



JEROME A. PRINCE
Mayor
CITY OF GARY

ERIC BORIA
Zoning Administrator
(219) 881-1332
zoning@gary.gov

ZONING DEPARTMENT
CITY OF GARY
401 BROADWAY, SUITE 303
GARY, INDIANA 46402

CITY OF GARY- BOARD OF ZONING APPEALS MINUTES
Thursday, August 11, 2022
3:00 P.M. CT

Attendees:

BZA members: Rev. Chester Jones, Kevin Brown, Bill Cook
Staff: Eric Boria -Zoning Administrator, Atty. Steve Jenkins - Law Department,
Carla McVea – Zoning Coordinator, Paula Beeks, Redevelopment

Eric Boria called the meeting to order and conducted roll call, present were:

- Member Rev. Chester Jones
- Member Bill Cook
- Member Kevin Brown
- Member Taryl Bonds (missed roll call, joined the meeting at the acceptance of agenda and minutes)
- Member Cliff Caldwell (missed roll call, joined the meeting before the reading of BZA 2022-08)

Agenda

Motion to approve the BZA Agenda: Member Bill Cook
2nd: Member Kevin Brown
Result of vote: motion carries 4-0

Member	Rev. Jones	Bonds	Brown	Cook
Vote	Yes	Yes	Yes	Yes

Minutes

Motion to approve the BZA Minutes: Member Bill Cook
2nd: Member Kevin Brown
Result of vote: motion carries 4-0

Member	Rev. Jones	Bonds	Brown	Cook
Vote	Yes	Yes	Yes	Yes

Agenda Items

- 1. BZA 2022-08, 392 Johnson St.
Use Variance**



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The petitioner is Dr. Mashone Parker-Wright. The property owner is The Wright Family Property LLC. The affected real estate is 392 JOHNSON ST GARY IN 46402, parcel 45-08-04-151-014.000-004, legal description RESUB. GARY LAND CO'S 3RD SUB. ALL L.33 BL.16. The zoning district is R4, residential. In accordance with MC Sec. 123-107, the petitioner requests a use variance to operate a residential group home on the property.

Petitioner is Dr. Mashone Parker-Wright provided a brief statement of her qualifications as a mental health therapist in Lake and Marion County. Has been in practice for 5 years. The program is operated for men only providing counseling and mental health, case management, substance abuse counseling to reduce criminal behavior. Licensed therapist will operate the program for 10 men who will reside at the property.

Meeting was open to the public. Rev. Chester Jones opened and closed the public comment period.

Member Brown asked for the ages of the clients to be served, which is 18 years and older. Member Cook asked for clarification regarding the clients who will be served. Dr. Parker-Wright stated that they would be recently persons recently released from the County and homeless, must have mental health or substance abuse history. Member Cook asked if Dr. Parker-Wright had spoken to neighbors about the group home. She stated that she had not. The property will be staffed 24 hours. The program clients are referred by the State with monitoring probation officer, judge and parole officer. Member Bonds asked Dr. Parker-Wright what type of offences the individuals had been institutionalized for? Possession of drugs or substance abuse related are the most common. Dr. Parker-Wright stated that the maximum stay at the home is 60 days and that other services for the residents included life skills, employment and housing assistance.

Mr. Boria provided a brief overview that included the zoning requirements and the number of letters that were mailed to the required residents. The staff recommendation is conditional favorable, based on the following, (1) no more people than normal family occupancy, (limited to 5 persons) due to basement. (2) parking plan, and (3) measures to prevent negative neighbor impact.

Discussions between Members, staff and Dr. Parker-Wright related to the criteria and the number of clients that would be feasible for operations and parking continued.

Mr. Boria request that we acknowledge that Member Caldwell has joined the meeting. Member Rev. Chester Jones requested that Member Bond chair the meeting.



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Meeting was open to the public. Member Bonds opened and closed the public comment period.

Public Comment

None

Motion to approve BZA 2022-08 with conditions of staff parking in the rear and up to 10-person operation be allowed: Member Cook

2nd: Member Brown

Result of vote: motion carries 5-0

Member	Rev. Jones	Bonds	Brown	Cook	Caldwell
Vote	Yes	Yes	Yes	Yes	Yes

**2. BZA 2022-09, 5601 E. 9th Avenue
Developmental Standards Variance**

The petitioner, Fredrick Lee, requests developmental standards variances, in accordance with MC 123-108, from the surface material requirement of asphalt or concrete (MC Sec. 123-365(p)) to install gravel for a temporary period and from the 15 ft. required setback from Lake St. in the East Lakefront District Plan. The affected real estate is the eastern 350 ft. portion of 5601 E. 9th Street, Gary, IN, parcel 45-09-06-481-001.000-004, legal description: A STRIP ACROSS THE SOUTH LINE OF SE1/4 S.6 T.36 R.7 132.4FT WEST LINE MEASURE TO 156FT EAST LINE MEASURE 5.061AC & SW1/4 6.048 Ac (SUBJ TO EASEMENTS), owner MNL Services LLC, zoned TOD Mixed Use.

Petitioner not present. Petition deferred to next scheduled meeting.

Motion to defer BZA 2022-09 to the September 8 meeting: Member ?

2nd: Member Cook

Result of vote: motion carries 5-0

Member	Rev. Jones	Bonds	Brown	Cook	Caldwell
Vote	Yes	Yes	Yes	Yes	Yes

**3. BZA 2022-11, 7400 Ash Place
Special Use Permit**



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The petitioner and property owner is Donald R. Campbell. The affected real estate is 7400 ASH PL GARY IN 46403, parcel, 45-05-32-451-025.000-004, legal description ROBERT BARTLETT'S MARQUETTE PARK ESTATES 2ND ADD. L.432, zoning district R1a, residential. In accordance with MC Sec. 123-59, the petitioner requests a Special Use Permit from MC Sec. 123-155(c) to use the property as an open space for the construction and operation of a greenhouse.

Mr. Campbell provided his address as 5607 E. 3rd Ave and provided a brief overview of the request to construct a hoop house for growing food for personal use.

Member Cook asked how many months the structure would be in use and if there would be any issues with weather. Would the material stand up to inclement weather? Mr. Campbell stated that the material would stand up to inclement weather. He would operate during the growing season.

Member Caldwell asked if Mr. Campbell had addressed the concerns of the neighbors from the previous BZA meeting regarding property values and he stated that he has. Mr. Campbell stated that the neighbors are now in favor. No neighbors attended the current meeting. Member Rev. Jones asked if the structure was a hoop house or a green house. Mr. Campbell stated that it is a hoop house which helps extend the growing season. February to November (10 months).

Meeting was open to the public. Member Bonds opened and closed the public comment period.

Public Comment

None

Staff Recommendation

Mr. Boria provided staff recommendation for conditional favorable for personal use only. If it is discovered that the use is not personal that would be a violation.

Motion to approve BZA 2022-11 with conditions stated by staff: Member Brown

2nd: Member Caldwell

Result of vote: motion carries 4-0, 1 abstained

Member	Rev. Jones	Bonds	Brown	Cook	Caldwell
Vote	Yes	Yes	Yes	Abstain	Yes



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4. BZA 2022-17, 437-39 Connecticut Street Special Use Permit

The petitioner is Jerett Glasper. The owner is Keith Johnson. The affected real estate is 437-39 CONNECTICUT ST GARY IN 46402, 45-08-03-155-004.000-004, GARY LAND CO'S. 1ST SUBDIVISION ALL L.35 BL.108, zoning district B3-1. In accordance with MC Sec. 123-107, the petitioner requests a special use permit based on Sec. 123-194(c)(3) to use the property as a place of assembly, recreation and amusement.

Mr. Jerett Glasper, 437 Connecticut Street provided an overview of the petition. Navy veteran who represented the founders of the organization who is his sister and brother-in-law. The organization (Motor Sports Club) is comprised of 90% women. Intends to provide resources, i.e. donations, food, school supplies, etc. for the community. Mr. Glasper stated that the organization has participated in Juneteenth, 4th of July parade, coat give away, Brother's Keeper, and others.

States that all future events held at the facility will be in accordance with local and state laws.

Member Cook ask what funding source I used to support their services. Mr. Glasper states that the membership fees are sufficient to support the organization. Mr. Glasper stated that the organization has 25 members and any vehicle with an engine can join.

Member Brown asked if the site would be occupied every day? Mr. Glasper stated that he and his family would occupy the building every day. Member Bonds asked where is the parking for the motor vehicles. Mr. Glasper stated that he was going to work with the RailCats to get a lease agreement.

Meeting was open to the public. Member Bonds opened and closed the public comment period.

Public Comment

There were no public comments.

Staff Recommendation

Eric Boria provided a brief overview of the petition listing the seven criteria and addressing each criteria. Five letters were mailed and one letter was received from the Gary RailCats. The letter was very unfavorable detailing an event that had taken



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place. The RailCats letter was not in favor of a lease agreement for parking with this organization. The administration issued a no occupancy notice for the building when the incident (June 29, 2022) described in the RailCats letter occurred until issues are resolved. The property is lease to own.

Staff and the administration gives an unfavorable recommendation outlined by Mr. Boria for each criteria. Other discussions regarding the occupancy and other events were discussed.

Mr. Boria stated that the BZA can consider Favorable, Conditional Favorable, Unfavorable, No Recommendation. It was explained to the petitioner that the recommendation goes to the Common Council. The petitioner can make his case to the Common Council who makes the final decision.

Motion to accepts staff’s unfavorable recommendation for BZA 2022-17:

Member Brown

2nd: Member Caldwell

Result of vote: motion fails 5-0

Member	Rev. Jones	Bonds	Brown	Cook	Caldwell
Vote	Yes	Yes	Yes	Yes	Yes

Motion to adjourn: Member Bonds

2nd: Member Caldwell

Result of vote: motion carries 5-0