Town of Griffith

Board of Zoning Appeals

November 15, 2021

The Board of Zoning Appeals meeting was called to order at 6:02p.m. by Chairman John Mowery with members Carl Kus, and Tom Wichlinski present. Also present was Attorney; Bob Schwerd, Building Commissioner; Steve McDermott, and Town Council Liaison; Larry Ballah. Absent was Ray Elbaor and Theresa Rivas.

The minutes from the June 21, 2021 meeting were approved as written.

**OLD BUSINESS**

None.

**NEW BUSINESS**

***Item #1 Parlay Grill & Catering; 105 N Broad St., a Public Hearing for a use variance to grill outdoors.***

Mr. Kenneth Beckett of 105 N Broad St., appeared before the board. Mr. Mowery asked if all mailings and publications were in order to which Mr. Schwerd responded yes. Mr. Mowery then opened up the Public Hearing portion of the meeting. Mr. Beckett stated he took over the sublease of Tapas and wants to be able to grill outdoors since the interior kitchen is not set up properly to do so. Mr. Beckett explained he has permission from the owners and insurance, as long as the structure is over ten feet from the building. Mr. Wichlinski questioned where the proposed location is. Mr. Beckett stated that the owner wants to move the dumpster in back. Mr. Beckett provided a drawing showing two proposed locations. One along the fence and another in the center of a small area in back. Mr. Beckett explained that the suite to the North has a smaller unit that allows space behind. The owner wants to move the dumpster so he can place the structure along the fence in back or in the middle of the open space area behind the unit to the north. Mr. Wichlinski asked what the structure will look like. Mr. Beckett stated he can make different variations. Mr. Wichlinski asked if it can be incorporated into the building. Mr. Beckett stated that due to insurance purposes it cannot be incorporated, but ten feet away. He stated he can find the same fencing in order to build the structure and keep the fence consistent, or he can make something temporary like a small metal shed that can fit the grill. Mr. Wichlinski asked what the setbacks were. He stated he wanted to see the dimensions all around, what it will look like, the type of structure, and the visual of the structure he intends to build. Mr. Beckett stated the grill was around 5’ wide, chest height, and will have two chimney stacks. He also stated that the structure housing the grill will be around seven to six feet in height. Mr. Wichlinski stated that Mr. Beckett must be cognizant of the neighbors. The old Town Hall will be torn down and this structure will be in view, so the structure should be aesthetically pleasing. Mr. Schwerd also mentioned that this is a use variance, so the recommendation will go to the Town Council who will have the final vote. Mr. Wichlinski stated that it would be helpful to have drawings as there is not enough information provided in order to give a recommendation. Mr. McDermott stated that they could recommend the drawings to be given to the council. Mr. Kus asked if this would technically be a smoke house or just a grill. Mr. Beckett stated this is just a grill but that he would be adding the structure for safety reasons. He will be bringing the grill he uses personally. Mr. Kus asked Fire Inspector Steve Stelk, if he saw any issues. Mr. Stelk stated as far as the location, they are ten feet off so its more a matter of what it is made out of, then asked why it can’t be done inside. Mr. Beckett stated that the style of barbecue is why, grilling over fire is not the same as indoor barbequing. Mr. Kus stated he agreed with Tom that they need more information. Mr. Wichlinski stated he wants to know how it will be contained. Mr. Kus mentioned the quantity of wood used, and then asked what the square footage of the area in back is. With no one to speak for or against Mr. Mowery then closed the Public Hearing. Mr. Schwerd stated that he recommends the board ask for more information and then make a recommendation, or they can state they do not have enough information and let the council decide. ***Mr. Wichlinski made a motion*** granting no recommendation to Parlay Grill & Catering; 105 N Broad St., for a Use Variance to grill outdoors ***seconded by Ms. Kus. All favored, motion carried.*** Mr. Mowery stated that this is a fact-finding board and that they did not have enough information to make a recommendation to council, so it will go with no recommendation due to insufficient information. Mr. Beckett asked what his next steps were. Mr. Schwerd stated he recommends that he take the advice of the board and provide a drawing with all of the details to give to the Town Council. ***Mr. Wichlinski made a motion*** for Attorney Schwerd to prepare findings of fact ***seconded by Mr. Kus. All favored, motion carried.***

**COMMUNICATIONS**

None.

**BILLS AND EXPENDITURES**

***Mr. Wichlinski made a motion*** to approve a claim for the meeting held June 21, 2021 in the amount of $35.00 ***seconded by Ms. 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 6:24p.m.

Respectfully Submitted

Tom Wichlinski, Secretary

Aubrey R. Stegall, Recording Secretary