

CHESTERTON BOARD OF ZONING APPEALS
JUNE 27, 2019
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members J. Kowalski, F. Owens, K. Goldak, J. Ackerman and president R. Riley. 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 April 25, 2019 seconded by member J. Kowalski and passed by unanimous voice vote.

PRELIMINARY HEARINGS

MNB Development, Corp. requesting a Use Variance to locate a tattoo parlor in a B-2 Zone where the Ordinance does not show the same as a permitted use. **Petition 19-11** Attorney G. Babcock was present as legal representation for the petitioner. He was accompanied by Nick Bender who would be the end user of the property. The property is owned by the petitioner MNB Development, Corp., Mrs. Busch. The property is located at 1508 South Calumet, Chesterton. There was a previous use variance granted to create the neighboring Fire Flies. Nick is looking to take one of the vacant sites located at the west end of the site and open a tattoo parlor. Mr. Bender has been tattooing for 15 years and is looking to bring his talent to Chesterton to be nearer to his son. Our Uses in the Zoning Ordinance are outdated and currently there is no designation for tattoo parlor. Attorney Babcock told the board that the tattoo industry is a 1.5-billion-dollar industry. There are currently 21,000 tattoo parlors in the United States. The state board of health regulates the conditions in the parlor in that everybody there takes a blood born pathogen test yearly. The local health department does onsite inspections. He respectfully requested the board to set this item for public hearing at the July 25, 2019 meeting.

Member K. Goldak said she would be looking for the petitioner to address OSHA guidelines and speak to health and safety issues.

It was the general consensus of the board that times have changed, people have changed and much of the Ordinance uses are outdated.

Member J. Kowalski moved to set this item for public hearing at the July 25, 2019 meeting seconded by member J. Ackerman and passed by unanimous voice vote.

President R. Riley requested that the board amend the agenda to address questions regarding the Johnson Petition 19-10.

Member K. Goldak moved to amend the agenda to include discussion regarding the Johnson Petition seconded by member J. Ackerman and passed by unanimous voice vote.

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The secretary told the board she had reached out to the contractor who was going to do the work for the petitioners. He said the property has been sold and the new owners will not be moving forward with any kind of sunroom or enclosed porch.

Member J. Ackerman moved to dismiss the Johnson Petition 19-10 for want of prosecution seconded by member K. Goldak and passed by unanimous voice vote.

PUBLIC HEARINGS- None

OLD BUSINESS

Attorney Paulson address concerns raised last meeting regarding signage posted at Kathy's Antiques. She said she had sent an enforcement letter to the property owner. This item is currently in legal hands. A second sign of concern was looked and it is a sign that has been in that location for a long time. The sign is a legal nonconforming sign that has been refaced.

NEW BUSINESS- None

MISCELLANEOUS BUSINESS- None

ADJOURNMENT

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

Respectfully submitted

Gail A. Murawski, Secretary

Approved

R. Riley, President