

BOARD OF ZONING APPEALS

July 26, 2021

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 Sauerma, Daniel Rohaley

Members Absent: None

Staff Present:

Executive Secretary Anthony Schlueter, Assistant Planner Grace Roman, Recording Secretary Jenni Pause

APPROVAL OF MINUTES

Vice Chairman Jeremy Taylor asked if there are any corrections, deletions, or modifications to the June 28, 2021 meeting minutes. John Marshall motioned to approve minutes as presented. Daniel Rohaley seconded the motion. Nochevich stated there is one minor correction on the vote total for Petition #21-15. With 4 Ayes, 0 Nays, and 0 Abstentions, the minutes were approved.

OLD BUSINESS

21-15 Northshore Health Centers, Petitioner/Van Til's Real Estate, LLC, Owner

Request: Special Use

Purpose: Operate a Medical Clinic in a b-3 Business District

Location: 10851 Broadway (Inside Strack & Van Til)

Attorney Jim Wieser, 429 Lincoln Hwy, Schererville, came before the Board and provided an overview of the petition. Wieser provided a history of Northshore Health Centers and their mission. Wieser stated Northshore has partnered with Strack & Van Til to open several clinics within their stores. Wieser stated the clinics will be used for minor check-ups and vaccinations, nothing acute. Wieser stated the clinic will be run by a Nurse Practitioner and max of 3 employees. Wieser reported on hours and proposed patient count.

Executive Secretary Anthony Schlueter reported on the location, zoning, and surrounding properties. Schlueter reported on the proposed operation. Schlueter reported the Planning Dept. does feel this type of use does coincide with the Comprehensive Plan for the area and the use is compatible with the other professional services in this area. Schlueter recommended a favorable recommendation to the City council.

Rohaley stated he feels this checks off the list for all the criteria. Rohaley asked Wieser if this will have a door on the outside or will people be coming through Stracks. Wieser stated people will enter through Stracks. Rohaley stated that is his only reservation is they will have sick people coming through walking past the people checking out. Wieser stated this is not going to be a facility or advertised as one that treats sick people. Wieser stated this will be more for health checks and vaccinations. Rohaley stated an exterior door would be better, but feels this will serve the community.

Dick Sauerman stated he has the same observation as Rohaley.

Marshall stated he has no objections to this.

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. Marshall motioned to send a favorable recommendation to the City Council for Petition #21-15 with all Staff comments. Sauerman seconded the motion. With a roll call vote of 4 Ayes, 0 Nays, and 0 Abstentions Petition #21-15 received a favorable recommendation.

NEW BUSINESS

21-16 Crossroads YMCA, Petitioner/Franciscan Alliance, Inc., Owner

Request: Special Use

Purpose: Allow for expansion of a Private Club (YMCA) in an R-1 Residential District

Location: 100 West Burrell Drive

Russ Posen, of DVG, 1155 Troutwine, came before the Board and provided an overview of the petition. Posen detailed what the future expansions will include. Posen informed the Board a portion of the expansion will include turf fields and a new addition for gymnastics.

Schlueter reported on the location and history of approvals. Schlueter reported on the future expansion and square footage. Schlueter recommended a favorable recommendation to the City Council.

Marshall stated he has no issues with this petition.

Sauerman stated he has no questions.

Rohaley stated he feels it is consistent with the master plan and Comprehensive Plan.

Nochevich agreed this is a good fit.

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 #21-16 with all Staff comments. Sauerman seconded the motion. With a roll call vote of 4 Ayes, 0 Nays, and 0 Abstentions Petition #21-16 received a favorable recommendation.

21-17 Lennar Homes of Indiana, Inc., Petitioner/Owner

Request: Variance from Development Standards

Purpose: Allow certain home sites to encroach the front building line by 5 feet in an R-2 Residential District

Location: 109th Avenue between Mississippi Street and Iowa Street (Heather Ridge)

Attorney Jim Wieser, 429 Lincoln Hwy, Schererville, came before the Board and stated this petition was properly advertised. Todd Kleven, of Lennar Homes, 250 E 123rd Pl. came before the Board and provided a brief overview of the petition. Kleven stated they had to cross the Buckeye pipeline to improve Mississippi St. Kleven stated because of the pipeline and the way they had to route things they are requesting this variance. Kleven stated they have discussed this with city Staff, and they support this variance. Kleven stated this will be their very last request. Kleven reported on the Finding of Facts.

Schlueter reported on the location, zoning, and history of approvals. Schlueter reported that due to the pipeline the several were required to have a 5' reduction in the front building line. Schlueter reported the city does feel the agreement with the pipeline does pose a practical difficulty to these affected lots and will not cause a negative affect on the adjacent lots. Schlueter recommended an approval of the variance.

Rohaley discussed what the pipeline agreement and asked Kleven when they realized the restrictions of the agreement were going to apply. Kleven stated they aware from the very beginning. Rohaley asked if they knew about this why was it not drawn around it. Kleven stated they were hoping for more of a 30' restriction and due to the timeline of the improvement to Mississippi they were rushed. Rohaley stated precedence has already been set and though he wished this would have been resolved prior to and built around, he doesn't have any issues with granting 5'. Rohaley informed Kleven they really must let those homeowners of those lots know they cannot be doing anything in that pipeline. Kleven stated Lennar has a very lengthy disclosure for each homeowner. Kleven stated they have discussed with their attorneys they will have a separate agreement for these 10 lots specifically making them aware that they cannot build anything in the rear.

Sauerman stated he does not have any issues with this. Sauerman asked if you will be able to tell that some lots have 25' and some have a 30'. Kleven stated it is his opinion that you will not be able to tell.

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

Nochevich entertained a motion. Rohaley motioned approve Petition #21-17 with all Staff comments. Sauerman seconded the motion. With a roll call vote of 4 Ayes, 0 Nays, and 0 Abstentions Petition #21-17 was approved.

MISCELLANEOUS AND PUBLIC COMMENT

No Public.

No Misc.

ADJOURNMENT

At 7:40 pm, Nochevich entertained a motion to adjourn. Sauerman 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 _____ 2021.

Nick Nochevich, Chairman

Anthony Schlueter, Executive Secretary