

CHESTERTON BOARD OF ZONING APPEALS
MARCH 22, 2018
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members J. Ackerman, F. Owens, K. Goldak, J. Kowalski and President R. Riley. 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 February 22, 2018 seconded by member J. Ackerman and passed by unanimous voice vote.

PRELIMINARY HEARINGS- None

PUBLIC HEARINGS

Town of Chesterton requesting a variance to allow an accessory structure to be located two feet (2') from the rear lot line, where the Town Code requires five feet (5'), a variance of three feet (3'). A second variance is requested to allow an accessory structure to be located eleven inches (11") from the principal structure where the Town Code requires ten feet (10'), a variance of nine feet one inch (9'1"). A third variance is requested to allow an accessory structure to have a height of up to twenty feet (20') where the Town Code allows sixteen feet (16'), a variance of four feet (4'). **Petition 18-03** President R. Riley recused himself from any decisions concerning Petition 18-03 as he has been involved and consulted regarding the project. Vice President K. Goldak would chair the public hearing. Attorney J. Paulson recused herself from representing the Town of Chesterton for Petition 18-03 as she is legal advisor to the BZA. Attorney G. Babcock would serve as legal representation as retained by the board to advise in the matter of Petition 18-03. Rules for conducting a public hearing were read aloud. The secretary verified proof of publication and payment. Furthermore, proof of notification was in order with the admittance of affidavits for hand delivered items.

Attorney Babcock requested the board to suspend the normal rules of practice as to what constitutes notice. The town would be using some hand delivered notices with an affidavit affirming that they were hand delivered.

Member F. Owens moved to suspend the rules on how notice is given by accepting the hand delivered notices along with the approved affidavits seconded by member J. Ackerman and passed by unanimous roll call vote of 4 to 0 with member R. Riley abstaining.

Town Engineer M. O'Dell of 1081 White Willow Lan, Chesterton IN. was present as Special Agent for Petition 18-03. M. O'Dell gestured to a color photo depiction of a boxcar and caboose to be located in Thomas Centennial Park. He told the board the railcars would be transformed into a unique restroom and cooling/heating facility. The chamber building is the principal structure on the lot. The two railcars would be situated on the east side of the chamber building with the entrance to both being located on the north side. There would be an ADA assessable deck/platform

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constructed from ruff sewn lumber installed along the rear property line. He said the height variance has not been finalized yet but the variance request would limit the height to twenty feet. The exterior paint colors of the cars had been chosen. He gave the board an overview of the interior buildout as he gestured to a design board depicting colors and use of materials incorporated into the design. Some of the details of the interior would be finalized once the R-Value of the wood walls is determined. They were hoping to keep the character of those wood wall intact. The designated men's and women's restroom facility would allow 3 toilet/urinal fixtures. Each would have double sinks, hand dryers and a baby changing station.

Mr. O'Dell told the board that Hopkin's Ace Hardware has offered to donate plumbing fixtures some lavatories piping. They were currently implementing a round up option to patron's wishing to donate. Jennifer Gadzala has also done a great job researching grants where she found a Patronicity Plan through Indiana Housing and Urban Development. The plan would match up to \$31,000.00 if the first \$31,000.00 is raised by the community. The deadline for the match program would end on April 20, 2018. Ms. Gadzala made efforts at several community gatherings to get the word out about this grant opportunity. In addition, the town has also reached out to several businesses in the community. There was some additional conversation among the board members regarding fundraising efforts.

Mr. Emerson DeLaney of 1359 N. 100 East, Chesterton was present to speak in support of the petition. As a member of the Chesterton Town Council Mr. DeLaney said the money for the restroom facility in Thomas Centennial Park had been allocated for the park. This project is unique and honors our heritage of being a railroad town. He noted that this is bond money being used that cannot be transferred to payroll. The addition of restrooms to our community helps generate activity within the town and enhances the European Market experience as well a many other fests and gatherings hosted by the town.

Patricia Carlisle of 714 S. 18th St, Chesterton was 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 public hearing was declared closed.

Mr. O'Dell told the board that Bob Nicksec of James F. Giannini & Associates was hired as an outside consulting group for the project.

Member K. Goldak said she sees this as a public health issue that has dragged on for years. She said it's a great project.

Member F. Owens moved to close the public hearing accept the Findings of Fact and grant the variances requested seconded by member J. Kowalski and passed by a roll call vote of 4 to 0 with member R. Riley abstaining from the vote.

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OLD BUSINESS

The secretary informed the board that the day following the public hearing on Petition 18-01 Southshore Development Group LLC. Jim Metcalf, Member, she received a letter that would be placed in the petition file objecting to the variances being requested. The letter was from a property within 300 feet. The letter was dated February 23, 2018 which was the day following the February 22, 2018 meeting.

NEW BUSINESS- None

MISCELLANEOUS BUSINESS- None

ADJOURNMENT

There being no further business before the board member F. Owens moved adjournment seconded by member J. Kowalski and passed by unanimous voice vote. The meeting adjourned at 7:05 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

R. Riley, President