Michigan City Board of Zoning Appeals (BZA)

Tuesday, July 8, 2025, City Hall; Common Council Chambers, 100 East Michigan Blvd.

-Meeting Minutes-

1. **CALL TO ORDER:** The meeting was called to order by President Jackson at 6:02 p.m.
2. **ROLL CALL:** by Dr. Dominique Edwards (Director of Planning, non-voting): **Present:** President Ricky Jackson, Ms. Deborah Vance, Mr. Brian Gross, Mr. Fred Klinder, Ms. Kathy Stransky. **Absent:** Attorney Steven Hale.
3. **APPROVAL OF MINUTES:** A motion was made by Ms. Stransky to approve the March 11, 2025 meeting minutes, seconded by Mr. Gross and was approved with the following vote:
   AYES (5): Jackson, Vance, Gross, Stransky, Klinder
   NAYS (0): NONE
   A motion was made by Mr. Gross to approve the June 10, 2025 meeting minutes, seconded by Ms. Vance And was approved with the following vote:
   AYES (4): Jackson, Vance, Gross, Stransky,
   ABSTAINED (1): Klinder
4. **PETITION(S): NONE**
5. **BOARD QUESTION AND DISCUSSION:**
   - President Jackson asked if they had to state their names and terms as written on the agenda.
   - Dr. Edwards stated no, but by the new state law, taken into place July 1, 2025, we legally must add all board members' names, terms, and who appointed them.
6. **Old Business**
   - **Approval of Finding of Facts**
     - **B-100-25: James Deaner & Grandma's Attic Self Storage, LLC**
     - Requesting a Use Variance to develop a 60-80,000 square door indoor self-storage facility on Parcel #46-01-36-301-009.000-022

       President Jackson turned over the finding of facts to Dr. Edwards because Attorney Hale was absent for this meeting.

       Dr. Edwards states that Attorney Hale's report reads that,
       We, The members of the Michigan City Board of Zoning Appeals now find:
       1. That the Petitioner/Applicant is Grandma's Attic Self Storage LLC ("the petitioner")
       2. That the Property Owner is James Deaner. ("the owner").
       3. That the property that is the subject of the Petition is Lot 2 in Grandma's Attic Self Storage Minor Subdivision; referred to generally as Lot East of 4400 E. Michigan Boulevard (U.S. Highway 35), State Road 212 and Rogowski Road, also known as part of Tax Parcel 46-01-36-301-009.000-022 ("the property").

4. That the property is zoned B3 Highway Commercial District.
5. That the petitioner is requesting a Use Variance to develop an indoor self-storage facility in a B3 Highway Commercial District.
6. That the Board of Zoning Appeals ("the board") now finds as to the request for the Use Variance as follows:

(a) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

Self-Storage Business in general and indoor self-storage business in particular have operated in the community with no adverse impact. The proposed facility will be indoors; there should be no health concerns. Access street is adequate to handle increased traffic. Under conditions, the Petitioner must provide the required parking spaces, which will eliminate street parking issues.

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

Developments of a similar land use whether adjacent or not surrounding community in an adverse manner. Therefore, this development will not adversely impact the community. Additionally, the Petitioner is preserving an adjacent wetland and placing t into a conservation area which will further protect the enhance the surrounding community.

(c) The need for the variance does arise from some conditions peculiar to the property involved.

The current parcel is zoned as B3 Highway Commercial and does not permit the land use of indoor storage facilities while adjacent land uses are zoned B2 and does permit this particular use under special exception. Our zoning ordinance does not allow outdoor storage and is very similar to retail uses, which are permitted uses in a B3 district. Prohibiting indoor self-storage is too punitive. 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. Additionally, similar developments in the community have proven not to adversely impact the surrounding community. This area is better suited for a development of this type and should be allowed to proceed.

(d) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Practical difficulties in the use of the property. Practical difficulties shall result from exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district. The variance shall be necessary for the preservation

and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district.

The current designation under B3 Highway Commercial should allow this type of development to take place as it is less disruptive to the surrounding community. Additionally, similar developments in the community have proven to not adversely impact the surrounding community. This area is better suited for a development of this type and should be allowed to proceed.

(e) The approval does not interfere substantially with the Comprehensive Land Development Plan.
Adjacent land uses are similar in land use types such as B1 and B2 and therefore does not impact the Comprehensive Land development Plan. The Comprehensive Land Development Plan. The Comprehensive Land Development Plan allows for this section of Michigan Boulevard to be developed as a compatible commercial enterprise that fulfills the provisions of the plan.

7. That approval of the Petition for Use Variance shall be conditioned upon the following conditions:
    - Submit petition for administrative subdivision separating lot #2 to out lot by extending a Northern property line of Lot #2 along Rogowski Road extended.
    - Provide calculation of required parking spaces as it pertains to Article 18.01 of zoning ordinance.
    - Revise the language of legal description from admin subdivision to minor subdivision.
    - Sumit internal petition for administrative subdivision to Planning Department.
    - Revised Affidavit upon Petition, the presentation of the Petitioner, all documents, testimony, remonstrances and other matters brought forth in the public hearing, and all materials, documents and testimony set out in the record of this matter, and subject to the conditions set out in Paragraph 7 above, the Michigan City Board of Zoning Appeals made the findings set out above, and granted Petition No. B-100-25 on June 10, 2025.

    Now Therefore, based upon the Petition, the presentation of the Petitioner, all document, testimony, remonstrances and other matters brought forth in the public hearing, and all materials, documents and testimony set out in the record of this matter, and subject to the conditions set out in paragraph 7 above, the Michigan City Board of Zoning Appeals made the findings set out above, and granted Petition No. B-100-25 on June 10, 2025.

President Jackson asked if anyone would like to make a motion to adopt the decision of the finding of facts for petition number B-100-25.

A motion was made by Mr. Gross to approve the findings of facts, seconded by Ms. Vance and was approved with the following vote:
AYES (5): Jackson, Vance, Gross, Stransky, Klinder
NAYS (0): NONE

Discussion amongst the board welcoming Mr. Klinder back.
Mr. Klinder made a motion to adjourn, seconded by Ms. Stransky and was Approved with the following vote:
AYES (5): Jackson, Vance, Gross, Stransky, Klinder
NAYS (0): NONE

Rickey Jackson, Chairman

Kathy Stransky, Secretary