

Town of Griffith
Board of Zoning Appeals
June 16, 2025

The June 16, 2025, Board of Zoning Appeals meeting was called to order at 6:01 p.m. by Chairman John Mowery with members, Tom Wichlinski, Jason Nolasco and Carl Kus. Also present was Attorney Bob Schwerd, Town Council Liaison Larry Ballah and Building Commissioner Veronica Horka.

Minutes from the May 19, 2025, meeting were approved as written.

OLD BUSINESS

Item #1 All Stars Carwash & Auto Detailing Inc.; David Blacha; 100 N. Colfax Ave., Unit #7 A Public Hearing for a Use Variance to add a U-Haul Rental business property is zoned B3; General Business. Petitioner has requested a continuance to the July 21, 2025, meeting. *Mr. Wichlinski made a motion granting Petitioner permission for a continuance to the July 21, 2025, meeting. Motion was seconded by Mr. Kus. All favored; motion carried.*

Item #2 BAPS Munster LLC; Vijay Patel, MD; 400 W. 44th Pl. Public Hearing on a Developmental Variance to install a fence around the perimeter of the property. 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 advised the residents that each resident should keep their comments brief, not repeat what another resident had already discussed and that this would be an orderly meeting. Mr. Mowery opened the Public Hearing. Jageish Patel at 10327 Sandy Ln., Munster appeared before the Board to represent Dr. Patel. He stated that he is part of a small temple in Munster and purchased the church in Griffith to expand. Mr. Patel said he wanted to reach the younger generations. The members currently meet once a week, on Sundays. Mr. Mowery asked if there was anyone present to speak for or against the installation of a fence at 400 W. 44th Pl. Resident Ms. Lisa Lopiccolo at 1004 N. Harvey, asked what type of fence will be installed, what it is to look like and where it will go. Also, Ms. Lopiccolo wanted to know about the existing construction and what is going on with the tires in front of the building as it is an eye sore to her. Mr. Mowery asked Mrs. Horka as to what the delay was regarding construction. Mrs. Horka said that a stop work order was issued in 2024, due to the temple working outside of construction plans that were already approved. Mrs. Horka stated that the temple is asking for an amendment to the current construction plans which have been sent down state. Mrs. Horka stated that nothing has been received from down state regarding this amendment. Mr. Mowery verified that the Town does not know the status of the amendment and Mrs. Horka replied that she was told by the temple's architect that this was sent down state and had no further information. Ms. Lopiccolo said she was concerned that the wood was rotting, and it had been over a year and a half with nothing being done. Mr. Mowery advised Ms. Lopiccolo that nothing has been done due to the stop work order. Resident James Konopasek at 311 W. 44th Pl., stated that he was not in favor of the fence because it will bring down property value. Resident Michael Kocan at 1003 Woodlawn, and president of HOA, stated his concern with the tree line as the plans do not show what will happen with the tree line. Mr. Mowery said that the tree line is on the HOA property line. Mr. Kocan said that some of the residents were wondering if the fence was allowed on Cline Ave. Mr. Mowery asked if this would be considered a commercial structure and asked council his position. Mr. Schwerd said that no ordinance applied to commercial property and historically, the Town has typically followed the residential requirements, which would not allow a fence to be extended in front of the building. Mr. Mowery asked Steve Stelk, Town of Griffith, Fire Inspector and Fire Marshal, to speak regarding concerns the Fire Department has. Mr. Stelk stated that the Fire Departments concerns were the (2) fire hydrants that would be fenced in – (1) on north side of the property and (1) on the south side of the property. Mr. Stelk said that these (2) hydrants not only serve purpose for the church, but also for the community and with the fence there would be no access to them. Mr. Stelk also said that the entrance gates are significant enough to move in and out of with their apparatus, but the style of the fence and what will be put up off 44th place is not defined. Mr. Stelk said the fenced in hydrants were his main concern. Mr. Mowery then read-aloud a letter that was composed by fire chief, Roy Schoon, dated 06/13/2025 regarding BAPS application for fencing (please see attachment for reference). Mr. Mowery asked if anything needed to be explained further. Mr. Stelk advised that the fence cannot be done as it has been presented as it is a safety issue. Mr. Konopasek asked how accessible his house would be if there is a fire. Mr. Stelk replied that there would be no issue with his property as there is a fire hydrant right next to his house. Resident Josefina Skalka at 945 N. Harvey, asked why the temple needs a fence as other churches around do not have a fence. Resident Pauline Mazur at 1022 N. Woodlawn, does not like the fence as it is an obstruction and feels it could cause accidents. Resident Richard Blackmon at 401 W. 44th Pl., asked how tall the fence would be. Mr. Wichlinski said that according to the plans presented, the fence on the front would be 6' rod iron and back of property would be a white plastic pvc fence. Resident Patti Moore at 1004 N. Harvey, asked what the church would be connecting to with their fence as her residence is directly behind their garage and right next to their property line. Mr. Mowery spoke to Mr. Patel and said that in Indiana the law states that a hardship has to be proven regarding a piece of land and the Board cannot approve that the fence shows a hardship because no hardship has been presented because the erection of the fence in front or back would not limit the temple's ability to use their property as a requirement of Indiana's law or Griffith's ordinance. Mr. Mowery said that a fence could not go up in front of property due to public safety issues and not being able to prove a hardship.

Mr. Wichlinski said that if the temple can come up with a plan to address the issues with the residents and the fire department/public safety issues and demonstrate a hardship then the Board can move forward. Mr. Patel thanked the Board and said that they wanted the fence because of vandalism, litter, stolen cars that are parked in their lot and younger kids using the stair wells to smoke marijuana. Mr. Patel said he wants to be able to address the fire department issue, protect their property and keep it safe. Mr. Mowery then closed the Public Hearing. Mr. Wichlinski stated that he would like Mr. Patel to come back to the Board with a plan to address these issues. Mr. Nolasco also said that if Mr. Patel returns with a plan to address the issues, the Board will take them into consideration. Mr. Kus asked how tall the iron fence would be. Mr. Patel said it would be 6' and it would be too expensive to do iron all around the property. Mr. Kus suggested keeping this item open until the next meeting. Mr. Schwerd said that the Public Hearing can be closed and if the Board would like additional information as to how this fence is going to look, then it can be put on agenda for next month. Mr. Schwerd also stated that if the Board thinks the public hearing needs to be reopened, it can be. Mr. Wichlinski asked if one month was enough time for the architect. Mr. Patel replied, yes. ***Mr. Wichlinski made a motion granting a deferral until next month for additional information requested for BAPS Munster LLC; Vijay Patel, MD; 400 W. 44th Pl., Public Hearing on a Developmental Variance to install a fence around the perimeter of the property. Motion was seconded by Mr. Kus. All favored; motion carried.***

NEW BUSINESS

Item #1 SBA Communications (for T-Mobile); by Eric Greenfield; 500 N. Elmer St. Cheever Park. Requesting permission for a Public Hearing on a Use Variance to convert a flagpole structure to a traditional monopole tower. Petitioner was not present. ***Mr. Kus made a motion granting SBA permission for a continuance to the July 21, 2025, meeting. Motion was seconded by Mr. Nolasco. All favored; motion carried.***

COMMUNICATIONS

None

BILLS AND EXPENDITURES

Mr. Wichlinski made a motion to approve a claim for the meetings held May 19, 2025, in the amount of \$35.00 seconded by Mr. Kus. 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 6:43 p.m.

Respectfully Submitted

Tom Wichlinski, Secretary


Tricia Hanrath, Recording Secretary