

# Burns Harbor Board of Zoning Appeals

Minutes of Tuesday, January 26, 2021

The Board of Zoning Appeals of the Town of Burns Harbor, Porter County, Indiana met in its regular session on Tuesday, January 26, 2021 in a Zoom Virtual Meeting. The meeting was called to order by Board of Zoning Appeals President, Bernie Poparad at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

## Roll Call:

Bernie Poparad ..... Present  
Bob Crecelius..... Present  
Jim Meeks..... Present  
Timothy Minier ..... Present

## Additional Officials Present

Attorney-Michael Brazil  
Building Commissioner-Rob Wesley  
Secretary-Marge Falbo

## Reorganization

Minier makes a motion that Bernie Poparad serve as President of the BZA. Crecelius seconded the motion. Motion carried by all in favor vote.

Crecelius makes a motion that Timothy Minier serve as Vice President of the BZA. Meeks seconded the motion. Motion carried by all in favor vote.

## Minutes

Meeks makes a motion to approve the minutes of September 22, 2020. Minier seconded the motion. Motion carried by all in favor vote.

## Communication, Bills, Expenditures

Falbo asks if everyone is in agreement with the BZA Meeting Dates. There were no conflicts at this time.

## Report of Officers, Committee, Staff

None

## Preliminary Hearing

None

## **Public Hearing**

*Robert Goad*

*1130 South Babcock Road*

Development Standards Variance to erect an accessory building which exceeds the 700 square feet allowed in a Residential Zone and is not behind the building line.

Poparad says since we closed the Public Hearing at the last meeting, Goad will have to re-advertise. Attorney Brazil says everything is in place. We just need to go by the procedure and yes, he will have to re-advertise to give people, if any, a chance to be heard.

## **Old Business**

None

## **New Business**

### **Bosak Auto Group**

*Cheryl Muta*

*Appeal Rejection for Name Changes on Current Standing Signage at 239 Melton Road*

Muta says I am here, and Skip Bosak should be on this call. Bosak says, I am here. Poparad says I see you want to appeal Building Commissioner Wesley's signage rejection. Attorney Brazil says the original variance that was given for the signage specified exactly what the variance was for and the names that were going to be on the sign. Even though the sign is not changing in size, etc., we need another variance because there will be name changes involved. The recommendation would be that we leave it broader, so in case this occurs again, the owner's name is on it and what their inventory currently is at the time would be acceptable to be on the sign. Bosak says we would like to have it just be all our automotive brands and that would cover it. We are not going to put anything else on it but automotive brands because we have all the brands in Burns Harbor at this point. We would just like to do it that way. Attorney Brazil says that would be the best way to go.

Crececius makes a motion to set Bosak Auto Group for a Public Hearing on February 23, 2021. Meeks seconded the motion. Motion carried by all in favor vote.

## **Good of the Order of the Community & Any Other Business**

Poparad says does anyone else have anything to say. I see someone named Fred and someone named Ran. Ran says Fred is working with me on the property known as 311 Melton Road. Poparad says have you been in contact with Building Commissioner Wesley. Ran says, yes, I have. Poparad says did you submit anything to Building Commissioner Wesley because we have to have a rejection before you can come before us. We are in negotiations to purchase the property and I would still have to get a power of attorney from Larry Frain to speak on behalf of the property. What we are trying to do is purchase the property from Frain and keep the front building as is, zoned as a business. I would like to take the pole barn in the back of the building and use it for firework retail sales. Poparad says you will have to meet with Building Commissioner Wesley. Attorney Brazil says in order to purchase it you would have to have a variance given. Correct? Without it you are not going to purchase the property. Ran says correct. Attorney Brazil says the current owner would have to come and get the variance. However, if he does give you a power of attorney so you can come in on his behalf to speak on it, that is possible. We would have to review that power of attorney to make sure that is exactly what it is set up for. Ran says as long as it's the correct power of attorney we can then come before the Board to ask for the

variance. Ran says we will have the power of attorney to Building Commissioner Wesley sometime this week. Attorney Brazil says if you have it for Building Commissioner Wesley you can fill out the paperwork and he can either approve or reject it. If it's rejected, you can come before the Board with that power of attorney to ask for the variance. Poparad says you need to see Building Commissioner Wesley and get this going so Attorney Brazil can look at it and we'll go from there. Attorney Brazil says once you see Building Commissioner Wesley and everything is in order, we'll get it taken care of.

**Announcements**

None

**Adjourn**

Minier motions to adjourn at 7:30 pm. Meeks seconded the motion. **Motion carried by all in favor vote.**

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Bernie Poparad, President

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Marge Falbo, Secretary