Michigan City Board of Zoning Appeals (BZA)

Tuesday, June 10, 2025, City Hall; Common Council Chambers, 100 East Michigan Blvd.

-Meeting Minutes-

1. **CALL TO ORDER:** The meeting was called to order by President Ricky Jackson.

2. **ROLL CALL** by Dr. Dominique Edwards (Director of Planning, non-voting):
   Present: President Ricky Jackson, Ms. Deborah Vance, Attorney Steve Hale, Mr. Brian Gross, Ms. Kathy Stransky. **Absent:** Mr. Fred Klinder
3. **APPROVAL OF MEETING MINUTES:** A motion was made by Mr. Gross to table the March 11, 2025, minutes, seconded by Ms. Vance and was approved of the following vote:
   Ayes (4): Jackson, Vance, Gross, Stransky
   Nays (0): NONE
   A motion was made by Ms. Vance to approve the May 13, 2025, minutes, seconded by Ms. Stransky and was approved with the following vote:
   AYES (4): Jackson, Vance, Gross, Stransky,
   NAYS (0): NONE

4. **PETITION(S):**

- **B-100-25: James Deaner & Grandma's Attic Self Storage, LLC**
  - Requesting a Use Variance to develop a 60-80,000 square foot indoor self-storage facility on Parcel #46-01-36-301-009.000-022.
- President Jackson asks Mr. Deaner to give a explain the project to the rest of the board.
- Mr. Deaner introduces himself to the board he states where he lives now but explained that he grew up in Michigan City and will be starting a brand-new company here. He explains that he has purchased 22.5 acres that in east to Silver Branch Retirement Home. He explains that he has subdivided it into three lots. The first lot that is located in the back, refers to the map and states that the handle looking part on the map is all wooded wetlands. He states that there is not a lot he can so with that but is taking 7.5 acres of it and selling it to a gentleman who is going to use it as mitigation so it would stay a green area and will act as a buffer between the front area, which is along Michigan Blvd. The area most east is the third lot which is what they are requesting to use for their company. He goes back to the 7.5 acres in the back and explains that it will be the be an extended green space between the company and the buffer. He explains that it is going to give us a linear park all the way from Mott's Park working its way to the east of Tulip Drive into his property, so it extends the Motts Park Greenway. He stated that this is something he has talked to Skyler York, Redevelopment Director, about and agrees that this is a good idea. It also benefits from this development, just by extending it for natural wildlife and we get to preserve the wetlands area.
- Mr. Deaner states that he has had soil solutions done, he has had the Army Corps of Engineers out and was told that the land is a good candidate for Marshland mitigation and goes on to explain he has a buyer who wants to keep the land a marshland. The second lot will be about 6 acres that runs along the length of Michigan Blvd which will be up for sale at a later date. He continues to explain his plans that were discussed with Skyler

York, Director of Redevelopment, and Dr. Dominique Edwards, Director of Planning, which was that they couldn't be too close to the intersection of Highway 212 and Michigan Blvd. He explained that the proposal he had was to extend the frontage all the way down to just before they run into Silver Birch Retirement Home and have an exit down there. He states that he is hoping to get a variance use from the board to be able to construct an indoor self-storage facility in the far eastern part. He states that there's about 8 acres in the far eastern part which is hard to develop and continues to explain why it is hard which is because there is a large easement running through at a diagonal which breaks up the lot and it is an odd, shaped lot. He feels that because you can't do much with this lot because of its shape, a self-storage unit would be ideal to build there because you can customize the shape and size of the building to get maximum use of the space. Mr. Deaner states that because they are willing to take a loss on the 7.5 acres of Greenland and put the money into a frontage road if they can build a self-storage unit in the far eastern lot.

- Mr. Deaner explains that he is looking for an addition of 30,000 rentable square feet of climate control storage and 45,000 rentable square feet of non-climate control storage, the whole facility will be around 70,000 square feet. He states that they will start off with just three buildings. One of the climate control buildings, a 15,000 square foot climate control building, will be the frontage lot and an office space. There will by a big dearth of 14 by 45ft units, he explains that it is a big unit but there are a lot of contractors from New Carlisle who live in Michigan City, people who work along Long Beach who need a place to store their equipment or vehicles because of HOA rules. He continues to explain that they do not sell things out of the units, but they would operate and store equipment for their businesses in the units. In addition, people would also use it as boat storage RV storage etc.
- Mr. Deaner moves on the what the second building would be used for. He states that there would be 10 units in that building, so it will be 45ft deep by 145ft long, then the third building will have 15, 10x30 ft units. He feels they can rent those out the fastest because at other storage units the waiting lists for those size units are 45 people long. He states that he will have a big mortgage, and he feels that these are the units that will help the most to cover it.
- Mr. Deaner explains that this would just be the first phase, phase two will be the climate control building, which there is also a shortage of within 5 miles, which two more buildings will follow and then finish up the project with phase 3, they will be building on the lot every 2 years but by year 4 they will be finished building out. He states that according to their feasibility study, within a 3-mile radius, there is demand for 40,000 square feet, he states that they are overbuilding a little bit, he feels that Michigan City has a lot of potential with the new rail line that has been built. In addition, with all that is going on in New Carlisle, they will pick up a little of that business because of the waitlists, especially for climate control units. He states that he thinks his company can provide a little more of that.
- Mr. Deaner then asks the board if they have any questions.
- Ms. Vance asked what size the buildings are.
- Mr. Deaner stated that the climate control buildings are all one story, each building is a 20,000 square foot building with 15,000 square feet of rentable space. They will be in the front of the lot and there will be one on the back left lot on the far western section which

will be about 200ft by 100ft. He is confident from his feasibility study that there is a demand for storage units, and he thinks he will fill up fast. He states that they also have 6 acres that is in front of Michigan BLVD which is the frontage road which can also be developed land.

- Mr. Gross asked if the property would be fully fenced in and what the operating hours would be.
- Mr. Deaner states yes it will be fenced in and as for hours there will always be an attending in the front office, for the first year he himself will be there from 10am- 3pm to get things off the ground and hire someone else to work from 3pm-7pm so they have operating hours. He states that tenets will still have access to their unit even after closing hours so there will also be after hours. There will be a keypad where each tenet has a code to use to access the property. He has talked to their security company and was informed that the biggest thing in self-storage is making sure that the property is secured and people cannot break in, so they have been talking about what security measures need to be taken.
- President Jackson stated that if there are no more questions they will move on the Planning Department report and Thanked Mr. Deaner.
- Dr. Dominique Edwards, Planning Department Director, states that currently Mr. Deaner is requesting a variance to develop an indoor self-storage facility. Regarding her findings, the approval will not bring injury to the public health, safety, morals, and general welfare of the community. She continues stating the self-storage business in general, and indoor self-storage businesses in particular, have opened in the community with no adverse impact. This proposed facility will be indoors. There will be no proposed health concerns, access to the street is adequate to handle increased traffic, and so under these conditions the petitioner must provide the required parking spaces, which will eliminate any street parking issues.
- Regarding the use and value of the area that is adjacent to the property, which is included in the variance, it will not be affected in a substantially adverse manner.
- Regarding developments of similar land use, whether adjacent or not adjacent to residential areas, have not impacted the surrounding community in an adverse manner again, therefore this development will not adversely impact the community. Additionally, the petitioner is preserving an adjacent wetland and lacing it into a conservation area, which will further protect and enhance the surrounding community. Regarding the need for the rentals, which does not arise from some conditions peculiar to the property involved.
- Currently, the parcel is zoned as a B3 Highway Commercial and does not permit the land use of indoor storage facilities while adjacent land uses are zoned B2 and does not permit this particular use under special exception, so our zoning ordinance does not allow for outdoor storage and is very similar to retail uses which are permitted uses in B3 districts. So, prohibiting indoor self-storage is a bit too punitive, so the current zoning designation under B3 Highway Commercial should allow this type of development to take place, as it is less disruptive to the surrounding community and additionally similar developments in the community have proven to not adversely impact on the surrounding community. In regards to the approval it does not interfere substantially with our comprehensive land development plan. Adjacent land uses are similar in land use type, such as B1 and B2, and therefore does not impact our comprehensive land development plan. In fact, the plan

allows for this section of Michigan Blvd to be developed as a compatible commercial enterprise that fulfills the provisions of the plan.

- The Department recommends approval of the requested use variants, docket number B-100-25, subject to the following conditions. The petitioner shall submit a petition for the administrative subdivision, separating lot number 2 to out-lot by extending a northern property line of lot number 2 along Rogowski Road. The petitioner shall provide a site plan for all buildings that display the number of rental units in each building. Provide a calculation of requested parking spaces as it pertains to Article 1801 of the zoning ordinance. Revise the language of the legal description from admin subdivision to minor subdivision, submit internal petition for administrative subdivision to our planning department. In a revised affidavit service language regarding administrative subdivision, to minor subdivision, inappropriate hearing date, date it for today. We've also received comments from the airport, as well as the water department, the airport has no issue with the variants, and the water department stated that they have no issue with the proposed project and layout, as those buildings, with their setbacks, are also outside of the 10-foot easement that the department owns, immediately adjacent to the right-of-way, which is depicted in the drawing as a hashed area starting at the intersection of the westbound exit onto Michigan Blvd from Indiana 212 that runs along the right-of-way of the ramp to Indiana 212, the north on the west side of the west right-of-way lane along Indiana 212.
- President Jackson thanks Ms. Edward and asks Mr. Hale to proceed with is explanation.
- Mr. Hale states that his report for petition for B-100-25, the petitioner applicant is Grandma's Attic Self Storage LLC, and James Diener is the property owner. The request is for a use variance. For property legally described as Lot 2 in Grandma's Attic Self Storage, Minor subdivision, its referred to generally as east of 4400 East Michigan Blvd, state road 212 and Rogowski Road and it's known as part of Tax Parcel 46-01-36-301-009.00-2-2. He stated that initially he would advise that the board that he have an opportunity to review all of the notice documentation supplied by the petitioner, those notice requirements have been met. He advises that they are free to go ahead and consider this matter. As stated by Dr. Edwards the petition is requesting a use variance to develop an indoor storage facility, and this district is a B3 Highway Commercial District and under Table 7.02 it states that an indoor self-storage facility is not permitted use is a B3 district but is a permitted use in a B2 District. There is a nearby airport district, and that allows warehouses. It is permitted use in a warehouse district, Dr. Edwards provided Mr. Hale and the board with the appropriate standards, she talked about all 5 of them. Mr. Hale stated that this is all in the report he gave to the members of the board. He stated that he just wanted to indicate to them that they have the authority to grant this request, partially grant the quest, or grant it with limitations. Grant the request, but subject to certain conditions as enumerated in the motion. He states that if they grant it the board needs to make a reference to the conditions in their motion. He stated that the board can also deny the request or table it until a further meeting.
- Mr. Hale states that the petitioner submitted materials in 2 loads, so he also wants to stress the record in this matter that includes all the materials submitted by the petitioner, they also include his actual petition. The use variants proposed finding an order, a vicinity map and site plan prepared by Whiteman. A written description of the site plan of three pages. The project data table of one page, 20 pages of applicable zoning ordinance sections, 3 pages of building sketches, the surrounding zoning list, an amended Michigan

City Board of Zoning Appeals petition for use variants signed by Mr. Deaner, 2 beacon maps showing the buffer 300 feet area, a copy of the notice to be published, an affidavit of service signed by Mr. Deaner, and an acknowledgement of public hearing notice requirements also signed by Mr. Deaner. Mr. Hale states that these are all submitted by the petitioner, in addition, the record would include the planning department report, this report, and the presentation of Mr. Deaner at tonight's hearing. Mr. Hale states that this concludes his report.

- President Jackson thanks Mr. Hale and asks the board members if they have any questions.
- President Jackson asks Dr. Edwards and Attorney Hale that in their recommendations, in recommendation number 1, if they can explain what exactly is all entitled in it, and in recommendation number 5 what is this dealing with?
- Attorney Hale answers that Mr. Deaner alluded to the fact that he had a larger parcel, he tells the board they saw that on the vicinity map. Mr. Deaner went before the planning commission to and asked for a minor subdivision, he took a parent parcel and peeled off two separate parcels on the vicinity map, they are lot 1 and lot 2, and he kept the parent parcel, it is called outlot A on the vicinity map so now he has 3 Parcels. In his request tonight Mr. Deaner is only talking about Parcel one. That is connected slightly, but not an even connection, between the outlot and so the administrative subdivision is just to move an internal lot line, and that can be done administratively by the planning director, Dr. Edwards.
  So in the recommendation Dr. Edwards is saying that she want the line that separates the 3 already subdivided lots internally to move that one lot line.
- Mr. Hale asks Mr. Deaner if he is correct
- Mr. Deaner tells Mr. Hale that he is correct and that they have revised plan that the board may not have an the one they are looking at could have the whole handle area which is 7.5 acres where there's marshland that they will be selling off.
- Mr. Deaner instructs that if you take what's just south of Rogowski Road and you run it all the way over that's where the new line is. Everything Noth of that will be marchland. Then there will be the frontage road lot, the eastern lot, which is the one I am asking for the variance for, Mr. Deaner states.
- Mr. Hale confirms that Mr. Dear has discussed this with the planning department.
- Dr. Edwards answered that Mr. Deaner has.
- Ms. Vance asks to confirm in the picture she is looking at in the upper part, she asks if Mr. Deaner is just talking about making a line so that all the marsh area will go straight across through the wooded area.
- Mr. Deaner says that is correct.
- President Jackson asks Mr. Hale and Dr. Edwards if they have discussed all of this stuff with Mr. Deaner and that he understands and they understand as well because it looks like it was already changed to a minor subdivision in the documents.
- Both Mr. Hale and Dr. Edwards answered yes.
- President Jackson thanks them and asks the board if they have anymore questions.
  President Jackson then opens the floor to public comment
- Tommy Kulavik, 1316 Ohio, made a public comment.
- Steven Kornacki, 5410 Rogowski Road, made a public comment.

- Mr. Deaner made a public comment.
- President Jackson made a comment that Mr. Deaner and Mr. Kornacki can talk after the meeting to hopefully come up with a solution to Mr. Kornacki's problem.
- President Jackson closed public comment.
- President Jackson asks the board again if they have any more comments or questions. He then asks if there is a motion.
  A motion was made by Ms. Vance to approve petition B-100-25 for the variants but based on the recommendations of the Planning Department, seconded by Mr. Gross and was approved with the following vote:
  AYES (4): Jackson, Vance, Gross, Stransky,
  NAYS (0): NONE

5. **Old Business:**

- President Jackson stated that we will now move one to the finding and orders for petition B-103-24 and asked that Mr. Hale present his findings.
- Mr. Hale states that he has a proposed decision, findings of fact of the Michigan City Board of Zoning and Appeals for petition B-103-24. The petitioner applicant was Mark Marchheetz. The property owner was Forest Avenue Properties LLC, doing business as MCM Homes LLC, the request was for a variance and the property location was 407 East 8th Street, Michigan City Indiana. There was a public hearing held on May 13,2025, at which time the member of the board considered the petition and made specific findings. He stated that they are written out in the finding of facts that the board members have in front of them. Finding that all of the standards have been met and gave approval to the petition for the use of variance but subject to three matters. The petitioner shall only be allowed to convey the basement into one additional unit, totaling no more than 3 total units for rent, the petitioner shall convert the single-lane driveway into a two-lane driveway. The petitioner shall follow all the applicable standards in Section 18.02 of our zoning ordinance based on the presentation, and the documents and record in the matter and subject to those conditions, this body approved petition B-103-24 on May 13, 2025, that would be by signing the document affirmed today June 10, 2025.
- President Jackson thanks Mr. Hale and asked if there was a motion to adopt the finding of facts?
  A motion was made by Ms. Stransky to adopt the finding of facts, seconded by Ms. Vance and was approved with the following vote:
  AYES (4): Jackson, Vance, Gross, Stransky,
  NAYS (0): NONE

6. **PUBLIC COMMENT:**

   Tommy Kulavic, 1316 Ohio St, made a public comment

- President Jackson asked that before the meeting was adjourned that Dr. Edwards to introduce her assistants.
- Dr. Edwards answered absolutely and introduced administrative assistant Isabelle Turner and Planning Department intern Rihanna Tandy.

- President Jackson thanked Dr. Edwards and assistants for their help and asked if there was a motion to adjourn.
- Mr. Gross asks if there is a date for the rescheduling for the board workshop.
- Dr. Edwards answered no there is not a new date yet but states that whenever they are ready to have it let her know and she can get it scheduled.
- Mr. Gross asked if there is anything on next month's agenda yet.
- Dr. Edwards answered potentially and continues to explain that she is becoming strict with the process of getting in front of the board, if petitioners do not have a full and completed packet on the designated filing date then they will not be going onto the agenda. Dr. Edwards stated that she is putting her foot down with folks regarding not having complete packets and going back and forth with them. She explains that she is trying to reduce additional stress and static not only on the board but for the department as a whole.
- Mr. Gross states that they'll just wait until there is something on the agenda.
- Dr. Edwards answers yes sir, and that she is trying to get the meeting materials out to the board in a timely manner and that this month's materials went out electronically but from her understanding is that the board is used to having a physical packet in which she was not informed of until this afternoon.
- President Jackson asks the board if they would rather have an emailed copy or a hard copy mailed to them.
- Mr. gross answers that he is good with an emailed version.
- Ms. Vance answers she is okay with email.
- Ms. Stransky answered she prefers a hard copy.
- Dr. Edwards states that it is fine, she will make sure that she gets a hard copy.
- President Jackson askes if there is a motion to adjourn.
  Ms. Vance makes a motion to adjourn, seconded by Mr. Gross, and was approved with the following vote:
  AYES (4): Jackson, Vance, Gross, Stransky,
  NAYS (0): NONE

7. **ADJOURNMENT:** Meeting was adjourned June 10, 2025, at 6:40 p.m.

Rickey Jackson, Chairman

Kathy Stransky, Secretary