

**MINUTES OF THE SPECIAL MEETING OF THE
MICHIGAN CITY BOARD OF ZONING APPEALS
THURSDAY, AUGUST 27, 2020**

The Michigan City Board of Zoning Appeals met in a special meeting via Zoom on **Thursday, August 27, 2020**, at 6:00 p.m., the time, date and location for holding of said meeting.

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

Karen Janus, Fred Klinder, Lester Norvell and Lawrence Zimmer. Absent was Kathryn Stransky.

Also present: Counsel Steven A. Hale, Skyler York, Planning Director, Janelle Robinson, Court Reporter.

Chairman Zimmer then requested to waive the reading of the policy of conduct and procedures of the meeting (H.I.).

The first item of business on the agenda was the approval of the minutes from the **Tuesday, July 14, 2020**, regular meeting.

Mr. Norvell made a motion to approve the minutes of Tuesday, July 14, 2020. Seconded by Mr. Klinder.

The roll call vote was taken as follows:

<u>AYE</u>	<u>NAY</u>
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Ms. Janus
Mr. Klinder
Mr. Norvell
Mr. Zimmer

With a roll call vote of four ayes, motion **carried**, and the minutes were **approved**.

Chairman Zimmer called the first petition.

Petition B-105-20, Nicholas Africano requests Development Standard Variance to allow an electronic sign at 325 US Highway 20 which is located within 600 feet of another electronic sign.

Attorney Hale asked Mr. Africano if he had supplied his notifications, stating that he or Skyler had not received any of the receipts or documentation confirming notification. Mr. Africano stated that through e-mail communications he was of the understanding he didn't need to bring his receipts in to the Planning Department but had them all at a different location than where he was and could scan and e-mail them to Attorney Hale for review. After further discussion regarding this, it was decided that he would request a continuance to the regularly scheduled October 13 meeting and would need to send out new notices to the adjoining neighbors notifying of the new date and time, including the Zoom meeting notice with the passcode to join the meeting, and that Mr. York would handle the notification placed in the newspaper.

Mr. Norvell made a motion to continue Petition B-105-20 to the October 13 regular meeting. Seconded by Ms. Janus.

The roll call vote was taken as follows:

AYE _____ **NAY**

Ms. Janus
Mr. Klinder
Mr. Norvell
Mr. Zimmer

With a roll call vote of four ayes and no nays, Petition B-105-20 was **continued**.

Petition B-106-20, Steven Lyly Smith requests Special Exception Use and Use Variance in the B2 and R1D zoning districts located at 4507 East Highway 12 to allow for operation of a self-storage facility. Represented by Attorney Bradley J. Adamsky.

Mr. York stated he had received an e-mail requesting that this petition be continued. Following some discussion regarding the date it would be continued to, Mr. York read the e-mail into the record clarifying that they were requesting it be continued to an unknown date and that they are aware new notices will have to be sent out at the time it is rescheduled.

Ms. Janus made a motion that Petition B-106-20 be continued to a future unknown date. Seconded by Mr. Norvell.

The roll call vote was taken as follows:

AYE _____ **NAY**

Ms. Janus
Mr. Klinder
Mr. Norvell
Mr. Zimmer

With a roll call vote of four ayes and no nays, Petition B-106-20 was **continued**.

Next item on the agenda is "Old Business".

The next item of business was approval of findings and orders Petition B-102-20, James Epstein. Having presented the board with a printed copy of the Findings and Orders in their entirety, Attorney Hale gave a summary of the Findings and Orders, highlighting key points along with the one condition.

It was moved and seconded that the Findings and Orders as submitted by Attorney Hale be approved for B-102-20.

The roll call vote was taken as follows:

AYE _____ **NAY**


Mr. Klinder
Mr. Norvell
Mr. Zimmer
Ms. Stransky

With a roll call vote of four ayes and no nays, the findings and orders for Petition B-102-20 were **approved**.

Next item on the agenda is "New Business".

Attorney Hale requested that Mr. York explain the reason why there is not a September meeting. Mr. York then stated that there is no business for September and that with this being a special meeting on August 27 it would put undue pressure on a petitioner to get the required notifications out within the 10-day requirement. It was announced that therefore there will not be a regularly scheduled meeting on September 8 and that the next regularly scheduled meeting will be October 13 via Zoom.

There being no further comments from the board or any public comment, Chairman Zimmer adjourned the meeting.



BOARD SECRETARY