

Town of Griffith
Board of Zoning Appeals
September 16, 2024

The September 16, 2024, Board of Zoning Appeals meeting was called to order at 6:03 p.m. by Chairman John Mowery with members Jason Nolasco and Carl Kus. Also present was Attorney, Bob Schwerd and Building Department Administrator, Veronica Horka. Absent were members Tom Wichlinski and Therea Rivas.

Minutes from the August 19, 2024, meeting were approved as written.

OLD BUSINESS

None

NEW BUSINESS

Item #1 Tim and Liz Carpenter; 207 Minter Dr. Requesting permission for a Public Hearing to open a home day care. Petitioner has requested a continuance to the October 21, 2024, meeting. **Mr. Kus made a motion granting permission for a continuance to the October 21st meeting. Motion was seconded by Mr. Nolasco. All favored, motion carried.**

Item #2 Chris Moore, representing Octagon Group; 640 S. Wheeler Pl. Requesting permission for a Developmental Variance to keep parking lot temporary, until new building is constructed. Mr. Moore appeared before the Commission. Mr. Mowery asked Mr. Schwerd if mailings and newspaper ad was sufficient and Mr. Schwerd said all were submitted and met the criteria. Mr. Mowery opened the Public Hearing. Mr. Moore said Octagon Group wanted to utilize their aggregate parking lot for trucks and requested this variance to leave parking lot as is. Mr. Mowery asked if there was anyone present to speak for or against this petition. Mr. Nolasco asked what the time frame would be to use this temporary parking lot and what kind of equipment would be used. Mr. Moore replied that it would be approximately five years and tractor-trailers would be used on it. Mr. Kus asked the size of the parking lot and what is currently operational on the property. Mr. Moore said he did not have the dimensions of the parking lot but could forward along to the committee and four trailers were currently on the premises. Mr. Kus said he has concerns about lack of answers Mr. Moore had about the parking lot and leaving the parking lot all gravel. Mr. Moore said he has dust control suppression in place, however, Mr. Kus said that would only work for as good as the person maintaining the dust issues. Mr. Mowery said he had an issue with keeping this parking lot temporary for five years. Mr. Moore requested an extension to the October 16th, 2024, meeting to present more answers to the committee. Mr. Mowery then closed the Public Hearing portion of the meeting. **Mr. Kus made a motion to deny the request of a Developmental Variance to keep the temporary parking lot at 640 S. Wheeler Pl. Denial was seconded by Mr. Nolasco.** Mr. Schwerd advised he would prepare findings of fact. **Mr. Kus made a motion allowing Mr. Schwerd to prepare findings of facts and allow Chairman Mowery to sign. Motion was seconded by Mr. Nolasco. All favored, motion carried.**

Item #3 Chris Moore representing Octagon Group; 640 S. Wheeler Pl. Requesting permission for a Developmental Variance to leave approach to existing building asphalt. Mr. Moore appeared before the Commission. Mr. Mowery asked Mr. Schwerd if mailings and newspaper ad was sufficient, and Mr. Schwerd said all were submitted and met the criteria. Mr. Mowery opened the Public Hearing. Mr. Moore said he was requesting a variance to leave the aprons as its current state, asphalt. Mr. Mowery asked if there was anyone present to speak for or against Mr. Moore's request. Mr. Schwerd said that the Town of Griffith code for concrete is a thickness of 6". Mr. Moore provided an aerial view of the property as to the size of the apron and the committee members discussed. He also stated that the aprons were asphalt prior to ownership. Mr. Kus advised that Mr. Moore will adhere to the town ordinance regarding concrete to maintain a thickness of 6". Mr. Mowery then closed the Public Hearing portion of the meeting. **Mr. Kus made a motion to deny the request of a Developmental Variance to leave the approach to existing building asphalt at 640 S. Wheeler Pl. Denial was seconded by Mr. Nolasco.** Mr. Schwerd advised he would prepare findings of fact. **Mr. Kus made a motion allowing Mr. Schwerd to prepare findings of facts and allow Chairman Mowery to sign. Motion was seconded by Mr. Nolasco. All favored, motion carried.**

Item #4 Don McCarter; 1540 N. Indiana St., A Public Hearing for Developmental Variance on building height and square footage of accessory structure. A letter authorizing Steve Stelk to represent Mr. McCarter was written prior to this meeting. Steve Stelk appeared before the Commission. Mr. Mowery asked Mr. Schwerd if mailings and newspaper ad was sufficient, and Mr. Schwerd said all were submitted and met the criteria. Mr. Mowery opened the Public Hearing. Mr. Stelk told the committee that Mr. McCarter was requesting a Developmental Variance for the height and square footage for the garage that will be used for storing his camper and truck. Mr. Mowery asked if there was anyone present to speak for or against Mr. McCarter's request. Jim Wieser, attorney for adjoining property owners, spoke to the committee and requested a deferral. Attorney Wieser said that some residents received their notices late and due to lack of information on the issue he required additional time to put together a formal remonstrance, which he wants

to discuss at the October 21, 2024, meeting. Mr. Schwerd said that the petitioner did follow the laws and did all that he was required to do for the public hearing. Mr. Kus reviewed the return receipt letters and said they were mailed out in a timely manner. **Mr. Mowery made a motion to continue** Don McCarter, 1540 N. Indiana St., Public Hearing for Developmental Variance on building height and square footage of accessory structure to the October 21, 2024, meeting. **Motion was seconded by Mr. Nolasco. All favored, motion carried.**

NEW BUSINESS

Item #1 Reliable Properties; 415 Wood St. Requesting permission to advertise for a Public Hearing for a Developmental Variance for new construction. Jezreel Rodriguez appeared before the Board. Mr. Rodriguez said that he was requesting permission to advertise for a public hearing for a Developmental Variance for new construction. He requested a 20' variance for his two 25' lots to build a new house. Mr. Mowery asked if he would meet all the required setbacks. Mr. Rodriguez said the setbacks would be met per code. Mr. Schwerd advised that the lots were already combined and didn't need to be classified as a minor subdivision. **Mr. Kus made a motion** to grant permission to advertise for a Public Hearing for a 20' Developmental lot Variance. **Motion was seconded by Mr. Nolasco. All favored, motion carried.**

Item #2 James Tyler Neff; 242 N. True St.. Requesting permission to advertise for a Public Hearing for a Developmental Variance for 10' lot to raise chickens. James Tyler Neff appeared before the Board to discuss his intentions on raising chickens. Mr. Neff is requesting permission to raise seven chickens on his property, all hens no roosters. Mr. Neff currently has a 75' lot for his chickens and is requesting a 10' Developmental Variance. **Mr. Nolasco made a motion** to grant permission to advertise for a Public Hearing for a 10' Developmental Variance. **Motion was seconded by Mr. Kus. All favored, motion carried.**

COMMUNICATIONS

None

BILLS AND EXPENDITURES

Mr. Kus made a motion to approve a claim for the meetings held August 19, 2024, in the amount of \$35.00 **seconded by Mr. Nolasco. All favored, motion carried.**

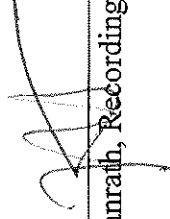
ADJOURNMENT

There being no further business to come before the Board of Zoning Appeals, a motion was made and seconded to adjourn. The meeting was adjourned at 6:56 p.m.

Respectfully Submitted



Tom Wichlinski, Secretary



Tricia Hanrahan, Recording Secretary