

**MINUTES OF THE BOARD OF
ZONING APPEALS PUBLIC MEETING
JULY 22, 2024**

I. CALL TO ORDER

The Board of Zoning Appeals was called to order at 6:00 P.M. by Chairman Tom Kouros at the Schererville Town Hall, 10 E. Joliet St.

A. Pledge of Allegiance

The Pledge of Allegiance was recited.

B. Roll Call

Roll Call was taken with the following members present: Chairman Tom Kouros, Vice-Chairman Michael Davis, Mr. Michael O'Rourke, and Mr. William Jarvis. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, Planning & Building Administrator Denise Sulek, Recording Secretary Megan Schiltz, and Attorney Alfredo Estrada. Absent was Secretary Rick Calinski. In the Audience was Councilman Caleb Johnson.

C. Approve Minutes of the Board of Zoning Appeals Meeting of June 24, 2024

Mr. Davis made a motion to approve which was seconded by Mr. Jarvis and carried 4-0.

II. PUBLIC ACTION AND PUBLIC HEARINGS

A. B.Z.A. Case #24-7-9 1505 U.S. 41, Suite A8 – Metro By T-Mobile

General Location: 1505 U.S. 41, Suite A8 – The Crossroads, Lot 2

Petitioner(s): Mohammad Saudagar

Request: Developmental Variance as required by Ordinance No. 2004, Title XIX, Section 9, Paragraph A

Purpose: To allow a 20.4 Sq. Ft. fascia sign (Lineal Foot of frontage the business occupies 15.5 Sq. Ft.)

Chairman Tom Kouros stated that Item **B** would be heard first.

Later that evening Mr. Kouros recalled Item **A**. Mr. Kouros asked Mr. Hansen if the petitioner had arrived. Mr. Hansen replied that they were on the way. Mr. Kouros then asked Attorney Estrada if they should move on to Commission Business. Attorney Estrada responded that would be up to the board to decide. The board then moved on to Commission Business. Attorney Estrada informed the board that in its discretion they could do one of two things, wait for the petitioner or close the meeting and require them to come back and finish it. Mr. Jarvis suggested to give the petitioner five more minutes and then move it to the next meeting. Mr. Gorman stated that basically it is a 20 sq. ft. sign and they are allowed 16 ft. because the frontage is 16 lin. ft.; it is a sign that was purchased from another location that he would just "pop up" and is not being built. Mr. Kouros asked if this is in the Walmart strip mall. Mr. Gorman replied that was correct. Attorney Estrada stated that the board could also proceed on the paper file and staff recommendation if that was what they would like to do. Mr. O'Rourke asked Mr. Gorman if there were any other signs on that strip mall or building that were oversized. Mr. Gorman responded there were. Mr. O'Rourke then asked if they had been approved. Mr. Gorman replied that they had been approved by the board over the years. Mr. O'Rourke then asked if it was roughly the same excess. Mr. Gorman then replied that the board had allowed this oversized before. Mr. Kouros asked if proofs of publication were in order. Attorney Estrada stated that they were. Mr. Kouros then asked staff if they had any issues with the proposed sign. Mr. Gorman responded they did not. Mr. Kouros opened the matter to the floor. There being no comments from the floor the matter returned to the board. Mr. Davis asked Mr. Gorman if there would be any problems with

this sign being closer to the Dicky's BBQ. Mr. Gorman said there was 16 lin. ft. of frontage and that the proposed sign is only 10 ft. long so there would not be any issues. Mr. Gorman then stated that Ms. Sulek had been in communication with the petitioner for a few weeks getting everything squared away but he had run into traffic. Mr. Kouros asked Ms. Sulek if she is ok with everything. Ms. Sulek replied that she was. Attorney Estrada advised that if it would be a motion to deny they should give the petitioner time to come, but if it is a motion to approve he would not think he would mind. Mr. Davis made a motion to approve which was seconded by Mr. O'Rourke and carried 4-0.

B. B.Z.A. Case #24-7-10 6400 W. Lincoln Hwy.
(Proposed: By Appointment Only – Tattoo Studio)

General Location: 6400-6404 W. Lincoln Hwy. – Buck & Briar Subdivision

Petitioner(s): Joseph M. Galewski

Request: Variance of Use as required by Ordinance No. 2004, Title XVI, Section 4, Paragraph C (2)

Purpose: To allow a private (by appointment only) tattoo studio within the U.S. 30 Commercial Corridor Overlay District

Mr. Kouros asked if proofs of publication were in order. Attorney Estrada replied that they were. Mr. Joseph Galewski stated that he would like to lease a 537 sq. ft. tenant space for his tattoo business, JOEYGTATTOOLLIC DBA Element Private Studio. Mr. Galewski said that this proposed business does not include piercings or accept walk-ins and is by appointment only through online booking. Mr. Davis asked if this is located in the blue building facing U.S. 30 or if it was located in the back. Mr. Galewski responded that this would be in Unit 2, which is in the blue building next to Cliffs Heating and Air. Mr. Galewski informed the board that he currently is subleasing an 1800 sq. ft. space in Crown Point, but would like to move to Schererville to have a place of his own that is closer to home. Mr. Kouros opened the matter to the floor. Mr. Aaron Peters from 5601 Phillips Rd, said that he is the owner of A Darker Path Tattoo Studio in Schererville and had been before them about five years ago. Mr. Peters stated that he was there to show his support; adding that he had known the petitioner for fifteen years and believed that he has high standards of professionalism and skill. There being no further comments from the floor, the matter returned to the board. Mr. Kouros verified that he would be the only employee and asked what the hours would look like since it would be by appointment only. Mr. Galewski replied that his first appointment would be at 11:00 A.M. and the last would be at 5:00 P.M. Mr. Kouros then asked how many customers he would have in that time frame. Mr. Galewski responded that he would see his first customer at 11:00 A.M. then take lunch at 3:00 P.M., and would see his second customer from 5:00-8:00 P.M. Mr. Galewski went on to say that most of the time he mainly works on sleeves so it is multiple sessions. Mr. Kouros asked how many cars would be in the parking lot on a given day between 11:00-3:00 P.M. Mr. Galewski stated there would be no more than two cars outside at a time. Mr. Jarvis asked if he had certificates on bloodborne pathogens and other requirements. Mr. Galewski stated that he had renewed his certificates every year for the last sixteen years and had just acquired his LLC about two years ago. Mr. Jarvis wanted to verify that there would be no other employees. Mr. Galewski replied that was correct. Mr. Kouros asked about signage. Mr. Galewski stated that he would not have foot traffic and even if a customer did happen to find them they couldn't get in the locked doors because it is by appointment only through online booking. Mr. Galewski went on to say that the signage would just be the business name, Element Private Studio, with no tattoos or anything other than the name. Mr. Kouros then asked what the drawing process for the tattoos were. Mr. Galewski stated that after tattooing all day, he goes home and depending on the piece draws for about 2-3 hours to stay ahead. Mr. Kouros questioned that if the customer stays until 3:00 P.M. would the dry product be ready to go at that time. Mr. Galewski said that if it were a one shot piece and not in sessions then it would be. Mr. Galewski went on to say that when he opens his appointment book every five or six months, the customer would reach out to him online and then from there book the appointment; in the meantime he would work on the drawings after work. Mr. Galewski added that by the time they come to the appointment it would be ready to go, and if they need more time then they book another appointment six weeks away; most of the work is sleeve tattoos so there are usually multiple appointments needed. Mr. Jarvis made a favorable recommendation to the Town Council to this petitioner only for this address and that it

would only be himself working there for the future; adding that he does not see any health issues in the area or drop in property value and does not feel like this would interfere with the comprehensive plan of the Town. This was seconded by Mr. O'Rourke and carried 4-0.

III. COMMISSION BUSINESS:

A. Findings of Facts:

- 1) B.Z.A. Case #24-6-6 1277 Hollyhock Ln. – Stephen L. Collins, Jr.
Petitioner(s): Stephen L. Collins, Jr.
Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 14, Paragraph A – To allow a 6-foot high vinyl fence to extend 29 feet over the building line on a corner lot
APPROVED W/CONDITION (4-0) 6/24/24

Mr. Davis made a motion to approve which was seconded by Mr. O'Rourke and carried 4-0.

- 2) B.Z.A. Case #24-6-7 341 Indianapolis Blvd. (U.S. 41) – (Proposed: Drive-thru lanes)
Petitioner(s): Allegro Civil Engineers – Lauren Marshall (Bank of America)
Variance of Use as required by Ordinance No. 2004, Title XVI, Section 5, Paragraph C (3) – To allow a drive-thru lane within the U.S. 41 Commercial Corridor Overlay District
FAVORABLE RECOMMENDATION TO TOWN COUNCIL (4-0) 6/24/24

Mr. Davis made a motion to approve which was seconded by Mr. O'Rourke and carried 4-0.

- 3) B.Z.A. Case #24-6-8 10 E. Joliet St. – Town of Schererville
Petitioner(s): James Gorman – Town Manager
Developmental Variance as required by Ordinance No. 2004, To allow a 6' H X 12' W Electronic Message Center to be located within the Joliet Street Overlay "Core" District
APPROVED W/CONDITIONS (4-0) 6/24/24

Mr. Davis made a motion to approve which was seconded by Mr. O'Rourke and carried 4-0.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:21 P.M.

Respectfully Submitted:



Rick Calinski, Secretary