

Town of Griffith
Board of Zoning Appeals
November 26, 2014

The Board of Zoning Appeals meeting was called to order at 7:00 p.m. by Chairman John Mowery with members Carl Kus, Tom Wichlinski and Ray Elbaor. Also present was Attorney; Bob Schwerd. Absent were Town Council Liaison; Larry Ballah, Building Commissioner; Donche Andonov and member Eddie Gonzalez.

The minutes of the October 22, 2014 Board of Zoning Appeals meeting were approved as written.

OLD BUSINESS

Item #1 New Supplies, Inc. 211 West Main by Roger and/or Mike Aurelio; a Public Hearing on a Developmental Variance with respect to allowable signage in an industrial district. Town Code Section: 86-231 (b)(1).

Mr. Aurelio appeared before the Board. Mr. Mowery asked Mr. Schwerd if proof of mailings and publication were in order. Mr. Schwerd stated proof of mailing and publication was in order. Mr. Mowery then opened the Public Hearing portion of the meeting. Mr. Aurelio stated his proposed signage is the same size as the existing Bakker Produce signage. The signage is over the allowable square footage by 320 square feet. Mr. Wichlinski asked if the signs will be backlit. Mr. Aurelio stated they will have lighting in front onto the sign. With no further questions, Mr. Mowery then closed the Public Hearing portion of the meeting. ***Mr. Wichlinski made a motion*** to grant a 320 square foot Developmental Variance with respect to signage to New Supplies, Inc., 211 West Main by Mike Aurelio ***seconded by Mr. Kus. All favored, motion carried.***

Mr. Mowery asked Mr. Schwerd to prepare Findings of Fact. Mr. Schwerd stated he would do so.

Item #2 Bootleg Liquors 1955-1957 West 45th Street by Brian Cook & Joe Wargo; a Public Hearing on a Developmental Variance with respect to allowable signage in a business district. Town Code Section 86-230 (g)(1).

Mr. Brian Cook and Mr. Joe Wargo appeared before the Board. Mr. Mowery asked Mr. Schwerd if proof of mailings and publication were in order. Mr. Schwerd stated proof of mailing and publication was in order. Mr. Mowery then opened the Public Hearing portion of the meeting. Mr. Wargo presented pictures/drawings of the different elevations. The allowed signage is 72 square feet and the total amount of signage requested is 270 square feet. Mr. Wargo continued in stated the signs are channel letters with pictures, backlit with LED lighting. Mr. Cook explained the location used to consist of 2 units and 4 signs. Now, the units have been combined for his business and there will be a total of 3 signs. Mr. Cook is hoping his business will help bring up the esthetics of the mall. Mr. Wichlinski asked what the previous business had in signage. Mr. Wargo stated the previous signage was approximately 112 square feet and mentioned the spa sign has been taken down and will not be used. Mr. Elbaor asked if the proposed signage is bigger than the surrounding business'. Mr. Wargo stated the signs will not be flashing and the business sits back from the road so he feels the proposal is acceptable. Mr. Kus asked if the the signs will be backlit. Mr. Wargo stated they will be. Mr. Kus also asked if the lighting will be bright. Mr. Wargo stated it is not. Mr. Mowery then stated the Board has received two written remonstrances. Mr. Schwerd stated the remonstrances should be included in the minutes. Dr. Thomas Krosek of 2025 W. Glen Park Ave., stated the western portion of the business can be seen from his business. Dr. Krosek stated his concern of the signage being disproportionate in size compared to the surrounding businesses. Mr. Mowery then closed the Public Hearing of the meeting. ***Mr. Kus made a motion*** granting a Developmental Variance with respect to signage to Bootleg Liquors 1955-1957 West 45th Street by Brian Cook & Joe Wargo ***seconded by Mr. Wichlinski. All favored, motion carried. Mr. Wichlinski made a motion*** for Mr. Schwerd to prepare Findings of Fact and allow Mr. Mowery to sign them on behalf of the Board ***seconded by Mr. Kus. All favored, motion carried.***

NEW BUSINESS

Item #1 912 Avenue H, LLC by Carlos Ruiz and/or Nick Georgiou; requesting permission for a Special Use to allow outdoor fabrication in an I-2 Zoning District. Town Code Section 86-159 & 86-139 (b).

Mr. Nick Georgiou and Mr. Carlos Ruiz appeared before the Board. Mr. Georgiou stated he has been approached by Enbridge to lease their land for temporary outdoor storage, truck parking, a construction staging area and fabrication. The material will be assembled on their property then shipped to the construction site. Mr. Georgiou asked for an allowed 24 month term. Mr. Wichlinski asked if the petitioners had been before the Board before with the same request. Mr. Georgiou stated they had been before the Board because Sheehan had begun fabricating on site without permission and they were stopped by the Building Commissioner which prompted an appearance before the BZA. Mr. Mowery asked Mr. Schwerd if the Board is required to handle a temporary approval the same as other motions. Mr. Schwerd stated a motion is still necessary but should be worded "subject to" and "expires on or before". Mr. Mowery questioned if temporary approval is presented to Town Council. Mr. Schwerd stated it is because it is a Special Use Variance. Mr. Elbaor asked how many employees will be on site. Mr. Georgiou stated the amount of employees should not be an issue. There are 150 parking spots available. Mr. Elbaor also asked if sanitary facilities will be available and if the scaffold will be constructed. Mr. Ruiz stated there are port-a-potties on site and the scaffold will have a weather enclosure. Mr. Kus asked how big the scaffold tents will be. Mr. Georgiou stated they will be approximately 80x100 or 100x100. ***Mr. Wichlinski made a motion*** granting 912 Avenue H, LLC by Carlos Ruiz and/or Nick Georgiou permission to advertise for a Public Hearing with respect to a Special Use to allow outdoor fabrication in an I-2 Zoning District ***seconded by Mr. Elbaor. All favored, motion carried.***

Item #2 Reschedule December BZA meeting date.

Mr. Wichlinski made a motion to reschedule the December BZA meeting to Wednesday, December 17, 2014 @ 7:00 p.m. and the press should be notified of the change ***seconded by Mr. Kus. All favored, motion carried.***

COMMUNICATIONS

None

BILLS AND EXPENDITURES

Mr. Wichlinski made a motion to approve claims for the meetings held October 22, 2014 in the amount of \$35.00 ***seconded by Mr. Elbaor. 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 7:37 pm

Respectfully Submitted

Tom Wichlinski, Secretary

Veronica L. Horka, Recording Secretary