

Town of Griffith  
Board of Zoning Appeals  
January 23, 2013

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

### **ELECTION OF OFFICERS**

Mr. Gonzalez made a motion that all members shall retain their current positions seconded by Mr. Wichlinski. Mr. Mowery; Chairman, Mr. Kus; Vice Chairman and Secretary; Tom Wichlinski. All favored, motion carried.

The minutes of the December 19, 2012 Board of Zoning Appeals meeting were approved as written.

### **OLD BUSINESS**

**Item #1 Rex Blankenship 110 W. Main Street; a Public Hearing on a Special Use to allow a glass business (contractor's shop) in a B2 Zoning District.**

Mr. Andonov stated there hasn't been any further communication with the petitioner. **Mr. Kus made a motion** to drop Rex Blankenship 110 W. Main Street from the agenda **seconded by Mr. Gonzalez. All favored, motion carried.**

**Item #2 Deborah D. Day 1549 Broad Street; a Public Hearing on a Special Use to allow a residence to be rebuilt in a B3 Zoning District in the event it is destroyed over 50%.**

Ms. Deborah Day appeared before the Board. Mr. Schwerd stated all legal notifications have been met by the petitioner. Mr. Mowery then opened up the Public Hearing portion of the meeting. Ms. Day explained the need for the requested variance is so she is able to put the house on the market. Due to the current zoning, a potential buyer would not be able to get a loan to purchase the home. Mr. Elbaor questioned if the requested variance is passed, would it carry over to the next owner. Mr. Schwerd then briefly explained the Special Use procedures. No remonstrators appeared before the Board. Mr. Mowery then closed the Public Hearing portion of the meeting. **Mr. Kus made a favorable recommendation** to the Town Council for a Special Use Variance that shall run with the land for 1549 North Broad Street, Griffith, Indiana, to permit the rebuilding of a non-conforming structure - a residence - in a B3 Zoning District in the event more than 50 percent of its value is destroyed **seconded by Mr. Gonzalez. All favored, motion carried.** Mr. Mowery asked Mr. Schwerd to prepare Findings of Fact. Mr. Schwerd stated he will prepare the Findings and asked that the Board allow Mr. Mowery to sign the Findings without the Boards presence. **Mr. Wichlinski made a motion** requesting Mr. Schwerd prepare Findings of Fact for Ms. Deborah D. Day 1549 Broad St. and Mr. Mowery shall be allowed to sign the Findings without the Boards presence **seconded by Mr. Kus. All favored, motion carried.**

**Item #3 Living Work Church 202 W. Ridge Road by Pastor Todd Cosenza; a Public Hearing for a Special Use to allow a church in a B3 Zoning District and any other required Developmental Variances.**

Mr. Todd Cosenza appeared before the Board. Mr. Cosenza requested a continuance. Mr. Cosenza stated he does not have a letter from the property owner granting him permission to request the variance needed. Mr. Mowery asked Mr. Schwerd if certified mailings will need to be re-mailed. Mr. Schwerd stated they did not. Mr. Cosenza stated he understood the risk of sending out the mailings without the letter from the land owner as well as the possibility of not receiving one. **Mr. Kus made a motion** granting Living Work Church 202 W. Ridge Road by Pastor Todd Cosenza, a one month continuance. Mr. Kus continued the motion in stating; the letter from the property owner must be submitted 10 days prior to the next scheduled meeting (February 27, 2013) or the petitioner shall be dropped from the agenda. To clarify the motion Mr. Kus included that the

property owner's letter must be received no later than February 15, 2013. ***Motion was seconded by Mr. Wichlinski. All favored, motion carried.*** Mr. Cosenza stated he understood.

#### **NEW BUSINESS**

None.

#### **COMMUNICATIONS**

None.

#### **BILLS AND EXPENDITURES**

***Mr. Wichlinski made a motion*** to approve a claim for the December 19, 2012 Board of Zoning Appeals minute preparation 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 7:22 p.m.

Respectfully Submitted

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Tom Wichlinski, Secretary

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Veronica L. Horka, Recording Secretary