



City of La Porte Board of Zoning Appeals Meeting Agenda	
Tuesday, February 13, 2024 at or after 6:00 PM Immediately upon conclusion of the 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. Election of Officers for 2024 (Chair and Vice Chair)

ITEM 4. Approval of Minutes: December 12, 2023 Meeting Minutes

ITEM 5. Findings of Fact Letter: December 12, 2023 Findings of Fact Letter

ITEM 6. **USE VARIANCE #24-01 PETITION: TO ALLOW FOURTEEN (14) RESIDENTIAL TOWNHOMES IN THE B2 GENERAL COMMERCIAL DISTRICT; and VARIANCE TO ALLOW REDUCTION OF THE SIDE YARD SETBACK TO ZERO FEET**

Applicant: G.M. Fedorchak & Associates, Inc. (Jerry Fedorchak)

Property Owner: Infinite Commercial Development, LLC (same as applicant)

Location: 145 Eastshore Parkway

Staff Report: David Heinold

ITEM 7. Old Business

ITEM 8. New Business

ITEM 9. Other Business

- a. Public Comments on Non-Agenda Items

ITEM 10. Adjournment



City of La Porte Board of Zoning Appeals Meeting Minutes	
Tuesday, December 12, 2023 at 6:00 PM	
City Hall Council Chambers, 801 Michigan Ave.	
www.cityoflaporte.com	(219) 362-8260

A meeting of the City of La Porte Board of Zoning Appeals (“BZA”), was held at City Hall on Tuesday, December 12, 2023 at the hour of 6:00 PM, (“local time”), pursuant to notice duly given in accordance with the rules of the Commission and the Indiana Open Door Law.

ITEM 1. Call Meeting to Order

The meeting was called to order by Vice Chair Brian Kajer at 6:18 PM.

ITEM 2. Roll Call & Determination of Quorum

On a call of the roll, the members of the BZA were shown to be present or absent as follows:

Members Present:	Members Absent:	Staff Present:
Brian Kajer, Vice Chair	Pete Saunders, Chair	Mark Worthley, BZA Attorney
Drew Buchanan	Vickie Gushrowski	David Heinold, City Planner
Mark Danielson		Craig Phillips, CDP Director

ITEM 3. Approval of Minutes: November 14, 2023 Meeting Minutes

Vice Chair Brian Kajer called for any changes or corrections to the November 14, 2023 Meeting Minutes. There being no changes or corrections to the meeting minutes, Drew Buchanan made a motion to **approve the November 14, 2023 Meeting Minutes** and the motion was seconded by Mark Danielson. The motion passed 3-0.

ITEM 4. USE VARIANCE #23-22 PETITION: To Allow Certain Uses and Conditions listed in the attached list of uses and conditions letter submitted as part of the Use Variance #23-22 Petition

Applicant: Great Development, LLC (Todd A. Leeth, Attorney Representative)

Property Owner: same

Address: 2435 & 2437 Monroe Street

Staff Report: David Heinold

Applicant Presentation

Todd Leeth, Attorney Representative for Great Development, LLC, identified himself as the applicant's legal representation for the use variance petition. Mr. Leeth explained the use variance petition request and the history of the existing buildings on the subject property. He further mentioned that the current buildings are not suitable for present day land uses. Mr. Leeth explained that the applicant would like to put the buildings to better use. The proposed use variance petition would expand the number of allowable uses, including a wedding venue on the east end. He explained that a majority of the building frontage space are great for retail uses; however, some uses are appropriate for the back half of the existing warehouse-type buildings. He continued to mention that they chose the types of uses they thought were low impact, mixed use that allow for business incubator offices and contractor shops without outdoor storage to limit external impact on adjacent properties. He mentioned that the current zoning for the subject property does not allow flexibility for the large buildings and the characteristics of the site itself.

Mr. Leeth introduced Tony Carr with Chester Inc. who provided architectural services for the proposed building renovations. Tony Carr, Chester Inc., showed an image of the building to the board members and audience. Mr. Carr explained the site plan and landscape plan for the proposed building renovations.

Greg Engstrom, property owner, explained the size of the existing buildings and the breakdown of leased and vacant space. Mr. Engstrom explained to the board members the need for an event venue that has ample parking, no stairs, and high ceilings.

Drew Buchanan asked if the petitioner has owned the building since Bernacchi's operated at this site. Mr. Engstrom mentioned that there were two other owners before he purchased the properties around 2003.

Drew Buchanan questioned if the uses were similar to Bernacchi's operation. Mr. Engstrom explained that there are truck deliveries next door to the Little Caesar's and Dollar General stores.

Mr. Engstrom mentioned that Phoenix Glass is interested in leasing part of the building for their operations with glass and steel for storefront buildings. He continued to mention that there is also an interested in a home repair business for cabinets/counters/tools.

Staff Presentation

David Heinold, Assistant City Planner, explained the staff report and recommendation for the use variance petition to allow certain uses and conditions listed in the attached uses and conditions letter submitted as part of the Use Variance #23-22 Petition.

Public Comment

Vice Chair Brian Kajer opened the meeting to public comment and called for public comments either for or against the variance petition.

Christopher Willoughby, 126 East 5th Street, identified himself as the attorney with Braje, Nelson, & Janes Law Firm representing the Sagamore Condo Association on Sagamore Parkway to the north of the subject property. Mr. Willoughby presented a flaw with the notice document his clients received as well as the notice for newspapers. He explained that the notice listed Plan Commission instead of the Board of Zoning Appeals. Mr. Willoughby continued to mention that there are three uses listed in the use variance petition that special exception uses listed in the B1 Neighborhood Commercial District and should not be allowed as part of the use variance petition considered by the Board of Zoning Appeals.

BZA Attorney Mark Worthley explained the zoning ordinance notification procedures and that this is not an illegal meeting. Mr. Worthley explained that the notice clearly states the use variance petition and contains all of the required information for the date, time, and place of the public hearing. Mr. Worthley explained that the Plan Commission and Board of Zoning Appeals usually meet on the same day.

Craig Phillips, Community Development & Planning Director for the City of La Porte, explained that City staff is comfortable with continuing with the public hearing for this use variance petition as described in the required notice to property owners and newspapers.

Todd Leeth stated that he understands the notice issue brought forth by Mr. Willoughby, but explained that the property owners were notified of the date, time, and place of the public hearing regarding this use variance petition as described in the notice documents. Mr. Leeth stated that they would remove the restaurant with accessory drive-through if there is a hold up and may file a separate special exception use petition at a later date for this use.

Drew Buchanan stated that he is comfortable with continuing the meeting given the issues presented, but would like to hear from Craig Phillips about this matter.

Mr. Phillips explained that City staff is not comfortable with the three uses presented in the use variance petition that are currently special exception uses in the B1 Neighborhood Commercial District.

Mr. Leeth stated that he would like to proceed with the use variance petition because the standard is higher for a use variance petition.

Drew Buchanan asked if the petitioner would be comfortable with removing the three special exception uses from the use variance petition.

Mr. Leeth stated that the applicant is okay with removing the three special exception uses from consideration of the use variance petition.

Mr. Worthley acknowledged that the applicant would like to remove the three special exception uses from consideration of the use variance petition and asked the board members if they are comfortable with continuing the public hearing with this revision in the use variance petition.

The board members concurred that they are comfortable within continuing the public hearing on the use variance petition with the exception of the three special exception uses.

Christopher Willoughby explained that the current property owners came to this problem and mentioned that they have not proved hardship on one of the criteria for granting the use variance petition as required by the zoning ordinance. Mr. Willoughby mentioned that there are about 80 land uses available to this site and that they have only presented their financial plan for the subject property. He further explained details from prior case law about use variance petitions.

Bert Cook, Executive Director for the La Porte Economic Advancement Partnership, explained the background of this use variance petition request and that this has been thought through for what can happen on this site. He continued to mention that City staff has worked with the applicant to develop a list of uses and conditions that provide the least amount of impact on surrounding residential properties and existing businesses.

Vice Chair Brian Kajer called for additional public comment. There being no further public comment, Vice Chair Brian Kajer closed the floor to public comment.

Applicant Response

Todd Leeth acknowledged that the applicant came to this problem on the subject property, but he mentioned that this property was developed in the 1970s and zoning doesn't allow adequate use of the land. Mr. Leeth

mentioned that they chose to pair back the list of uses and be selective for limiting the external impacts on surrounding properties. He continued to mention that they also proposed a list of reasonable uses that fit with the general area. Mr. Leeth explained that the subject property is located on a state highway and that the use variance petition request fits with the existing site. He stated that the struggle with the development of the subject property is the size of the existing buildings doesn't allow adequate use of the site.

Mark Danielson asked Craig Phillips if City staff is satisfied with the use variance petition.

Craig Phillips explained that City staff is comfortable with approval of the use variance petition with the exception of the currently listed special exception uses in the B1 Neighborhood Commercial District. Mr. Phillips also mentioned that the notice is adequate for the use variance petition.

BZA Attorney Mark Worthley stated that he is comfortable with continuing with the use variance petition with the exception of the currently listed special exception uses in the B1 Neighborhood Commercial District as well.

Drew Buchanan questioned what the board is currently considering with the use variance petition with regard to the event center hours of operation.

Mr. Worthley explained the applicant has presented the use variance petition and the City staff comments were presented to the board. Mr. Worthley explained that the applicant presented their request to allow the event center open until midnight with no music past 11 pm and City staff recommended limiting the hours to 11 pm.

Mark Danielson asked for clarification that the applicant is requesting to eliminate three of the uses listed with the use variance petition.

Mr. Worthley explained that is correct, but mentioned one more special exception use should also be removed. He mentioned that the use Offices, general and professional with accessory research and testing is already a permitted use and should also be removed from the list of uses in the use variance petition.

Mark Danielson questioned for clarification on the exceptions for the list of uses in the use variance petition.

Mr. Worthley explained that the list of exceptions for the use variance petition include the following: Retail uses w/ accessory drive through service, Parts stores, Restaurant and taverns w/ outdoor seating, and Offices, general and professional with accessory research and testing.

Drew Buchanan mentioned that he agrees that the whole property should be zoned B2, but there wouldn't be a need for a Board of Zoning Appeals if everything was perfectly aligned at the time the property was zoned. Mr. Buchanan stated that he supports the approval of the use variance petition with the four exceptions to the list of uses and conditions submitted as part of the Use Variance #23-22 Petition.

There were no further comments from the applicant or the Board of Zoning Appeals members.

Board Discussion/Action

Drew Buchanan made a motion to **approve the Use Variance #23-22 with staff recommended conditions including the four exceptions to the list of uses and conditions letter submitted as part of the Use Variance #23-22 Petition and a revision to the hours of operation for the Event Venue until 12 Midnight with no music past 11:00 pm** and the motion was seconded by Mark Danielson. The motion passed 3-0.

Use Variance #23-22 – Approved with the following conditions:

- 1.) That no outdoor storage be allowed with the list of certain uses and conditions attached as part of the Use Variance #23-22 Petition at any time.

2.) That the list of certain uses and conditions attached as part of the Use Variance #23-22 Petition shall be limited to the following hours of operation as specified below:

- a. That the hours of operation for the following list of uses shall be from 7:00 am to 6:00 pm:
 - i. Furnace/air conditioner sales/service
 - ii. Glass sales & service (indoor only and permitted in existing building footprint)
 - iii. Marine accessory shops
 - iv. Cleaning services
 - v. Repair shops, nonautomotive
 - vi. Medical laboratories
 - vii. Driving schools (for passenger vehicles only, no truck schools)
 - viii. Training centers, engineering or sales
 - ix. Sales and repair of LSVs (e.g. golf carts and scooters) and bicycles
- b. That the hours of operation for the following list of uses shall be from 7:00 am to 9:00 pm:
 - i. Mail order business
 - ii. Monument establishments – including accessory open sales lots
 - iii. Secondhand stores and rummage shops
 - iv. Contractors' office and shops (excluding outdoor storage)
- c. That the hours of operation for the following list of uses shall be from 7:00 am to 12:00 midnight with the exception that music end at 11:00 pm:
 - i. Conference and convention halls

ITEM 6. Old Business

There was no old business.

ITEM 7. New Business

There was no new business.

ITEM 8. Other Business

A. Public Comments on Non-Agenda Items

There was no public comment on non-agenda items.

ITEM 9. Adjournment

Mark Danielson made a motion to **adjourn** and the motion was seconded by Drew Buchanan. The motion to **adjourn** passed 3-0. The meeting was **adjourned** at 7:44 pm.

Brian Kajer, Vice Chair

David Heinold, Secretary

December 13, 2023

Hon. Tom Dermody
Mayor
City of La Porte
801 Michigan Avenue
La Porte, Indiana 46350

Re: December 12, 2023 Regular Meeting of the City of La Porte Board
of Zoning Appeals

Dear Mayor Dermody,

At the December 12, 2023 meeting of the City of La Porte Board of Zoning Appeals, Todd Leeth for Great Development LLC presented a petition for use variance located at 2435 and 2437 Monroe Street. The use variance was approved with the condition that a 100-foot setback be established along the northern property line and that the following hours of operation shall be as specified below:

- a. That the hours of operation for the following list of uses shall be from 7:00 am to 6:00 pm:
 - i. Furnace/air conditioner sales/service
 - ii. Glass sales & services (indoor only and permitted in existing building footprint)
 - iii. Marine Accessory shops
 - iv. Cleaning services
 - v. Repair shops, nonautomotive
 - vi. Medical laboratories
 - vii. Driving schools (for passenger vehicles only, no truck schools)
 - viii. Training centers, engineering or sales
 - ix. Sales and repair of LSVs (e.g. golf carts and scooters) and bicycles
- b. That the hours of operation for the following list of uses shall be from 7:00 am to 9:00 pm:
 - i. Retail uses w/ accessory drive through service
 - ii. Mail order business
 - iii. Monument establishments – including accessory open sales lots
 - iv. Secondhand stores and rummage shops
 - v. Parts stores
 - vi. Contractors' office and shops (excluding outdoor storage)

- c. That the hours of operation for the following list of uses shall be from 7:00 am to midnight with music concluding at 11:00 pm:
- i. Restaurant and taverns w/ outdoor seating
 - ii. Conference and convention halls

The Petition, Meeting Minutes, Notice documentation, Findings of Fact, and all other items presented to the Board of Zoning Appeals are attached to this letter.

Thank you,



Mark Worthley | Attorney at Law

cc: David Heinold & Nick Otis

Findings of Fact

Petitioner: Great Development, LLC, by Todd Leeth

Address: 2435 and 2437 Monroe Street, La Porte, Indiana, 46350

Use Variance:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because the proposed use will not negatively impact surrounding properties which are commercial in nature, and the expansion of the permitted uses for the petitioner are consistent with the currently existing businesses along Monroe Street and are compatible with the neighboring area.
2. The use, value, and development of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because the proposed use is consistent with existing properties.
3. The need for the variance arises from some condition peculiar to the property involved, specifically Petitioner's lot is located directly adjacent to a highway and has several large structures on the premises which are substantially larger than the needs of potential businesses permitted under many of the B1 zoning uses.
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because of the size and layout of existing buildings on the subject property cannot be completely leased without an expansion of the permitted uses.
5. The approval does not interfere substantially with the Comprehensive Land Development Plan because the character of the community will not be affected by the granting of the variance.



ITEM 6. Use Variance # 24-01 Petition to Allow Fourteen (14) Residential Townhomes in the B2 General Commercial District; and **Variance Petition** to Allow Reduction of the South Side Yard Setback to Zero (0) Feet

Type of Request: Use Variance

Staff Report: David Heinold

APPLICANT

Name – G.M. Fedorchak & Associates, Inc. (Jerry Fedorchak)

PROPERTY OWNER

Name – Infinite Commercial Development (same as applicant)

PREMISES AFFECTED

Parcel Number – 46-06-26-177-001.000-043				
Actual/approximate address or location from major streets – 145 East Shore Parkway				
Total Acreage – 1.11 acres		Flood Zone on Site? - No		
Zoning of Subject Property – B2		Use of Subject Property – Vacant Lot		
Zoning of Adjacent Properties	North: R1B/R2A	South: B2	East: R1B	West: B2
Land Use of Adjacent Properties	North: Residential	South: Health Foundation of La Porte	East: Residential	West: Multi-Unit Office Buildings

SUMMARY: The petitioner proposes to allow construction of fourteen (14) residential townhomes in the B2 General Commercial District as part of Use Variance #24-01 Petition. The petitioner is also requesting a variance of development standards to reduce the south side yard setback to zero (0) feet.

HISTORY OF SITE: Per the site aerial image, the total parcel is 1.11 acres and is currently zoned B2 (General Commercial District). Historically, the property has been a vacant lot. The western portion of the subject property has multi-unit office buildings. The subject property requires a use variance petition to allow fourteen (14) residential townhomes in the B2 General Commercial District as part of the Use Variance #24-01 Petition. The petition also requires a

reduction in the south side yard setback to zero (0) feet along a shared property line with the City of La Porte utility lift station located at the corner of West McClung Road and East Shore Parkway to accommodate the proposed residential townhomes.

DESCRIPTION OF PROPOSED USE VARIANCE:

The petitioner is requesting a use variance to allow the construction of fourteen (14) residential townhomes in the B2 General Commercial District as part of the Use Variance #24-01 Petition. The petitioner is also requesting a variance of development standards to reduce the south side yard setback to zero (0) feet.

STATEMENT OF COMPLIANCE: Section 7.02 allows for the use and development of land and buildings only for the following list of permitted uses in Table 7.02 of the 2017 City of La Porte Revised Joint Zoning Ordinance, unless otherwise provided for in this Ordinance.

SITE REVIEW FINDINGS: Site review was held on February 7, 2024 and the meeting notes are attached to the staff report for review of City staff comments on the proposed development.

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 the construction of fourteen residential townhomes will not be injurious to the public health, safety, morals, and general welfare of the community. The approval of residential townhomes will allow efficient use of the subject property to achieve the goals and objectives of the Countywide Land Development Plan to allow residential and commercial infill development that is consistent with established neighborhood patterns and character. The proposed residential townhomes within the B2 General Commercial District are compatible with existing single family dwellings, townhomes, offices, and institutional land uses on properties in the immediate vicinity. The approval of a variance request to reduce the side yard setback will not be injurious to the public health, safety, morals, and general welfare of the community because the south side yard is located adjacent to a small existing public utility lift station property on the corner of East Shore Parkway and McClung Road.

(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 approval of a use variance to allow the construction of fourteen (14) residential townhomes to already permitted land uses in the B2 General Commercial District. The addition of residential townhomes at the intersection of West McClung Road and East Shore Parkway will result in the most efficient use of land and public services at strategic locations in the City of La Porte. The proposed residential townhomes within the B2 General Commercial District are compatible with existing single family dwellings, townhomes, offices, and institutional land uses on properties in the immediate vicinity.

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

The need for the variance arises from the condition that the current zoning of the subject property allows residential dwellings in mixed use buildings, but not in separate residential townhomes. The proposed use variance to allow construction of fourteen (14) residential townhomes is compatible with the already permitted land uses in the B2 General Commercial District by serving the intent of the zoning district to integrate a cluster of land uses to avoid marginal strip development along major streets in the City of La Porte. The layout of the subject property allows for the efficient use of a small corner parcel for fourteen attached residential townhomes.

The need for the variance of development standards to reduce the minimum south side yard building setback to zero (0) feet arises from the condition that a small corner piece of the subject property was split off to allow for installation of a public utility lift station at the corner of East Shore Parkway and McClung Road. The minimum south side yard setback was created when the adjacent property was split off, which the proposed residential townhomes would be in full compliance with the minimum twenty-five (25) foot front yard setback.

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

The strict application of the terms of the zoning ordinance to not allow the construction of fourteen (14) residential townhomes in the B2 General Commercial District will constitute an unnecessary hardship for the subject property of the requested variance because the zoning district already permits residential dwellings in mixed-use buildings. The strict application of the minimum south side yard setback would not allow residential townhomes without a fire-rated wall adjacent to the neighboring property.

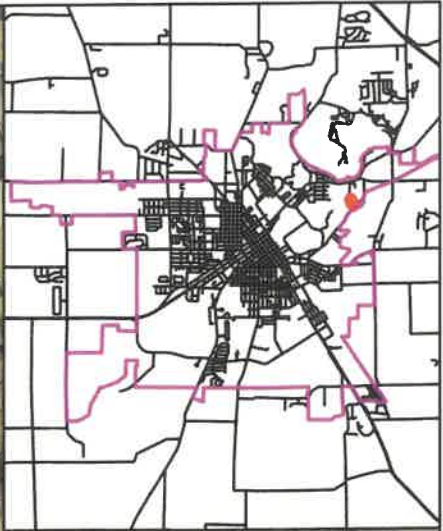
(5) The approval does not interfere substantially with the Comprehensive Land Development Plan.

The approval of the requested use variance does not interfere substantially with the Countywide Land Development Plan because the plan encourages the majority of new development to take place in and near existing cities and towns where residents will have easy access to a range of public and private services. The Plan also encourages eliminating unintended regulatory impediments to residential and commercial infill development that is consistent with established neighborhood patterns and character. The result of this objective allows redevelopment of property using existing infrastructure that reduces the need for expansion of public utilities.

STAFF RECOMMENDATION:

Staff finds that the proposed use to allow the use variance with the construction of fourteen (14) residential townhomes in the B2 General Commercial District and to allow the variance of development standards to reduce the minimum south side yard building setback to zero (0) feet is consistent with the existing neighborhood character of mixed residential and office land uses in the immediate vicinity. Staff recommends **approval** of the petitioner's request allow fourteen (14) residential townhomes in the B2 General Commercial District as part of Use Variance #24-01 Petition and to allow the variance of development standards to reduce the minimum south side yard building setback to zero (0) feet.

Submitted to the Board of Zoning Appeals February 8th, 2024.



Use Variance Petition #24-01



ESHORE PKWY

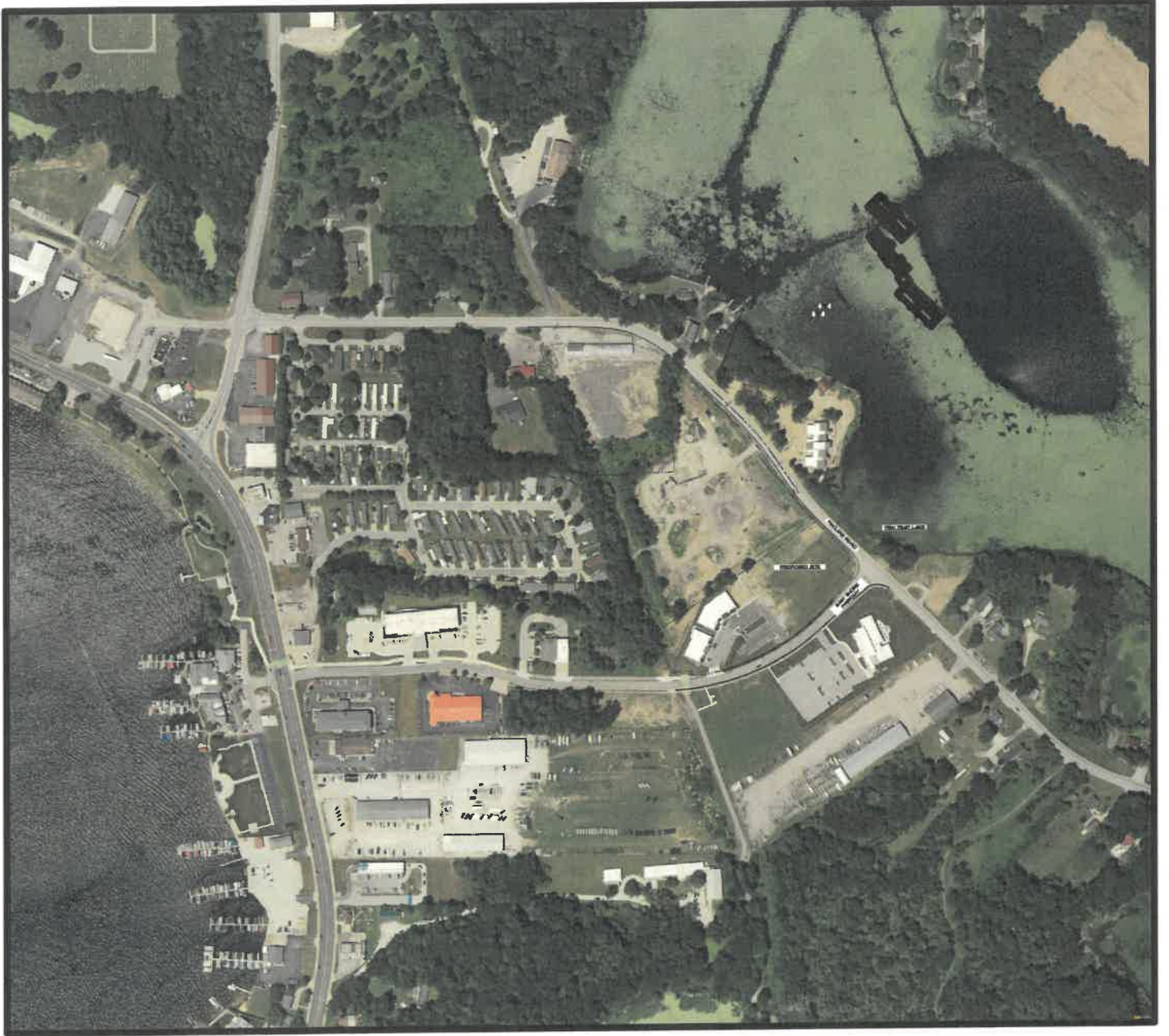
W. MCCLUNG RD

City of La Porte Board of Zoning Appeals Location Map

-  Subject Property
-  City Limits



Date Created: January 29, 2024
Created By: David Heindl
Document Path: M:\City Planner\GIS\Map Requests\Board of Zoning Appeals\2024\Use_24-01
Map 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 consult the primary data and information sources to ascertain the usability of the information.







Project Summary- East Shore Lofts (working name)

January 26, 2024

We proposed taking a portion of the land that houses the first two phases of the East Shore Business Park and building up to (14) fourteen townhomes between 1,200 and 1,400 sf.

They will be hooked up to the city sewer and water and connect to the storm system previously designed and approved for this property and the adjacent Wade property.

They will be built in two phases. The anticipated start for the construction is mid-2024. The projected value of the development is \$4.5 million.

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.):

(14) NEW RESIDENTIAL TOWNHOMES WHICH WILL COMPLEMENT THE EAST SHORE PRESERVE TOWNHOMES ON FISH TRAP LAKE. THE CHANGE FROM OFFICES TO RESIDENTIAL IS COMPLEMENTARY & THE SIDE YARD SET BACK HAS NO NEGATIVE IMPACT.

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....

THIS PROJECT WILL BE COMPLEMENTARY TO ALL OF THE NEW DEVELOPMENT IN THE AREA.

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 PROPERTY VALUES WILL INCREASE DUE TO \$4.5 MILLION PROJECT & INCREASE THE TAX BASE

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

THE PROPERTY IS PERFECTLY SET UP FOR RESIDENTIAL WITH LAKE VIEWS & PROXIMITY TO CHESSIE TRAIL

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....

A REQUEST TO ALLOW RESIDENTIAL IN A RESIDENTIAL AREA WITH HIGH END BUSINESSES

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

IT COMPLEMENTS THE INTENSION OF THE PLAN BY TASTEFULLY INCORPORATING RESIDENTIAL WITH BUSINESSES

Brief Legal Description

05-06-26-177-001 PCE W OF MCCLUNG RD & N OF EAST
SHORE CT S26 T37 R3 3.894 AC

We will take a portion of this parcel for the townhomes if approved.

List of Adjacent Property Owners

Wade Construction- P. O. Box 727, LaPorte, IN 46350

Healthcare Foundation of LaPorte- 140 East Shore Parkway, LaPorte, IN 46350

Infinite Commercial Development, LLC- 286 W Johnson Road, LaPorte, IN-

We presume we do not need to mail ourselves a copy.

City of LaPorte- We presume we do not need to mail you a copy.



City of La Porte

USE-24-1

Board of Zoning Appeals -
Use Variance Application

Status: Active

Submitted On: 1/26/2024

Primary Location

Owner

Applicant

Gerald Fedorchak

219-326-1016

gmfl@gmfl.com

286 W. Johnson Rd.
LaPorte, IN 46350

Internal Review

File Date

01/26/2024

Petition Number

2023-USE-01

Site Review required?



Site Review Date

02/07/2024

Date of BZA Meeting

02/13/2024

Decision

—

Deferred Date (if needed)

—

Decision

—

Site Review Meeting Notes Upload



Site Review mtg_7Feb2024.pdf

Conditions of Approval (if applicable)

Meeting Notes/Summary

General Information

Applicant is *

Sole Owner

If you have an engineer please provide the following:

Engineer Preparing Plans Name

Engineer Email

G. M. Fedorchak & Associates, Inc

jerry@gmf1.com

Premises Information

Parcel ID Number*

460626177001000060

Address or General Location*

139 East Shore Parkway

Total Acreage*

1.3

Flood Zone?*

No

Zoning*

B-2

Land Use*

Townhomes

Request*

Use a portion of the land that the business park is on for (14) new townhomes. There is a side yard setback issue at the city lift station. This is the land that we donated to the city. I think we either need a zero side yard setback at that location or transfer a portion of our land back to us.

Zoning of Adjacent Properties

North*

Jim Wade- parcel
460626128001000043

South*

Healthcare Foundation of LP-
460626177021000043

East*

City of LaPorte

West

Infinite Commercial Development (our
company)

Land Use of Adjacent Properties

North*

Industrial

South*

Healthcare Foundation Headquarters

East*

Open land/ Fish Trap Lake

West*

East Shore Business Park

Acknowledgement

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

Applicant Signature*

Gerald Fedorchak
Jan 26, 2024

Date*

01/26/2024

Property Owner Signature

(If different from Applicant)

Property Owner Name

Gerald Fedorchak

Date

01/26/2024

Property Owner Signature

