

BOARD OF ZONING APPEALS

May 23, 2022

MEETING

ROLL CALL

The meeting was called to order at 7:00 p.m. and the assemblage was invited to stand and recite the Pledge of Allegiance.

Members Present:

Chairman Nick Nochevich, Vice Chairman Jeremy Taylor, John Marshall, Dick Sauerman, Daniel Rohaley

Members Absent: None

Staff Present:

Commission Attorney Joe Irak, Executive Secretary Anthony Schlueter, Recording Secretary Jenni Pause, Media Manager Mary Freda

APPROVAL OF MINUTES

Chairman Nick Nochevich asked if there are any corrections, deletions, or modifications to the April 25, 2022 meeting minutes. Dick Sauerman motioned to approve minutes as presented. Nick Nochevich seconded the motion. With 5 Ayes, 0 Nays, and 0 Abstentions, the minutes were approved.

OLD BUSINESS

None

NEW BUSINESS

22-07 Edward McCracken, Petitioner/Feather Rock Development, LLC, Owner

Request: Variance of Use

Purpose: Two Hearts Homes for Seniors Assisted Living Facility

Location: 1600 South Feather Rock Drive

Executive Secretary Anthony Schlueter informed the Board that the petitioner is requesting a 30 day deferral to provide him time to meet with the neighboring property owners to answer all their questions.

Nochevich entertained a motion. Rohaley motioned to defer Petition #22-07 for 30 days. Jeremy Taylor seconded the motion. With a roll call vote of 5 Ayes, 0 Nays, and 0 Abstentions Petition #22-07 was deferred to next month's meeting.

22-08 George Cilek, Petitioner/Owner

Request: Variance from Development Standards

Purpose: Allow accessory structure to exceed maximum size allowance

Location: 1440 East North Street

George Cilek, 1440 E. North St. came before the Board and provided an overview of the petition. Cilek informed the Board that he plans to retire next year and would like a building large enough to store all his vehicles, tractor, and mobile home. Cilek stated the building will be for personal storage use only.

Schlueter reported on the location, surrounding properties and proposed use. Schlueter reported on the size of the proposed building. Schlueter reported Cilek will subdivide his two parcels into one lot to contain both his house and the building if approved.

Taylor asked Schlueter to verify the allowable size. Schlueter reported 900 square feet is what is allowed without a variance. Taylor asked if there will be any other variances sought for this project. Schlueter confirmed there will be no other variances and the building will meet the setback requirements of the city.

Marshall stated he is Cilek's neighbor and feels he is a good neighbor. Marshall stated Cilek has a very large lot and enough room to build what he would like. Marshall stated he does not feel like it will be a hardship on the neighbors.

Rohaley asked if Cilek plans to have water and/or septic going to the building. Cilek stated just electric, no water or sewer. Rohaley stated the two box car structures Cilek currently has on his property are illegal and asked Cilek if this is approved would he be willing to remove them. Cilek confirmed.

Sauerman stated his only concern was whether the building would contain plumbing, but Cilek confirmed it will not.

Nochevich opened the public portion of the meeting. With no public coming forward, Nochevich closed the public portion of the meeting.

Nochevich entertained a motion. Rohaley motioned to approve Petition #22-08 subject to the removal of the two shipping containers from the property and no water or sanitary sewer lines to be installed to the building. Marshall seconded the motion. Marshall asked if they are going to allow Cilek to get his new building up before he must remove the shipping containers. Attorney Irak stated that would be his recommendation. Rohaley asked Cilek how long he would need. Cilek stated he would need 2 weeks to transfer all his things to the new building. Rohaley amended his motion to include giving Cilek 30 days from the time he receives his occupancy for the new building to clear out the buildings and get them removed from the property. Marshall seconded the amended motion. With a roll call vote of 5 Ayes, 0 Nays, and 0 Abstentions Petition #22-08 was approved.

22-09 Richard Kalk, Petitioner/Alex Vassopoulos, Owner

Request: Special Use

Purpose: Commercial Recreation (Batting Champs)

Location: 425 East Monitor Street

Richard Kalk, 9601 W. 96th Pl, St. John, IN, came before the Board and provided an overview of the petition. Kalk stated the reason they are seeking this site is because it is difficult to find a building with the height needed for batting cages and this property has the proper height. Kalk stated they have been searching for over two years for a site. Kalk stated all the batting cages will be located inside and provided details of the setup of the facility which will include 4-5 tunnels netted in. Kalk stated some of the tunnels will have pitching machines and one or two will be pitching tunnels for individuals to practice pitching. Kalk stated the target customers will be individuals and families. Kalk stated they plan to hire 2-4 high school kids for pitching instruction so lessons would be part of the facility. Kalk stated they will also be open to travel teams to rent as a group.

Schlueter reported on the location, zoning, surrounding properties and proposed use. Schlueter reported on the existing building and proposed design for the new facility. Schlueter reported on the hours, number of employees and parking.

Sauerman asked what they plan to do with the back half of the building. Kalk stated the back half is already rented out to someone else. Sauerman asked if this is a franchise or a concept he came up with. Kalk stated it is a concept.

Rohaley asked Kalk if he thinks he will have enough parking to accommodate all his customers. Kalk stated he feels he has more than enough. Rohaley asked Kalk to verify that he intends to have lessons at the facility. Kalk confirmed he would like to utilize local high school students for lessons.

Marshall stated he feels this is a nice addition to the community.

Taylor asked if there is room to expand at this location. Kalk stated they are using all the space they have rented.

Nochevich opened the public portion of the meeting. With no public coming forward, Nochevich closed the public portion of the meeting.

Nochevich entertained a motion. Rohaley motioned to send a favorable recommendation to the City Council for Petition #22-09. Marshall seconded the motion. With a roll call vote of 5 Ayes, 0 Nays, and 0 Abstentions Petition #22-09 received a favorable recommendation.

Nochevich informed Kalk to be present at the June 6 City Council meeting.

MISCELLANEOUS AND PUBLIC COMMENT

No Public
No Misc.

ADJOURNMENT

At 7:15 pm, Nochevich entertained a motion to adjourn. Nochevich motioned to adjourn; motion was seconded by Marshall

ATTESTMENT OF MEETING MINUTES.

The above minutes were approved and adopted by majority on the _____ day of _____ 2022.

Nick Nochevich, Chairman

Anthony Schlueter, Executive Secretary