCE.

2. The use and value of the area adjacent to the property included in the Use Variance will not be affected in a substantially adverse manner because....

THE VARIANCE IS REQUESTED TO ADD ADDITIONAL SQUARE FOOTAGE TO THE LIVING SPACE.

3. The need for the Use Variance arises from some condition peculiar to the property involved, and is more clearly described as....

THE CURRENT FOOTPRINT OF HOME IS LOCATED APPROXIMATELY 1'-2' OFF OF SOUTH PROPERTY LINE. THE PROPOSED ADDITION WOULD ALSO CONTINUE ALONG THAT PROPERTY LINE.

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, and is more clearly described as....

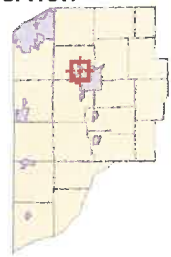
DUE TO CURRENT LAYOUT OF EXISTING HOME RESTRICTS POSSIBLE LOCATIONS TO ADD ADDITIONAL LIVING SPACE. THEREFORE, THE MOST FEASIBLE LOCATION FOR ADDING LIVING SPACE BOTH LAYOUT WISE AND FINANCIALLY IS WHERE PROPOSED ADDITION IS.

5. The approval does not interfere substantially with the Comprehensive Plan because...

THE HOME AND ADDITION IS AND WILL CONTINUE TO BE USED AS A SINGLE FAMILY RESIDENCE.



Overview

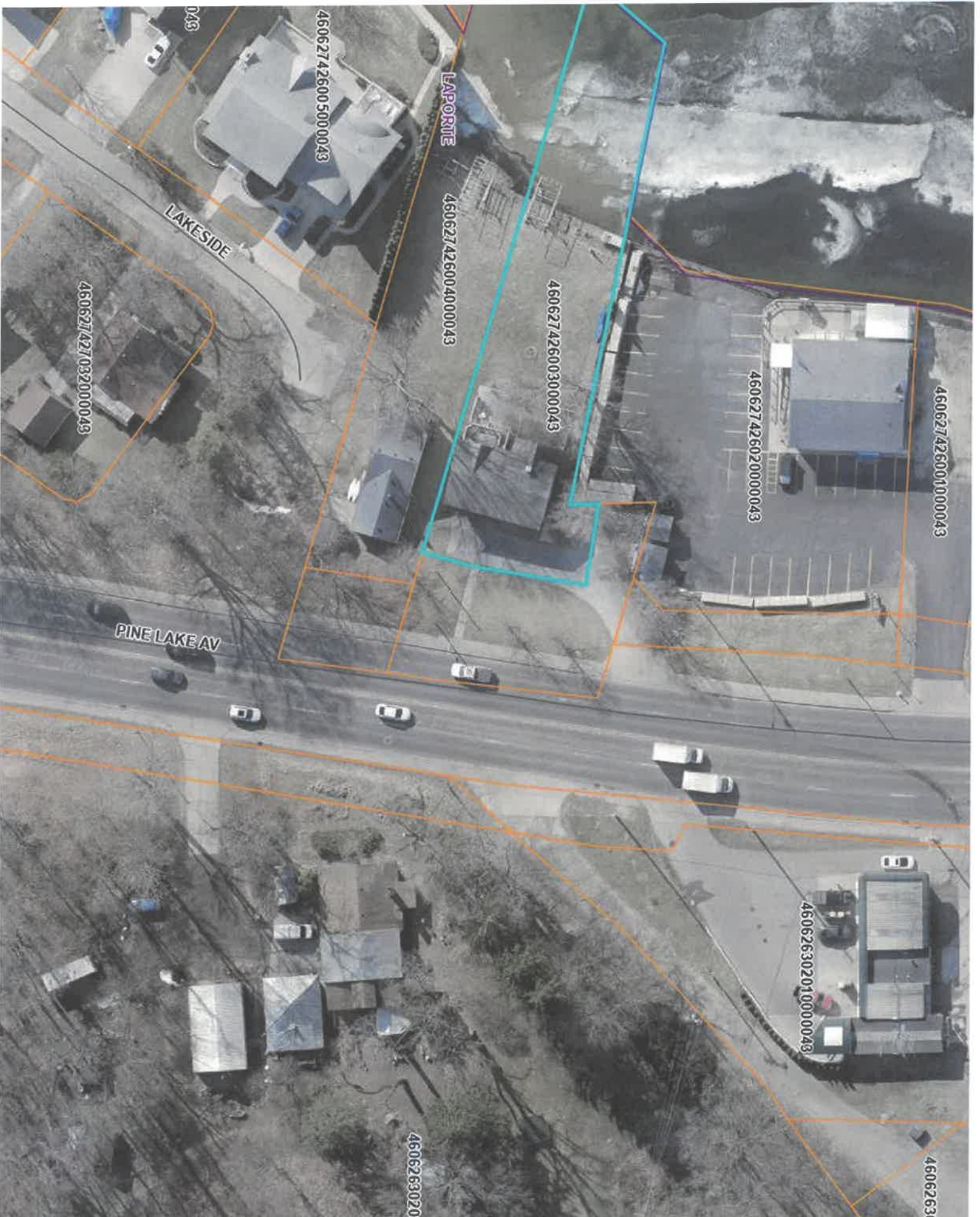


Legend

-  Road Centerlines
-  Geographic Townships
-  Parcels

Date created: 11/17/2022
Last Data Uploaded: 11/17/2022 5:14:39 AM

Developed by 



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46062631

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LAPORTE

LAKESIDE

PINE LAKE AV

460627427032000043

043



Board of Zoning Appeals Application USE VARIANCE

City Planner
David Heinold, AICP
dheinold@cityoflaportein.gov
www.cityoflaporte.com

City Hall
801 Michigan Ave.
La Porte, IN 46350
(219) 362-8260

For Office Use Only	
Fee: 80 ⁰⁰	Receipt: 471
File Date: 11/22/2022	File #: 202-VAR-09
Site Review: N/A	
Date of BZA mtg: 12/13/2022	
Decision:	

This application is being submitted for a Use Variance

Applicant

Name	MATHEW COLLINS		
Street Address	116 COUNTRY CLUB DR		
City, State, Zip	LA PORTE, IN 46350		
Primary Contact regarding this petition			
Phone	219-871-9264	Email	MCC22369@yahoo.com
Engineer Preparing Plans		Email	
Others to be Notified		Email	
Applicant is (check one):	<input type="checkbox"/> Sole Owner <input type="checkbox"/> Joint Owner <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other _____		

Property Owner (if different than above)

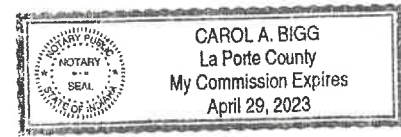
Name	BRYAN E. & ANN P. RAMEY		
Street Address	9010 LEMONT RD	Phone	734-612-1703
City, State, Zip	DOWNERS GROVE, IL 60516	Email	bramey1@gmail.com

Premises Affected

Parcel ID Number	460627426003000043			
Address or General Location	804 PINE LAKE AVE, LA PORTE IN 46350			
Total Acreage	.31	Flood Zone?	NO	
Zoning	B2	Land Use	RESIDENTIAL ONE FAMILY	
Request	ADD ADDITION TO REAR SW CORNER OF EXISTING HOME SINGLE FAMILY AN ESCAPE			
Zoning of Adjacent Properties	North: B2	South: B2	East: B2	West: R2B
Land Use of Adjacent Properties	North: RES	South: RES	East: RES	West: RES

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant: [Signature]
 Signature of Notary: Carol A. Bigg
 Notary Public's Name (printed): CAROL A BIGG



Subscribed and sworn to before me this 21ST day of NOVEMBER 2022



ITEM 7. Variance of Development Standards # 22-11 Petition to Reduce the Minimum Front Yard Setback from 25 Feet to 18 Feet

Type of Request: Variance of Development Standards

Staff Report: David Heinold

APPLICANT

Name – Sarah & Christi Murrell

PROPERTY OWNER

Name – same

PREMISES AFFECTED

Parcel Number - 46-10-01-256-010.000-043				
Actual/approximate address or location from major streets – 2308 Hillside Court				
Total Acreage – 0.49 acre		Flood Zone on Site? - No		
Zoning of Subject Property – R1B		Use of Subject Property – Residential		
Zoning of Adjacent Properties	North: R1B	South: R1B	East: R1B	West: R1B
Land Use of Adjacent Properties	North: Residential	South: Residential	East: Residential	West: Residential

SUMMARY: The petitioner proposes to reduce the minimum front yard setback from 25 feet to 18 feet for construction of an addition to the existing attached garage.

HISTORY OF SITE: Per the site aerial image, the parcel is 0.49 acre and is currently zoned R1B (Single Family Residential District). Historically, the property has been used as a single family dwelling. The subject property requires a variance of development standards petition to reduce the minimum front yard setback from 25 feet to 18 feet in order to allow construction of an addition on the existing attached garage within the minimum required 25 foot front yard setback for the single family dwelling.

DESCRIPTION OF PROPOSED VARIANCE OF DEVELOPMENT STANDARDS:

The petitioner is requesting a variance of development standards to allow construction of the proposed building addition to the attached garage within 25 feet of the front yard property line.

STATEMENT OF COMPLIANCE: Article 7 shall be met for the building setbacks, lot coverage, and impervious surface area requirements.

SITE REVIEW FINDINGS: Site review was not required for the proposed use due to the nature of the proposed variance of development standards petition on the subject property.

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 will not be injurious to the public health, safety, morals, and general welfare of the community. The proposed reduced front yard building setback from 25 feet to 18 feet will not negatively impact surrounding properties in the R1B Single Family Residential District. The petitioner's house and two adjacent houses along Hillside Court were constructed within 25 feet of the 20-foot right-of-way due to the contour elevations south of the road.

(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 a reduced front yard building setback to allow construction of the proposed building addition to the existing attached garage. The two houses adjacent to the subject property have building setbacks less than 20 feet to the Hillside Court right-of-way.

(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 25-foot minimum front yard building setback will result in practical difficulties in the use of the property. The 25 foot front yard building setback would otherwise make use of the attached garage impractical for personal vehicle storage due to the current size of the building.

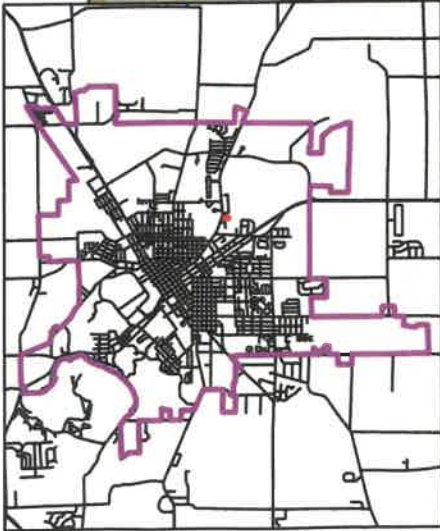
STAFF RECOMMENDATION:

Staff finds that the requested variance of development standards petition is the minimum setback necessary to develop the subject property according to the 2017 City of La Porte Revised Joint Zoning Ordinance. Staff recommends **approval** of the petitioner's request to reduce the minimum front yard setback from 25 feet to 18 feet.

Submitted to the Board of Zoning Appeals December 6th, 2022.

2308 Hillside Ct.

HILLSIDE CT



-  Subject Property
-  City Limits

Date Created: November 28, 2022

Document Path: M:\City Planner\GIS\Map Requests\Board of Zoning Appeals\2022\VAR_22-11

Disclaimer: This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.





Results:
Parcel ID: 461001256010000043
Alt ID: 46-10-01-256-010.000-043
Address: 2308 HILLSIDE
Owner: Murrell Sarah & Christi Murrell JTWR0S
View this data. Feedback: [Link]

Parcel ID: 461001256010000043
Alt ID: 46-10-01-256-010.000-043
Address: 2308 HILLSIDE CT
Owner: Murrell Sarah & Christi Murrell JTWR0S
View this data. Feedback: [Link]

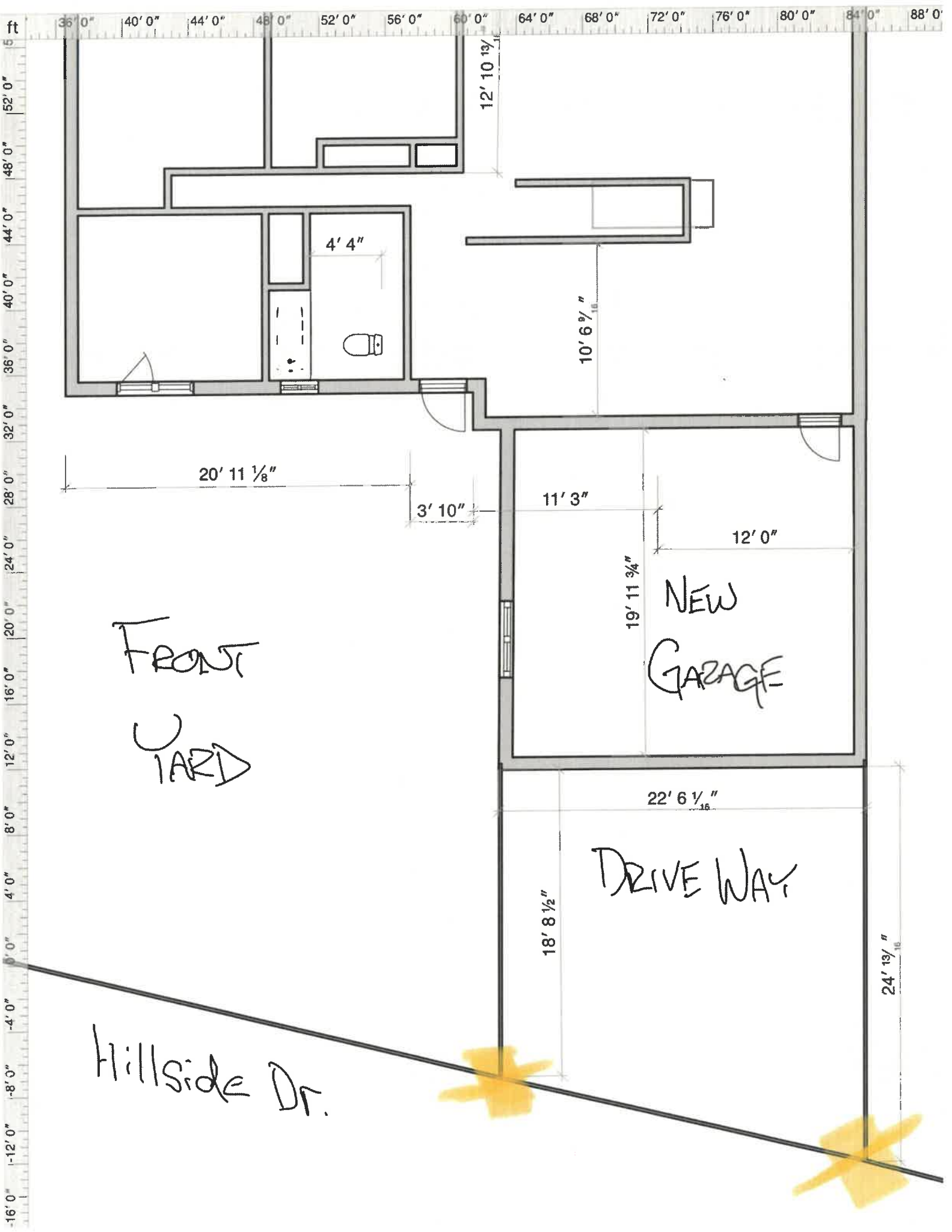
Parcel ID: 461001256010000043
Alt ID: 46-10-01-256-010.000-043
Address: 2308 HILLSIDE CT
Owner: Murrell Sarah & Christi Murrell JTWR0S
View this data. Feedback: [Link]

Parcel ID: 461001256010000043
Alt ID: 46-10-01-256-010.000-043
Address: 2308 HILLSIDE CT
Owner: Murrell Sarah & Christi Murrell JTWR0S
View this data. Feedback: [Link]

Parcel ID: 461001256010000043
Alt ID: 46-10-01-256-010.000-043
Address: 2308 HILLSIDE CT
Owner: Murrell Sarah & Christi Murrell JTWR0S
View this data. Feedback: [Link]

25 ft

esri
powered by
9056244 PA 2310771



FRONT
YARD

NEW
GARAGE

DRIVE WAY

Hillside Dr.



Board of Zoning Appeals Application VARIANCE OF DEVELOPMENT STANDARDS

City Planner
David Heinold, AICP
dheinold@cityoflaporte.in.gov
www.cityoflaporte.com

City Hall
801 Michigan Ave.
La Porte, IN 46350
(219) 362-8260

For Office Use Only	
Fee: 80 ⁰⁰	Receipt: 473
File Date: 11/28/2022	File #: 2022-VAR-11
Site Review: N/A	
Date of BZA mtg: 12/13/2022	
Decision: _____	

This application is being submitted for a Variance of Development Standards

Applicant

Name Sarah & Christi Murrell	
Street Address 2308 Hillside Ct.	
City, State, Zip La Porte, IN 43650	
Primary Contact regarding this petition Sarah Murrell	
Phone 480-600-2263	Email sarahmurrell@gmail.com
Engineer Preparing Plans	Email
Others to be Notified	Email
Applicant is (check one): <input type="checkbox"/> Sole Owner <input checked="" type="checkbox"/> Joint Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	

Property Owner (if different than above)

Name	
Street Address	Phone
City, State, Zip	Email

Premises Affected

Parcel ID Number	461001256010000043			
Address or General Location	2308 Hillside Ct. La Porte, IN 43650			
Total Acreage	.49	Flood Zone?	No	
Zoning	R1B	Land Use	Single family residential	
Request	Replace existing attached one-car garage with an attached two-car garage.			
Zoning of Adjacent Properties	North: R1B	South: R1B	East: R1B	West: R1B
Land Use of Adjacent Properties	North: Single family residential	South: Single family residential	East: Single family residential	West: Single family residential

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant

Christi E. Murrell

Signature of Notary

T.S. Cordell
Notary Public's Name (printed)

Subscribed and sworn to before me this 28th day of Nov 22



Tiffany S. Cordell
Notary Public, State of Ohio
My Commission Expires 04-29-2026

7292 2410 0000 0548 7262

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La Porte, IN 46350

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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JAMES L. JONGKING
Street and Apt. No., or PO Box No.
2310 MONROE ST
City, State, ZIP+4®
LA PORTE IN 46350

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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CONNOR EMERSON & ELISSA ARELD
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2310 HILLSIDE CT
City, State, ZIP+4®
LA PORTE IN 46350

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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TIMOTHY DEK
Street and Apt. No., or PO Box No.
2309 MONROE ST
City, State, ZIP+4®
LA PORTE IN 46350

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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La Porte, IN 46350

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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KYLE ROSENBAUM
Street and Apt. No., or PO Box No.
2309 HILLSIDE CT
City, State, ZIP+4®
LA PORTE IN 46350

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7022 2410 0000 0548 7286

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La Porte, IN 46350

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.60
Total Postage and Fees	\$4.60



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KIERSTIN M BERRY
Street and Apt. No., or PO Box No.
2309 MONROE ST
City, State, ZIP+4®
LA PORTE IN 46350

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Affidavit of Publication

STATE OF IN)
COUNTY OF LA PORTE) SS

Isis Cains, being duly sworn, says:

That she is Legal Clerk of the La Porte County Herald Dispatch, a daily newspaper of general circulation, printed and published in Michigan City, La Porte County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 10, 2022

Notice is hereby given that I have, as the owner (or with the owner's consent) of the property commonly described as the address of 2308 Hillside Ct., La Porte, IN 46350 with the brief legal description of, Single-Family, have filed a petition before the City of La Porte Board of Zoning Appeals requesting a: Variance of Development Standards for the said property in order to: Replace existing attached one-car garage with an attached two-car garage by reducing the minimum front yard setback from 25 feet to 18 feet. This petition will come for hearing at or after 6:00 pm in the La Porte City Hall, 801 Michigan Avenue, La Porte, IN 46350, on December 13, 2022. In accordance with the Americans With Disabilities Act, if anyone wishes to attend the public hearing on the above referenced matter and is in need of reasonable accommodation in order to hear, present evidence, or participate in the proceedings at the public hearing on this matter, please contact the Administrator at (219) 362-8260 by 10:00 am, Friday, preceding the meeting to make any necessary arrangements. The petition and file on this matter is available for examination by contacting the Administrator at (219) 362-8260 or email dheinold@cityoflaporte.in.gov. Comments regarding this petition may be submitted at any time. Information to be considered in the Staff Report and distributed to the BZA members in advance of the meeting must be received seven (7) days prior to the hearing and must be sent to the City Planner, David Heinold at (dheinold@cityoflaporte.in.gov), La Porte City Hall, 801 Michigan Avenue, La Porte, IN 46350.

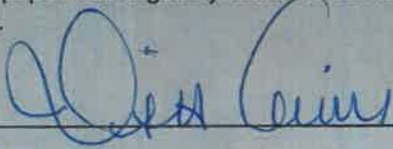
Petitioner:
Sarah & Christil Murrell

hspaxlp

Publication Fees: \$ 136.55

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 10th day of November 2022.



Hope R Stevens, Notary Public 06/07/2024



70081273 70518281

Sarah Murrell
4187 Rings Road
Dublin, OH 43017



ITEM 8. Use Variance # 22-10 Petition to Allow Convenience Store with Gasoline Sales
Type of Request: Use Variance
Staff Report: David Heinold

APPLICANT

Name – Mandeep Singh (David Ambers)

PROPERTY OWNER

Name – Great Development, LLC (Greg Engstrom)

PREMISES AFFECTED

Parcel Number - 46-11-06-101-018.000-058				
Actual/approximate address or location from major streets – 2437 Monroe Street				
Total Acreage – 3.36 acres		Flood Zone on Site? - No		
Zoning of Subject Property – B1		Use of Subject Property – Commercial		
Zoning of Adjacent Properties	North: R3A	South: B1	East: B1	West: B1
Land Use of Adjacent Properties	North: Residential	South: Church & Medical Office	East: Commercial & Medical Office	West: Commercial Retail Business

SUMMARY: The petitioner proposes to allow the use of the existing commercial building for a convenience store with gasoline sales.

HISTORY OF SITE: Per the site aerial image, the total parcel is 3.36 acres and is currently zoned B1 (Neighborhood Commercial District). Historically, the property had been used as a greenhouse retail business operation. The southern portion of the existing building transitioned to a pawn shop retail business while the remainder of the subject property has been storage. The subject property requires a use variance petition to allow gasoline sales in addition to the permitted land use for a convenience retail store.

DESCRIPTION OF PROPOSED USE VARIANCE:

The petitioner is requesting a use variance to allow a convenience store with gasoline sales.

STATEMENT OF COMPLIANCE: Article 7 shall be met for the proposed convenience store with gasoline sales. Article 17 shall be met for the proposed site development plan.

SITE REVIEW FINDINGS: Site review was held on November 30, 2022 and the comments from City staff are attached to this staff report.

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 use variance to allow gasoline sales in addition to the already permitted land use for a convenience retail store will be injurious to the public health, safety, morals, and general welfare of the community. The surrounding area primarily consists of single family and two family dwellings. The existing neighborhood character along Monroe Street consists of businesses that are already permitted such as small retail stores, a carryout restaurant, medical facilities, office buildings, a church, daycare facility, and a funeral home. The approval of gasoline sales would result in additional traffic issues on a two-lane state highway for the surrounding neighborhood commercial and residential area. The proposed location for gasoline sales is not compatible with the surrounding small retail stores, carryout restaurant, medical facilities, office buildings, church, daycare facility, and funeral home.

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

The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner with the approval of a use variance to allow gasoline sales in addition to the convenience retail store. City staff feels that the surrounding residential single family and two family dwellings would be negatively affected in substantially adverse manner due to close proximity of the proposed gasoline sales land use that is often associated with hazards, loud noises, light emissions, or late hours of operation.

(3) The need for the variance arises from some condition peculiar to the property involved;

There is no condition peculiar to the property involved to necessitate a need for the variance to allow gasoline sales within the B1 Neighborhood Commercial District. The property may be used as a small convenience retail store as listed in Table 7.02, Schedule of Permitted Uses within Article 7 of the 2017 Revised City of La Porte Joint Zoning Ordinance. The need for the proposed use variance petition presented in Attachment D does not consider that the current legal nonconforming use of the existing structure contains a pawn shop retail business. The proposed gasoline sales land use would set a precedent for allowing similar drive-through type businesses that are often associated with hazards, loud noises, light emissions, or late hours of operation.

(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 for gasoline sales to not be permitted on the subject property will not constitute an unnecessary hardship. The owner may use the property for the purpose of a small convenience retail store as a permitted land use. There are a variety of permitted land uses in the B1 Neighborhood Commercial District that allow the property owner full use of the property without negatively affecting the existing surrounding neighborhood residential, commercial, and medical office businesses.

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

The approval of the variance interferes substantially with the Countywide Comprehensive Land Development Plan policy to create compatible Commercial Zoning Districts. The Comprehensive Plan encourages Neighborhood Commercial land uses with limitations on size of businesses, amount of lighting, large parking lots, drive-throughs at appropriate intersections of collector streets. The use variance petition to allow gasoline sales in addition to the small retail convenience store would negatively impact the normal and orderly growth and development of the existing B1 Neighborhood Commercial District on the southeast side in the City of La Porte.

STAFF RECOMMENDATION:

Staff finds that the proposed use to allow gasoline sales in addition to the already permitted land use for a convenience retail store to be inconsistent with the existing neighborhood character. The 2017 City of La Porte Revised Joint Zoning Ordinance states that B1 Neighborhood Commercial District designations are located within proximity to residential neighborhoods and are intended to serve the immediate vicinity so as not to draw additional traffic from other areas. The proposed gasoline sales would create a land use that is often associated with hazards, loud noises, light emissions, truck traffic, or late hours of operation. Staff recommends **denial** of the petitioner's request to allow gasoline sales in addition to the permitted land use for a convenience retail store.

Submitted to the Board of Zoning Appeals December 6th, 2022.



City of La Porte Site Review Meeting Minutes
November 30, 2022 at 10:06 AM
City Hall, Council Chambers, 801 Michigan Ave., La Porte, IN

The Site Review Committee (“SRC”) meeting was held in City Hall, Council Chambers, in the City of La Porte (“City”), at 801 Michigan Avenue, La Porte, Indiana on Wednesday, November 30th, 2022 at the hour of 10:06 am, (“local time”).

David Heinold, City of La Porte Assistant City Planner provided an introduction of the Site Review Committee for all of the attendees. Jerry Jackson, Wastewater Director; Andy Snyder, Fire Chief; Tim Werner, Water Superintendent; Floyd Mrozinske, Building Inspector; Lori Larson, MS4 Coordinator; all introduced themselves and what they consider with site review applications.

Presenters:

David Ambers

Mandeep Singh

Explanation of Project:

Mr. Ambers explained the project for a small neighborhood grocery store with gasoline sales. He mentioned that the only change from the application over a year ago was that the gasoline tanks were moved to the east side of the building.

Comments from Staff:

David Heinold – Planning: David explained that the proposed convenience retail store is a permitted land use; however, the gasoline sales requires a public hearing for a use variance that will be heard by the Board of Zoning Appeals on December 13th. David mentioned that a convenience store with gasoline sales requires 1 parking space per 100 square feet of retail sales area in addition to the parking spaces for the number of employees. David asked whether the buildings will be separated and how far the building will be from the proposed property boundary.

Mandeep mentioned that there will be 4,000 square feet of retail sales area and that the building will be detached from the adjoining building. Mandeep explained that the building will be detached from the adjoining building to the north between 6 to 10 feet.

Jerry Jackson – Wastewater: Jerry asked if there is going to be any sewer work or using the existing system connection. He questioned what kind of site construction there will be for the proposed use. Jerry mentioned that they will need to confirm the nearest storm sewer location and have measures in place to prevent overspill of gasoline.

David Ambers will check into these questions and provide more information.

Floyd Mrozinske – Building Inspector: Floyd explained that a 1-hour fire-rated wall is required for the building separation less than 10 feet.

Mandeep mentioned that they will provide a 1-hour fire-rated wall on the north side of the building.

Andy Snyder – Fire: Andy questioned if there was still a fire alarm panel and Nox box. Both of these will need to be clear and accessible.

Mandeep mentioned that they will meet all of the code requirements for the fire alarm panel and Nox box. David Ambers mentioned that Larson Company from Fort Wayne will oversee the gas tanks. Mr. Ambers explained that the gas tanks will be double wall fiberglass.

Andy mentioned that they will need to contact Jeff Hamilton with La Porte County to review the hazardous materials storage for the City.

Tim Werner - Water: Tim mentioned that there is already a 1 inch water service line. They will need to upgrade the water service line based on the number of sinks and faucets in the retail store.

David Ambers mentioned that there will be 8 employees. Mandeep explained there will be a grease trap for the kitchen service area.

Other comments: None.

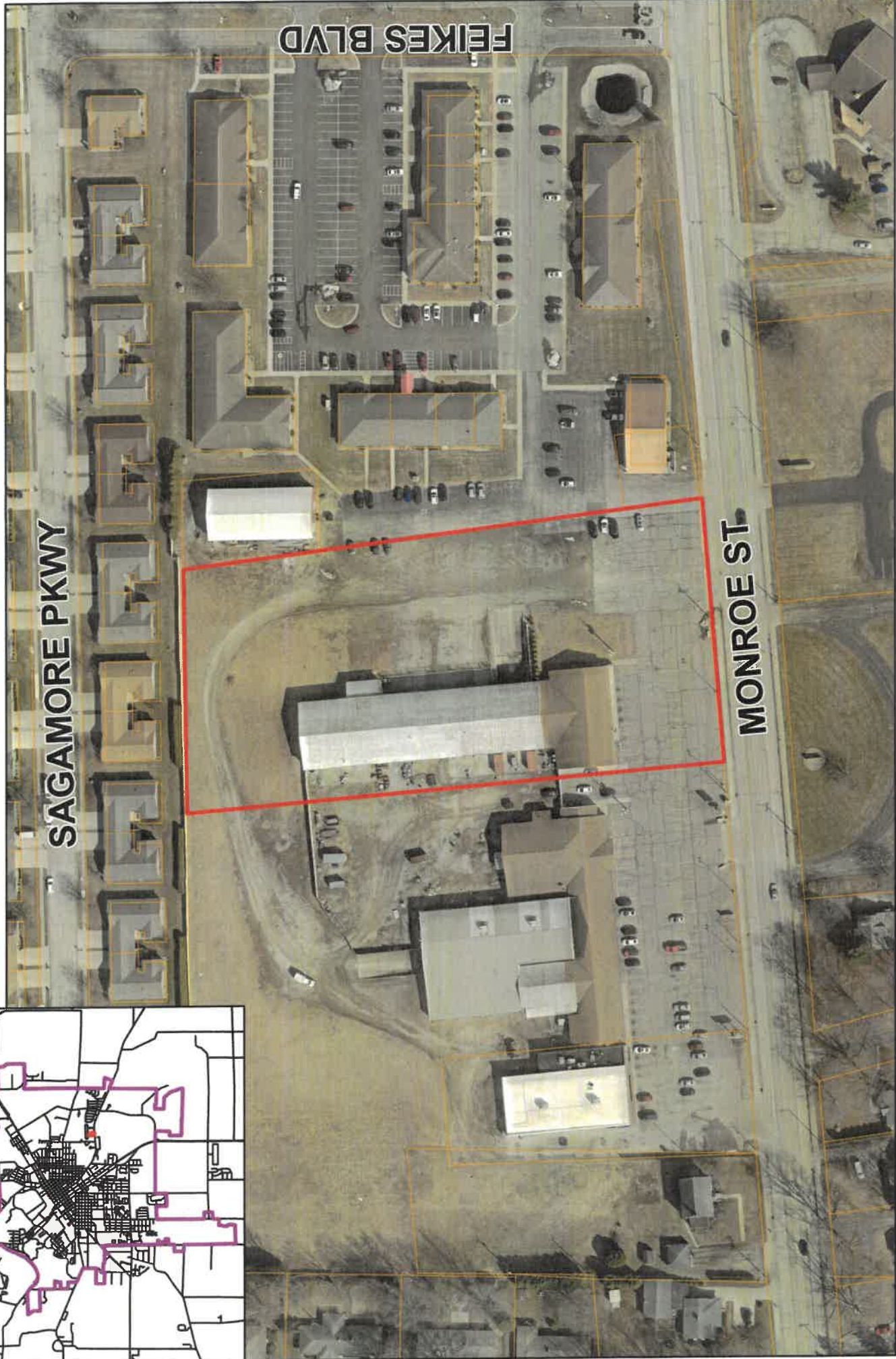
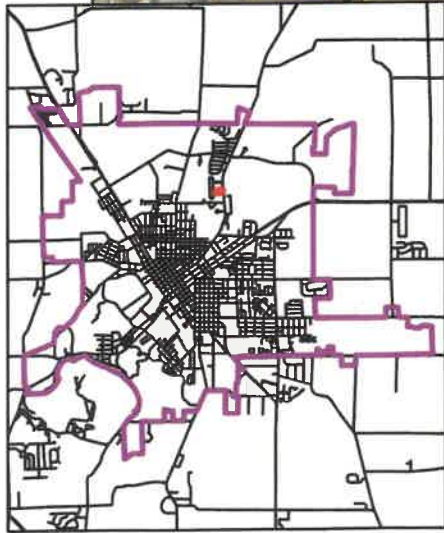
The Site Review Committee meeting ended at 10:18 am.

2437 Monroe St.

SAGAMORE PKWY

FEIKES BLVD

MONROE ST



Subject Property



City Limits



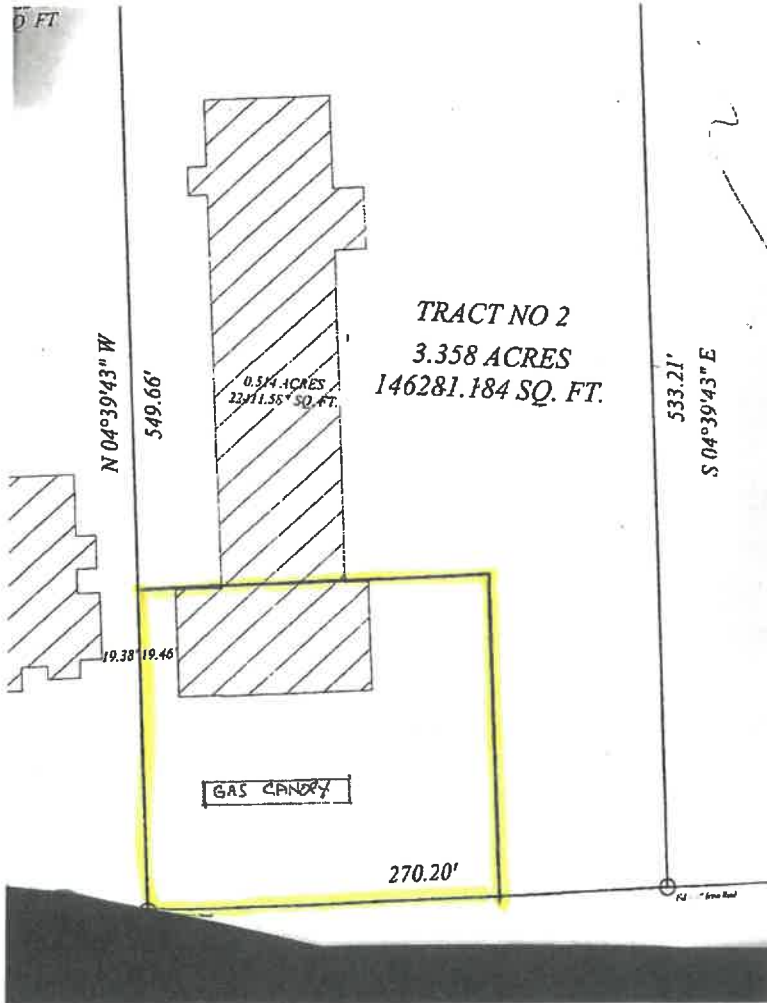
Date Created: November 23, 2022

Document Path: M:\City Planner\GIS\Map Requests\Board of Zoning Appeals\2022\VAR_22-10

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LA PORTE
LOUISIANA



Attachment D: Standards for Evaluating a Use Variance

Use the following form or attach a separate sheet(s) to explain the Use Variance request. The BZA's decision shall be based upon how each of the following statutory requirements is justified in the request.

Petition Information

Describe the proposed use of the property (type of use, hours of operation, access, necessary construction, employees, etc.):

Small Grocery Store with gas station open 5:00 a.m. to 11:00 p.m. - lights off, eight (8) full time employees. Building will require major renovations/remodeling of existing structure, installation of underground storage tanks, islands, pumps and canopy. Petitioner anticipates an investment into the community for this project in excess of \$2 Million. Investment includes land acquisition and improvements.

Standards for Evaluation

1. The approval of the Use Variance will not be injurious to the public health, safety, morals, and general welfare of the community because.... the improvements will be constructed using the most recent technology and safety equipment. See Site Plan attached hereto as Exhibit "A" and underground storage tank information attached hereto as Exhibit "B."

2. The use and value of the area adjacent to the property included in the Use Variance will not be affected in a substantially adverse manner because.... the surrounding area is retail business, a church, restaurant, medical and professional offices. Given the lack of a nearby grocer, the proposed use will improve property values and quality of life for the adjacent area.

3. The need for the Use Variance arises from some condition peculiar to the property involved, and is more clearly described as.... while the property was a grocery store/truck farm in previous years, the B-1 Zoning classification was broadly applied in the Joint Zoning Ordinance without consideration of the past use and type of structures located upon the property

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, and is more clearly described as.... the change to the B-1 Zoning classification did not take into account the previous use and type of structures located upon the property.

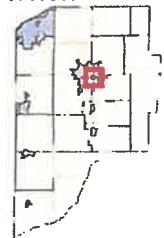
5. The approval does not interfere substantially with the Comprehensive Plan because... the area consists of many different businesses, a substantial separation from the nearest residences and it fills the gap and need for a small grocer.



EXHIBIT
tabbles
Exhibit "B"
Storage Tank
Info



Overview



Legend

-  Road Centerlines
-  Geographic Townships
-  Parcels

Parcel ID	461106101118000058	Alternate ID	46-11-06-101-118.000-058	Owner Address	Great Development Llc
Sec/Twp/Rng	06-36N-02W	Class	COMMERCIAL OTHER RETAIL STRUCTURES		1415 Lincolnway
Property Address	2437 MONROE ST LA PORTE	Acreage	3.358		Valparaiso, IN 46383

District Laporte Pleasant
Brief Tax Description 57-11-06-101-118 MID PT W 1/2 NW1/4 S6 T36 R2 3.358 AC SANI ASSMT #88
 (Note: Not to be used on legal documents)

Date created: 11/20/2020
 Last Data Uploaded: 11/20/2020 5:15:24 AM

Developed by  Schneider
 GEOSPATIAL

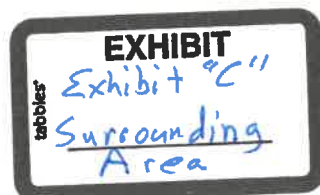




EXHIBIT
Exhibit "D"
Rendering 5



ONE COMPANY. ONE WORLD. ONE SOURCE.™

NEW

FlexWORKS

LOOP SYSTEM™



**THE INDUSTRY'S FIRST "PLUG & PLAY"
UNDERGROUND FUELING SYSTEM**

ONLY BY

OPW 

FUELING CONTAINMENT SYSTEMS

A DOVER COMPANY

FlexWORKS

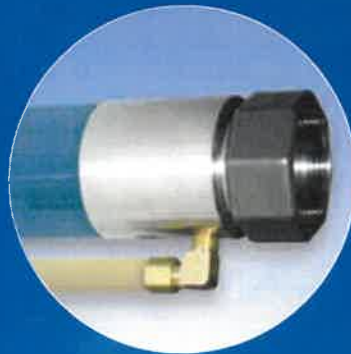
THE WORLD'S FIRST "PLUG & PLAY" UNDERGROUND

The NEW OPW FlexWORKS LOOP SYSTEM™ represents leading-edge innovation destined to fuel a revolution in underground fuel delivery and containment systems. At the heart of this integrated system is a radically new dispenser sump design with innovative piping and connections that offer unparalleled ease and reliability of installation, monitoring, testing and maintenance, as well as improved environmental protection. Step up to a higher level of protection, overall ease of use and the lowest cost fuel delivery system in the industry.



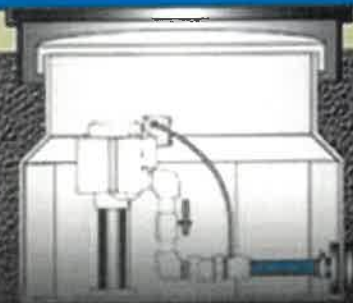
PREFABRICATED QUICK-COUPLE DISPENSER SUMPS

- Saves time and money – Improves installation reliability
- Provides for easy visual inspection, access to, and replacement of under-dispenser components without removal of the dispenser
- Shallow design reduces potential problems caused by ground-water forces



DOUBLE-WALL PIPE COUPLINGS

- Eliminates the need to trim back secondary jackets
- Eliminates the need for rubber test boots; Improves testing reliability and provides reliable means of isolating the coaxial jacket for vacuum, pressure or liquid testing and/or continuous monitoring of the pipe's interstitial space



OPW UL971 LISTED COAXIAL PIPE



OPW CRUSH RESISTANT, DUAL-WALL ACCESS PIPE

LOOP SYSTEM™

GROUND FUEL DELIVERY & CONTAINMENT SYSTEM



DOUBLE-FLEXIBLE ENTRY BOOTS

- Provides double containment protection at the sump/entry fitting connection points
- Prevents ground water intrusion into the sump and eliminates communication so fluid collected in the sump cannot enter the access pipe



OPW 10 PLUS EMERGENCY VALVES

- Patent-pending new technology provides an added level of protection against potential leaks caused by low-impact cracks in the shear valve
- Eliminates health, environmental contamination and fire hazards that could result from fractured valves leaking into sumps

The Loop System™ represents state-of-the-art fuel delivery and containment technology in a fully integrated, environmentally secure underground system that employs factory-incorporated, proven innovation, simplified piping system design, and enhanced leak prevention capability – all while facilitating easy access to under-dispenser components, easy inspection, identification and repairs before a problem may develop.

The OPW Fueling Containment Systems *FlexWORKS* Loop System™ – providing new solutions designed to minimize fuel delivery system problems, provide a higher level of environmental protection, and lower the overall cost of fuel delivery system ownership.

BENEFITS BEYOND COMPARE



FEATURES

BENEFITS

OPW UL971 LISTED COAXIAL PIPE	<ul style="list-style-type: none"> • Totally compatible for long-term exposure to all motor fuels, alcohol fuels, biofuels and additives
OPW CRUSH RESISTANT, DUAL-WALL ACCESS PIPE	<ul style="list-style-type: none"> • Provides an added layer of protection against product releases and external pipe damage • Enables easy inspection, maintenance, repair, removal and replacement from surface (without excavation) of supply piping and fittings
DOUBLE-WALL STAINLESS STEEL PIPE COUPLINGS	<ul style="list-style-type: none"> • Eliminates the need for and cost of rubber test boots • Provides reliable means of isolating the coaxial jacket for vacuum, pressure and liquid testing and/or continuous monitoring of the pipe's interstitial space
PREFABRICATED QUICK COUPLE DISPENSER SUMP	<ul style="list-style-type: none"> • Provides for easy visual inspection and repair of all under-dispenser components • Eliminates many potential leak points – no need for riser pipes, flex connectors, and many other additional pipe fittings • Eliminates need for field height adjustment to accommodate fitting locations • Reduces installation time and costs by 50% or more • Reduces installer errors and associated dispenser removal and/or excavation costs • Eliminates the costs and environmental liability associated with field fabrication • Shallow design reduces potential problems caused by ground water forces that can affect deep-bury sumps in high water-table areas
DOUBLE-FLEXIBLE ENTRY BOOTS	<ul style="list-style-type: none"> • Provides double-containment protection against potential releases from the sump into the environment • Prevents ground-water intrusion into the sump • Eliminates communication from the sump into the access pipe to prevent contamination potential
OPW 10 PLUS EMERGENCY SHUT-OFF VALVE	<ul style="list-style-type: none"> • Provides the industry's highest level of protection against the hazards that can be caused by leaking shear valves due to undetected low-impact fractures in the shear groove

Protected under US Patent Numbers 7,073,976; 7,104,727; 5,263,794; 5,271,518; 5,297,896; 5,366,318; 5,346,625; 5,398,976; 5,713,607; 5,553,971; 5,345,813; 5,553,471; 5,567,083; 5,590,981; 5,819,976; 5,950,860; 5,813,717; 5,098,221; 6,039,201; 6,116,817; and 5,690,368

Other US and Worldwide Patents pending. Copyright© 2008 OPW Fueling Containment Systems

Notice: OPW-FCS products must be used in compliance with applicable federal, state, provincial and local laws and regulations. Product selection should be based on physical specifications and limitations and compatibility with the environment and material to be handled. OPW-FCS makes no warranty of fitness for a particular use. All illustrations and specifications in this literature are based on the latest production information available at the time of publication. Prices, materials and specifications are subject to change at any time, and models may be discontinued at any time, in either case, without notice or obligation. For complete OPW-FCS warranty information, visit our web site at www.opwfcs.com.



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LOOPBROCHURE 05/08 3M



Franklin Fueling Systems



EVO™
SERIES



Franklin Fueling Systems

EVO™
SERIES

FUEL MANAGEMENT SYSTEMS EVO™ SERIES

HIGHLY EVOLVED AUTOMATIC TANK GAUGES

We are driven by our pursuit to innovate, simplify, secure, and connect every station owner to their fuel management system. EVO™ Series Automatic Tank Gauges (ATGs) feature simple setup, operation, and remote connectivity to keep you directly connected to vital site data whenever, and wherever.

HIGHLY CAPABLE Make informed, data-driven inventory management decisions with features like inventory monitoring, tank testing, containment compliance monitoring, and expanded leak detection monitoring capabilities.

SIMPLE INTERFACE A full-color 7" LCD touchscreen serves up one of the most intuitively shallow user interfaces available. With its simplified icon-based design and user features like One Touch buttons and a Quick Jump menu, the EVO™ Series makes tank gauging simple for any user.

SECURE DATA EVO™ Series ATGs keep your site in compliance and protected from security threats with customizable user roles, user activity tracking, and up to 3-years of data back-up to protect against power outages or other system interruptions.



THE RIGHT SIZE ATG

The EVO™ 200 & EVO™ 400 provide inventory management and containment monitoring for small to mid-sized fuel systems; while the EVO™ 600 & EVO™ 6000 provide additional advanced features for any size fuel system.

REMOTE COMMUNICATION

The FFS PRO™ Connect web interface allows you to securely connect directly to your EVO™ Series ATG from any web-enabled device. *(Not available on EVO™-550/5000)*

TANK AUTO-CALIBRATION

Eliminate discrepancies in delivery reporting and daily reconciliations caused by inaccurate tank information programmed into the ATG with this function that automatically generates a highly accurate tank strapping chart.

INVENTORY RECONCILIATION

Statistical Inventory Reconciliation (SIR) is an automated leak detection function that analyzes tank volume, delivery, and sales data to detect releases with a high level of accuracy.

TURBINE PUMP INTERFACE

Enhanced remote pump monitoring and control including pump-in-water automation, clogged intake escalation, tank leveling, and tank priority.

NEW FEATURES

Available with EVO™-600 & EVO™-6000

CORROSION CONTROL™ INTEGRATION

The EVO™ 600 and EVO™ 6000 are compatible with the Corrosion Control™ Water Separator and Corrosion Detection Sensor, allowing owners to fully automate the removal of corrosion-causing water and acid from tanks and monitor for corrosive environments.

FLOW RATE MONITORING

The new Flow Rate Monitoring application delivers the ability to detect and react to water that flows above issues with automated daily reporting and alarms, helping to improve dispenser throughput, maintain faster flow rates, and deliver predictive maintenance for dispenser alter changes. *(Now available for all EVO Series ATGs.)*

USER INTERFACE EFFICIENCY

Navigating the ATG more efficiently with more customizable One Touch buttons and a streamlined structure. The FFS PRO™ Connect web interface allows remote access via any web-enabled device.

MULTIPLEXING SENSOR HUB

Four the EVO™ 600 or EVO™ 6000 with the new Multiplexing Sensor Hub to add the Corrosion Control™ System or additional sensors to existing sites without having to break concrete to run new wires.

DECREASE STATION DOWNTIME

An all new faster processor enables the ATG to reboot in just 10 seconds after firmware updates, keeping stations open and operational.

SECURITY FEATURES

Create unlimited user roles with customized access levels—all with individual user logins and tracking. The latest TLS/SSL protocols ensure data encryption between web browsers and the ATG.

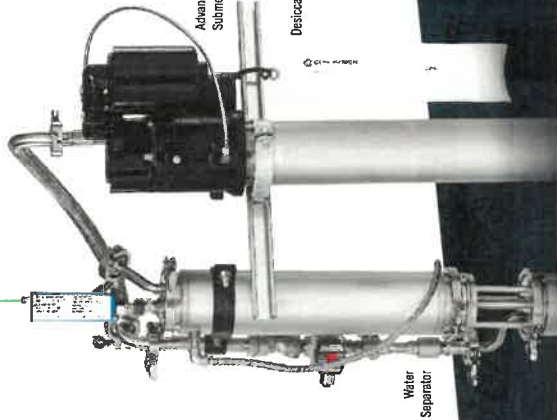


LEVERAGE THE POWER OF EVO™



The EVO™ 600 and EVO™ 6000 are compatible with the Corrosion Control™ Water Separator and Corrosion Detection Sensor, allowing owners to fully automate the removal of corrosion-causing water and acid from tanks and monitor for corrosive environments.

Pair your EVO™ 600/6000 with the new Multiplexing Sensor Hub to add the Corrosion Control™ System or additional sensors to existing sites without having to break concrete to run new wires.



Water Separator

Advanced Protection Submersible Pump

Desiccant Pack

Corrosion Detection Sensor



ELECTRONIC LINE LEAK DETECTION (ELLD)

Connect your fuel management system with your pipework system to detect leaks through a transducer device installed in the submersible pump with this optional software feature. (Available on the EVO™ 550, 5000, 600, 6000)



PROBES & SENSORS

Franklin Fueling Systems provides a complete set of accessories compatible with EVO™ Series ATGs. Pair an EVO™ with an inventory probe and float kit for precision tank level monitoring. Monitor containment with a discriminating or non-discriminating sensor to ensure compliance. For a full list of probes, sensors, and floats, visit franklinfueling.com.



The System Sentinel Anyware™-2 (SSA-2) remote fuel monitoring software fully connects owners, operators, and compliance personnel to their networks of automatic tank gauges (ATGs) on the cloud or via on-premise servers.





The FFS PRO Connect web interface allows you to securely connect directly to your EVO™ Series ATG from any web enabled device. It automatically scales for tablets and smart phones, meaning no app to download. (Included on EVO™ 200, 400, 600, 6000)



FIND THE RIGHT ATG FOR YOUR SITE.










EVO™ 200

-  6 Maximum Tank Capacity
-  6 Maximum Sensor Capacity
-  6 Total # of Inputs
-  Turbine Pump Interface
-  FFS PRO® Connect
-  Inventory Reconciliation
-  Tank Autocalibration
-  Flow Rate Monitoring















EVO™ 400

-  14 Maximum Tank Capacity
-  14 Maximum Sensor Capacity
-  14 Total # of Inputs
-  Turbine Pump Interface
-  FFS PRO® Connect
-  Inventory Reconciliation
-  Tank Autocalibration
-  Flow Rate Monitoring















EVO™ 600 / EVO™ 550

-  36 Maximum Tank Capacity¹
-  48 Maximum Sensor Capacity¹
-  48 Total # of Inputs
-  Turbine Pump Interface
-  FFS PRO® Connect
-  Inventory Reconciliation
-  Tank Autocalibration
-  Flow Rate Monitoring
-  Corrosion Control™ Integration¹
-  Electronic Line Leak Detection
-  Secondary Containment Monitoring²
-  DEF/AdBlue Recirculation



EVO™ 6000 / EVO™ 5000

-  36 Maximum Tank Capacity¹
-  96 Maximum Sensor Capacity¹
-  96 Total # of Inputs
-  Turbine Pump Interface
-  FFS PRO® Connect
-  Inventory Reconciliation
-  Tank Autocalibration
-  Flow Rate Monitoring
-  Corrosion Control™ Integration¹
-  Electronic Line Leak Detection
-  Secondary Containment Monitoring²
-  DEF/AdBlue Recirculation

Optional features
below dashed line

* Additional capacity available with expansion console

¹ EVO™ 600/6000 only

² EVO™ 550/5000 only

TOTAL

SYSTEM SOLUTIONS



Franklin Fueling Systems

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FFS-0792 11-20



SAFETY DATA SHEET

SDS ID NO.: 0127MAR019
Revision Date: 06/01/2016

1. IDENTIFICATION

Product Name: Marathon Petroleum Gasoline - All Grades

Synonym: Gasoline; Regular Unleaded Gasoline; Conventional Regular Unleaded Gasoline; Mid Grade Unleaded Gasoline; Conventional Mid Grade Unleaded Gasoline; Premium Unleaded Gasoline; Conventional Premium Unleaded Gasoline; Sub-Octane Gasoline; Regular RBOB; Super RBOB; Premium RBOB; RBOB; Reformulated Blend Stock For Oxygenated Blending; 84 Octane Gasoline; CBOB; Premium CBOB; Conventional Blend Stock for Oxygenate Blending; Recreational Gasoline; Recreational Gasoline; Recreational Unleaded Gasoline; 89 Recreational Gasoline; Brand 89 Recreational Gasoline; 7.0 Max RVP 89 Recreational Gasoline; BR 7.0 Max RVP 89 Recreational Gasoline; 90 Recreational Gasoline; 90 Marina Gasoline; Brand 91 Recreational Gasoline; 91 Recreational Gasoline; 91 Marina Gasoline; 90 Octane Midgrade Gasoline with No Ethanol; 0125MAR019; 0126MAR019; 0134MAR019; 0313MAR019; 0314MAR019

Chemical Family: Complex Hydrocarbon Substance

Recommended Use: Fuel.

Restrictions on Use: All others.

Manufacturer, Importer, or Responsible Party Name and Address:
MARATHON PETROLEUM COMPANY LP
539 South Main Street
Findlay, OH 45840

SDS information: 1-419-421-3070

Emergency Telephone: 1-877-627-5463

2. HAZARD IDENTIFICATION

Classification

OSHA Regulatory Status

This chemical is considered hazardous by the 2012 OSHA Hazard Communication Standard (29 CFR 1910.1200)

Flammable liquids	Category 1
Skin corrosion/irritation	Category 2
Germ cell mutagenicity	Category 1B
Carcinogenicity	Category 1B
Reproductive toxicity	Category 2
Specific target organ toxicity (single exposure)	Category 3
Aspiration toxicity	Category 1
Acute aquatic toxicity	Category 2
Chronic aquatic toxicity	Category 2

Hazards Not Otherwise Classified (HNOC)

Static accumulating flammable liquid

Label elements

EMERGENCY OVERVIEW

Danger

EXTREMELY FLAMMABLE LIQUID AND VAPOR
May accumulate electrostatic charge and ignite or explode
May be fatal if swallowed and enters airways
Causes skin irritation
May cause respiratory irritation
May cause drowsiness or dizziness
May cause genetic defects
May cause cancer
Suspected of damaging fertility or the unborn child
Toxic to aquatic life with long lasting effects



Appearance Clear yellow liquid

Physical State Liquid

Odor Hydrocarbon

Precautionary Statements - Prevention

Obtain special instructions before use
Do not handle until all safety precautions have been read and understood
Keep away from heat/sparks/open flames/hot surfaces. - No smoking
Keep container tightly closed
Ground/bond container and receiving equipment
Use explosion-proof electrical/ventilating/lighting/equipment
Use only non-sparking tools.
Take precautionary measures against static discharge
Avoid breathing mist/vapors/spray
Use only outdoors or in a well-ventilated area
Wear protective gloves/protective clothing/eye protection/face protection
Wash hands and any possibly exposed skin thoroughly after handling
Avoid release to the environment

Precautionary Statements - Response

IF exposed or concerned: Get medical attention
IF ON SKIN (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower
If skin irritation occurs: Get medical attention
Wash contaminated clothing before reuse
IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing
Call a POISON CENTER or doctor if you feel unwell
IF SWALLOWED: Immediately call a POISON CENTER or doctor
Do NOT induce vomiting
In case of fire: Use water spray, fog or regular foam for extinction
Collect spillage

Precautionary Statements - Storage

Store in a well-ventilated place. Keep container tightly closed
Keep cool
Store locked up

Precautionary Statements - Disposal

Dispose of contents/container at an approved waste disposal plant

3. COMPOSITION/INFORMATION ON INGREDIENTS

Gasoline is a complex combination of hydrocarbons consisting of paraffins, cycloparaffins, aromatic and olefinic hydrocarbons having molecular chains ranging in length from four to ten carbons. May contain small amounts of dye and other additives (>0.02%) which are not considered hazardous at the concentrations used.

Composition Information:

Name	CAS Number	% Concentration
Gasoline	86290-81-5	100
Heptane (mixed isomers)	142-82-5	2.5-26
Pentane (mixed isomers)	78-78-4	6.5-19
Butane (mixed isomers)	106-97-8	0.5-14
Hexane Isomers (other than n-Hexane)	107-83-5	2-12
Toluene	108-88-3	3-9.5
Xylene (mixed isomers)	1330-20-7	3.5-9.5
n-Hexane	110-54-3	0.1-4.5
Cumene	98-82-8	0-4
1,2,4 Trimethylbenzene	95-63-6	1-4
Ethylbenzene	100-41-4	0.5-2.5
Benzene	71-43-2	0.1-1.5
Cyclohexane	110-82-7	0-1.5
Octane	111-65-9	0-1.5
1,2,3-trimethylbenzene	526-73-8	0-1
Naphthalene	91-20-3	0.1-0.5

All concentrations are percent by weight unless material is a gas. Gas concentrations are in percent by volume.

4. FIRST AID MEASURES

First Aid Measures

General Advice:

In case of accident or if you feel unwell, seek medical advice immediately (show directions for use or safety data sheet if possible).

Inhalation:

Remove to fresh air. If not breathing, institute rescue breathing. If breathing is difficult, ensure airway is clear, give oxygen and continue to monitor. If heart has stopped, immediately begin cardiopulmonary resuscitation (CPR). Keep affected person warm and at rest. If symptoms occur get medical attention.

Skin Contact:

Immediately wash exposed skin with plenty of soap and water while removing contaminated clothing and shoes. May be absorbed through the skin in harmful amounts. Get medical attention if irritation persists. Any injection injury from high pressure equipment should be evaluated immediately by a physician as potentially serious (See NOTES TO PHYSICIAN).

Place contaminated clothing in closed container until cleaned or discarded. If clothing is to be laundered, inform the person performing the operation of contaminant's hazardous properties. Destroy contaminated, non-chemical resistant footwear.

Eye Contact:

Flush immediately with large amounts of water for at least 15 minutes. Eyelids should be held away from the eyeball to ensure thorough rinsing. Gently remove contacts while flushing. Get medical attention if irritation persists.

Ingestion: Do not induce vomiting because of danger of aspirating liquid into lungs, causing serious damage and chemical pneumonitis. If spontaneous vomiting occurs, keep head below hips, or if patient is lying down, turn body and head to side to prevent aspiration and monitor for breathing difficulty. Never give anything by mouth to an unconscious person. Keep affected person warm and at rest. GET IMMEDIATE MEDICAL ATTENTION.

Most important signs and symptoms, both short-term and delayed with overexposure

Adverse Effects: Irritating to the skin and mucous membranes. Symptoms may include redness, itching, and inflammation. May cause nausea, vomiting, diarrhea, and signs of nervous system depression: headache, drowsiness, dizziness, loss of coordination, disorientation and fatigue. Aspiration hazard. May cause coughing, chest pains, shortness of breath, pulmonary edema and/or chemical pneumonitis. Repeated or prolonged skin contact may cause drying, reddening, itching and cracking.

Indication of any immediate medical attention and special treatment needed

Notes To Physician: INHALATION: This material (or a component) sensitizes the myocardium to the effects of sympathomimetic amines. Epinephrine and other sympathomimetic drugs may initiate cardiac arrhythmias in individuals exposed to this material. Administration of sympathomimetic drugs should be avoided.

SKIN: Leaks or accidents involving high-pressure equipment may inject a stream of material through the skin and initially produce an injury that may not appear serious. Only a small puncture wound may appear on the skin surface but, without proper treatment and depending on the nature, original pressure, volume, and location of the injected material, can compromise blood supply to an affected body part. Prompt surgical debridement of the wound may be necessary to prevent irreversible loss of function and/or the affected body part. High pressure injection injuries may be SERIOUS SURGICAL EMERGENCIES.

INGESTION: This material represents a significant aspiration and chemical pneumonitis hazard. Induction of emesis is not recommended.

5. FIRE-FIGHTING MEASURES

Suitable extinguishing media

For small fires, Class B fire extinguishing media such as CO₂, dry chemical, foam (AFFF/ATC) or water spray can be used. For large fires, water spray, fog or foam (AFFF/ATC) can be used. Firefighting should be attempted only by those who are adequately trained and equipped with proper protective equipment.

Unsuitable extinguishing media

Do not use straight water streams to avoid spreading fire.

Specific hazards arising from the chemical

This product has been determined to be an extremely flammable liquid per the OSHA Hazard Communication Standard and should be handled accordingly. May accumulate electrostatic charge and ignite or explode. Vapors may travel along the ground or be moved by ventilation and ignited by many sources such as pilot lights, sparks, electric motors, static discharge, or other ignition sources at locations distant from material handling. Flashback can occur along vapor trail. For additional fire related information, see NFPA 30 or the Emergency Response Guidebook 128.

Hazardous combustion products

Smoke, carbon monoxide, and other products of incomplete combustion.

Explosion data

Sensitivity to Mechanical Impact No.
Sensitivity to Static Discharge Yes.

Special protective equipment and precautions for firefighters

Firefighters should wear full protective clothing and positive-pressure self-contained breathing apparatus (SCBA) with a full face-piece, as appropriate. Avoid using straight water streams. Water may be ineffective in extinguishing low flash point fires, but can be used to cool exposed surfaces. Avoid excessive water spray application. Water spray and foam (AFFF/ATC) must be applied carefully to avoid frothing and from as far a distance as possible. Keep run-off water out of sewers and water sources.

Additional firefighting tactics

FIRES INVOLVING TANKS OR CAR/TRAILER LOADS: Fight fire from maximum distance or use unmanned hose holders or monitor nozzles. Cool containers with flooding quantities of water until well after the fire is out. Do not direct water at source of leak or safety devices; icing may occur. Withdraw immediately in case of rising sound from venting safety devices or discoloration of tank. ALWAYS stay away from tanks engulfed in fire. For massive fire, use unmanned hose holders or monitor nozzles: if this is impossible, withdraw from area and let fire burn.

EVACUATION: Consider initial downwind evacuation for at least 1000 feet. If tank, rail car or tank truck is involved in a fire, ISOLATE for 5280 feet (1 mile) in all directions; also, consider initial evacuation of 5280 feet (1 mile) in all directions.

NFPA Health 1 Flammability 3 Instability 0 Special Hazard -

6. ACCIDENTAL RELEASE MEASURES

- Personal precautions:** Keep public away. Isolate and evacuate area. Shut off source if safe to do so. Eliminate all ignition sources.
- Protective equipment:** Use personal protection measures as recommended in Section 8.
- Emergency procedures:** Advise authorities and National Response Center (800-424-8802) if the product has entered a water course or sewer. Notify local health and pollution control agencies, if appropriate.
- Environmental precautions:** Avoid release to the environment. Avoid subsoil penetration. Ethanol in gasoline phase separates in contact with water. Monitor downstream for dissolved ethanol or other appropriate indicators.
- Methods and materials for containment:** Contain liquid with sand or soil. Prevent spilled material from entering storm drains, sewers, and open waterways.
- Methods and materials for cleaning up:** Use suitable absorbent materials such as vermiculite, sand, or clay to clean up residual liquids. Recover and return free product to proper containers. When recovering free liquids ensure all equipment is grounded and bonded. Use only non-sparking tools.

7. HANDLING AND STORAGE

Safe Handling Precautions:

NEVER SIPHON THIS PRODUCT BY MOUTH. Use appropriate grounding and bonding practices. Static accumulating flammable liquid. Bonding and grounding may be insufficient to eliminate the hazard from static electricity. Do not expose to heat, open flames, strong oxidizers or other sources of ignition. Vapors may travel along the ground or be moved by ventilation. Flashback may occur along vapor trails. No smoking. Use only non-sparking tools. Avoid contact with skin, eyes and clothing. Avoid breathing fumes, gas, or vapors. Use only with adequate ventilation. Avoid repeated and prolonged skin contact. Use personal protection measures as recommended in Section 8. Exercise good personal hygiene including removal of soiled clothing and prompt washing with soap and water. Do not cut, drill, grind or weld on empty containers since explosive residues may remain. Refer to applicable EPA, OSHA, NFPA and consistent state and local requirements.

Hydrocarbons are basically non-conductors of electricity and can become electrostatically charged during mixing, filtering, pumping at high flow rates or loading and transfer operations. If this charge reaches a sufficiently high level, sparks can form that may ignite the vapors of flammable liquids. Sudden release of hot organic chemical vapors or mists from process equipment operating under elevated temperature and pressure, or sudden ingress of air into vacuum equipment may result in ignition of vapors or mists without the presence of obvious ignition sources. Nozzle spouts must be kept in contact with the containers or tank during the entire filling operation.

Portable containers should never be filled while in or on a motor vehicle or marine craft. Containers should be placed on the ground. Static electric discharge can ignite fuel vapors when filling non-grounded containers or vehicles on trailers. The nozzle spout must be kept in contact with the container before and during the entire filling operation. Use only approved containers.

A buildup of static electricity can occur upon re-entry into a vehicle during fueling especially in cold or dry climate conditions. The charge is generated by the action of dissimilar fabrics (i.e., clothing and upholstery) rubbing across each other as a person enters/exits the vehicle. A flash fire can result from this discharge if sufficient flammable vapors are present. Therefore, do not get back in your vehicle while refueling.

Cellular phones and other electronic devices may have the potential to emit electrical charges (sparks). Sparks in potentially explosive atmospheres (including fueling areas such as gas stations) could cause an explosion if sufficient flammable vapors are present. Therefore, turn off cellular phones and other electronic devices when working in potentially explosive atmospheres or keep devices inside your vehicle during refueling.

High-pressure injection of any material through the skin is a serious medical emergency even though the small entrance wound at the injection site may not initially appear serious. These injection injuries can occur from high-pressure equipment such as paint spray or grease or guns, fuel injectors, or pinhole leaks in hoses or hydraulic lines and should all be considered serious. High pressure injection injuries may be SERIOUS SURGICAL EMERGENCIES (See First Aid Section 4).

Storage Conditions:

Store in properly closed containers that are appropriately labeled and in a cool, well-ventilated area. Do not store near an open flame, heat or other sources of ignition.

Incompatible Materials

Strong oxidizing agents.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Name	ACGIH TLV	OSHA PELs:	OSHA - Vacated PELs	NIOSH IDLH
Gasoline 86290-81-5	300 ppm TWA 500 ppm STEL	-	300 ppm TWA 900 mg/m ³ TWA 500 ppm STEL 1500 mg/m ³ STEL	-

Heptane (mixed isomers) 142-82-5	400 ppm TWA 500 ppm STEL	TWA: 500 ppm TWA: 2000 mg/m ³	400 ppm TWA 1600 mg/m ³ TWA 500 ppm STEL 2000 mg/m ³ STEL	750 ppm
Pentane (mixed isomers) 78-78-4	1000 ppm TWA	-	-	-
Butane (mixed isomers) 106-97-8	1000 ppm STEL	-	800 ppm TWA 1900 mg/m ³ TWA	-
Hexane Isomers (other than n-Hexane) 107-83-5	500 ppm TWA 1000 ppm STEL	-	500 ppm TWA 1800 mg/m ³ TWA 1000 ppm STEL 3600 mg/m ³ STEL	-
Toluene 108-88-3	20 ppm TWA	TWA: 200 ppm Ceiling: 300 ppm	100 ppm TWA 375 mg/m ³ TWA 150 ppm STEL 560 mg/m ³ STEL	500 ppm
Xylene (mixed isomers) 1330-20-7	100 ppm TWA 150 ppm STEL	TWA: 100 ppm TWA: 435 mg/m ³	100 ppm TWA 435 mg/m ³ TWA 150 ppm STEL 655 mg/m ³ STEL	900 ppm
n-Hexane 110-54-3	50 ppm TWA Skin - potential significant contribution to overall exposure by the cutaneous route	TWA: 500 ppm TWA: 1800 mg/m ³	50 ppm TWA 180 mg/m ³ TWA	1100 ppm
Cumene 98-82-8	50 ppm TWA	TWA: 50 ppm TWA: 245 mg/m ³ Skin	50 ppm TWA 245 mg/m ³ TWA Limit applies to skin	900 ppm
1,2,4 Trimethylbenzene 95-63-6	25 ppm TWA	-	25 ppm TWA 125 mg/m ³ TWA	-
Ethylbenzene 100-41-4	20 ppm TWA	TWA: 100 ppm TWA: 435 mg/m ³	100 ppm TWA 435 mg/m ³ TWA 125 ppm STEL 545 mg/m ³ STEL	800 ppm
Benzene 71-43-2	0.5 ppm TWA 2.5 ppm STEL Skin - potential significant contribution to overall exposure by the cutaneous route	TWA: 10 ppm (applies to industry segments exempt from the benzene standard) TWA: 1 ppm STEL: 5 ppm (see 29 CFR 1910.1028)	25 ppm Ceiling 1 ppm TWA 5 ppm STEL	500 ppm
Cyclohexane 110-82-7	100 ppm TWA	TWA: 300 ppm TWA: 1050 mg/m ³	300 ppm TWA 1050 mg/m ³ TWA	1300 ppm
Octane 111-65-9	300 ppm TWA	TWA: 500 ppm TWA: 2350 mg/m ³	300 ppm TWA 1450 mg/m ³ TWA 375 ppm STEL 1800 mg/m ³ STEL	1000 ppm
1,2,3-trimethylbenzene 526-73-8	25 ppm TWA	-	25 ppm TWA 125 mg/m ³ TWA	-
Naphthalene 91-20-3	10 ppm TWA Skin - potential significant contribution to overall exposure by the cutaneous route	TWA: 10 ppm TWA: 50 mg/m ³	10 ppm TWA 50 mg/m ³ TWA 15 ppm STEL 75 mg/m ³ STEL	250 ppm

Notes: The manufacturer has voluntarily elected to provide exposure limits contained in OSHA's 1989 air contaminants standard in its SDSs, even though certain of those exposure limits were vacated in 1992.

Engineering measures: Local or general exhaust required in an enclosed area or when there is inadequate ventilation. Use mechanical ventilation equipment that is explosion-proof.

Personal protective equipment

Eye protection:	Use goggles or face-shield if the potential for splashing exists.
Skin and body protection:	Use nitrile rubber, Viton® or PVA gloves for repeated or prolonged skin exposure. Glove suitability is based on workplace conditions and usage. Contact the glove manufacturer for specific advice on glove selection and breakthrough times.
Respiratory protection:	Use a NIOSH approved organic vapor chemical cartridge or supplied air respirators when there is the potential for airborne exposures to exceed permissible exposure limits or if excessive vapors are generated. Observe respirator assigned protection factors (APFs) criteria cited in federal OSHA 29 CFR 1910.134. Self-contained breathing apparatus should be used for fire fighting.
Hygiene measures:	Handle in accordance with good industrial hygiene and safety practice. Avoid contact with skin, eyes and clothing.

9. PHYSICAL AND CHEMICAL PROPERTIES

Information on basic physical and chemical properties

Physical State	Liquid
Appearance	Clear yellow liquid
Color	Yellow
Odor	Hydrocarbon
Odor Threshold	No data available.

Property	Values (Method)
Melting Point / Freezing Point	No data available.
Initial Boiling Point / Boiling Range	24-210 °C / 75-410 °F (ASTM D86)
Flash Point	-43 °C / -45 °F
Evaporation Rate	No data available.
Flammability (solid, gas)	Not applicable.
Flammability Limit in Air (%):	
Upper Flammability Limit:	7.6
Lower Flammability Limit:	1.4
Explosion limits:	No data available.
Vapor Pressure	5.5-15 psi (ASTM D4814)
Vapor Density	3-4
Specific Gravity / Relative Density	0.70-0.76
Water Solubility	No data available.
Solubility in other solvents	No data available.
Partition Coefficient	2.13-4.5
Decomposition temperature	No data available.
pH:	Not applicable
Autoignition Temperature	280 °C / 536 °F
Kinematic Viscosity	No data available.
Dynamic Viscosity	No data available.
Explosive Properties	No data available.
VOC Content (%)	100%
Density	No data available.
Bulk Density	Not applicable.

10. STABILITY AND REACTIVITY

<u>Reactivity</u>	The product is non-reactive under normal conditions.
<u>Chemical stability</u>	The material is stable at 70°F, 760 mmHg pressure.
<u>Possibility of hazardous reactions</u>	None under normal processing.
<u>Hazardous polymerization</u>	Will not occur.

<u>Conditions to avoid</u>	Excessive heat, sources of ignition, open flame.
<u>Incompatible Materials</u>	Strong oxidizing agents.
<u>Hazardous decomposition products</u>	None known under normal conditions of use.

11. TOXICOLOGICAL INFORMATION

Potential short-term adverse effects from overexposures

Inhalation	May cause irritation of respiratory tract. May cause drowsiness or dizziness. Breathing high concentrations of this material in a confined space or by intentional abuse can cause irregular heartbeats which can cause death.
Eye contact	Exposure to vapor or contact with liquid may cause mild eye irritation, including tearing, stinging, and redness.
Skin contact	Causes skin irritation. Effects may become more serious with repeated or prolonged contact. May be absorbed through the skin in harmful amounts.
Ingestion	May be fatal if swallowed or vomited and enters airways. May cause irritation of the mouth, throat and gastrointestinal tract.

Acute toxicological data

Name	Oral LD50	Dermal LD50	Inhalation LC50
Gasoline 86290-81-5	14000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	> 5.2 mg/L (Rat) 4 h
Heptane (mixed isomers) 142-82-5	-	3000 mg/kg (Rabbit)	103 g/m ³ (Rat) 4 h
Pentane (mixed isomers) 78-78-4	-	-	450 mg/L (Mouse) 2 h
Butane (mixed isomers) 106-97-8	-	-	658 mg/L (Rat) 4 h
Hexane isomers (other than n-Hexane) 107-83-5	> 5000 mg/kg (Rat)	-	-
Toluene 108-88-3	> 2000 mg/kg (Rat)	8390 mg/kg (Rabbit)	12.5 mg/L (Rat) 4 h
Xylene (mixed isomers) 1330-20-7	> 2000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	> 5.04 mg/L (Rat) 4 h
n-Hexane 110-54-3	15000 mg/kg (Rat)	3000 mg/kg (Rabbit)	48000 ppm (Rat) 4 h
Cumene 98-82-8	> 2000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	> 20 mg/L (Rat) 6 h
1,2,4 Trimethylbenzene 95-63-6	3280 mg/kg (Rat)	> 3160 mg/kg (Rabbit)	18,000 mg/m ³ (Rat) 4 h
Ethylbenzene 100-41-4	> 2000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	17.2 mg/L (Rat) 4 h
Benzene 71-43-2	> 2000 mg/kg (Rat)	> 5000 mg/kg (Rabbit)	> 20 mg/l (Rat) 4 h
Cyclohexane 110-82-7	> 5000 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	13.9 mg/L (Rat) 4 h
Octane 111-65-9	-	-	118 g/m ³ (Rat) 4 h
1,2,3-trimethylbenzene 526-73-8	-	-	-
Naphthalene 91-20-3	490 mg/kg (Rat)	> 2000 mg/kg (Rabbit)	> 340 mg/m ³ (Rat) 1 h

Delayed and immediate effects as well as chronic effects from short and long-term exposure

NAPHTHAS: In a large epidemiological study on over 15,000 employees at several petroleum refineries and amongst residents located near these refineries, no increased risk of kidney cancer was observed in association with gasoline exposures (a similar material). In a similar study, no increased risk of kidney cancer was observed among petroleum refinery workers, but there was a slight trend in the incidence of kidney cancers among service station employees, especially after a 30-year latency period. Altered mental state, drowsiness, peripheral motor neuropathy, irreversible brain damage (so-called Petrol Sniffer's Encephalopathy), delirium, seizures, and sudden death have been reported from repeated overexposure to some hydrocarbon solvents, naphthas, and gasoline.

ISOPARAFFINS: Studies in laboratory animals have shown that long-term exposure to similar materials (isoparaffins) can cause kidney damage and kidney cancer in male laboratory rats. However, in-depth research indicates that these findings are unique to the male rat, and that these effects are not relevant to humans.

C9 AROMATIC HYDROCARBONS: A developmental inhalation study was conducted in laboratory mice. Increased implantation losses, reduced fetal weights, delayed ossification and an increased incidence of cleft palate were observed at the highest exposure level (1,500 ppm). This exposure level was extremely toxic to pregnant female mice (44% mortality). Reduced fetal body weights were also observed at 500 ppm. A multi-generation reproduction inhalation study was conducted in laboratory rats. Reductions in pup weights, pup weight gain, litter size, and pup survival were observed at 1,500 ppm, an exposure level at which significant maternal toxicity was observed. Reduced pup weight gain was also observed at 500 ppm.

PENTANES: Studies of pentane isomers in laboratory animals indicate exposure to extremely high levels (roughly 10 vol.%) may induce cardiac arrhythmias (irregular heartbeats) which may be serious or fatal.

BUTANES: Studies in laboratory animals indicate exposure to extremely high levels of butanes (1-10 or higher vol.% in air) may cause cardiac arrhythmias (irregular heartbeats) which may be serious or fatal.

TOLUENE: Case studies of persons abusing toluene suggest isolated incidences of adverse effects on the fetus including birth defects. Abuse of toluene at high concentrations (e.g., glue sniffing and solvent abuse) has been associated with adverse effects on the liver, kidney and nervous system, and can cause CNS depression, cardiac arrhythmias, and death. Studies of workers indicate longterm exposure may be related to impaired color vision and hearing. Some studies of workers suggest longterm exposure may be related to neurobehavioral and cognitive changes. Some of these effects have been observed in laboratory animals following repeated exposure to high levels of toluene. Several studies of workers suggest longterm exposure may be related to small increases in spontaneous abortions and changes in some gonadotropic hormones. However, the weight of evidence does not indicate toluene is a reproductive hazard to humans. Studies in laboratory animals indicate some changes in reproductive organs following high levels of exposure, but no significant effects on mating performance or reproduction were observed. Case studies of persons abusing toluene suggest isolated incidences of adverse effects on the fetus including birth defects. Findings in laboratory animals have been largely negative. Positive findings include small increases in minor skeletal and visceral malformations and developmental delays following very high levels of maternal exposure. Studies of workers indicate long-term exposure may be related to effects on the liver, kidney and blood, but these appear to be limited to changes in serum enzymes and decreased leukocyte counts. Adverse effects on the liver, kidney, thymus and nervous system were observed in animal studies following very high levels of exposure. The relevance of these findings to humans is not clear at this time.

XYLENES, ALL ISOMERS: Overexposure to xylene may cause upper respiratory tract irritation, headache, cyanosis, blood serum changes, nervous system damage and narcosis. Effects may be increased by the use of alcoholic beverages. Evidence of liver and kidney impairment were reported in workers recovering from a gross overexposure. Effects from Prolonged or Repeated Exposure: Impaired neurological function was reported

in workers exposed to solvents including xylene. Studies in laboratory animals have shown evidence of impaired hearing following high levels of exposure. Studies in laboratory animals suggest some changes in reproductive organs following high levels of exposure but no significant effects on reproduction were observed. Studies in laboratory animals indicate skeletal and visceral malformations, developmental delays, and increased fetal resorptions following extremely high levels of maternal exposure with evidence of maternal toxicity. The relevance of these observations to humans is not clear at this time. Adverse effects on the liver, kidney, bone marrow (changes in blood cell parameters) were observed in laboratory animals following high levels of exposure. The relevance of these observations to humans is not clear at this time.

1,2,4-TRIMETHYLBENZENE: The following information pertains to a mixture of C9 aromatic hydrocarbons, over 40% of which was composed of 1,2,4-trimethylbenzene. A developmental inhalation study was conducted in laboratory mice. Increased implantation losses, reduced fetal weights, delayed ossification and an increased incidence of cleft palate were observed at the highest exposure level (1,500 ppm). This exposure level was extremely toxic to pregnant female mice (44% mortality). Reduced fetal body weights were also observed at 500 ppm. A multi-generation reproduction inhalation study was conducted in laboratory rats. Reductions in pup weights, pup weight gain, litter size, and pup survival were observed at 1,500 ppm, an exposure level at which significant maternal toxicity was observed. Reduced pup weight gain was also observed at 500 ppm. Embryotoxicity has been reported in studies of laboratory animals. Adverse effects included increased implantation losses, reduced fetal weights, delayed ossification and an increased incidence of cleft palate.<n><n>

N-HEXANE: Long-term or repeated exposure to n-hexane can cause peripheral nerve damage. Initial symptoms are numbness of the fingers and toes. Also, motor weakness can occur in the digits, but may also involve muscles of the arms, thighs and forearms. The onset of these symptoms may be delayed for several months to a year after the beginning of exposure. Testicular atrophy and partial to full loss of the germ cell line were observed in sub-chronic high-dose inhalation studies of laboratory rodents. These effects appeared irreversible. Rodent reproduction studies have shown evidence of reduced fetal weight but no frank malformations.

CUMENE: Overexposure to cumene may cause upper respiratory tract irritation and CNS depression. Studies in laboratory animals indicate evidence of respiratory tract hyperplasia, and adverse effects on the liver, kidney and adrenal glands following high level exposure. The relevance of these findings to humans is not clear at this time. Findings from lifetime laboratory rodent inhalation studies were as follows: In F344/N rats: an increased incidence of renal carcinomas and adenomas, respiratory epithelial adenomas, and interstitial cell adenomas of the testes. In B6C3F1 mice: an increased incidence of carcinomas and adenomas of the bronchi and lung, liver neoplasms, hemangiosarcomas of the spleen, and adenomas of the thyroid.

ETHYLBENZENE: Findings from a 2-year inhalation study in rodents conducted by NTP were as follows: Effects were observed only at the highest exposure level (750 ppm). At this level the incidence of renal tumors was elevated in male rats (tubular carcinomas) and female rats (tubular adenomas). The incidence of tumors was also elevated in male mice (alveolar and bronchiolar carcinomas) and female mice (hepatocellular carcinomas). IARC has classified ethyl benzene as "possibly carcinogenic to humans" (Group 2B). Studies in laboratory animals indicate some evidence of post-implantation deaths following high levels of maternal exposure. The relevance of these findings to humans is not clear at this time. Studies in laboratory animals indicate limited evidence of renal malformations, resorptions, and developmental delays following high levels of maternal exposure with evidence of maternal toxicity. The relevance of these findings to humans is not clear at this time. Studies in laboratory animals have demonstrated evidence of ototoxicity (hearing loss) following exposure levels as low as 300 ppm for 5 days. Studies in laboratory animals indicate some evidence of adverse effects on the liver, kidney, thyroid, and pituitary gland.

BENZENE: Studies of workers exposed to benzene show clear evidence that overexposure can cause cancer and other diseases of the blood forming organs including Acute

Myelogenous Leukemia (AML), and Aplastic Anemia (AA), an often fatal disease. Some studies suggest overexposure to benzene may also be associated with Myelodysplastic Syndrome (MDS). Findings from a case control study of workers exposed to benzene was reported during the 2009 Benzene Symposium in Munich included an increase in Acute Myeloid Leukemias and Non-Hodgkins Lymphoid Neoplasms (NHLN) of the subtype follicular lymphoma (FL) in some occupational categories. Some studies of workers exposed to benzene have shown an association with increased rates of chromosome aberrations in circulating lymphocytes. One study of women workers exposed to benzene suggested a weak association with irregular menstruation. However, other studies of workers exposed to benzene have not demonstrated clear evidence of an effect on fertility or reproductive outcome in humans. Benzene can cross the placenta and affect the developing fetus. Cases of AA have been reported in the offspring of persons severely overexposed to benzene. Studies in laboratory animals indicate that prolonged, repeated exposure to high levels of benzene vapor can cause bone marrow suppression and cancer in multiple organ systems. Studies in laboratory animals show evidence of adverse effects on male reproductive organs following high levels of exposure but no significant effects on reproduction have been observed. Embryotoxicity has been reported in studies of laboratory animals but effects were limited to reduced fetal weight and minor skeletal variations. Benzene has been classified as a proven human carcinogen by OSHA and a Group 1 (Carcinogenic to Humans) material by IARC. The current proposed IARC classification for benzene is summarized as follows: Sufficient evidence for Acute Myeloid Leukemia; limited evidence for Acute Lymphatic Leukemia, Chronic Lymphatic Leukemia, Non-Hodgkin Lymphoma, and Multiple Myeloma.

NAPHTHALENE: Severe jaundice, neurotoxicity (kernicterus) and fatalities have been reported in young children and infants as a result of hemolytic anemia from overexposure to naphthalene. Persons with glucose 6-phosphate dehydrogenase (G6PD) deficiency are more prone to the hemolytic effects of naphthalene. Adverse effects on the kidney have been reported in persons overexposed to naphthalene but these effects are believed to be a consequence of hemolytic anemia, and not a direct effect. Hemolytic anemia has been observed in laboratory animals exposed to naphthalene. Laboratory rodents exposed to naphthalene vapor for 2 years (lifetime studies) developed non-neoplastic and neoplastic tumors and inflammatory lesions of the nasal and respiratory tract. Cataracts and other adverse effects on the eye have been observed in laboratory animals exposed to high levels of naphthalene. Findings from a large number of bacterial and mammalian cell mutation assays have been negative. A few studies have shown chromosomal effects (elevated levels of Sister Chromatid Exchange or chromosomal aberrations) in vitro. Naphthalene has been classified as Possibly Carcinogenic to Humans (2B) by IARC, based on findings from studies in laboratory animals.

CARBON MONOXIDE: is a chemical asphyxiant with no warning properties (such as odor). At 400-500 ppm for 1 hour headache and dyspnea may occur. If activity is increased, symptoms of overexposure may include nausea, irritability, increased respiration, tinnitus, sweating, chest pain, confusion, impaired judgement, dizziness, weakness, drowsiness, ataxia, irregular heart beat, cyanosis and pallor. Levels in excess of 1000 ppm can result in collapse, loss of consciousness, respiratory failure and death. Extremely high concentrations (12,800 ppm) can cause immediate unconsciousness and death in 1-3 minutes. Repeated anoxia can lead to central nervous system damage and peripheral neuropathy, with loss of sensation in the fingers, amnesia, and mental deterioration and possible congestive heart failure. Damage may also occur to the fetus, lung, liver, kidney, spleen, cardiovascular system and other organs.

WHOLLY-VAPORIZED UNLEADED GASOLINE: Lifetime exposure to wholly vaporized unleaded gasoline produced an increased incidence of liver tumors in female mice exposed to the highest exposure concentration (2056 ppm) and α -2 urinary globulin-mediated kidney tumors in male rats. No exposure-related tumors were observed in male mice or female rats. The male-specific rat kidney tumors are not considered relevant to human health. Mice receiving lifetime repeated skin application of various petroleum naphthas exhibited an irritation-dependent increased incidence of skin tumors. Additional studies suggest that these tumors occur through a mechanism that may not be relevant to human health. Epidemiological data from over 18,000 petroleum marketing and distribution workers

showed no increased risk of leukemia, multiple myeloma, or kidney cancer resulting from gasoline exposure. Unleaded gasoline has been identified as possibly carcinogenic to humans (2B) by the International Agency for Research on Cancer (IARC).

COMBUSTION ENGINE EXHAUST: Chronic inhalation studies of gasoline engine exhaust in mice, rats and hamsters did not produce any carcinogenic effects. Condensates/extracts of gasoline engine exhaust produced an increase in tumors compared to controls when testing by skin painting, subcutaneous injection, intratracheal instillation or implantation into the lungs. Gasoline exhaust has been classified as possibly carcinogenic to humans (2B) by the International Agency for Research on Cancer (IARC).

Adverse effects related to the physical, chemical and toxicological characteristics

- Signs and Symptoms** Irritating to the skin and mucous membranes. Symptoms may include redness, itching, and inflammation. May cause nausea, vomiting, diarrhea, and signs of nervous system depression: headache, drowsiness, dizziness, loss of coordination, disorientation and fatigue. Aspiration hazard. May cause coughing, chest pains, shortness of breath, pulmonary edema and/or chemical pneumonitis. Repeated or prolonged skin contact may cause drying, reddening, itching and cracking.
- Sensitization** Not expected to be a skin or respiratory sensitizer.
- Mutagenic effects** May cause genetic defects.
- Carcinogenicity** May cause cancer.

Cancer designations are listed in the table below

Name	ACGIH (Class)	IARC (Class)	NTP	OSHA
Gasoline 86290-81-5	Confirmed animal carcinogen (A3)	Possible human carcinogen (2B)	Not Listed	Not Listed
Heptane (mixed isomers) 142-82-5	Not Listed	Not Listed	Not Listed	Not Listed
Pentane (mixed isomers) 78-78-4	Not Listed	Not Listed	Not Listed	Not Listed
Butane (mixed isomers) 106-97-8	Not Listed	Not Listed	Not Listed	Not Listed
Hexane Isomers (other than n-Hexane) 107-83-5	Not Listed	Not Listed	Not Listed	Not Listed
Toluene 108-88-3	Not Classifiable (A4)	Not Classifiable (3)	Not Listed	Not Listed
Xylene (mixed isomers) 1330-20-7	Not classifiable (A4)	Not classifiable (3)	Not Listed	Not Listed
n-Hexane 110-54-3	Not Listed	Not Listed	Not Listed	Not Listed
Cumene 98-82-8	Not listed	Possible human carcinogen (2B)	Reasonably anticipated to be a human carcinogen	Not listed
1,2,4 Trimethylbenzene 95-63-6	Not Listed	Not Listed	Not Listed	Not Listed
Ethylbenzene 100-41-4	Confirmed animal carcinogen (A3)	Possible human carcinogen (2B)	Not Listed	Not Listed
Benzene 71-43-2	Confirmed human carcinogen (A1)	Carcinogenic to humans (1)	Known to be human carcinogen	Known carcinogen
Cyclohexane 110-82-7	Not Listed	Not Listed	Not Listed	Not Listed
Octane 111-65-9	Not Listed	Not Listed	Not Listed	Not Listed
1,2,3-trimethylbenzene 526-73-8	Not Listed	Not Listed	Not Listed	Not Listed
Naphthalene 91-20-3	Confirmed animal carcinogen (A3)	Possible human carcinogen (2B)	Reasonably anticipated to be a human carcinogen	Not Listed

Reproductive toxicity Suspected of damaging fertility or the unborn child.

Specific Target Organ Toxicity (STOT) - single exposure Respiratory system. Central nervous system.

Specific Target Organ Toxicity (STOT) - repeated exposure Not classified.

Aspiration hazard May be fatal if swallowed or vomited and enters airways.

12. ECOLOGICAL INFORMATION

Ecotoxicity This product should be considered toxic to aquatic organisms, with the potential to cause long lasting adverse effects in the aquatic environment.

Name	Algae/aquatic plants	Fish	Toxicity to Microorganisms	Crustacea
Gasoline 86290-81-5	72-hr EC50 = 56 mg/l Algae	96-hr LC50 = 11 mg/l Rainbow trout (static)	-	48-hr LC50 = 7.6 mg/l Daphnia magna
Heptane (mixed isomers) 142-82-5	-	96-hr LC50 = 375 mg/L Tilapia	-	-
Pentane (mixed isomers) 78-78-4	-	96-hr LC50 = 3.1 mg/L Rainbow trout	-	48-hr EC50 = >1 - <10 mg/L Daphnia magna
Butane (mixed isomers) 106-97-8	-	-	-	-
Hexane Isomers (other than n-Hexane) 107-83-5	-	-	-	-
Toluene 108-88-3	72-hr EC50 = 12.5 mg/l Algae	96-hr LC50 ≤ 10 mg/l Rainbow trout	-	48-hr EC50 = 5.46-9.83 mg/l Daphnia magna 48-hr EC50 = 11.5 mg/l Daphnia magna (Static)
Xylene (mixed isomers) 1330-20-7	72-hr EC50 = 11 mg/l Algae	96-hr LC50 = 8 mg/l Rainbow trout	-	48-hr LC50 = 3.82 mg/l Daphnia magna
n-Hexane 110-54-3	-	96-hr LC50 = 2.5 mg/l Fathead minnow	-	-
Cumene 98-82-8	72-hr EC50 = 2.6 mg/l Algae	96-hr LC50 = 6.04-6.61 mg/l Fathead minnow (Flow-through) 96-hr LC50 = 2.7 mg/l Rainbow trout (semi-static)	-	48-hr EC50 = 7.9-14.1 mg/l Daphnia magna (static)
1,2,4 Trimethylbenzene 95-63-6	-	96-hr LC50 = 7.19-8.28 mg/l Fathead minnow (flow-through)	-	48-hr EC50 = 6.14 mg/L Daphnia magna
Ethylbenzene 100-41-4	72-hr EC50 = 1.7-7.6 mg/l Algae	96-hr LC50 = 4 mg/L Rainbow trout	-	48-hr EC50 = 1-4 mg/L Daphnia magna
Benzene 71-43-2	72-hr EC50 = 29 mg/l Algae	96-hr LC50 = 5.3 mg/l Rainbow trout (flow-through)	-	48-hr EC50 = 8.76-15.6 mg/l Daphnia magna (Static)
Cyclohexane 110-82-7	72-hr EC50 = 500 mg/l Algae	96-hr LC50 = 3.96-5.18 mg/l Fathead minnow	-	48-hr EC50 = 1.7-3.5 mg/L Bay shrimp
Octane 111-65-9	-	-	-	48-hr LC50 = 0.38 mg/l Daphnia magna
1,2,3-trimethylbenzene 526-73-8	-	96-hr LC50 = 7.72 mg/l Fathead Minnow (flow-through)	-	-
Naphthalene 91-20-3	-	96-hr LC50 = 0.91-2.82 mg/l Rainbow trout (static) 96-hr LC50 = 1.99 mg/l Fathead minnow (static)	-	48-hr LC50 = 1.6 mg/l Daphnia magna

Persistence and degradability Expected to be inherently biodegradable. The presence of ethanol in this product may impede the biodegradation of benzene, toluene, ethylbenzene and xylene in groundwater, resulting in elongated plumes of these constituents.

<u>Bioaccumulation</u>	Has the potential to bioaccumulate.
<u>Mobility in soil</u>	May partition into air, soil and water.
<u>Other adverse effects</u>	No information available.

13. DISPOSAL CONSIDERATIONS

Description of Waste Residues

This material may be a flammable liquid waste.

Safe Handling of Wastes

Handle in accordance with applicable local, state, and federal regulations. Use personal protection measures as required. Use appropriate grounding and bonding practices. Use only non-sparking tools. Do not expose to heat, open flames, strong oxidizers or other sources of ignition. No smoking.

Disposal of Wastes / Methods of Disposal

The user is responsible for determining if any discarded material is a hazardous waste (40 CFR 262.11). Dispose of in accordance with federal, state and local regulations.

Methods of Contaminated Packaging Disposal

Empty containers should be completely drained and then discarded or recycled, if possible. Do not cut, drill, grind or weld on empty containers since explosive residues may be present. Dispose of in accordance with federal, state and local regulations.

14. TRANSPORT INFORMATION

DOT (49 CFR 172.101):

UN Proper Shipping Name:	Gasoline
UN/Identification No:	UN 1203
Transport Hazard Class(es):	3
Packing Group:	II

TDG (Canada):

UN Proper Shipping Name:	Gasoline
UN/Identification No:	UN 1203
Transport Hazard Class(es):	3
Packing Group:	II

15. REGULATORY INFORMATION

US Federal Regulatory Information:

US TSCA Chemical Inventory Section 8(b): This product and/or its components are listed on the TSCA Chemical Inventory.

EPA Superfund Amendment & Reauthorization Act (SARA):

SARA Section 302: This product does not contain any component(s) included on EPA's Extremely Hazardous Substance (EHS) List.

Name	CERCLA/SARA - Section 302 Extremely Hazardous Substances and TPQs
Gasoline	NA
Heptane (mixed isomers)	NA
Pentane (mixed isomers)	NA
Butane (mixed isomers)	NA
Hexane Isomers (other than n-Hexane)	NA
Toluene	NA
Xylene (mixed isomers)	NA

n-Hexane	NA
Cumene	NA
1,2,4 Trimethylbenzene	NA
Ethylbenzene	NA
Benzene	NA
Cyclohexane	NA
Octane	NA
1,2,3-trimethylbenzene	NA
Naphthalene	NA

SARA Section 304: This product may contain component(s) identified either as an EHS or a CERCLA Hazardous substance which in case of a spill or release may be subject to SARA reporting requirements:

Name	Hazardous Substances RQs
Gasoline	NA
Heptane (mixed isomers)	NA
Pentane (mixed isomers)	NA
Butane (mixed isomers)	NA
Hexane Isomers (other than n-Hexane)	NA
Toluene	1000 lb final RQ 454 kg final RQ
Xylene (mixed isomers)	100 lb final RQ 45.4 kg final RQ
n-Hexane	5000 lb final RQ 2270 kg final RQ
Cumene	5000 lb final RQ 2270 kg final RQ
1,2,4 Trimethylbenzene	NA
Ethylbenzene	1000 lb final RQ 454 kg final RQ
Benzene	10 lb final RQ 4.54 kg final RQ
Cyclohexane	1000 lb final RQ 454 kg final RQ
Octane	NA
1,2,3-trimethylbenzene	NA
Naphthalene	100 lb final RQ 45.4 kg final RQ

SARA: The following EPA hazard categories apply to this product:

- Acute Health Hazard
- Chronic Health Hazard
- Fire Hazard

SARA Section 313: This product may contain component(s), which if in exceedance of the de minimus threshold, may be subject to the reporting requirements of SARA Title III Section 313 Toxic Release Reporting (Form R).

Name	CERCLA/SARA 313 Emission reporting:
Gasoline	None
Heptane (mixed isomers)	None
Pentane (mixed isomers)	None
Butane (mixed isomers)	None
Hexane Isomers (other than n-Hexane)	None
Toluene	1.0 % de minimis concentration
Xylene (mixed isomers)	1.0 % de minimis concentration
n-Hexane	1.0 % de minimis concentration
Cumene	1.0 % de minimis concentration

1,2,4 Trimethylbenzene	1.0 % de minimis concentration
Ethylbenzene	0.1 % de minimis concentration
Benzene	0.1 % de minimis concentration
Cyclohexane	1.0 % de minimis concentration
Octane	None
1,2,3-trimethylbenzene	None
Naphthalene	0.1 % de minimis concentration

State and Community Right-To-Know Regulations:

The following component(s) of this material are identified on the regulatory lists below:

Gasoline

- Louisiana Right-To-Know: Not Listed
- California Proposition 65: Not Listed
- New Jersey Right-To-Know: SN 0957
- Pennsylvania Right-To-Know: Present
- Massachusetts Right-To-Know: Present
- Florida Substance List: Not Listed
- Rhode Island Right-To-Know: Not Listed
- Michigan Critical Materials Register List: Not Listed
- Massachusetts Extraordinarily Hazardous Substances: Not Listed
- California - Regulated Carcinogens: Not Listed
- Pennsylvania RTK - Special Hazardous Substances: Not Listed
- New Jersey - Special Hazardous Substances: Carcinogen; Flammable - third degree
- New Jersey - Environmental Hazardous Substances List: SN 0957 TPQ: 10000 lb (Under N.J.A.C. 7:1G, environmental hazardous substances in mixtures such as gasoline or new and used petroleum oil may be reported under these categories)
- Illinois - Toxic Air Contaminants: Present
- New York - Reporting of Releases Part 597 - List of Hazardous Substances: Not Listed

Heptane (mixed isomers)

- Louisiana Right-To-Know: Not Listed
- California Proposition 65: Not Listed
- New Jersey Right-To-Know: SN 1339
- Pennsylvania Right-To-Know: Present
- Massachusetts Right-To-Know: Present
- Florida Substance List: Not Listed
- Rhode Island Right-To-Know: Toxic; Flammable
- Michigan Critical Materials Register List: Not Listed
- Massachusetts Extraordinarily Hazardous Substances: Not Listed
- California - Regulated Carcinogens: Not Listed
- Pennsylvania RTK - Special Hazardous Substances: Not Listed
- New Jersey - Special Hazardous Substances: Flammable - third degree
- New Jersey - Environmental Hazardous Substances List: Not Listed
- Illinois - Toxic Air Contaminants: Not Listed
- New York - Reporting of Releases Part 597 - List of Hazardous Substances: Not Listed

Pentane (mixed isomers)

- Louisiana Right-To-Know: Not Listed
- California Proposition 65: Not Listed
- New Jersey Right-To-Know: SN 1064
- Pennsylvania Right-To-Know: Present
- Massachusetts Right-To-Know: Present
- Florida Substance List: Not Listed
- Rhode Island Right-To-Know: Not Listed
- Michigan Critical Materials Register List: Not Listed
- Massachusetts Extraordinarily Hazardous Substances: Not Listed

California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - fourth degree
New Jersey - Environmental Hazardous Substances List:	SN 1064 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Not Listed
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed
Butane (mixed isomers)	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 0273
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - fourth degree
New Jersey - Environmental Hazardous Substances List:	SN 0273 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Not Listed
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed
Hexane Isomers (other than n-Hexane)	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 1285
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Not Listed
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	Not Listed
Illinois - Toxic Air Contaminants:	Not Listed
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed
Toluene	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Developmental toxicity, initial date 1/1/91 Female reproductive toxicity, initial date 8/7/09
New Jersey Right-To-Know:	SN 1866
Pennsylvania Right-To-Know:	Environmental hazard
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic (skin); Flammable (skin)
Michigan Critical Materials Register List:	100 lb Annual usage threshold
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed

New Jersey - Special Hazardous Substances:	Flammable - third degree; Teratogen
New Jersey - Environmental Hazardous Substances List:	SN 1866 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	1000 lb RQ (air); 1 lb RQ (land/water)
Xylene (mixed isomers)	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 2014
Pennsylvania Right-To-Know:	Environmental hazard
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic (skin); Flammable (skin)
Michigan Critical Materials Register List:	100 lb Annual usage threshold all isomers
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	SN 2014 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	1000 lb RQ (air); 1 lb RQ (land/water)
n-Hexane	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 1340
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	SN 1340 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	1 lb RQ (air); 1 lb RQ (land/water)
Cumene	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Carcinogen, initial date 4/6/10
New Jersey Right-To-Know:	SN 0542
Pennsylvania Right-To-Know:	Environmental hazard
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic (skin); Flammable (skin)
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	SN 0542 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present

New York - Reporting of Releases Part 597 - List of Hazardous Substances:	5000 lb RQ (air); 1 lb RQ (land/water)
1,2,4 Trimethylbenzene	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 1929
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Not Listed
New Jersey - Environmental Hazardous Substances List:	Not Listed
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed
Ethylbenzene	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Carcinogen, initial date 6/11/04
New Jersey Right-To-Know:	SN 0851
Pennsylvania Right-To-Know:	Environmental hazard
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Carcinogen; flammable - Third degree
New Jersey - Environmental Hazardous Substances List:	SN 0851 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	1000 lb RQ (air); 1 lb RQ (land/water)
Benzene	
Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Carcinogen, initial date 2/27/87
	Developmental toxicity, initial date 12/26/97
	Male reproductive toxicity, initial date 12/26/97
New Jersey Right-To-Know:	SN 0197
Pennsylvania Right-To-Know:	Environmental hazard; Special hazardous substance
Massachusetts Right-To Know:	Carcinogen; Extraordinarily hazardous
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic (skin); Flammable (skin); Carcinogen (skin)
Michigan Critical Materials Register List:	100 lb Annual usage threshold
Massachusetts Extraordinarily Hazardous Substances:	Carcinogen; Extraordinarily hazardous
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Present
New Jersey - Special Hazardous Substances:	Carcinogen; Flammable - third degree; Mutagen
New Jersey - Environmental Hazardous Substances List:	SN 0197 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	10 lb RQ (air); 1 lb RQ (land/water)

Cyclohexane

Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 0565
Pennsylvania Right-To-Know:	Environmental hazard
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	SN 0565 TPQ: 500 lb
Illinois - Toxic Air Contaminants:	Not Listed
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	1000 lb RQ (air); 1 lb RQ (land/water)

Octane

Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 1434
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Flammable - third degree
New Jersey - Environmental Hazardous Substances List:	Not Listed
Illinois - Toxic Air Contaminants:	Not Listed
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed

1,2,3-trimethylbenzene

Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Not Listed
New Jersey Right-To-Know:	SN 1929
Pennsylvania Right-To-Know:	Present
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Not Listed
New Jersey - Environmental Hazardous Substances List:	Not Listed
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	Not Listed

Naphthalene

Louisiana Right-To-Know:	Not Listed
California Proposition 65:	Carcinogen, initial date 4/19/02
New Jersey Right-To-Know:	SN 1322 SN 3758

Pennsylvania Right-To-Know:	Environmental hazard Present (particulate)
Massachusetts Right-To Know:	Present
Florida Substance List:	Not Listed
Rhode Island Right-To-Know:	Toxic; Flammable
Michigan Critical Materials Register List:	Not Listed
Massachusetts Extraordinarily Hazardous Substances:	Not Listed
California - Regulated Carcinogens:	Not Listed
Pennsylvania RTK - Special Hazardous Substances:	Not Listed
New Jersey - Special Hazardous Substances:	Carcinogen
New Jersey - Environmental Hazardous Substances List:	SN 1322 TPQ: 500 lb (Reportable at the de minimis quantity of >0.1%)
Illinois - Toxic Air Contaminants:	Present
New York - Reporting of Releases Part 597 - List of Hazardous Substances:	100 lb RQ (air); 1 lb RQ (land/water)

Canada DSL/NDL Inventory: This product and/or its components are listed either on the Domestic Substances List (DSL) or are exempt.

Canadian Regulatory Information: This product has been classified in accordance with the hazard criteria of the Controlled Products Regulations and the (M)SDS contains all the information required by the Controlled Products Regulations.

Name	Canada - WHMIS: Classifications of Substances:	Canada - WHMIS: Ingredient Disclosure:
Gasoline	B2,D2A,D2B	0.1%
Heptane (mixed isomers)	B2,D2B	1%
Pentane (mixed isomers)	B2	1%
Butane (mixed isomers)	A,B1	1%
Hexane Isomers (other than n-Hexane)	B2	1%
Toluene	B2,D2A,D2B	0.1%
Xylene (mixed isomers)	B2,D2A,D2B	m-, o-isomers 1.0%; p-isomer 0.1%
n-Hexane	B2,D2A,D2B	1%
Cumene	B2,D2A	0.1%
1,2,4 Trimethylbenzene	B3,D2B	1%
Ethylbenzene	B2,D2A,D2B	0.1%
Benzene	B2,D2A,D2B	0.1%
Cyclohexane	B2,D2B	1%
Octane	B2,D2B	1%
1,2,3-trimethylbenzene	B3	1%
Naphthalene	B4,D2A	0.1%



Note: Not applicable.

16. OTHER INFORMATION

Prepared By Toxicology and Product Safety

Revision Date: 06/01/2016

Revision Note:

Revised Sections

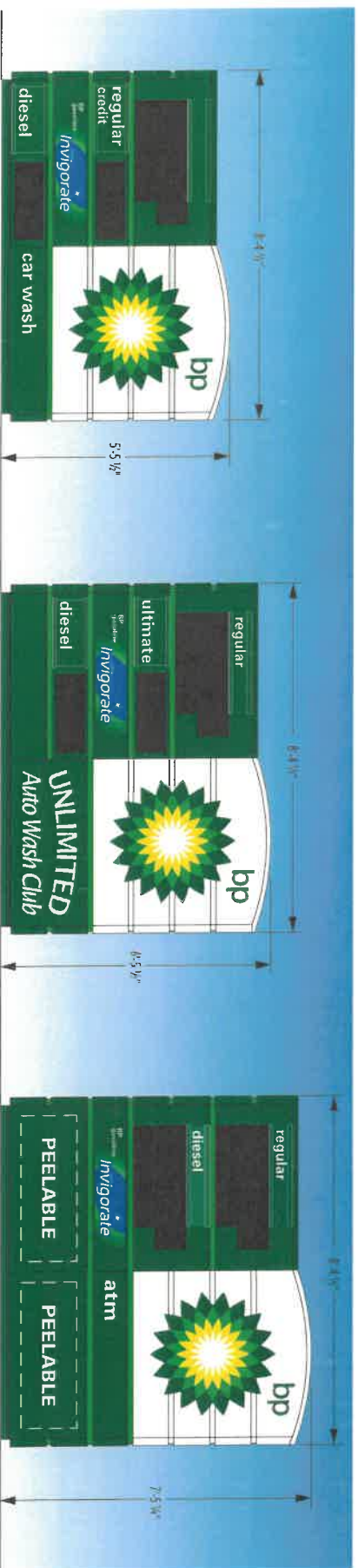
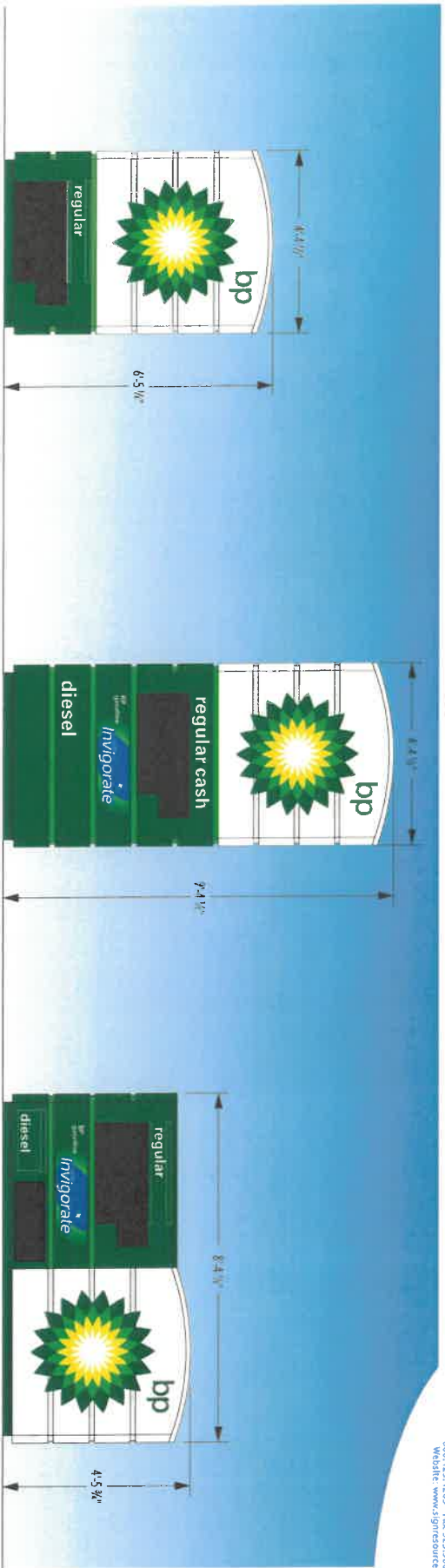
The following sections (§) have been updated:

1. IDENTIFICATION
2. HAZARD IDENTIFICATION
3. COMPOSITION/INFORMATION ON INGREDIENTS
4. FIRST AID MEASURES
6. ACCIDENTAL RELEASE MEASURES
7. HANDLING AND STORAGE
8. EXPOSURE CONTROLS/PERSONAL PROTECTION
9. PHYSICAL AND CHEMICAL PROPERTIES
11. TOXICOLOGICAL INFORMATION
12. ECOLOGICAL INFORMATION
15. REGULATORY INFORMATION

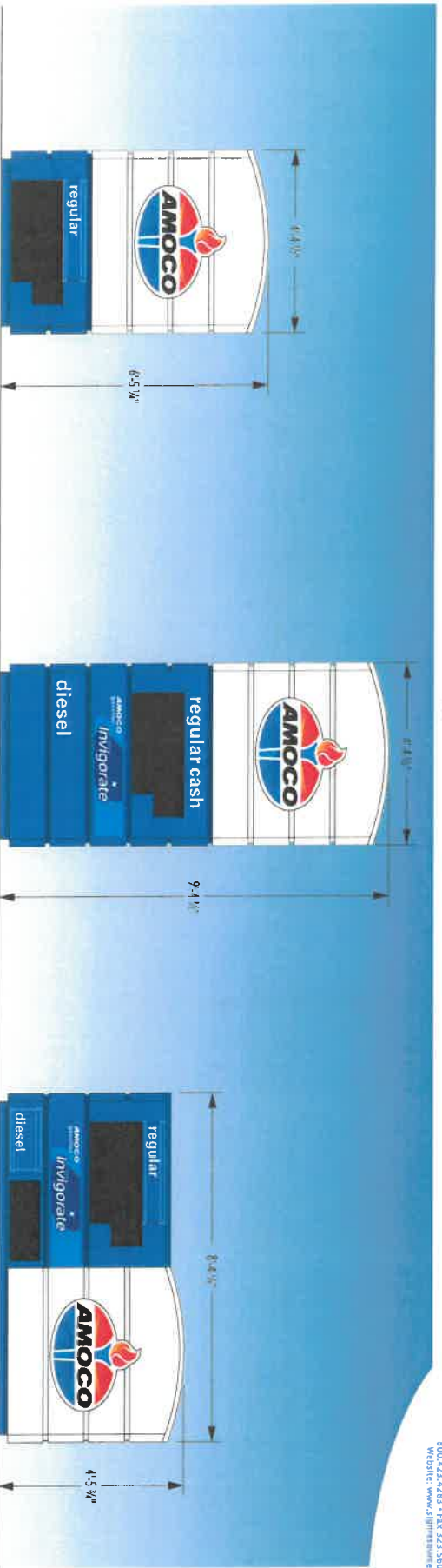
Disclaimer

The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information is intended as guidance for safe handling, use, processing, storage, transportation, accidental release, clean-up and disposal and is not considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.

Standard Modular Monuments Signs



Standard Modular Monuments Signs



2X 27 Sq. Ft. Monument
 Part # 26MON2P

5X 40 Sq. Ft. Monument
 Part # 42MON5P

4X 35 Sq. Ft. Monument
 Part # 35MON4P











6X 43 Sq. Ft. Monument
 Part # 44MON6P

2X 51 Sq. Ft. Monument
 Part # 47MON8P

10X 59 Sq. Ft. Monument
 Part # 61MON10P

SCOPE OF WORK - INCLUDED		SCOPE OF WORK - NOT INCLUDED	
BUILDING	1. 2. 3. 4.	BUILDING	1. 2. 3. 4.
CANOPY	1. 2. 3. 4.	CANOPY	1. 2. 3. 4.
MID 1	1. NEW CUSTOM AMOCO MID ON NEW FOUNDATION 2. 3.	MID 1	1. 2. 3. 4.
MID 2	1. 2. 3. 4.	MID 2	1. 2. 3. 4.
ADDITIONAL SCOPE	1. INTERNAL ILLUMINATION 2. PAINT MID TO AMOCO SPEC 3. LIGHTBAR INCLUDED 4.	ADDITIONAL SCOPE	1. 2. 3. 4.

AMOCO COLOR SPECIFICATIONS		AMOCO COLOR SPECIFICATIONS	
VINYL MATCH	PAINT MATCH	VINYL MATCH	PAINT MATCH
 PMS 280 C AMOCO INVIGORATE	BLUE SATIN FINISH	 PMS 1235 C AMOCO YELLOW	NA
 NA	MP 100879 LAC-400 AMOCO BLUE - PLASTIC APPLICATION	 PMS 485 C AMOCO RED	NA
 NA	PMS 2145 AMOCO BLUE - METAL APPLICATION	 PMS BLACK	BLACK SATIN FINISH
 PMS PROCESS BLUE AMOCO LIGHT BLUE	NA	 PMS WHITE	WHITE SATIN FINISH

BRAND STANDARD REVISION DATE: 2/22/19

All provided image elements and/or services meet the current brand revision.
 The following image elements and/or services do not meet the current brand standard due to municipal code and/or specific site conditions.

CUSTOMER INITIALS

Initials _____

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IMAGE ELEMENTS™

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Altoona, PA 16601
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F: 814.949.8293
www.blairimage.com

PROJECT INFORMATION

CLIENT: AMO
ADDRESS: 501 E COUNTRY RD 6, ELKHART, IN 46514
M NUMBER: 92551
DATE: 08.17.20
RENDERED: JET
FILE NAME: AMO TEMPS90_20
CATEGORY:

REVISION

Drawing will expire 90 days after date an order. If production request is sent to after 90 days, 24 hours is required to review approval.



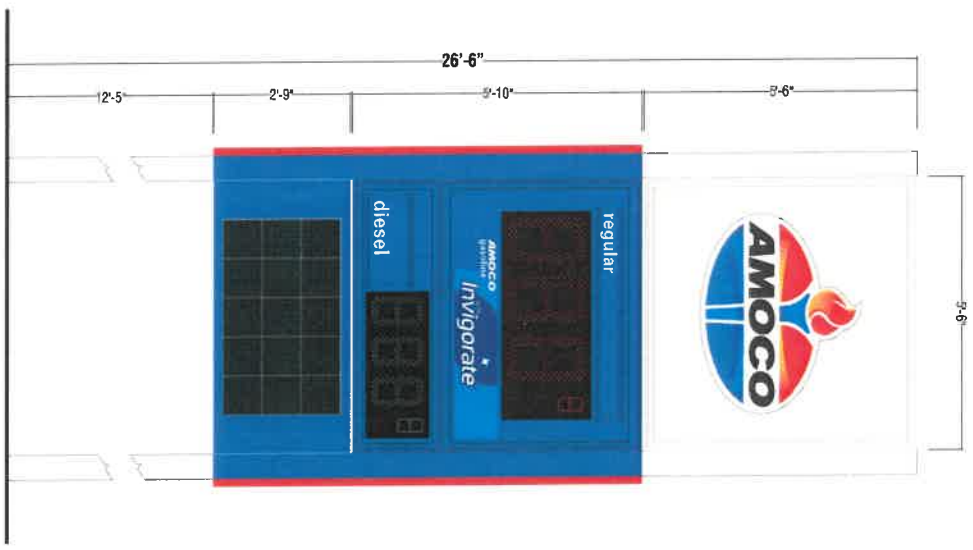
ACTION ITEMS REQUIRED PRIOR TO PRODUCTION
1. STAMPED AND SEALED REQUIRED

ADDITIONAL NOTES
1. TOTAL SQ FOOT: 77.45

CUSTOMER INITIALS
Initials _____

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PROPOSED 



PROJECT INFORMATION

CLIENT: AMO
ADDRESS: 501 E COUNTY RD 6, ELKHART, IN 46514
M. NUMBER: 92551
DATE: 08.17.20
RENDERED: .JGT
FILE NAME: AMO TEMP390L 20
CATEGORY: _____

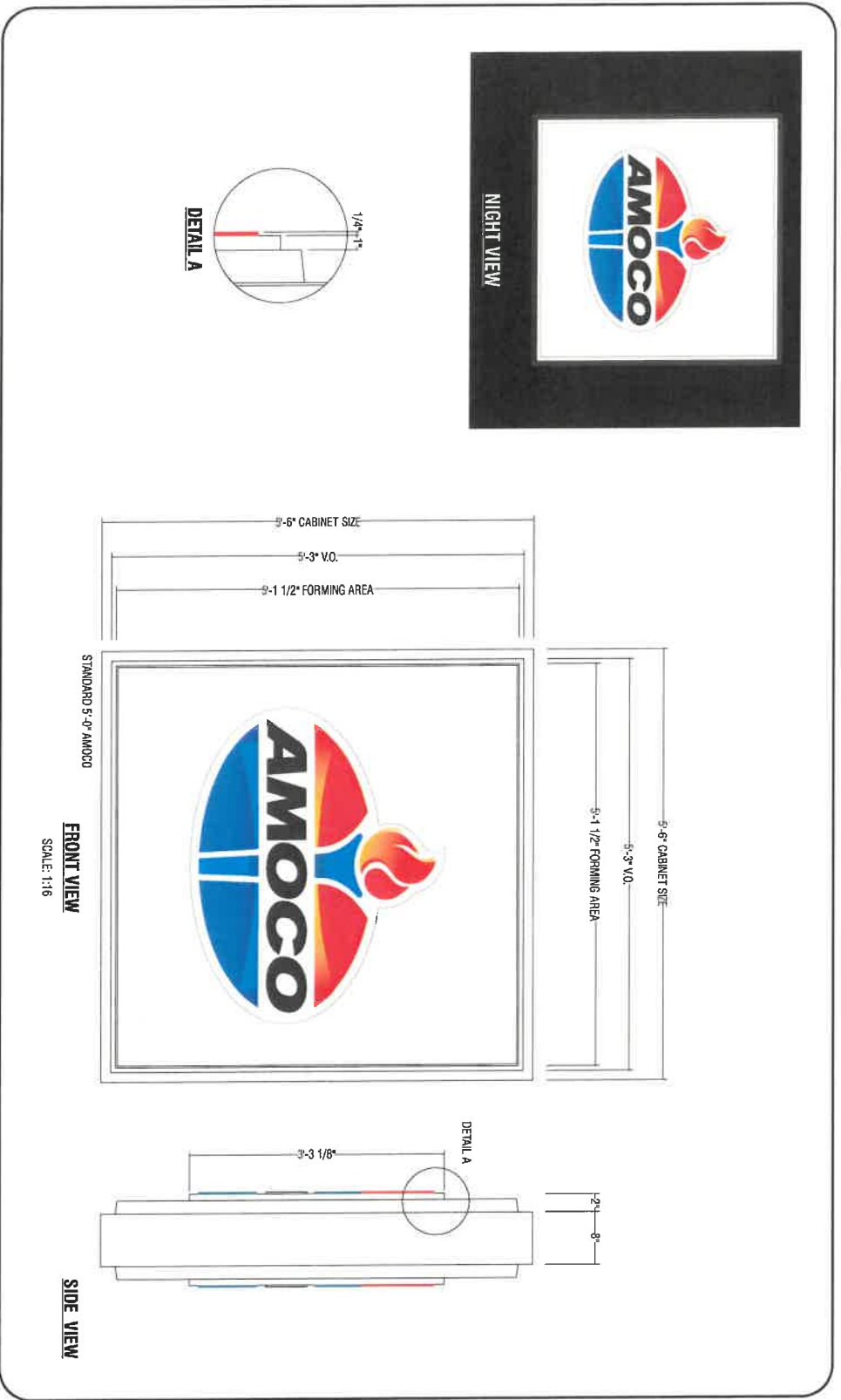
REVISION

Drawing will expire 90 days after date on cover. If production request is sent, it will be 30 days. 24 hours is required to review approval.



S-1

DETAIL - AMOCO HEAD



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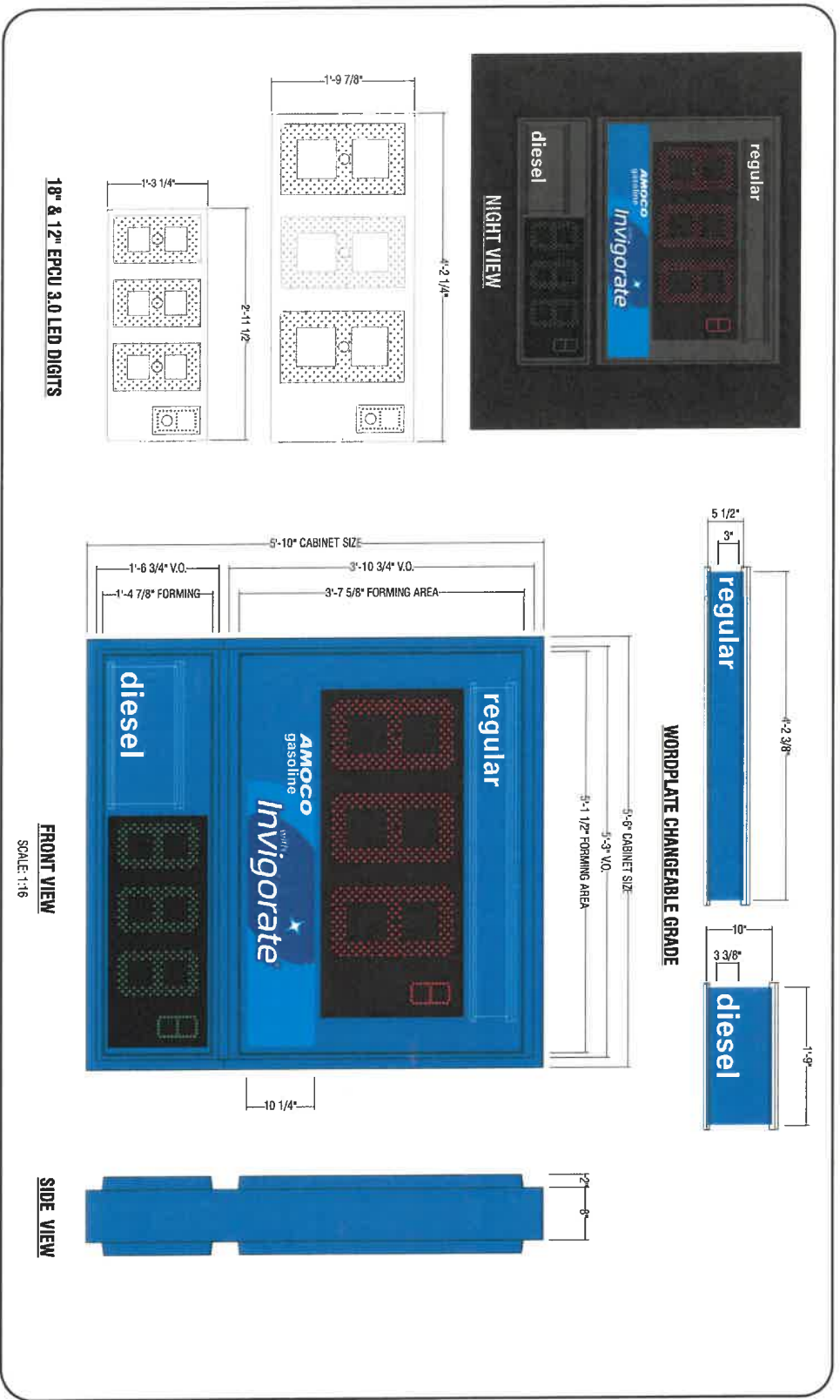
PROJECT INFORMATION

CLIENT: AMO
ADDRESS: 501 E COUNTY RD 6
ELKHART, IN 46514
M. NUMBER: 92551
DATE: 08.17.20
RENDERED: JGT
FILE NAME: AMO TEMP390_20
CATEGORY:

REVISION

Drawing will require all design effort done on screen. If production required to start by after 80 days, 24 hours is required to review and approve.





18" & 12" EPCU 3.0 LED DIGITS

FRONT VIEW
SCALE: 1:16

SIDE VIEW

CUSTOMER INITIALS

Initials

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PROJECT INFORMATION

CLIENT: AMO

ADDRESS:
501 E COUNTY RD 6
ELKHART, IN 46514

M NUMBER:
92551

DATE:
08.17.20

RENDERED:
JGT

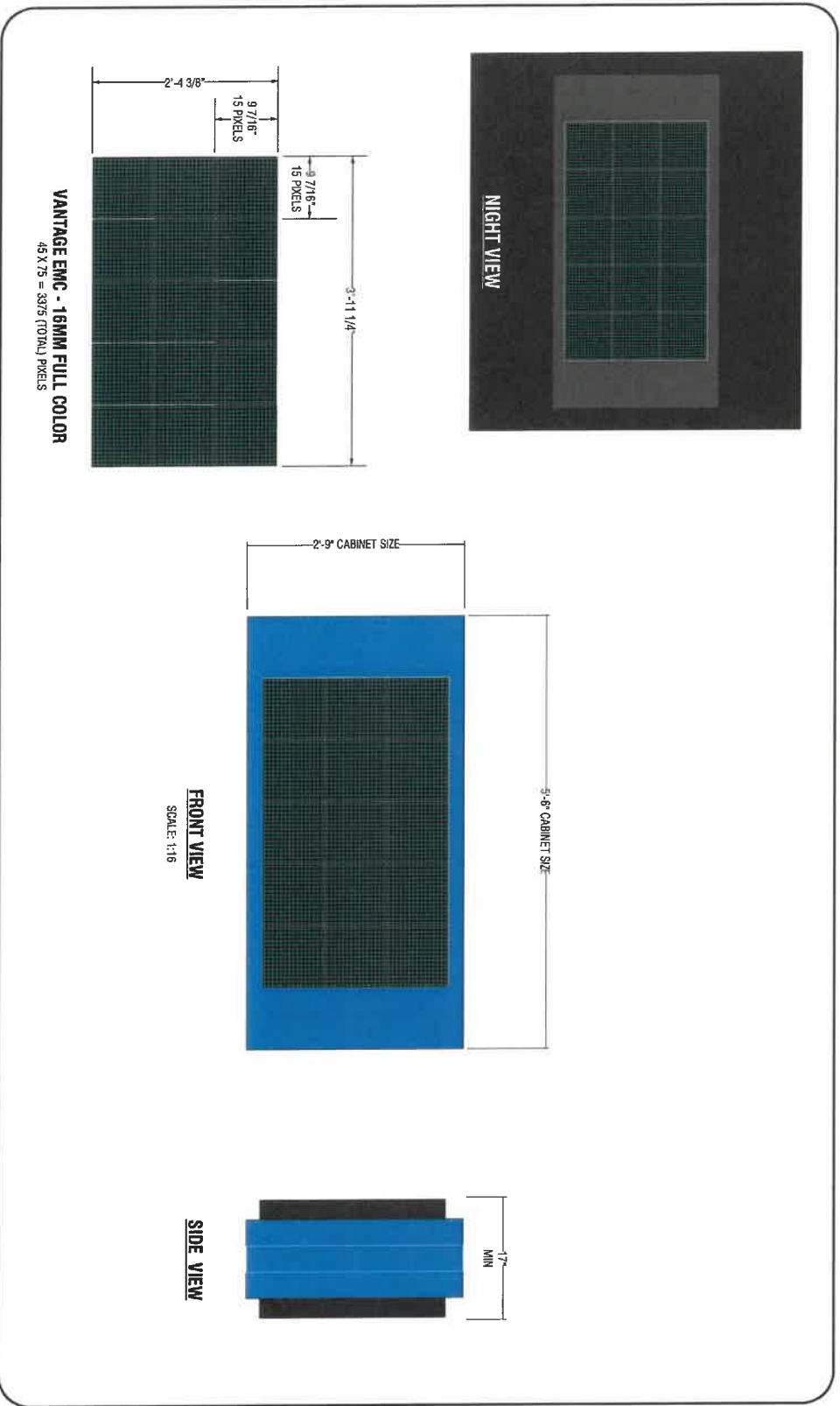
FILE NAME:
AMO TEMP 390_20

CATEGORY:

REVISION

Drawing will require 88 days after date on cover. If production required to start in after 90 days 24 hours is required to review approval.





CUSTOMER INITIALS
Initials _____

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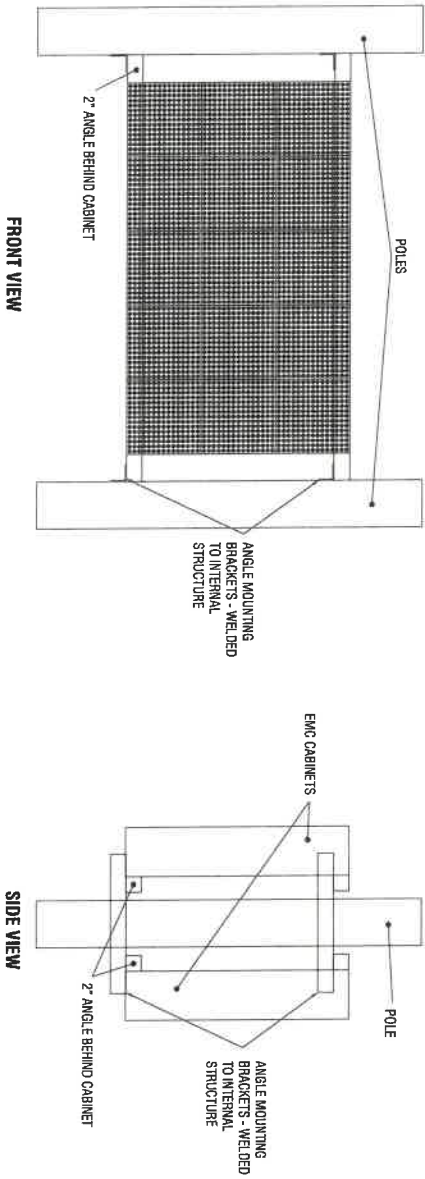
PROJECT INFORMATION

CLIENT: AMO
 ADDRESS: 501 E COUNTY RD 6, ELKHART, IN 46514
 M NUMBER: 92951
 DATE: 08.17.20
 RENDERED: JGT
 FILE NAME: AMO TEMP390_20
 CATEGORY:

REVISION

Drawing will expire 90 days after date in issue. If production request is sent after 90 days, 24 hours is required to review approval.





CUSTOMER INITIALS

Initials

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www.blairimage.com

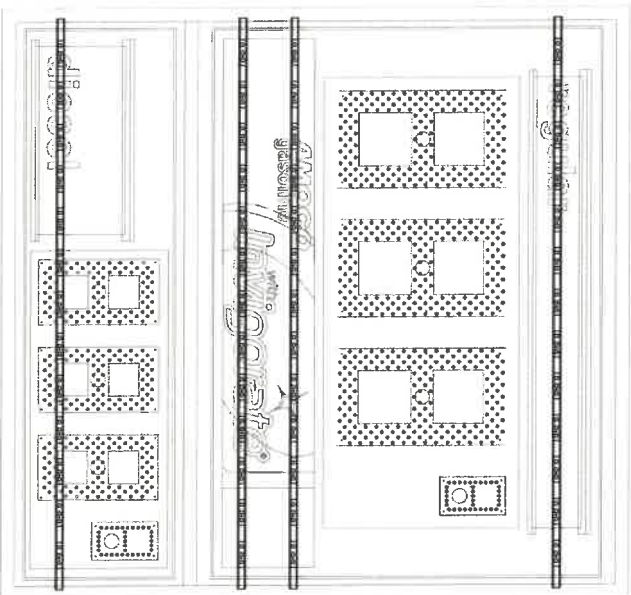
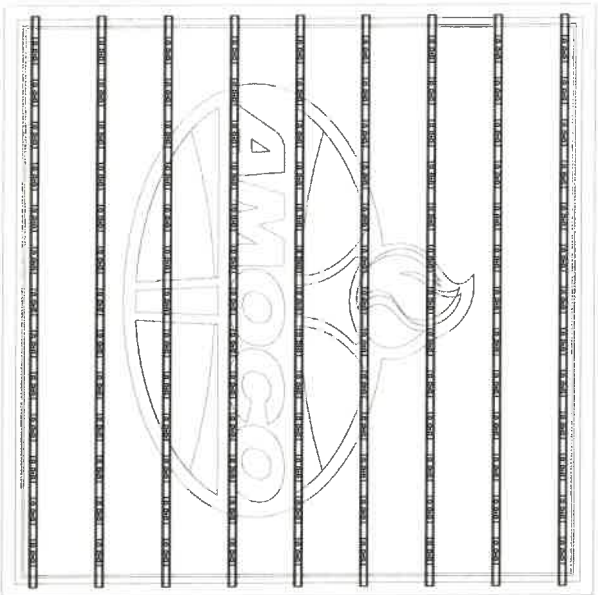
PROJECT INFORMATION

CLIENT: AMO
ADDRESS: 501 E COUNTY RD & ELKHART IN 46514
M NUMBER: 32651
DATE: 08.17.20
RENDERED:
JGT
FILE NAME: AMO TEMP390L_20
CATEGORY:

REVISION

Drawing will expire 90 days after date on cover. If production request is sent to after 30 days, 24 hours is required to review approval.





INTERNAL ILLUMINATION

CUSTOMER INITIALS

Initials

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PROJECT INFORMATION

CLIENT: AMO

ADDRESS:
501 E COUNTY RD. A,
ELMHART, PA 16814

M NUMBER:
92551

DATE:
08.17.20

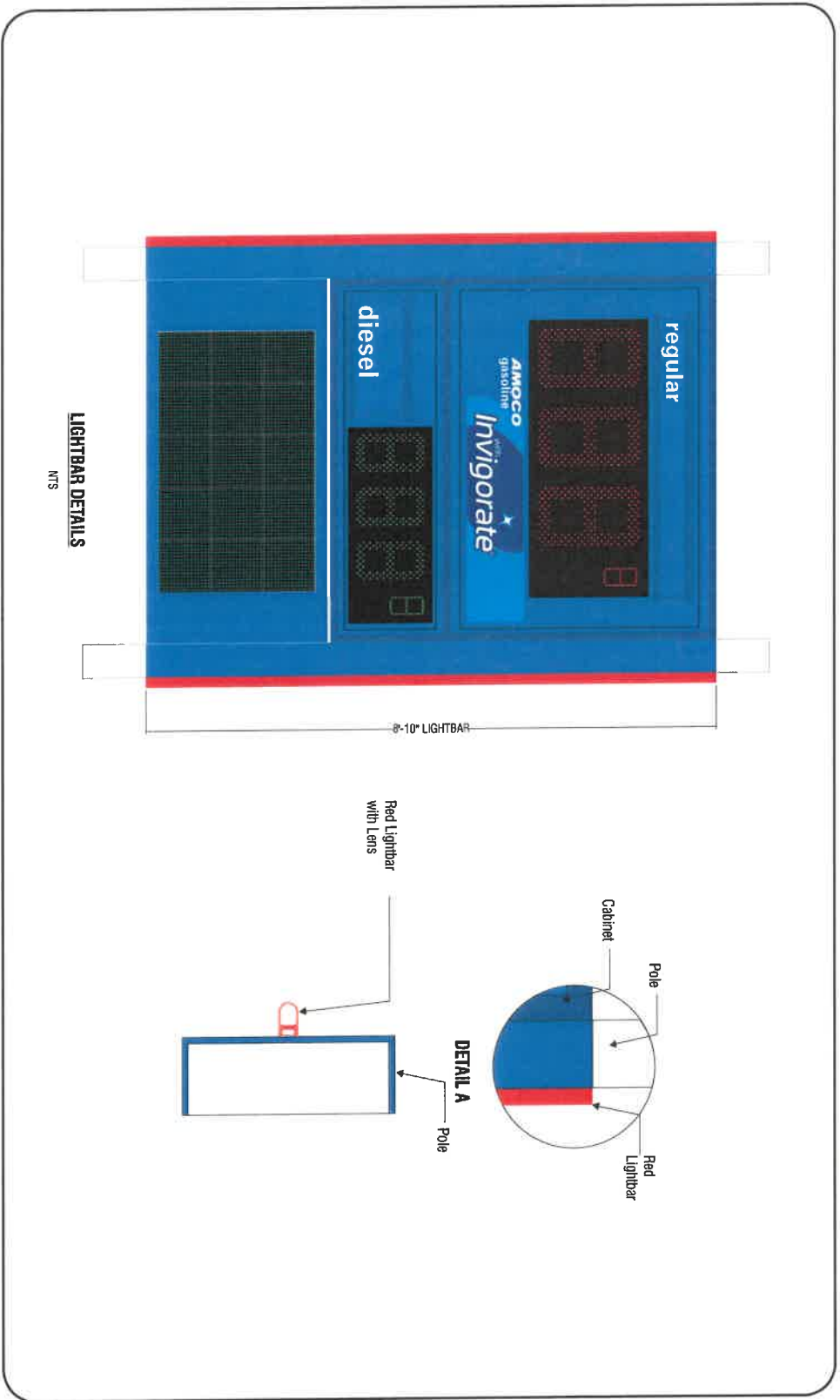
RENDERED:
JGT

FILE NAME:
AMO TEMP390_20

CATEGORY:

REVISION

Drawings will expire 90 days after date of issue. If production request is made within 90 days, 24 hours is required for review approval.



CUSTOMER INITIALS
Initials _____

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Companies. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Companies.



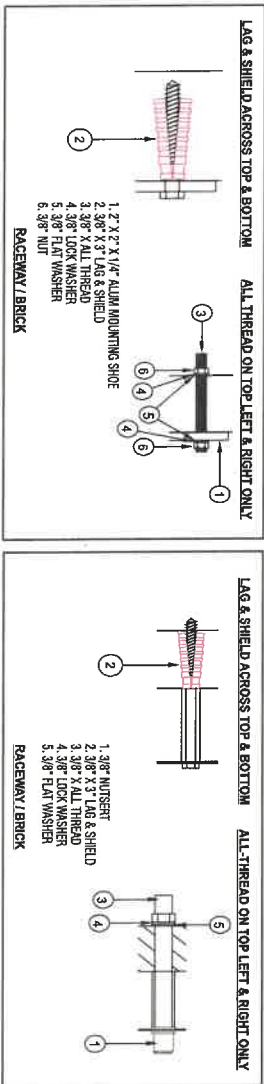
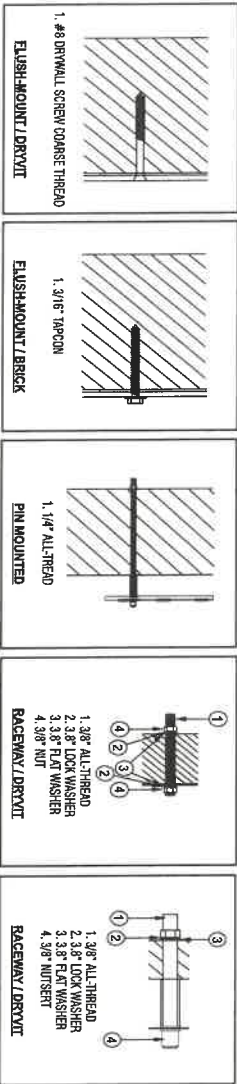
Drawing will apply 80 Blair after sale and 20 Blair if production request is sent to Blair within 30 days of required approval.

PROJECT INFORMATION
 CLIENT: AMO
 ADDRESS: 501 E COUNTY RD 6, ELKHART, IN 46514
 M NUMBER: 92551
 DATE: 08/17/20
 RENDERED: JST
 FILE NAME: AMO TEM 590_20
 CATEGORY:

blair
 IMAGE ELEMENTS™
 5107 Kissell Ave.
 Altoona, PA 16601
P: 814.949.8287
 F: 814.949.8293
 www.blairimage.com

REVISION

INSTALLATION EXAMPLES



All necessary hardware to be supplied by the installer.

Service contact: 814-283-2177

Service hours: 8:00 am to 4:30 pm est, Monday -Friday

For after hours/holiday emergencies, please call 800-563-9598

www.blaircompanies.com/psupport

SAFETY CRITERIA

All employees are recommended to possess a valid API certification, follow the established guidelines set forth by API as well as follow any local, state, or federal laws.

- Perform a Pre-Task Job Safety Analysis
- Understand how and where to obtain First-Aid and Medical treatment, including CPR.
- Use the proper level of PPE per the assigned task.

- Only use tools that are in safe working order before using them.
- Always use tools for their intended purpose and never over their safe working limit.
- Employees operating vehicles must conform to all DOT requirements as well as API regulations.
- Use proper fall arrest equipment.
- Understand the requirements for working at height on a job site.
- Properly barricaded the work area from the public in accordance with Section 8 of the API guidelines.
- Only competent and trained people using approved equipment in a manner in accordance with Section 10 of the API guidelines should perform lifting duties.
- Follow all approved lock-out tag-out policies when de-energizing equipment.

Examples of Equipment Include: Personal Protective Equipment, Barricade, Crane, Hoist, Bucket Truck, Scissor Lift, Ladder, Vinyl Applicators (Squeegee or Application Liquid), Welder/Torch and Hand Tools/Power Tools

CUSTOMER INITIALS

Initials

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PROJECT INFORMATION

CLIENT: AMO

ADDRESS:
501 E COUNTY RD 6
ELKHART, IN 46514

M. NUMBER:
92951

DATE:
08.17.20

RENDERED:
JST

FILE NAME:
AMO TEM#90.20

CATEGORIES:

REVISION

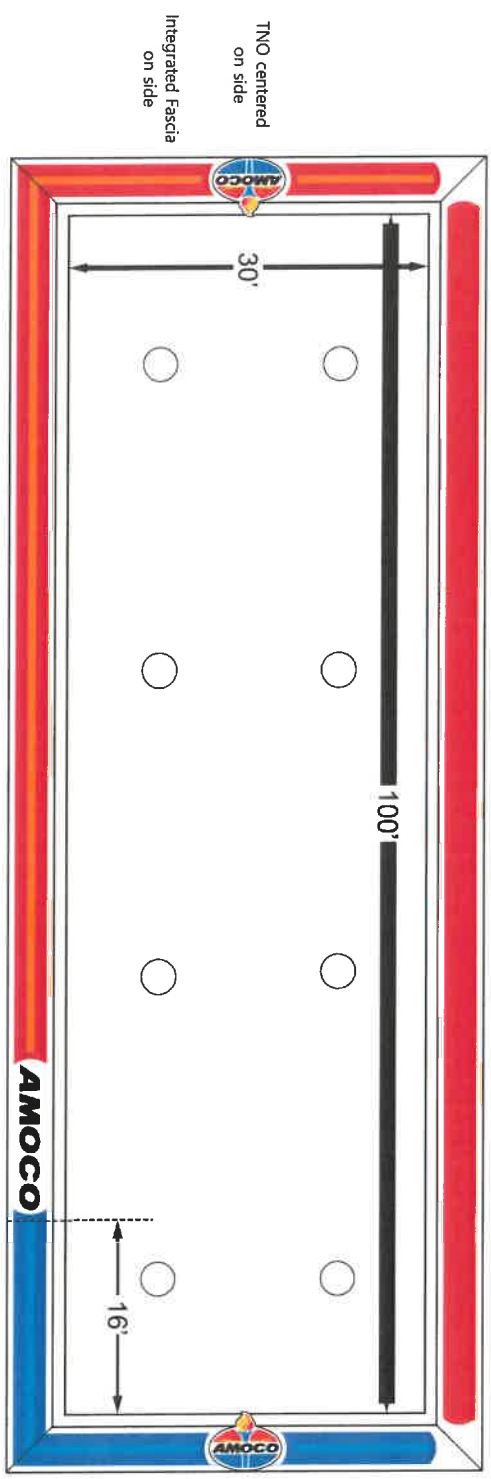
Drawing will expire 90 days after date on cover. If production required is sent in after 90 days, 24 hours is required to renew approval.



BGB INTEGRATED CANOPY APPROVAL DRAWING - FASCIA 49" - SOUTH BEND, IN

GEN 2

Flat panels with bullnose
decal applied to face



AVTEN RD

IN-933

FEDERAL HEATH
VISUAL COMMUNICATIONS

Signoff indicates that the above product has been permitted with any municipalities involved. By signing this document, the product will be manufactured to these specifications.

Approved By _____
Date _____

STATION	1046500
ADDRESS	51519 IN-933
CITY/STATE	SOUTH BEND, IN 46637
REVISION-3	09/02/2020 - CP









800-AAA-HELP



Rick's

AUTEN RD
Service Center

574-277-5035

SOUTH BEND, IN.





Board of Zoning Appeals Application USE VARIANCE

City Planner
David Heinold, AICP
www.cityoflaporte.com

City Hall
801 Michigan Ave
La Porte, IN 46350
(219) 362-8260

For Office Use Only

Fee: 80⁰⁰ Receipt: 472

File Date: 11/22/2022 File #: 2022-VAR-10

Site Review: 11/30/2022

Date of BZA mtg: 12/13/2022

Decision: _____

This application is being submitted for a Use Variance

Applicant

Name Mandeep Singh

Street Address 6520 Lake Crest Circle

City, State, Zip South Bend, IN 46625

Primary Contact regarding this petition David Ambers

Phone 219 325-9917 Email david.ambers@amberslaw.com

Engineer Preparing Plans _____ Email _____

Others to be Notified _____ Email _____

Applicant is (check one) Sole Owner Joint Owner Tenant Agent Other _____

Property Owner (if different than above)

Name Great Development, LLC Greg Engstrom

Street Address 1415 Lincolnway Phone 219-406-8155

City, State, Zip Valparaiso, IN 46383 Email gregengstrom@hotmail.com

Premises Affected

Parcel ID Number Part of 46-11-06-101-118.000-058

Address or General Location 2437 Monroe Street

Total Acreage TBD - Approx. .5 acres Flood Zone? _____

Zoning B1 Land Use Commercial Retail

Request Small Grocery Store - Gasoline

Zoning of Adjacent Properties	North: <u>B1</u>	South: <u>B1</u>	East: <u>B1</u>	West: <u>B1</u>
Land Use of Adjacent Properties	North: <u>-</u>	South: <u>Church</u>	East: <u>Cafe</u>	West: <u>Commercial</u>

The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant

Signature of Notary

Kathy A. Podkul

Notary Public's Name (printed)

Subscribed and sworn to before me this 22nd day of 2022



Form 1: Affidavit of Notification

Submit this Form seven days prior to the hearing along with proof of publication.

I (we) David Ambers, Attorney at Law

After being first duly sworn, depose and say:

- That I have sent advertisement for such petition to the legal newspapers for the City of La Porte as required by Indiana Code 36-7-4-920 and 5-14-1.5;
- That I have notified all owners of property as required by the Zoning Ordinance at taxpayer address of the filing of the petition and of the nature of said application, as directed in the application packet "Notifying the Public" which is part of the Rules and Procedures of the Board of Zoning Appeals as described;
- That the said property owners were notified that the Board of Zoning Appeals will hold a public hearing regarding this application on the date of December 13, 2022, at or after 6:00 PM; and
- That the proof of publication for each legal newspaper and list of adjacent property owners are included as a part of this Affidavit.

And further the Affiant sayeth not.

STATE OF INDIANA)
) SS:
COUNTY OF LaPorte)

Subscribed and sworn to before me this 22nd day of November, 2022.

Kathy A. Podkul, Notary Public

My Commission expires: 10/16/2026

County of Residence: LaPorte



**LIST OF ADJACENT PROPERTY OWNERS
(NOTIFIED BY CERTIFIED MAIL)**

RICHARD WELCH AND JOAN WELCH TRUST
124 SAGAMORE PKWY
LAPORTE, IN 46350

DWIGHT CARLSON AND CATHERINE CARLSON
3467 N. HOGAN DRIVE
GOODYEAR, AZ 85338

ARLENE SOLMOS LIFE ESTATE
MICHAEL SOLMOS AND MICHELE ZWICKI, JTWROS
120 SAGAMORE PKWY
LAPORTE, IN 46350

PHYLLIS MARKS LIFE ESTATE
MARY KAY KUKLA AND JAN RIBORDY JTWROS
118 SAGAMORE PKWY
LAPORTE, IN 46350

DANIEL WINEHOLT UND ½ INT.
AND SUSAN J. WINEHOLT REV TRUST ½ UND
116 SAGAMORE PKWY
LAPORTE, IN 46350

ARTHUR ROULE AND GERTRUDE ROULE
114 SAGAMORE PKWY
LAPORTE, IN 4630

DALE PETERSON LIFE ESTATE INT.
CATHERINE DEWITT PETERSON
112 SAGAMORE PKWY
LAPORTE, IN 46350

SAGAMORE LEASING LLC
217 WHISPERING BLVD
LAPORTE, IN 46350-3592

CPC HOLDINGS LLC
504 LEGACY PLAZA WEST
UNIT 3
LAPORTE, IN 46350-5254

CYRESS MEDICAL LLC
5534 SAINT JOE ROAD
FORT WAYNE, IN 46835

KOMASINSKI ENTERPRISES LLC
106 LEGACY PLAZA WEST
LAPORTE, IN 46350-5298

KIRKHAM CLINIC LLC
2504 MONROE STREET
LAPORTE, IN 46350-5241

CHURCH GRACE BAPTIST
2502 MONROE STREET
LAPORTE, IN 46350-5241

GREAT DEVELOPMENT LLC
1415 LINCOLNWAY
VALPARAISO, IN 46383-5825