

HIGHLAND BOARD OF ZONING APPEALS
Study Session Minutes
May 26, 2021

Study Session began at 6:05 p.m.

In attendance were Commissioners Grzyski, Martini, Thomas and Murovic. Absent was Commissioner Helms. Also in attendance were Ken Mika, Building Commissioner/Zoning Administrator and BZA Attorney, John Reed.

The Study Session and Public Meeting were available for attendance via the Zoom Meeting Platform, Meeting ID: 949 9388 5550, Passcode: 576280.

Those in attendance reviewed the prepared Findings of Fact for Rogelio Castillo of 2145 41st Place for a fence setback variance request. The BZA members were in agreement that the Findings appeared to be in order.

Those in attendance reviewed the petition request for Price Point Builders, LLC, seeking a Use Variance to allow for the construction of 2 Single Family Homes at 8535 Henry Street. The property is zoned B-2 Central Business District, though there exists on both sides of the street, long established single family homes. Mr. Mika explained the history of this location in that the structure on the lots is a shack that is in disrepair and uninhabitable, which had been occupied until last summer by an individual that had a drug dependency problem, that has since passed away. The family is now attempting to sell the property and the interested party, Price Point Builders, was advised that they should seek a Use Variance for the single family use, considering there are no current or long term plans to develop the area as business and numerous single family homes exist. Mr. Mika went on to say that this would eliminate an existing, few year problem with the Town and would revitalize the area with 2 new homes. The petitioner was told to seek a Use Variance first. They most likely will have to refile for developmental variances at a future date if the Use Variance is granted.

Those in attendance reviewed the petition request for F & E Ventures, LLC, represented by Attorney Scott Yahne, who is requesting a Use Variance for a proposed Car Wash at 8955 Indianapolis Boulevard, which is located in an Indianapolis Blvd. Zoning Overlay District, in which a Car Wash is not a permitted use. Mr. Mika advised the Board members that he and Mr. Reed had received correspondence from Attorney Yahne, asking for a deferral to next month's public meeting, due to some last minute discoveries. Mr. Mika went on to say that if the petitioner was granted the deferral, the BZA might want to move this item up on the agenda and announce this so that anyone from the public that may be on wouldn't need to wait until that was announced in the agenda order.

Those in attendance reviewed the petition request for RPS Highland, LLC, for 8301 Indianapolis Boulevard, represented by Attorney Jared Tauber, who is asking for a Use Variance to allow for a Logistics Hub and Storage Facility for auto parts at this location. The proposal is to be strictly warehousing, with no retail. Mr. Mika stated that this use is more applicable in the Town's I-1 Light Industrial District and the concern would be that with the numerous trucks that would be used to bring the warehoused items to and from the site, that it could affect the general operation of the existing retail operation of the strip mall. The mall is showing signs of being reoccupied following the previous owners filing for bankruptcy. This concern was also shared by the BZA members. Presentation materials were sent to the Board earlier in the week.

Those in attendance reviewed the petition request for a developmental variance being presented by ASA Above The Rest, LLC for the size of sign being proposed at 10251 Indianapolis Boulevard for a new business, Total Wine, at the previous Dick's Sporting Goods location. They are proposing 446 square feet, 150 sq. ft. would be permitted by ordinance. This would be the second time since the ordinance has been in effect that someone has sought a variance, which is why the existing signs at this location are larger within this development. The last variance, it was believed, was for Target, who wanted 2 signs and were allowed one at around 200 square feet and had more store frontage. Discussion evolved around the consensus that what was being proposed was too large.

Study Session ended at 6:32 p.m.



Ken Mika

Building Commissioner/Zoning Administrator