

Town of Griffith  
Board of Zoning Appeals  
February 19, 2018

The Board of Zoning Appeals meeting was called to order at 6:00 p.m. by Chairman John Mowery with members Carl Kus, Ray Elbaor, and Danielle Carlson, and Tom Wichlinski . Also present was Town Attorney; Joseph Svetanoff, Town Council Liaison; Larry Ballah, and Building Commissioner; Steve McDermott.

The minutes from the January 24, 2018 Board of Zoning Appeals meeting were approved as written.

**OLD BUSINESS**

**Item #1 Bruce D. Konopasek; 421 N. Lafayette St. Public Hearing on a sideyard Developmental Standards Variance.**

Attorney Svetanoff stated there are three missing certified mailing receipts. All other legal requirements have been met and are in order. Any recommendation given shall be contingent upon receiving the remaining certified mailings. Mr. Konopasek appeared before the Board stating his current garage is within a foot of the lot line. The new garage will still be within a foot of the lot line but will be 10' longer towards the front of the existing driveway. Mr. Mowery then opened up the Public Hearing portion of the meeting. Mr. Wichlinski asked if the driveway is at the front or back of the property. Mr. Konopasek stated the drive is at the front, towards Lafayette St. Mr. Elbaor asked about the firewall requirement. Mr. Konopasek stated due to the proximity of the garage to the house, a firewall is required. The entire garage will be drywalled with the proper firewall requirements. Mr. Kus asked what the change in footprint will be. Mr. Konopasek stated the garage is 22' long, east to west. The new garage will be 32' long, east to west. All existing concrete will be removed and replaced for the construction of the garage. No remonstrators appeared before the Board. Mr. Mowery then closed the Public Hearing portion of the meeting. **Mr. Wichlinski made a motion** approving the Developmental Standards Variance on sideyard with regards to a new garage to Bruce D. Konopasek; 421 N. Lafayette. **Seconded by Mr. Kus. All favored, motion carried.**

**Item #2 Shipwreck Bar & Grill; 840 S. Broad St. by Joe Drish. Public Hearing on a Special Use Variance to have an outdoor seating/dining area.**

Attorney Svetanoff stated all legal requirements have been met and are in order. Mr. Mowery then opened the Public Hearing portion of the meeting. Mr. Drish stated the proposed outdoor dining area will be 70' x 32' with a 32' x 36' overhang. Mr. Wichlinski asked if it will be 32' x 70' on the west side of the building. Mr. Drish stated that was correct. Mr. Wichlinski asked if it will cover the entire side of the building. Mr. Drish stated there will be 35' left. The north side of the property will have a 20' driveway. The overhang will have a corrugated steel roof. Mr. Kus asked if there will be a gravel area. Mr. Drish stated the gravel area will remain for now, but there are future plans to install asphalt. Mr. Kus asked if there will be a beer garden. Mr. Drish stated the bar will be under the overhang. Mr. Kus asked if the area will be enclosed. Mr. Drish stated it will be open with railings. Mr. Kus asked if it will follow the ATC requirements. Mr. Svetanoff stated that is not a BZA matter. Mr. Kus asked what the proposed business hours are. Mr. Drish stated he will comply with Town regulations, but was planning to close at 11:00p.m. on weekdays and midnight on the weekend. Mr. Mowery asked if there will be music. Mr. Drish stated he will have indoor music, the outdoor area will have speakers that can be turned off. Mr. Mowery stated the Board has previously asked other outdoor dining areas to close down at 11:00p.m. Mr. Drish understood. No remonstrators appeared before the Board. Mr. Mowery then closed the Public Hearing portion of the meeting. **Mr. Wichlinski made a favorable recommendation** to the Town Council to allow an outdoor dining/seating area at Shipwreck Bar & Grill; 840 S. Broad St. by Joe Drish with the stipulation that all outdoor music should end at 11:00p.m. **Seconded by Mr. Elbaor. All favored, motion carried.**

**Mr. Wichlinski made a motion** allowing Attorney Svetanoff to prepare Findings of Fact and Mr. Mowery should sign the Findings on behalf of the Board **seconded by Mr. Kus. All favored, motion carried.**

**Item #3 Krasic, LLC by Mirko Krasic. Requesting permission for a Public Hearing on a Use Variance for parking at 317,321, and 325 E. Main Street. Petitioner is no longer requesting this Use Variance.**

**Mr. Wichlinski made a motion** to drop Krasic, LLC by Mirko Krasic from the BZA agenda **seconded by Mr. Kus. All favored, motion carried.**

## **NEW BUSINESS**

### **Item #1 Ken Hay; 704 Arbogast St. Requesting permission for a Public Hearing on a Developmental Standards Variance to construct a duplex.**

Mr. Ken Hay; 1310 Trailee Ct., Dyer, IN 46311 appeared before the Board. Mr. Hay stated he has purchased the lot located at the N.E. corner of Arbogast and Pine St. A garage is the only structure on the lot. A public hearing is scheduled for March 19, 2018 with the Plan Commission to rezone the property. The land was previously owned by a church. The actual church building, which is located on a different lot, has been remodeled into a duplex. The proposed duplex will face Arbogast. The variance request is for the north and south side of the lot. Each will have a sideyard of 7.5' instead of 10'. Mr. Hay stated nearby lots have similar setbacks. **Mr. Kus made a motion** to allow Ken Hay permission to advertise for a Public Hearing on sideyard Developmental Variances for 704 Arbogast for the construction of a duplex. Attorney Svetanoff stated the survey submitted is dated 1985 and shows a utility easement. Attorney Svetanoff also stated a new survey will be required before construction and suggested Mr. Hay verify the utility easement isn't going to be an issue. Mr. Hay understood. **Motion seconded by Mrs. Carlson.** Mr. Hay asked if his certified mailings could be combined with the plan commission certified mailings. Attorney Svetanoff stated the meetings have to be treated individually and cannot be mailed together. **All favored, motion carried.**

## **COMMUNICATIONS**

Mr. Mowery stated the Board has received a letter regarding the business located at 1581 N. Cline Ave., Quality 1<sup>st</sup> Complete Auto Repair. Any needed action is not within the jurisdiction of the Board of Zoning Appeals. The Board shall forward the letter to the Town Council so they can take action, if necessary.

## **BILLS AND EXPENDITURES**

**Mr. Wichlinski made a motion** to approve a claim for the meeting held January 24, 2018 in the amount of \$35.00 **seconded by Mrs. Carlson. 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 6:35 p.m.

Respectfully Submitted

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Tom Wichlinski, Secretary

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Veronica L. Horka, Recording Secretary