



166 Lincolnway
Valparaiso, IN 46383
(219) 462-1161
Valpo.us

Valparaiso Board of Zoning Appeals Meeting Agenda

Wednesday, November 16, 2022, 5:30 p.m.
City Hall, 166 Lincolnway, Valparaiso, IN 46383
Council Chambers

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Meeting Minutes – October 19, 2022
4. Old Business

5. New Business

UV22-006

A petition filed by Marcus Jones LLC c/o Hoeppner Wagner & Evans LLP to request a Use Variance from Table 2.201(B) to allow Central Valparaiso Self-Storage facility located at 1202 Formula Drive to expand the mini warehouse self-storage use toward Roosevelt Road (frontage of property zoned Commercial General, CG)

6. Other Business
7. Staff Items
8. Adjournment

Michael Micka, President – Board of Zoning Appeals
Beth Shrader, Planning Director

Next Meeting: December 21, 2022, 5:30 p.m.

Interested persons may attend in person, view the meeting live on the city's website (www.valpo.us), participate via web conference (bit.ly/ValpoBZA2022), or submit written comments (with name, address and telephone number) to the Planning Director prior to the hearing date (planningdepartment@valpo.us or City Hall address provided above).

PETITION TO VALPARAISO BOARD OF ZONING APPEALS:

This application is being submitted for (Check all that apply)

- ☒ Use Variance
☐ Development Standards Variance
☐ Special Exception/Special Use
☐ Relief to Administrative Decision
☐ Conditional Use
☐ Wireless Communication Facility

For Office Use Only:

Petition #: UV22-006
Application Type: USE VARIANCE
Application Filing Fee: \$200.
Date Filed: 10 / 14 / 2022
Meeting: 11 / 16 / 2022

SUBJECT PROPERTY INFORMATION**TYPE OR PRINT IN INK**

Property Address

Subject property fronts on the South

1202 Formula Drive
Valparaiso, Indiana

side between (streets) Roosevelt Rd.& Sturdy RoadZoning District: Commercial, General (CG)**PETITIONER INFORMATION**

Applicant Name:

Address:

Marcus Jones LLC

c/o Todd A. Leeth/Katie L. Kopf
Hoepfner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

Phone:

219-464-4961

Email:

tleeth@hwelaw.com/kkopf@hwelaw.com**PROPERTY OWNER INFORMATION**

Applicant Name:

Address:

Same as Applicant

Phone:

Email:

SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIAL EXCEPTION OR ADMIN RELIEF IS SOUGHT: SEE ATTACHED

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

Article: _____ Section: _____ Paragraph: _____ Item: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO:_____)

The West 140' of the West 835.8' of Parcel 3 in Blalock Orchard Addition in the City of Valparaiso, as shown on plat in Miscellaneous Record 11 page 492, in the Office of the Recorder of Porter County, Indiana.

DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO._____)

To allow for the expansion of the Central Valparaiso Self-Storage facility on the above-described real estate.

USE STANDARD VARIANCE REQUESTS

MARCUS JONES LLC

§Table 2.201.B

Nonresidential Uses in
Commercial, General (CG) District

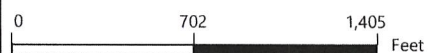
- Self-Storage Facility

Vicinity Map

The map shows the subject property (highlighted in red) located at the intersection of Elm St and Orchard Ave. The surrounding area includes various streets and subdivisions, such as Kentucky St, Fairview, Council's Add, and Blalock's Orchard Add. The subject property is situated within the Blalock's Orchard Add, 2nd Section.

Web Print: 10/12/2022

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Existing & Proposed Building Site Plan

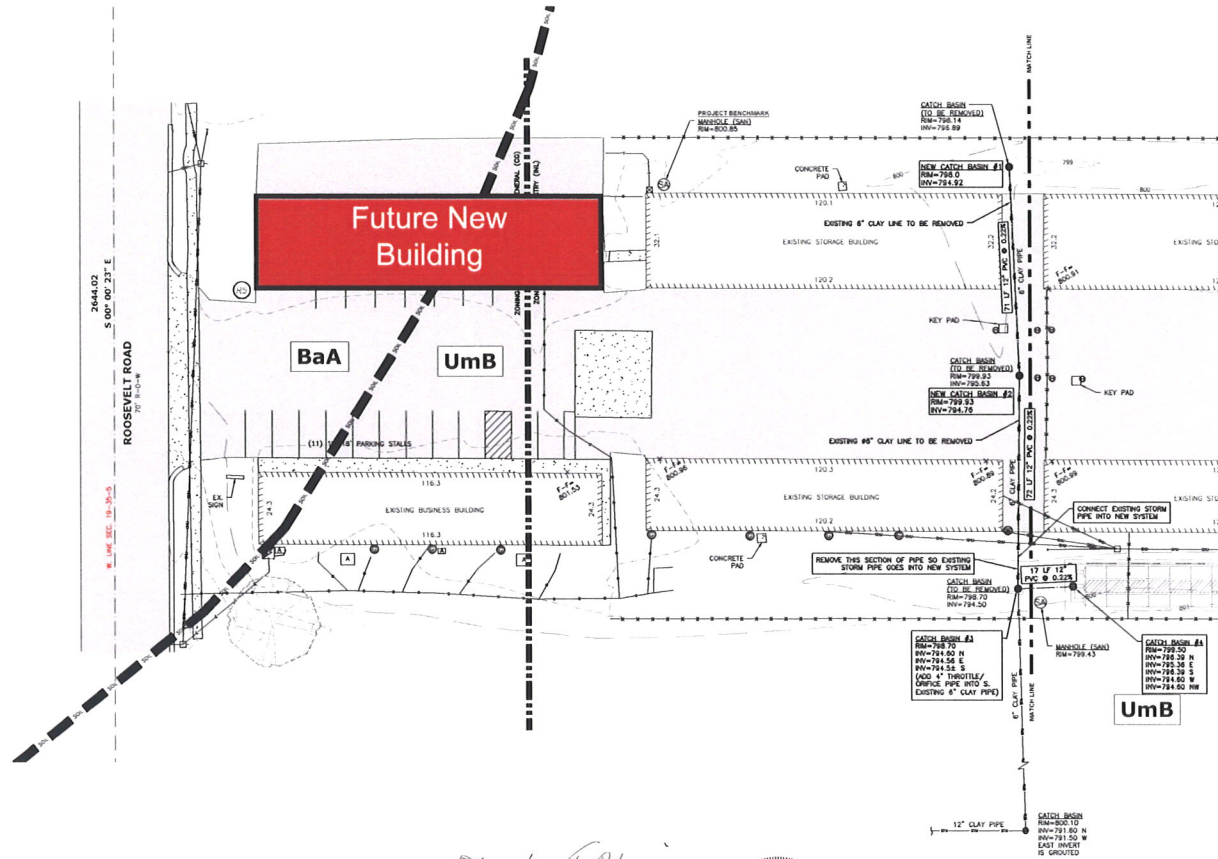
20 10 0 20
SCALE - FEET

Site Notes

- Flood Hazard Statement: The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. All of the address described land appears to be within Special Flood Hazard Zone X as said tract plots by scale on community map # 1812020100 of the Flood Insurance rate map for the City of Indianapolis (maps dated September 30, 2015).
- Site is zoned: LG - Commercial, General (front building and parking)
RL - Light Industry (rear building)
- Site benchmark: To be working monument at northwest corner of northwest building (corner B00.85). Contractor to verify elevations by checking into two (2) or more structures.
- Site Area Information (split based on zoning classes):
Zone LG - Commercial, General
Approx. Site: 0.55 Acres
Ex. Impervious: 17,243 sq.ft. (S)
Prop. Impervious: 0 sq.ft.
Ex. Building: 2,827 sq.ft. (0.130 FAR)
Prop. Building: 0 sq.ft.
Ex. Green: 1,337 sq.ft. (S)
Prop. Green: 0 sq.ft.
Zone RL - Light Industry
Approx. Site: 4.45 Acres
Ex. Impervious: 102,497 sq.ft. (S)
Prop. Impervious: 142,114 sq.ft. (S)
Ex. Building: 43,806 sq.ft. (0.239 FAR)
Prop. Building: 58,506 sq.ft. (0.296 FAR)
Ex. Green: 88,187 sq.ft. (S)
Prop. Green: 72,730 sq.ft. (S)
- Underground structures, piping and utilities are shown for informational purposes based on available information. The contractor shall be responsible for locating all underground utilities and verifying the location of underground structures and piping during construction. Contractor shall coordinate utility location with local utility companies.
- All work shall be performed in accordance with all local, state and federal codes.
- The contractor shall obtain all necessary permits for construction.
- Timely notification of necessary governmental agencies regarding the commencement of construction activity is required.
- All work performed on the site shall conform to the site construction plans and specifications.
- The contractor shall be responsible for maintaining safe traffic control on the site and adjacent public streets, as related to both physical site improvements and the movement of construction traffic.
- All necessary inspections and certifications, as required by ordinance, code, utility companies or government agencies shall be completed before the final connection of services.

Existing Site Legend

Air Conditioner	[A]	Gas Meter	G
Asphalt Pavement	[]	Guy Wire	—
Ballard	O	Manhole - Sanitary	⊗
Building	TTTTT	Over-Head Utilities	—OH—
Concrete	[]	Power Pole	□
Culvert Pipe	—	Storm Line	—STW—
Drainage - Catch Basin	●	Telephone Line	—T—
Electrical Line	—E—	Telephone Pedestal	⊗
Elevation - Finish Floor	1'-0"	Transformer	⊗
Elevation - Spot	100.0	Tree	⊗
Fence Line	—X—	Water Meter	⊗
Gas Line	—G—		



Douglas F. Homier



DATE	REVISION
11/05/19	REVISION PER CLIENT & CITY OF INDIANAPOLIS
1	REVISION DATE: 11/05/19
2	REVISION DATE: 11/05/19

King's Ridge Self Storage
Porter County, Center Township, Indiana
Existing and Proposed Building Site Plan

DESIGNED DFH	DRAWN KMC
PROJECT NO. M5000-5-19-00113	
DATE 11/06/2019	
SHEET NO. C1.0	

**CITY OF VALPARAISO
BOARD OF ZONING APPEALS**

PETITIONER'S PROPOSED FINDINGS OF FACT

Petitioner: Marcus Jones LLC

Legal Description: The West 140' of the West 835.8' of Parcel 3 in Blalock Orchard Addition in the City of Valparaiso, as shown on plat in Miscellaneous Record 11 page 492, in the Office of the Recorder of Porter County, Indiana.

Location: 1202 Formula Drive, Valparaiso, Indiana

Current Zoning: Commercial, General (CG) District

Petition: Use Variance to allow a self-storage facility within the Commercial, General (CG) District.

Case No.:

The above-named Petitioner now makes the proposed Findings of Fact in support of Petitioner's petition for a variance of use to allow for the expansion of the Central Valparaiso Self-Storage facility on the above-described real estate. After conducting a public hearing pursuant to I.C. 37-7-4-920 *et seq.* and the Unified Development Ordinance, and after hearing Petitioner's arguments and evidence in support of the variance, remonstrance and opposition or the opportunity for the receipt thereof, and comments, reports or recommendations of staff and others, the Board of Zoning Appeals for the City of Valparaiso, Indiana now finds:

FINDINGS:

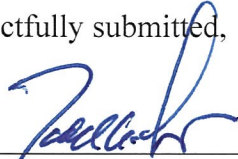
1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
 - a. The Petitioner owns the adjacent parcel to the east of the subject property, which is currently used as a self-storage facility. The granting of the use variance will allow the Petitioner to extend its use of the Central Valparaiso Self-Storage facility within the same parcel which currently has two different zoning classifications.

- b. The granting of the use variance will not adversely affect the safety of vehicular traffic by reducing or obstructing the line of sight at intersections of public or private roads or driveways. The vision is unobstructed both east and west. There are no hills or valleys in the road to limit visibility of oncoming traffic or to obstruct the view of entering vehicles.
 - c. Traffic generation from self-storage will likely be far less than conforming uses within the Commercial, General (CG) District.
- 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 because:
 - a. The granting of the use variance will not abrogate the intent of the CG District by still applying creativity in the building design on the subject property and will allow for the expansion of an already successful business.
 - b. The granting of the use variance for self-storage will decrease noise, light, traffic, drainage, or other development concerns typically associated with permitted uses in the Commercial, General (CG) District.
- 3. The need for the variance arises from some condition peculiar to the property involved because:
 - a. The Petitioner's subject property is part of a larger parcel which is of sufficient size to accommodate the proposed use by incorporating the same into Petitioner's existing self-storage facility known as Central Valparaiso Self-Storage without negative impacts to the surrounding property. The Petitioner's proposed use is simply an extension of the current use on the property to east of and adjacent to the subject property.
 - b. The subject property contains a commercial/industrial building which Petitioner leases to various tenants. The proposed use as an expansion of the self-storage facility of the structure is an appropriate use of existing resources.
- 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:

- a. The self-storage use will allow the Petitioner's property to be used in the best economical and practical way without frustrating or infringing on the use or enjoyment of neighboring properties. A portion of the subject property is currently being leased by several businesses, and once those leases expire, Petitioner would like to utilize the remainder of the property as self-storage to compliment and expand the Central Valparaiso Self-Storage facility.
 - b. The subject property is unique in the location between a railroad right-of-way and Roosevelt Avenue which is an arterial road on the Thoroughfare Plan for the City of Valparaiso.
5. The approval does not interfere substantially with the comprehensive plan because:
- a. The granting of the use variance for self-storage adjacent to Petitioner's existing self-storage business and immediately South of an active railroad right-of-way, will not alter the essential character of the locality and will provide for the orderly growth and development of the area.
 - b. Allowing self-storage on the subject property allows for a more beneficial use of the property without detrimentally affecting safety or aesthetics.
 - c. Access to and enjoyment of all abutting property will not change and is not made difficult or frustrated by the granting of the use variance to permit self-storage.

- d. The circumstances and conditions existing on or about the subject property which prevent conformance with the UDO and requiring the use variance are not self-created.

Respectfully submitted,

By: 

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Valparaiso, Indiana 46383

Attorneys for Petitioner

This Instrument Prepared By:

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**HOEPPNER
WAGNER &
EVANS LLP**
ATTORNEYS AT LAW

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