

Town of Griffith
Board of Zoning Appeals
July 22, 2015

The Board of Zoning Appeals meeting was called to order at 7:01 p.m. by Chairman John Mowery with members Carl Kus, Eddie Gonzalez and Tom Wichlinski. Also present was Attorney Bob Schwerd. Absent was member Ray Elbaor and Town Council Liaison; Larry Ballah.

The minutes of the June 24, 2015 Board of Zoning Appeals meeting were approved as written.

OLD BUSINESS

Item #1 45th Street Studios 1941 W. Glen Park Ave. by Cresencio Leon Jr.; Public Hearing for a Special Use to allow a body adornment studio in a B3 General Business Zoning District. Petitioner has asked to be removed from the agenda.

Mr. Kus made a motion to drop 45th Street Studios 1941 W. Glen Park Ave. by Cresencio Leon Jr. from the agenda seconded by Mr. Gonzalez. All favored, motion carried.

Item #2 Sinisa Sorgic; 202 N. Wiggs, Requesting permission to hold a Public Hearing for a Special Use to allow a duplex in an R2 Single Family Zoning District.

Mr. Sorgic was not present. *Mr. Wichlinski made a motion to drop Sinisa Sorgic; 202 N. Wiggs from the agenda seconded by Mr. Kus. All favored, motion carried.*

NEW BUSINESS

Item #1 James W. Terpstra Trust approx.. 103 S. Lillian Ave., Public Hearing on a Developmental Variance with respect to minimum required side yard setback. Zoning is II Light Industrial.

Mr. Terpstra appeared before the Board. Mr. Mowery asked if proof of publication and mailings were in order. Mr. Schwerd stated all legal requirements were in order. Mr. Mowery then opened up the Public Hearing portion of the meeting. Mr. Terpstra stated the 30' between buildings will be maintained which only allows for a 6' side yard vs. the required 20'. Mr. Kus asked if the proposed building will be another storage facility. Mr. Terpstra stated that is correct. Mr. Terpstra stated NIPSCO & the nature preserve are next to the property. Mr. Wichlinski asked if that is on the west or east side. Mr. Terpstra stated they are to the west of the property. Mr. Kus asked what the bay size will be. Mr. Terpstra stated there will be 20 additional units. 20' x 200'. No remonstrators appeared before the Board. Mr. Mowery then closed the Public Hearing portion of the meeting. *Mr. Wichlinski made a motion* grating a Developmental Variance to James W. Terpstra Trust approx. 103 S. Lillian Ave. with respect to minimum required side yard setback *seconded by Mr. Gonzalez. All favored, motion carried.* Mr. Mowery asked Mr. Schwerd if he would prepare Findings of Fact. Mr. Schwerd stated he would. *Mr. Wichlinski then made a motion* to allow Chairman Mowery permission to sign the Findings of Fact once prepared for *seconded by Mr. Kus. All favored, motion carried.*

Item #2 Sud City Express Wash, 1637 W. 45th Ave. by Clint Johnson; requesting a Public Hearing for a Special Use to increase the amount of vehicles allowed in a B4 Use (motor vehicle sales) in a B3 Zoning District.

Mr. Clint Johnson appeared before the Board. Mr. Johnson stated at his last appearance before the Board he was granted permission to sell 10 vehicles in the same location as his car wash business. Mr. Johnson stated the car wash is not doing well and he would like to increase the amount of cars for sale to 20-25 vehicles. Mr. Wichlinski asked if a survey was available to see how much space is actually available. Mr. Johnson stated he did not have one. Mr. Johnson then explained the need for additional signage/banners. Mr. Wichlinski stated a car wash is not the ideal business the Town wishes to promote on one of the main streets coming into town. Mr. Kus agreed with the need for a survey and the appearance of more vehicles. Mr. Schwerd stated a Special Use Variance is required

to go before the Town Council for final approval. The Town Council makes the final decision. **Mr. Wichlinski made a motion** granting Sud City Express Wash, 1637 W. 454th Ave. by Clint Johnson permission to advertise for a Public Hearing for a Special Use to increase the amount of vehicles allowed in a B4 Use (used motor vehicle sales) in a B3 Zoning District as well as a grant permission for a Developmental variance for an increase in signage if needed **seconded by Mr. Kus. All favored, motion carried.**

Item #3 Asada Grill and Cantina, 216 S. Broad St. by Rigo A Guterrez; requesting a Public Hearing for a Special Use to allow full service outdoor dining.

Mr. Rigo Guterrez appeared before the Board. Mr. Guterrez stated he has taken over management of the restaurant. The new restaurant name will be Asada Grill & Cantina. The restaurant is proposing to have a full service outdoor dining patio area. The new raised patio will be aesthetically pleasing, constructed of stone with a railing. The entrance will be at the side of the building. Mr. Mowery asked how much seating will be available. Mr. Guterrez stated he would like to have 5 tables, seating 4 each. Mr. Wichlinski asked if customers can enter in from that area. Mr. Guterrez stated you can. Mr. Gonzlaez asked if alcohol will be served. Mr. Guterrez stated he would like to offer full service dining including alcohol. Mr. Kus asked if there are any issues with Excise. Mr. Guterrez stated he does not have any issues with Excise. There will be two exits and they are not blocked. It will be considered family dining. Mr. Kus asked what the time frame is if permission is granted. Mr. Guterrez stated it will take about 7 days. Mr. Kus asked if Mr. Guterrez has already taken over. Mr. Guterrez stated he has. Mr. Wichlinski asked if he has purchased the building or if he is leasing. Mr. Guterrez stated he is leasing. Mr. Wichlinski informed Mr. Guterrez that a written letter of permission is needed from the property owner. **Mr. Wichlinski made a motion** granting permission to adverstise for a Public Hearing for a Special Use to Asada Grill and Cantina, 216 S. Broad St. by Rigo A. Guterrez to allow full service outdoor dining **seconded by Kus. All favored, motion carried.**

COMMUNICATIONS

None.

BILLS AND EXPENDITURES

Mr. Wichlinski made a motion to approve claims for the meeting held June 24, 2015 in the amount of \$35.00 **seconded by Mr. Gonzalez. 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 7:33 pm

Respectfully Submitted

Tom Wichlinski, Secretary

Veronica L. Horka, Recording Secretary