

Town of Griffith
Board of Zoning Appeals
March 25, 2015

The Board of Zoning Appeals meeting was called to order at 7:00 p.m. by Chairman John Mowery with members Carl Kus, Eddie Gonzalez, Ray Elbaor and Tom Wichlinski. Also present was Attorney Brent Torrenga and Town Council Liaison; Larry Ballah.

The minutes of the February 26th, 2015 Board of Zoning Appeals meeting were approved as written.

The Board amended the agenda to include Andrew Webster of 12807 Delaware, Crown Point, Indiana requesting a change of use variance for 1637 W. Glen Park Avenue.

OLD BUSINESS

Item #1 45th Street Studios 140 S. Broad St. by Cresencio Leon; a Public Hearing on a Special Use Variance to allow an art gallery store front and body adornment studio in a B2 Central Business Zoning District. Please note: the Public Comment portion of the meeting has been closed.

Mr. Leon appeared before the Board. Mr. Mowery stated that the town ordinance only allows three (3) body adornment studios within the town. Tom Wichlinski questioned blood extraction. Mr. Mowery explained that it does not apply to adornment studios, only when medical procedures are performed. Mr. Gonzalez questioned blood borne pathogens. Mr. Leon assured Mr. Gonzalez that it is not an issue. Mr. Leon has completed the required training on proper disposal procedures. Attorney Torrenga stated that there are state statues and safety regulations that must be followed. Mr. Torrenga suggested having Mr. Leon sign an agreement that he would follow such state statues and safety regulations. Tom Wichlinski stated his concern of the location, which is in the downtown area. He is not sure if that is the type of business the town would be in favor of. **Carl Kus motioned** a favorable recommendation, **seconded by Ray Elbaor**. Both **Tom Wichlinski and Eddie Gonzalez** denied the favorable recommendation. Mr. Mowery recommended the final approval be given to the Griffith Town Council at the April 7th, 2015 meeting. Attorney Torrenga submitted the Findings of Fact to the Board.

Item #2 Teresita M. Anderson 301 E. Avenue C; a Public Hearing on a Developmental Variance with respect to lot coverage. This petitioner has requested a continuance to the April 22, 2015 meeting.

Carl Kus motioned Teresita M. Anderson's request for continuance to the April 22nd meeting, **seconded Tom Wichlinski. All favored, motion carried.**

NEW BUSINESS

Item #1 Centsible Heating & Air Conditioning, LLC 403 N. Griffith Blvd. by Dean and Susan Pollard; requesting permission for a Public Hearing on a Special Use Variance to allow a business in an R2 Single Family Residential Zoning District.

Susan Pollard appeared before the board requesting a Special Use Variance. Mrs. Pollard currently has an offer to purchase the property located at 403 N. Griffith Blvd., pending approval of the Special Use Variance. Mrs. Pollard would like to either remodel existing garage to 30X40 or construct a new 30X40 garage. The home will be used for an office and the garage will be used as a warehouse and some sheet metal work. A new sign will be placed on the mansard roof of the new garage. Carl Kus asked what is in the current location. Mrs. Pollard explained an office and warehouse, which will be the same at the new location. Mrs. Pollard said a move is necessary because they are currently renting two facilities to house all of their equipment. Moving into 403 N. Griffith Blvd. would allow them to have all of their equipment and office at one location. Carl Kus explained that several variances may be needed, such as, garage variance, lot variance, and sign variance. Mr. Mowery told Mrs. Pollard that it would be in her best interest to cover all variances at once. Mr. Mowery said that until the Board knows the specifics, lot size, garage size, setbacks, etc. they can't advise on what actual variances she will need. Mr. Mowery suggested to proceed and advertise for a Public Hearing. Attorney Brent Torrenge explained that all neighbors must be notified via certified mail of specific variances she will be requesting. Notifications must be sent out a minimum of ten (10) days prior to Public Hearing. **Eddie Gonzalez motioned** to approve Dean and Susan Pollard's request for a Public Hearing, **seconded by Tom Wichlinski. All favored, motion carried.**

Item #3 Andrew Webster 12807 Delaware, Crown Point, Indiana ; requesting permission to advertise for a Public Hearing for a Special Use Variance for Sud City Car Wash, 1637 W. Glen Park.

Mr. Webster is requesting a special use variance to change the name of the business. The ownership of the property will remain the same. Attorney Brent Torrenge will research the Findings of Facts on a previously granted special use ordinance for the property, which may allow this change without an additional variance. Mr. Torrenge will have an answer by Monday, March 30th, 2015. **Tom Wichlinski motioned** to allow Mr. Webster to advertise if needed, **seconded by Carl Kus. All favored, motion carried.**

COMMUNICATIONS

None

BILLS AND EXPENDITURES

Mr. Wichlinski made a motion to approve a claim for the meeting held on February 25th, 2015 in the amount of \$35.00 **seconded by Mr. Gonzalez. All in favor, motion carried.**

OTHER

Mr. David Richardson of 138 S. Lafayette, Griffith, Indiana, approached to Board to voice his opposition of the proposed adornment studio at 140 S. Broad Street. Mr. Richardson lives approximately 65' from the location and feels it is a bad connotation for the Town of Griffith. Mr. Mowery explained the town ordinance allowing three (3) adornment studios within the town limits. Mr. Mowery also informed Mr. Richardson that the Board recommendation will go before the Town Council, who will make the final decision on allowing Mr. Leon to move his studio to the downtown area.

ADJOURNMENT

There being no further business to come before the Board of Zoning Appeals a motion was made and seconded to adjourn. The meeting adjourned at 7:30 p.m.

Respectfully Submitted

Tom Wichlinski, Secretary

Tricia Kistler, Recording Secretary