

Town of Griffith
Board of Zoning Appeals
May 28, 2014

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 Building Commissioner; Donche Andonov. Absent was Town Council Liaison; Larry Ballah.

The minutes of the April 23, 2014 Board of Zoning Appeals meeting were approved as written.

OLD BUSINESS

Item #1 Crestar Capital Indiana, LLC by Brad Spiegel and/or Michael Smith re: 717 N. Elmer; Public Hearing continued for a Special Use to allow a R3 Use (2 family dwelling) in a R2 (single family) Zoning District. Please note that the Public Comment portion of the meeting has been closed.

Mr. Brad Spiegel appeared before the Board. Mr. Mowery stated the Board had requested drawings/renderings of the proposed building conversion. Mr. Wichlinski stated he has reviewed the documents and thanked Mr. Spiegel for the submittal. With no further discussion **Mr. Wichlinski made a motion** to grant a favorable recommendation to the Town Council for Crestar Capital Indiana, LLC by Brad Spiegel and/or Michael Smith re: 717 N. Elmer for a Special Use to allow a R3 Use in a R2 Zoning District **seconded by Mr. Kus. All favored, motion carried. Mr. Wichlinski then made a motion** allowing Mr. Schwerd to prepare Findings of Fact as well as allow Mr. Mowery to sign the Findings once prepared **seconded by Mr. Kus. All favored, motion carried.**

Item #2 Rock-N-Ink Tattoos 2049 West Glen Park Ave. by Vito Saulytis informational presentation describing relocation of Special Use to 2053 West Glen Park Ave. (same building). This item has been resolved.

Mr. Kus made a motion to drop Rock-N-Ink Tattoos 2049 West Glen Park Ave from the agenda **seconded by Mr. Elbaor. All favored, motion carried.**

NEW BUSINESS

Item #1 912 Avenue H, LLC by Nick Georgiou & Carlos Ruiz re: 912 West Avenue H; requesting permission for a Public Hearing on a Special Use Variance with respect to outdoor production, servicing and processing. See sections 86-139(b) & 86-159.

Mr. Nick Georgiou and Mr. Carlos Ruiz appeared before the Board. Mr. Georgiou stated they have owned the property for approximately 5-6 years and has begun leasing to contractors that are working on the pipeline project. Mr. Georgiou stated he and his business partner (Mr. Ruiz) have made improvements to the property over the past years. One of the tenants began using the space for fabricating, which is not allowed in an I2 Zoning district. Mr. Ruiz stated once he found out, the tenants were informed they needed to stop all welding/fabricating. Mr. Georgiou stated the permission he is requesting is for a temporary use. Mr. Georgiou also stated he is also willing to eliminate all outdoor fabrication if the Board chooses. Mr. Elbaor asked if the tenants are welding pipe. Mr. Georgiou stated they are. Mr. Georgiou stated he is looking into constructing another building at the rear of the property. They are already in the process of trying to obtain a state septic permit. Mr. Elbaor asked Mr. Schwerd of the history on this land. Mr. Schwerd stated the petitioner's received permission from the Plan Commission to have temporary parking during the pipeline construction phase. The approval will end in September or October of this year. Mr. Elbaor asked what types of neighbors are next to him. Mr. Georgiou stated there is a junk yard to the west and residential to the east. Mr. Gonzalez asked how long the fabrication had been taking place. Mr. Ruiz stated the lease specifies the space could only be used for staging and once he found out there was welding/fabrication they were told to stop. The fabrication went on for approximately one week. Mr. Andonov made it clear that the zoning is correct, the problem is with the type of work taking place outdoors. Mr. Georgiou asked if a variance with a time frame could be granted. Mr. Schwerd stated the Board can grant a variance with findings and stipulations which then must go before the Town Council for final approval. Mr. Wichlinski asked if the fabrication was being done on a protected surface or just open ground. Mr. Andonov stated it was being done on gravel. Mr. Wichlinski asked if there are other areas in Town that are zoned I2. Mr. Andonov stated Govert's area and possibly Brant's Industrial. **Mr. Kus made a motion** granting 912 Avenue H, LLC by Nick Georgiou & Carlos Ruiz re: 912 West Avenue H permission to advertise for a Public Hearing for a Special Use Variance with respect to outdoor production, servicing and processing **seconded by Mr. Wichlinski. All favored, motion carried.** Mr. Mowery explained to the petitioner's that the Board will review this item and ordinance. If the Board feels a Public Hearing isn't necessary they will be contacted. Mr. Georgiou understood.

COMMUNICATIONS

None

BILLS AND EXPEDITURES

Mr. Wichlinski made a motion to approve a claim for the April 23, 2014 Board of Zoning Appeals minute preparation in the amount of \$35.00 **seconded by Mr. Kus. 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 7:35 p.m.

Respectfully Submitted

Tom Wichlinski, Secretary

Veronica L. Horka, Recording Secretary