

HIGHLAND BOARD OF ZONING APPEALS
Minutes of the Meeting of
July 28, 2021

The Highland Board of Zoning Appeals met in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, IN 46322 on July 28th, 2021. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Mr. Martini.

ROLL CALL: Present were Board Members Mr. Martini, Mr. Helms, Mr. Grzymiski, Mr. Thomas and Mrs. Murovic. Also present was Building Commissioner/Zoning Administrator, Mr. Ken Mika.

MINUTES: The minutes of the June 23rd, 2021 meeting were approved as posted.

ANNOUNCEMENTS: The next meeting of the Board of Zoning Appeals to be August 25th, 2021.

COMMUNICATIONS: None.

Old Business: Approval of Findings of Fact for F & E Ventures, LLC, 473 N. Oak Street, Elmhurst, IL 60126, C/O Scott Yahne, 9301 Calumet Avenue, Munster, IN 46321, requesting a Use Variance to construct a Car Wash in an Overlay District on the property located at 8945 - 8955 Indianapolis Blvd., Highland, IN. {HMC 18.45.030} (C) (h) Permitted uses restricted in Overlay District. {HMC 18.115.050} Use Variance to permit Car Wash, which is not a permitted use.

Mr. Martini motioned to approve the Findings of Fact for F & E Ventures, LLC, regarding the Use Variance request for the Car Wash at 8945 - 8955 Indianapolis Blvd. Mr. Thomas seconded and the motion was unanimously approved with a roll call vote of 5 – 0.

New Business: Public Hearing for Price Point Builders, PO Box 1343, Crown Point, IN, requesting Variances for Lot Area, Lot Width and Floor Area for first floor of a two-story in an R-1 Residence District at the location of 8535 Henry Street. {HMC 18.15.060} (C) (1) Minimum Lot Size in an R-1 Residence District. Minimum lot size requirements for an R-1 district are as follows: Every one-family detached dwelling hereafter erected and every transitional use permitted in this zoning district hereafter established shall be on a zoning lot having a minimum area of 7,200 square feet, a minimum width of 60 feet at the building line and a minimum lot depth of 120 feet. A lot of record existing on the effective date of the ordinance codified in this title which is less than 7,200 square feet in the area, less than 60 feet in width, or 120 feet in depth, may only be improved by a variance for the Board of Zoning Appeals. {HMC 18.15.060}

(D) Minimum Floor Area in an R-1 Residence District. No dwelling may be established, erected, or changed so that its floor area, exclusive of basements, terraces, unenclosed porches and garages in square feet is less than prescribed below. Two Story: 1,400 square feet (first floor minimum: 1,000 square feet).

Mrs. Murovic asked Mr. Mika if the Proofs of Publication for Price Point Builders were in order. He confirmed that they were and that the sign was also posted correctly.

Mrs. Murovic asked if anyone was present to represent this petition. Mr. Bruce Young from Price Point Builders, 12816 Lee Cove Ct., Cedar Lake, IN 46303, stepped forward and introduced himself. Camille Schoop, 7260 Madison Street, Merrillville, IN 46410, also stepped forward and introduced herself and said she would be representing this petition with Mr. Young.

Ms. Schoop stated that they were purchasing the property at 8535 Henry Street, which was actually already divided up into two lots, each 50' x 140' with the intention of building a single family residence on each of the two separate lots. She continued that they were attempting to get the variances to make the two lots acceptable for building and that the total area for each lot individually was 7,000 square feet and the code required 7,200 square feet. She went on to say that the R-1 standard for width was 60' wide, but the lots were 50' wide each. Mr. Young added that the minimum required square footage on the first floor, per code, for a two-story residence was 1,000 square feet and that they were requesting that amount to be 900 square feet.

Mr. Mika stated the petitioners had previously received their Use Variance request to allow for residential use in a business district and that the Developmental Standards which they were seeking this evening were separate from that initial Use Variance. Mrs. Murovic stated that it was a two-step process and this was needed to make sure it was allowed before the Developmental Variances were requested. Ms. Schoop referred to some of the paperwork she had, showing that most of the other lots on Henry Street were 50' x 140' and that what they were requesting would conform to the lots that were there currently and fit in with the neighborhood. She continued that they were not asking for any setbacks or side yard variations, just the total area and the width of the lots. She added that the request for the minimum square footage on the first floor of a two-story was just a slight reduction and that the minimum total square footage of a two-story was 1,400 and they would be well over that, with a total square footage of around 1,900 – 2,000 square feet. The petitioners then passed around some examples of the homes they were thinking of building. The Board members were impressed and thought the homes would improve the current state of the lots a great deal.

Mrs. Murovic opened the meeting discussion to the public. Hearing no remonstrance, she closed the public discussion, and brought it back to the Board.

Mr. Thomas asked if there would be two separate addresses for the lots and if two separate variances would be needed. Mr. Mika stated that one should cover both. Mr. Thomas pointed out that there was a notation of a second address on the survey that had been done, one address being 8535 and the other, 8537 Henry Street. Mr. Mika stated that, in that case, there should be three separate motions for each address, one for each variance that was being requested. Mrs. Murovic asked if the lots were already divided. Mr. Mika confirmed that they were, which was why everything worked out in this scenario for these petitioners. He continued that the survey showed that they were legally divided and were part of the existing subdivision.

Mr. Young pointed out that he felt they were definitely helping the neighborhood. Mrs. Murovic agreed that the current property is forlorn and in need of improvement. Mr. Mika stated that the current structure, which was in the rear of the property, would be taken down. Mrs. Murovic added that the structure was more like a garage than a house.

Mr. Martini asked how the petitioners found the property. Ms. Schoop replied that she sold real estate for McColly and was made aware of the listing, then approached Mr. Young about the opportunity.

Mr. Helms motioned to grant the Variance regarding Lot Area of 7,000 Sq. Ft. for each address of 8535 and 8537 Henry Street. Mr. Grzyski seconded the motion and it was unanimously approved with a roll call vote of 5 – 0.

Mr. Helms motioned to grant the Variance regarding Lot Width of 50 Feet for each address of 8535 and 8537 Henry Street. Mr. Thomas seconded and it was unanimously approved with a roll call vote of 5 – 0.

Mr. Helms motioned to grant the Variance regarding First Floor Square Footage of a Two-Story residence of 900 Feet. Mr. Martini seconded and it was unanimously approved with a roll call vote of 5 – 0.

BUSINESS FROM THE FLOOR: None

ADJOURNMENT: Motion: Mr. Grzyski Second: Mr. Martini Time: 6:47 p.m.

Agenda is subject to change without notice.