

**CHESTERTON BOARD OF ZONING APPEALS**  
**AUGUST 24, 2017**  
**6:30 P.M.**

The meeting was called to order at 6:30 p.m. Present were members F. Owens, K. Goldak, R. Riley, J. Kowalski and president J. Ackerman. Town Engineer M. O'Dell was in attendance. Attorney J. Paulson was present as legal advisor. The pledge of allegiance was recited.

**APPROVAL OF MINUTES**

Member K. Goldak moved approval of the minutes from July 27, 2017 seconded by member R. Riley and passed by unanimous voice vote.

**PRELIMINARY HEARINGS**

**1051 Properties, LLC** requesting a variance to construct an additional structure (pergola) in the front yard lying 8 feet 5 inches from the front lot line where the Ordinance requires a 30-foot front yard setback, therefore a variance of 21 feet 5 inches. **Petition 17-08** Attorney G. Babcock was present as representation for the petitioner. He was accompanied by Rolando Martinez the owner and operator of the Gastro 49 bar and restaurant. The building was constructed in 1957. There is currently an outdoor eating area set off by white fencing. Mr. Martinez is interested in constructing a more permanent pergola structure. He distributed a depiction of a structure that was not enclosed. He commented that there should be no sight line traffic issues. He respectfully requested the board to consider setting this item for public hearing at the September 28, 2017 meeting.

Attorney J. Paulson said she had no issues with the paperwork submitted.

There was some conversation about the artwork being added to the building façade. There was no additional variance required for signage since there was no advertising. The artwork is only meant to catch your eye.

Town Engineer M. O'Dell commented that the site plan would give a better depiction of how open the structure would be before a building permit is issued.

Member F. Owens said he would like to see a few protective balustrades installed.

Member J. Kowalski moved to set this item for public hearing at the September 28, 2017 meeting seconded by member R. Riley and passed by unanimous voice vote.

**BOARD OF ZONING APPEALS  
AUGUST 24, 2017  
PAGE 2**

**PUBLIC HEARINGS**

**Michael Larson and Jessica Larson** requesting a variance to reduce a front yard setback from 20 feet to 13 feet therefore a variance of 7 feet for the purpose of constructing a porch.

**Petition 17-06** Rules for conducting a public hearing were read aloud. The secretary verified proof of publication, notification and payment. Mr. Larson said they are looking to extend the wrap around porch to the front of the house. They would also add stairs making the entrance to the home more welcoming since the door is located on the side of the house. The addition would only enhance the neighborhood.

There was no one present to speak in support of the petition.

There was no one present to speak in opposition to the petition. The public comment portion of the hearing was declared closed.

Member R. Riley moved to close the public hearing accept the Findings of Fact and grant the variance request seconded by member K. Goldak and passed by a unanimous roll call vote.

**Keith J. Sharp II and Teri L. Sharpe** requesting a variance to increase lot coverage from 30 percent to 34 percent. **Petition 17-07** The secretary verified proof of publication, notification and payment. Mr. Sharpe said they are interested in constructing a shed to maintain a tidy neighborhood and a residence free from exposed personal belongings. He commented that the shed would match the house and keep seasonal items out of sight.

There was no one present to speak in support of the petition. The president read into a record a letter in support of the petition from The Griffith's.

There was no one present to speak in opposition to the petition.

Member J. Kowalski moved to close the public hearing accept the Findings of Fact and grant the variance request seconded by member K. Goldak and passed by unanimous roll call vote.

**OLD BUSINESS- None**

**NEW BUSINESS- None**

**BOARD OF ZONING APPEALS  
AUGUST 24, 2017  
PAGE 3**

**MISCELLANEOUS BUSINESS**

Member J. Kowalski commented that he would not be in attendance at the September 28, 2017 meeting.

**ADJOURNMENT**

There being no further business before the board member K. Goldak moved adjournment seconded by member R. Riley and passed by unanimous voice vote. The meeting adjourned at 6:50 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved:

J. Ackerman, President