

**MERRILLVILLE BOARD OF ZONING APPEALS MINUTES
WEDNESDAY, AUGUST 23, 2023
6:30 PM**

Chairman Ric Holtz led the Meeting of the Merrillville Board of Zoning Appeals at 6:30 PM to order and then led the group in the Pledge of Allegiance.

ROLL CALL:

Members in attendance were Chairman Ric Holtz, Vice Chairman Tim Fortier, Mr. Pete Guip, and Mr. Andrew Sylwestrowicz.

MINUTES: JULY 26, 2023

A motion was made to approve the minutes. The motion was seconded to approve the minutes. The Board voted to approve the minutes.

COMMUNICATIONS:

NONE

COMMENTS FROM CHAIRMAN

NONE

OLD BUSINESS

1. **Z15Uv2-0723** **MERRILLVILLE SOLAR, LLC BY LIGHTSOURCE BP PETITIONER AND ALBERT DEYOUNG, ELIAN PROPERTIES LLC, TRUST NUMBER H-1, (DAVID HUERING) MOHAMED KRAD AND ANN M. MERKEL OWNERS**
Deferred
- Request: Located at South of Hwy 30 between Colorado/Clay, W of Grand Variance of Use Approval from Section 21-136 in a M-1, Industrial Zoning District, M-2, Industrial Zoning District and R-1, Residential Zoning District
- Purpose: To Allow a Solar Farm

Vice Chairman Tim Fortier made a motion to approve this petition with the following conditions:

1. Screening. Perimeter of the area containing solar panels viewable from adjacent residences will be screened by any appropriate structure.
2. Glare. Solar panels will be designed and installed to prohibit glare from being directed toward vehicular traffic on roads adjacent to project or any habitable portion of any adjacent structure.
3. Height. Height of solar panel will not exceed 16 feet.
4. EPA Compliant. All solar panels installed on this project will be required to meet the test protocols established by the Environmental Protection Agency (EPA)
5. Setbacks. No solar panel in required yard setbacks.
6. Abandonment. If a solar project ceases to perform its originally intended function for more than 12 consecutive months, the Petitioner or its successor shall remove the collectors, mounts, and associated equipment and facilities from the property by no later than 90 days after the end of the twelve-month period.
7. If the petitioner leases more land, they will have to come before the Board of Zoning Appeals.

The motion was seconded. The Board voted to approve this petition.

NEW BUSINESS

2. **Z18V4-0823** **KEITH ELLER PETITIONER AND OWNER**
Located at 7061 East 85th Court
- Request: Variance of Development Standards from Section 21-77(a)(3)
On 3.067 Acres in a R-1, Residential Zoning District
- Purpose: To Allow a Second Garage

A neighbor stated that her trees had been damaged by trucks from a previous job that the petitioner was having done.

Sheila Shine stated that when the petitioner is ready to have the concrete work done, the Town Building Inspector will be on-site to supervise and to make sure that the neighbors' property is not damaged.

A motion was made to approve this petition. The motion was seconded to approve this petition. The Board voted to approve this petition.

3. **Z19E10-0823** **CODY R. WALLENIOUS PETITIONER AND 2450 – 2490**
 WEST 81ST HILLSIDE LLC, OWNER
 Located at 2460 West Lincoln Highway
Request: Special Exception Approval from Section 21-136 in 1.402
 Acres in a C-3, Highway Commercial Zoning District
Purpose: To Allow a Tattoo Studio

A motion was made to approve this petition. A motion was seconded to approve this petition. The Board voted to approve this petition.

OTHER BUSINESS
NONE

ADJOURNMENT

There was a motion to adjourn the meeting. The motion was seconded to adjourn the meeting. The Board voted to adjourn the meeting.

Respectfully Submitted,

Marie Wilson,
Recording Secretary