

HIGHLAND BOARD OF ZONING APPEALS

Study Session Minutes

July 27, 2022

Study Session began at 6:00 p.m.

In attendance were Commissioners Helms, Martini, Thomas and Murovic. Absent was Commissioner Grzymiski. Also in attendance were Ken Mika, Building Commissioner/Zoning Administrator, BZA Attorney John Reed and Town Council Liaison Toya Smith.

Those in attendance reviewed the prepared Findings of Fact for Sursee Improvements, LLC, for 8401 Indianapolis Blvd. The prepared Findings appeared to be in order.

Those in attendance reviewed the prepared Findings of Fact for Price Point Builders, for 2741 41st Street. The prepared Findings appeared to be in order.

Those in attendance reviewed the prepared Findings of Fact for Misbah Suboh, for 3441 Grand Blvd. The prepared Findings appeared to be in order.

Those in attendance reviewed the developmental standard Variance being requested by Manuel Sahagun of 3147 Glenwood Street for a fence beyond the front building line on a corner lot. Mr. Mika stated that a contractor applied for a permit, but they were not current with their license. The permit would have been rejected. The contractor never followed through on renewing their contractor's license. The contractor decided to install the fence anyway, until the CEO (Code Enforcement Officer) caught them and stopped work on the project. In defense of the homeowners, they were under the assumption that the contractor had gotten the proper approvals and had the contractor followed through, the original submittal would have been rejected. Mr. Mika went on to say that this fence is right next to Homestead Park's parking lot on the Parrish side, which can obscure the view of pedestrian traffic on the public sidewalk. Board members expressed concerns in reference to allowing the fence to remain in its current location.

Those in attendance reviewed the Use Variance petition request for RPS Capital Investments, LLC, represented by Attorney Jared Tauber. Their proposal is to establish a body collision repair center at 8333 – 8357 Indianapolis Blvd. The property is owned by DLC, but RPS has an offer to purchase the property contingent upon getting Town approvals. Mr. Tauber was present and distributed handouts to the Board. Mr. Mika stated that this would amount to shoehorning an industrial location use in a retail strip mall, which from a planning standpoint, makes no sense. Some concerns were expressed by those present.

Those in attendance reviewed the Use Variance request petition for Garber Realty, Inc., also being represented by Attorney Jared Tauber. Their proposal is to establish a new car overflow parking lot for Garber Chevrolet on a vacant piece of property at 9227 Indianapolis Blvd./9224 – 92 Spring St./9232 Spring St. Mr. Mika stated this was a through lot starting on the Blvd. and ending on Spring St. The front portion, 300' from the center line of Indianapolis Blvd., is zoned B-3/General Business District/Zoning Overlay District. The bulk portion off of Spring Street is zoned R-2/Single & Double Family. The front half is undevelopable as far as structures being built on it, due to the fact that $\frac{3}{4}$ of the property is located in a floodplain, floodway and ditch maintenance easement. Spring Street ditch actual is under the property and runs through culverts. This would be the first step for them. If approved, they would need to seek subdivision and have an Overlay District Development Plan approved. The R-2 side is subdivided and their intentions are to build -2- Single Family Homes. There was some discussion of a covenant being established to control what happens there.

Study Session ended at 6:28 p.m.

Ken Mika

A handwritten signature in black ink, appearing to read 'Ken Mika', written in a cursive style.

Building Commissioner/Zoning Administrator