

MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY BOARD OF ZONING APPEALS
TUESDAY, MARCH 11, 2014

The Michigan City Board of Zoning Appeals met in a regular meeting in the Common Council Chambers, City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana, on **Tuesday, March 11, 2014**, at the time (now 6:30 p.m.) , date and location for holding of said meeting.

Chairman Whitlow called the meeting to order, and upon roll call, the following answered present:

Ricky Jackson, Wallace Hook, Karen Janus and Al Whitlow. Absent:: John Morse.

Also present: Counsel Hale, Craig Phillips, Zoning Administrator; and Skyler York, Planning Department. Chairman Whitlow made note that the minutes would be made by Marilyn Jones with the assistance of watching the video.

The first item of business on the agenda was the approval of the minutes from the **Tuesday, February 11, 2014**, regular meeting.

With a voice vote of all ayes, motion carried, and the minutes were approved.

The first item of business:

ChairmanWhitlow called for the first petition.

Petition B-101-14, Keys to Hope Drop In Resource Center, Inc. Requesting a Special Exception Use to operate a resource center for social services in a B2 General Commerical zoning district located at 1802 Franklin Street.

Mr. Leigh Coburn, 16 Constitution Drive, Michigan City, approached the lectern and explained to the Board the desire of a few pastors and private individuals to provide a resource center for social services - for both men and women. Mr. Coburn read the requirements into the record.

Counsel Hale prompted Mr. Coburn to discuss parking issues; Mr. Coburn discussed arrangements being made for additional parking. Member Jackson questioned hours of operation; no nighttime hours.

There being no further questions from the Board, public portion of the meeting was opened.

Mr. Merrion, Mr. Muzel, Dr. Erica Kilborn, Pastor, Patricia Boy, Rev. Joshua Moran, Michael Kilborn, all spoke in favor of the petition.

Craig Phillips read into the record letters in support from: Michigan City Main Street Association supports the petition; La Porte Co. Home Team supports the petition; Knights of Columbus 7524, supports the petition, as they own the property and are leasing it to the Keys to Hope;

Chairman Whitlow asked Mr. Coburn if he wanted to summarize; Mr. Coburn briefly summarized the request.

There being no further public comments, public portion of the meeting was closed.

Craig Phillips read departmental reports into the record. (H.I.)

Counsel Hale commented on his report and brought the Board's attention to the materials and items presented tonight, reminding the board to make conditions part of the motion.

Wallace Hook moved to approve Petition B-101-14 Keys to Hope Drop In Resource Center, Inc. Requesting a Special Exception Use to operate a resource center for social services in a B2 General Commercial zoning district located at 1802 Franklin Street, findings consistent with Section 24.05, and would include and incorporate the recommendations and findings of the department that parking be provided to the satisfaction of zoning, counseling inside the building, and operators will provide adequate area for gathering, and will prevent gathering outside the front of the building; so subject to the conditions that were read into the record.

Seconded by Mr. Jackson. The roll call vote was taken as follows:

<u>AYE</u>	<u>NAY</u>
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Mrs. Janus	
Mr. Hook	
Mr. Whitlow	
Mr. Jackson	

With a voice vote of all ayes and no nays, the petition B-101-14 is granted.

The next petition called was: B-102-14, McDonald's USA LLC requesting a Special Use to allow for a drive-through facility and Development Standard Variances to provide relief from access drives, parking spaces, driveway spacing, sidewalks, and signage for the proposed demolition and reconstruction of the existing McDonald's Restaurant at 3507 S. Franklin Street.

At the request of the Petitioner, petition is continued to the April meeting.

The next petition called was: Petitioner B-103-14 Frank Ille / Love's Travel Stops & Country Stores requesting a Special Use to remove a previously imposed Board of Zoning Appeals condition relating to the installation of Smart Start devices for a proposed truck stop located at Highway 20 & 325 (East Michigan Blvd.)

Mr. Phillips noted that since the public notice requirements were not met for this petition, this petition shall be continued to the next meeting.

Chairman Whitlow expressed the fact that the board members cannot speak to petitioners about their petition when the petition is not formally being heard by the board. Counsel Hale explained the state law on this matter, and also the zoning ordinance regarding this matter. Chairman Whitlow then advised the public not to call individual board members about their pending petitions.

Next item on the agenda is “Old Business”.

The next item of business was approval of Findings and Orders for Petition B-100-14, KDPMC II, LLC. Decision and Findings of Fact were reading into the record.

It was moved and seconded that the findings and orders as read into the record by Counsel Hale be approved for B-100-14.

With a voice vote of all ayes (Member Jackson abstained), motion carried, and the findings and order are approved.

There being no further old business, the next item on the agenda was “New Business”.

Chairman Whtilow called for public comment. There was no public comment.

There being no further business to come before the board, the meeting was adjourned.

BOARD SECRETARY

