

**MERRILLVILLE BOARD OF ZONING APPEALS MINUTES
WEDNESDAY, JANUARY, 25, 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 Mr. Andrew Sylwestrowicz, Mr. William Byers, Chairman Ric Holtz, and Mr. Pete Guip.

MINUTES: DECEMBER 28, 2023

Mr. Pete Guip made a motion to approve the minutes. Mr. William Byers seconded the motion. The Board voted 4 – 0 to approve the minutes.

COMMUNICATIONS:

NONE

COMMENTS FROM CHAIRMAN

Chairman Ric Holtz stated I will call each case by case number and by the name of the petitioner. At that time you may present yourself and state your name and address for the public record. You may also present your case with any professionals that you have with you. A Staff Report pertaining to each case will be read. There will be a question period for the Board members. We will then open up the case to the public for public comment. If you are desirous of speaking for or against a petition please state your name and address for the public record and please sign in at the registry in the center aisle. There will be a three minute limit for each public comment. The Board will then make a decision for or against, or a deferral for more information or for another reason which we will state, or no recommendation to the Town Council. Please silence any communication devices.

OLD BUSINESS

**1. Z30E14-1122 MLA PRINTING, PETITIONER & MALCOMB ADAMS,
OWNER**

Request: Located at 5690 Harrison St
Special Exception Approval from 21-136 in a C-2, Community
Commercial Zoning District on 0.548 Acres
Purpose: To Allow Rental of U-Haul Trucks

Mr. Malcomb Adams of 5690 Harrison Street came before the Board.

Building Director Sheila Shine read the Staff Report.

Chairman Ric Holtz and Attorney Joseph Svetanoff inquired that the petitioner was wanting a maximum of five trucks but there are three trailers on the property.

Mr. Malcomb Adams stated that U-Haul dropped off the trailers and that also he has four trucks on his lot also. He continued that at the time that he received the business license for his printing business, he wasn't aware that he also needed permission or a license for the U-Haul business.

Chairman Ric Holtz explained to the petitioner that the limit that is being asked for is five trucks/trailers.

Mr. Andrew Sylwestrowicz explained to the petitioner that the Board is trying to accommodate the petitioner within reason.

Sheila Shine stated that the petitioner had signed a contract with U-Haul in accord with the U-Haul company prior to getting approval from the Town.

Mr. Andrew Sylwestrowicz made a motion for no recommendation to the Town Council. Mr. Pete Guip seconded the motion. The Board voted 3 no recommendation to the Town Council and 1 abstain.

Attorney Joseph Svetanoff expressed to the petitioner that the petitioner was operating a U-Haul business before seeking approval from the Board of Zoning Appeals. There has previously been concern for public safety, health, and welfare. It is also uncertain how many vehicles the petitioner will have on the site.

NEW BUSINESS

2. **Z1V1-0123** **WEBB IMPORTS, INC**
Located at 1000 W 81st Avenue
Request: Variance from Development Standards Approval from Section 21-192(1)
 (c) In a C-3, Highway Commercial Zoning District on 0.451 Acres
Purpose: To Increase the Height of a Freestanding Sign

Erin Livingston and Brian Webb came before the Board.

Sheila Shine read the Staff Report.

There was a discussion about the height and measurements of the sign.

Brian Webb stated that the sign is double sided and will be facing east and west.

Chairman Ric Holtz inquired about the where the sign will be placed and Erin Livingston stated that the site plan will show the general idea on where the sign will be placed.

Mr. Andrew Sylwestrowicz inquired if the sign would block the roadway.

Sheila Shine stated that the sign is ten feet away from the property line.

Mr. Brian Webb explained that they are telephone poles near the proposed sign.

Mr. Pete Guip made a motion to approve this petition. Mr. Andrew Sylwestrowicz seconded the motion. The Board voted 4 – 0 to approve this petition.

3. **Z2E1-0123** **MERRILLVILLE COMMUNITY SCHOOL CORPORATION**
PETITIONER AND OWNER
Located at 5901 Waite Street
Request: Special Exception Approval from Section 21-136 in a R-2,
 Residential Zoning District
Purpose: To Allow Cafeteria and Kitchen Addition

Mr. Kurt Sivilich who is the Senior Architech for Performance Services represented the petitioner.

Sheila Shine read the Staff Report.

Mr. Kurt Silivich stated that this will be an all new kitchen and cafeteria. The existing cafeteria and kitchen space will be turned into a multi purpose and group instruction room and that this proposed project will be above the flood plain.

Attorney Joseph Svetanoff explained that the School needs the approval now so that the School can apply at Lake County for a reduction of the seventy five foot easement down to forty five feet.

Mr. Kurt Sivilich stated that this project will be one level, slate on grade. He also stated that some of the playground equipment will be upgraded and no parking will be allowed back where the proposed kitchen will be, only a road for food delivery to the kitchen.

Becky Condiff of 5999 Waite Street inquired about the location of the playground, kitchen and cafeteria and was also concerned about traffic from construction vehicles and the impact of it on the roads thru the subdivision.

Chairman Ric Holtz inquired if 59th Avenue would be accessible from Taney Street if there were an emergency.

Attorney Joseph Svetanoff explained that the plans will be reviewed by Storm Water, the Engineering team, and by the Fire Department.

Mr. William Byers made a motion to approve this petition. Mr. Andrew Sylwestrowicz seconded the motion. The Board voted 4 – 0 to approve this petition for this petitioner only, for this use only, and for this location only.

OTHER BUSINESS

None

ADJOURNMENT

Mr. Pete Guip made a motion to adjourn the meeting. Mr. William Byers seconded the motion. The Board voted 4 – 0 to adjourn the meeting.
The meeting was adjourned.

Respectfully Submitted,

Marie Wilson,
Recording Secretary