

Town of Griffith
Board of Zoning Appeals
February 26, 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 Town Attorney, Bob Schwerd and Town Council Liaison; Larry Ballah.

The minutes of the January 21, 2015 Board of Zoning Appeals meeting were approved as written.

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 Hearing has been continued from last month.

Mr. Leon 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 opened up the Public Hearing portion of the meeting. Mr. Cresencio stated he is proposing a tattoo shop/art gallery on S. Broad Street. The shop is located between Ben Mollin's shop and the Gunsmith. No remonstrators appeared before the Board. Mr. Wichlinski asked if blood is extracted with the tattooing. Mr. Cresencio stated yes, there are needles but getting a tattoo is more compared to a skin abrasion. Mr. Wichlinski asked Mr. Schwerd if there is a moratorium regarding blood/medical businesses that includes Broad Street. Mr. Schwerd stated he would have to research and get back with the Board. Mr. Gonzalez stated he has the same concerns as Mr. Wichlinski. Mr. Wichlinski asked how close the nearest residence is from the studio. Mr. Cresencio stated approximately 200 ft. Mr. Wichlinski and Mr. Gonzalez stated their concerns with this type of business and its proximity to residential homes. Mr. Elbaor asked if a motion should be made based on the moratorium. Mr. Schwerd suggested closing the Public Hearing but continuing the item which would allow him to research for additional information. Mr. Elbaor asked is a customer is allowed to bring in alcohol. Mr. Cresencio stated alcohol is not permitted and if a customer appears to be intoxicated they are turned away. Mr. Kus asked how many customers visit the shop daily. Mr. Cresencio stated he and his partner have anywhere from 2-4 customers a day. Mr. Kus asked if the 45th Street business will remain open. Mr. Cresencio stated he will be closing that location. Mr. Kus asked when the lease expires. Mr. Cresencio stated his lease is over in June. Mr. Kus asked if there is any construction work to be done on the new location. Mr. Cresencio stated there is very little work to be done, a partition wall, painting, etc. Mr. Mowery then closed the Public Hearing portion of the meeting. ***Mr. Gonzalez made a motion to continue 45th Street Studios 140 S. Broad St. by Cresencio Leon; on a Special Use Variance to allow an art gallery store front and body adornment studio in a B2 Central Business Zoning District seconded by Mr. Wichlinski. All favored, motion carried.***

NEW BUSINESS

Item #1 Teresita M. Anderson 301 E Ave C; requesting permission for a Public Hearing on a Developmental Variance with respect to lot coverage.

Ms. Teresita Anderson and Mr. Fred Doppler of Doppler Construction appeared before the Board. Mr. Doppler stated he built the home located at 301 E. Ave C approximately 15 years ago. Ms. Anderson has since had the ally, to the East that borders the trail, vacated. The Anderson's would like to construct an additional garage for more storage. Mr. Kus asked how big the garage would be. Mr. Doppler stated it will be 20x30 and a 600 ft. variance is being requested. There was then discussion that another variance may be needed. Mr. Schwerd stated he would look in it. Mr. Doppler stated the exact garage plans have not been determined yet but the petitioner would like to move forward with next month's meeting. By then there will be a more definite set of plans for review. ***Mr. Wichlinski***

made a motion allowing Teresita M. Anderson 301 E. Ave C permission to advertise for a Public Hearing on a Developmental Variance with respect to lot coverage ***seconded by Mr. Kus. All favored, motion carried.***

COMMUNICATIONS

None.

BILLS AND EXPENDITURES

Mr. Wichlinski made a motion to approve claims for the meeting held January 21, 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 7:30 pm

Respectfully Submitted

Tom Wichlinski, Secretary

Veronica L. Horka, Recording Secretary