

HIGHLAND BOARD OF ZONING APPEALS
Minutes of the Meeting of
December 10, 2025

The Highland Board of Zoning Appeals met in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, IN 46322, on December 10, 2025. Commissioner Thomas called the meeting to order at 6:30 p.m. Commissioner Helms led the Pledge of Allegiance.

ROLL CALL: Present were Commissioners Helms, Smith, Thomas, and Wright. Commissioner Murovic was absent. Also present were Building Commissioner/Zoning Administrator Ken Mika, and Town Attorney John Reed.

MINUTES: The minutes of the October 22nd, 2025, meeting were approved as posted.

ANNOUNCEMENTS: The next Board of Zoning Appeals meeting will take place January 28th, 2026.

COMMUNICATIONS: Commissioner Thomas stated a letter was received from Clerk-Treasurer Mark Herak for Written Determination of the Legislative Body regarding the Use Variance for a virtual reality entertainment center at 2939 45th Street, requested by Mr. Geoffroi Guiton. The letter stated that the Town Council accepted the Favorable Recommendation from the BZA and granted the Use Variance at their Town Council meeting on October 27th, 2025.

OLD BUSINESS: Approval of Findings of Fact for Adam Hernandez, 3236 Martha Street, Highland, IN 46322, requesting a Variance to install a fence beyond the building lines at 3236 Martha Street. Property is on a corner. {HMC 18.05.060 (G)(5)(a) Permitted Obstruction in Required Yards. The following shall not be considered to be obstructions when located in the required yards specified: (a) In All Yards. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed 12 inches; open terraces or decks not over four feet above the average level of the adjoining ground but not including a permanent roofed-over terrace or porch and not including terraces or decks which project into the required front yard by more than six feet from the front of the principal structure; awnings and canopies; steps which are necessary for access to a permitted building or for access to a zoning lot from a street or alley; chimneys projecting 18 inches or less into the yard; arbors, trellises and flagpoles; fences, screens, hedges and walls; provided, that in residential districts no fence or wall shall be located in the required front yard and no landscaped screen or hedge shall exceed three feet six inches in height if located in the front yard, and no fence, landscaped screen, hedge or wall shall exceed six feet in height if located in a side or rear yard. On a corner or reverse corner lot, the side yard setback shall be the same as the front yard setback on adjoining lots; fences shall not be installed beyond this point. No fence, screen, hedge, or wall shall interfere with line-of-sight requirements for local streets or intersections. No fence, screen, hedge, or wall shall be constructed of material that may

be described as rubble, cardboard, chicken wire, trees and brush, corrugated tin, utility poles, railroad ties, barbed wire, broken glass, or electrified material. The design, location and construction of a fence or wall shall be approved by the building commissioner prior to the issuance of a building permit.

Commissioner Helms motioned to approve the Findings of Fact for Adam Hernandez for the developmental fence variance request at 3236 Martha Street. Commissioner Smith seconded and the motion was passed unanimously with a 4 – 0 roll call vote.

OLD BUSINESS: Approval of Findings of Fact for Christopher O Follmar, 9227 Kleinman Road, Highland, IN 46322, requesting a Variance to build an oversize garage, 30' W x 50' L x 12' H, totaling 1,500 Sq. Ft. on his property at 9227 Kleinman Road. Maximum accessory structure allowance is 720 Sq. Ft. HMC 18.05.00060 (F) (5). The summation of the gross floor area of all accessory structures shall not exceed the gross floor area of the principal structure, or 720 Sq. Ft, whichever is less.

Commissioner Helms motioned to approve the Findings of Fact for Christopher O Follmar for the developmental variance request for the garage at 9227 Kleinman Road. Commissioner Wright seconded and the motion was passed unanimously with a 4 – 0 roll call vote.

NEW BUSINESS: Declaration of Resolution 2025-01 – Commissioner Thomas stated that he would like to amend this evening's agenda by including Resolution 2025-01, which would memorialize the modification to the Board of Zoning Appeals Study Session and Plenary Meeting start times. There was no additional discussion regarding the addition of Resolution 2025-01 to the agenda.

Commissioner Helms motioned to amend the agenda to include Resolution 2025-01. Commissioner Smith seconded the motion, and it was unanimously approved with a 4 – 0 roll call vote.

Building Commissioner Ken Mika explained that the Board of Advisory Appeals start times would be altered wherein the Study Session would begin at 6:00 p.m. and would be followed by the Plenary Business Meeting immediately and without delay. This was done at the Plan Commission level, the Town Council, and most of the other Boards. He added that the Town Council voted to change the language allowing the BZA to do this in the Ordinance at their last meeting on Monday, December 8th, 2025. There was no additional discussion regarding the approval of Resolution 2025-01.

Commissioner Smith motioned to approve Resolution 2025-01. Commissioner Helms seconded and the motion was passed with a 4 – 0 roll call vote.

BUSINESS FROM THE FLOOR: None

ADJOURNMENT: Motion: Helms Second: Wright Time: 6:36 p.m.