

**CHESTERTON BOARD OF ZONING APPEALS
OCTOBER 27, 2016
6:30 P.M.**

The meeting was called to order at 6:30 P.M. Present were members J. Kowalski, K. Goldak, F. Owens, R. Riley and President J. Ackerman. Attorney C. Parkinson was present as legal advisor. Town Engineer and Town Manager B. Doyle were present. The pledge of allegiance was recited.

APPROVAL OF MINUTES

Member J. Kowalski moved approval of the minutes from September 22, 2016 seconded by member K. Goldak and passed by unanimous voice vote.

It was the general consensus of the board that the November meeting would convene on Tuesday, November 22, 2016 due to the Thanksgiving Holiday.

PRELIMINARY HEARINGS

Michael J. Monaco, Jr and Camille L. Monaco, husband and wife requesting a variance to construct a garage to be over 2-foot rear yard setback approx. 7.8 inches (S. E. Corner) over. **Petition 16-13** David Hiestand was present as legal representation for the petitioner. He told the board the petitioner is looking to construct a garage which would be attached to the house. The variance requests would include a variance of 8 feet to allow a reduction of 25 feet platted rear yard to 17 feet. A second variance of 1 foot is requested to allow a reduction of 10 feet platted side yard to 9 feet for the projection of eave and gutter even though foundation is outside side yard setback. A third variance of the requirement found in definition of building requiring that attached structures share a common wall that is 50% of the wall of each structure to allow a common wall of 7.5 feet of 32 feet of the common wall existing structure and a common wall of 7.5 feet of 32 feet 1 inch of the common wall of the proposed addition or 23% of each common wall. A fourth variance for total lot coverage (includes all impermeable surfaces including driveways, sidewalks, and patios) of 46 % in excess of the 30% standard. He respectfully requested the board to consider setting this item for public hearing.

Attorney C. Parkinson advised Attorney Hiestand to submit a set of Finds of Fact for each variance request.

Member F. Owens moved to set this item for public hearing on November 22, 2016 seconded by member J. Kowalski and passed by unanimous voice vote.

BOARD OF ZONING APPEALS
OCTOBER 27, 2016
PAGE 2

PUBLIC HEARINGS

Fabricio Franco requesting a variance of 4 feet to reduce a front yard setback. **Petition 16-12** Rules for conducting a public hearing were read aloud. The secretary verified proof of publication, notification and payment. Mr. Franco was present. He told the board that the porch had been constructed and one corner encroached into the front yard setback by two feet. He submitted pictures of the new porch. He respectfully requested the board to grant the variance request.

Ms. Reggie of Chesterton was present to speak in support of the petition. She said Mr. Franco had done a great job with the porch and it did not impede or obstruct vision in any way.

Mr. Korthals of 702 Chestnut Blvd., Chesterton was present to speak in support of the petitioner.

Mr. Robert Gaylord of 1600 Cobblestone Ct. was present to speak in support of the petition. He commented that Mr. Franco had worked hard and enhanced the neighborhood.

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

It was the general consensus of the board that Mr. Franco had done a beautiful job with the porch addition.

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 voice vote.

Centier Bank requesting a variance to permit the construction of a freestanding sign in a B-3 Zone, where a free-standing sign is not allowed. A second variance is requested to permit a freestanding sign having a total gross square footage of 152 square feet, where the Ordinance allows 120 square feet, therefore a variance of 32 square feet. A third variance is requested to permit the construction of a monument sign on South Calumet Avenue having a gross square footage of 60 square feet, where the Ordinance gross square footage allowance has already been used, therefore a variance of 60 square feet. **Petition 16-09**

Attorney C. Parkinson informed the board that Attorney G. Babcock had requested a continuance for this item.

Member F. Owens moved to continue the Public Hearing for Petition 16-09 until November 22, 2016 seconded by member K. Goldak and passed by unanimous voice vote.

**BOARD OF ZONING APPEALS
OCTOBER 27, 2016
PAGE 3**

OLD BUSINESS- None

NEW BUSINESS- None

MISCELLANEOUS BUSINESS

Member K. Goldak raised the question of setting a timeframe to demolish a building once it has sat vacant for a period of time especially if the property is allowed to fall into a state of disrepair.

Attorney C. Parkinson said the town has adopted pursuant to the state statute a vacant building ordinance. There are time limits and certain other conditions before the town can take action.

ADJOURNMENT

There being no further business before the board member F. Owens moved adjourn seconded by member R. Riley and passed by unanimous voice vote. The meeting adjourned at 7:00 P.M.

Respectfully submitted

Gail Murawski, Secretary

Approved;

J. Ackerman, President