

**HIGHLAND BOARD OF ZONING APPEALS**  
**Minutes of the Meeting of**  
**August 28, 2024**

The Highland Board of Zoning Appeals met in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, IN 46322 on August 28th, 2024. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Commissioner Thomas.

**ROLL CALL:** Present were Commissioners Murovic, Thomas, and Wright. Commissioners Helms and Smith were absent. The Building Commissioner/Zoning Administrator, Ken Mika, was also absent, along with the Town Attorney, John Reed.

**MINUTES:** The minutes of the July 24th, 2024, meeting were approved as posted.

**ANNOUNCEMENTS:** The date of the next Board of Zoning Appeals meeting will be September 25th, 2024.

**COMMUNICATIONS:** Commissioner Murovic read through the main points of a letter received from Clerk-Treasurer, Mark Herak, regarding Written Determination of the Legislative Body for the Use Variance requested by Mr. Eid, 3949 Ridge Road.

**Old Business: Approval of Findings of Fact for Hani Abu Eid, 2020 E 109<sup>th</sup> Place, Crown Point, IN,** requesting a Use Variance to establish a Used Car Sales Dealership that sells 100% Used Cars at the location of 3949 Ridge Road. {HMC 18.45.30} (A) (57) Permitted Uses. The following listed uses and no others are permitted uses in a B-3 district: (A) Retail and service uses, as follows: (57) Motor vehicle sales, including servicing and repairs conducted in conjunction therewith, provided a minimum of 50 percent of the sales area is dedicated to new vehicle sales. This hearing was originally heard on April 24<sup>th</sup>, 2024, and received an unfavorable recommendation from the BZA. The Highland Town Council at their Monday, June 10, 2024, Public Meeting, took into consideration the BZA's Unfavorable Recommendation concerning this Use Variance Petition. At the meeting, the petitioner, through their representative, presented to the Town Council modifications to their plan, which allegedly were not part of their presentation to the BZA at the April 24, 2024, Public Hearing. In light of this development, the Town Council sent this back to the BZA for further consideration. The BZA gave a second Unfavorable Recommendation to the Town Council at their meeting of June 26<sup>th</sup>. The Town Council accepted the Unfavorable Recommendation and denied the Use Variance request at their meeting on Monday, August 12, 2024. A Written Determination letter was sent out Tuesday, August 13, 2024, from Mark Herak, and previously read at this meeting.

Commissioner Thomas motioned to approve the Findings of Fact for Hani Abu Eid. Commissioner Wright seconded, and the motion passed unanimously with a 3 – 0 roll call vote.

**Old Business: Approval of Findings of Fact for Douglas & Jacki Bush, 9145 Liable Road, Highland, IN 46322**, requesting a variance to build a second garage at 9145 Liable Road, measuring 24' Wide x 30'Deep (720 square feet), which would bring them over the accessory structure total allowance when combined with their existing garage of 440 square feet (total accessory structure at this property would be 1,160 square feet). {HMC 18.05.060} (F) (5) Interpretation and application – Supplementary district regulation. Accessory Buildings. In Zoning District R-1A, R-1, R-2, or R-3. The summation of the gross floor area of all accessory structures shall not exceed the gross floor area of the principal structure, or 720 square feet, whichever is less. (7) Accessory Structures in Certain Districts. In R-1A, R-1, R-2, or R-3 zoned districts, accessory structures shall number no more than two, including attached garages.

Commissioner Wright motioned to approve the Findings of Fact for Douglas and Jacki Bush. Commissioner Thomas seconded, and the motion passed unanimously with a 3 – 0 roll call vote.

**BUSINESS FROM THE FLOOR:** None.

**ADJOURNMENT:** Motion: Thomas Second: Wright Time: 6:36 p.m.