

**HIGHLAND BOARD OF ZONING APPEALS**  
**Minutes of the Meeting of**  
**August 23, 2023**

The Highland Board of Zoning Appeals met in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, IN 46322 on August 23, 2023. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Commissioner Briseno.

**ROLL CALL:** Present were Board Members Mr. Helms, Mr. Thomas, Ms. Briseno and Mrs. Murovic. Mr. Turich arrived late. Also in attendance was Mr. Ken Mika, Building Commissioner/Zoning Administrator and Mr. John Reed, Town Attorney.

**MINUTES:** The minutes of the July 26th, 2023, meeting were approved as posted.

**ANNOUNCEMENTS:** The date of the next Board of Zoning Appeals meeting will be September 27th, 2023.

**COMMUNICATIONS:** None.

**Old Business: Approval of Findings of Fact for Scott Filler, Apex Total Property Maintenance, 2743 Highway Avenue, Highland, IN 46322,** requesting Variances for 2716 40<sup>th</sup> Street, Lot 5 & 2728 40<sup>th</sup> Street, Lot 3 for Lot Width and Lot Area/Total Square Footage allowances. {HMC 18.20.050} (A) (2) Property Development Standards. (A) Minimum lot size requirements for an R-2 district are as follows: (2) Every single-family detached dwelling shall meet the requirements of HMC 18.15.060 (C) (1) and every two-family attached dwelling hereafter erected shall be on a zoning lot having a minimum areas of 9,600 square feet and a minimum lot width of 80 feet at the building line, and lot depth of 120 feet; provided, that a lot of record on the effective date of the ordinance codified in this title which is less than 9,600 square feet in the area or less than 80 feet in width, or 120 feet in depth, may be improved with a single-family detached or two-family attached dwelling where authorized by the board of zoning appeals.

Mr. Thomas motioned to approve the Findings of Fact for Scott Filler, Apex Total Property Maintenance for the lot width and total lot square footage of vacant lots at 2716 (Lot 5) & 2728 (Lot 3) 40<sup>th</sup> Street. Ms. Briseno seconded, and the motion passed unanimously with a 5 – 0 roll call vote.

**Old Business: Tabled Public Hearing for Ann Coglianese, 1012 N. Arbogast Street, Griffith, IN 46319,** requesting a Use Variance for a Taekwondo instructional studio to be permitted at 9717 Spring Street, which is in an I-1 Light Industrial District. {HMC 18.50.040} Permitted Uses. A Taekwondo Instructional Studio is not a Permitted Use in an I-1 Zoned District.

Ms. Briseno made a motion to remove the public hearing for Ann Coglianese from the table. Mr. Helms seconded, and the motion was passed unanimously with a 5 – 0 vote.

Ann Coglianese stepped forward and stated her address as 1012 N. Arbogast Street, Griffith, IN 46319.

Mrs. Murovic asked Ms. Coglianese if she had anything to add that was not discussed at her July 26<sup>th</sup> hearing. Ms. Coglianese responded that the site plan had been updated since her last hearing. Mrs. Murovic asked her if she would like to give them any details as to what had been changed on the new site plan. She replied that her Engineer, Stuart Allen, had updated the parking spaces and there were additional spaces added, which had been requested by the Board at the July meeting. She continued to say that Mr. Allen had been in touch with Mr. Mika regarding details of what was expected, and the revised site plan shows very clear spaces in the front of the building, along the side, and in the back. Ms. Briseno asked how many spaces there were on the revised site plan. Ms. Coglianese responded that there were now 28 spaces defined on the newly revised site plan. She added that there was also an issue with the lighting, and she had sent some pictures of the lighting that had now been installed on the property.

Mrs. Murovic opened the meeting to the public. Hearing no remonstrance, she closed the public meeting and brought the meeting back to the Board. Mr. Thomas asked if there could be a fence installed between the property in question and the neighboring business, due to safety concerns. Mr. Mika responded that there was already a fence installed there, along with a gate. Mr. Thomas was concerned about the other side of the property that was still open, and that with kids involved, what was to stop them from running into the neighboring properties that had industrial businesses. Ms. Coglianese replied that she was committed to making the property as safe as possible and that the children had to be walked in and also signed in by parents or guardians when arriving at the studio for instructional classes. Ms. Briseno asked what the landlord thought about all this. Ms. Coglianese responded that Mr. Krooswyk was very supportive of Ms. Coglianese's plans and did everything to let her know she had his full support. She added that one of the neighboring tenants was the U-Haul business and that he used the front area for parking, but only used the back area for his personal storage. Mr. Turich added that for the neighboring business that didn't have a fence, he felt there should be some sort of separation. Ms. Coglianese explained that her neighbor did not have any kind of activity or traffic in the back during their operational hours. He only used it for storage and would almost certainly be closed when the students were coming and going. She also pointed out that it was very spacious in the back area that was being discussed. Mr. Thomas said that the area to the side of the building was only 30' wide and considering a car was 8' or 9' wide, that area might become congested if the spaces were all utilized. Ms. Coglianese thanked Mr. Thomas for bringing this up and said that her number one goal is to make the facility as safe as possible for everyone coming and going and assured him that there was ample space for the parking on the side and for cars to access the back of the building and get back to the front even if all the side spaces were occupied. She added that Mr. Torrenga had drawn it out to meet those needs. Mr. Mika asked if Ann

Coglianesse knew if Mr. Krooswyk owned the property that the U-Haul business occupied. Ms. Coglianesse responded that he did own that property that the gentleman rents out for his U-Haul business operation. Mr. Mika then asked if Ms. Coglianesse is anticipating having any tournaments at this location. Ms. Coglianesse replied that she would not be able to have any tournaments there, due to the size of the property and that it would not be large enough. She said there are over 500 in attendance at the tournaments and therefore, they have to be held at the Sportsplex. She added that their current focus was to create a bigger space for the students they currently have. Mrs. Murovic asked what made her decide to move to a bigger space. She said that they wanted to stay in Highland, and even with a few larger, taller people training in their current space, it quickly gets very small. They had grown considerably in the past few years and needed more space for the students they currently have enrolled. She added that she had been shopping for a new space for about 4 years and had been unsuccessful until she found this space. When this building became available, she felt it was the perfect space for their needs, with high ceilings, huge spaces and it was exactly what they wanted for a training center. She felt it would enhance the training experience considerably for their students, many of whom compete at the national and world levels.

Ms. Briseno asked if there was a maximum occupancy for the building because the Board was concerned with the number of parking spaces. Ms. Coglianesse responded by saying that she had a waiting list for her center. She added that she had provided a schedule that showed the number of students currently enrolled and the number of parents that would be dropping them off. Mrs. Murovic asked if she felt there was ample room for expansion and growth with the parking that was available on this property. Ms. Coglianesse replied that she can monitor that with the waiting list and make sure that they never outgrow the available parking. She added that she does that in her current location on Jewett Street and it has been working well for them.

Mr. Mika stated that he brought up the question earlier regarding who owned the U-Haul property because possibly Mr. Krooswyk would allow her to utilize a portion of that property if, in fact, additional parking spaces were needed. Ms. Coglianesse replied that she was completely open to that; however, she did not want to be a bad neighbor by saying that in order for her to operate her business, she would need to encroach on the neighboring property. She added that, without going into great detail, there were other options open to her and Mr. Krooswyk is willing to help her, also. She stated that, after the July meeting, she went to the property with her entire team and saw how spacious the area was and felt completely confident in the fact that it will be ample for their needs, and it would be maintained and kept up with everyone's safety in mind. She continued that she can personally guarantee that the parking would not get out of hand because she can control that with enrollments, and that she was not looking to expand at the moment, she was just interested in accommodating her current students and providing them with the best and safest training space. She added that currently there is ample parking for her students at this property, shown on the revised site plan, and can be maintained with enrollments and the waiting list that is in place. Ms. Briseno mentioned that she saw 23 spaces only. Ms. Coglianesse repeated that there were actually 28 spaces on the plan. She then introduced her architect Nick Georgiou of Georgiou and Associates Architects,

866 Kennedy Avenue, Schererville, IN 46375. He approached the Board and pointed out the 28 parking spaces, marked on the revised site plan. There were 10 in the front, 9 parallel spots along the side, and 9 in the back of the building. Hearing that the back of the building was only gravel, Mr. Mika pointed out that any parking spaces/lots would have to be asphalt, or concrete, per ordinance requirements. Mr. Mika also stated that there would have to be a change in occupancy filed with the State to meet the zoning requirements, which had been discussed with Ms. Coglianese earlier. After much discussion regarding the number of parking spaces, and parking surfaces, the Board decided a favorable recommendation from the BZA to the Town Council would be dependent upon Ms. Coglianese meeting several conditions. Ms. Coglianese stated that she was fully committed to this request and was a rule follower. She continued that when she heard the Board state that they were not opposed to her business using this property, it appeared that this was the main point of this Use Variance. She also stated that she can make everything else happen to comply with the requirements, and she was surrounded by all the right people to help her achieve these conditions. She concluded by saying that as an entrepreneur, it was her job to fulfill the dream and it is her duty to follow the rules.

Mr. Helms motioned that the Board give a favorable recommendation to the Town Council contingent upon Ms. Coglianese obtaining the cross-axis agreement from the property owner, Mr. Terry Krooswyk, changing any graveled areas of parking to either asphalt or concrete, and clearly striping a minimum of (28) parking spaces. Ms. Briseno seconded, and the motion unanimously passed with a 5 – 0 roll call vote.

**New Business:** None.

**BUSINESS FROM THE FLOOR:** None.

**ADJOURNMENT:** Motion: Mr. Thomas Second: Mr. Helms Time: 7:20 p.m.