CITY OF EAST CHICAGO BOARD OF ZONING APPEALS
Public Hearing Minutes
January 15, 2026, at 5:00 p.m.

BOARD MEMBERS:
Cesar Perez, President
Lilia Ramos, Vice-President
Lydia Lopez, Representative
Ralph Peterson, Representative

STAFF:
Eduardo Fontanez
Marino Solorio
Tracy Ailes

Reported by: Fissinger & Associates, Ltd.
By: Peggy S. LaLonde

Call to Order: 5:00 p.m.

Roll Call: Present in Chambers: Cesar Perez, Lilia Ramos, Lydia Lopez, Ralph Peterson

Staff Present in Chambers: Tracy Ailes, Secretary
Eduardo Fontanez, Attorney
Marino Solorio. Director

PLEDGE OF ALLEGIANCE:

MR. PEREZ: I would call to order the meeting of the Board of Zoning Appeals Commission for January 15th, 2026. It's 5:00 p.m.
Motion for approval of the regular meeting minutes of December 18th, 2025 as written.

MS. RAMOS: Make a motion.

MS. LOPEZ: Second.

Questions/Comments: None

Roll Call: "All in Favor": Cesar Perez, Lilia Ramos, Lydia Lopez, Ralph Peterson Abstain: None
Opposed: None

MR. PEREZ: Motion carries.
Has a quorum been established?

MS. AILES: A quorum has been established.

MR. PEREZ: There is no Old Business at this time.

New Business: We have election of officers. So we have President, Vice-president. Is there any nominations for president?

MS. RAMOS: I nominate Cesar Perez for President.

MR. PEREZ: Any other nominees? (None)

MR. SOLORIO: Do you accept the nomination?

MR. PEREZ: I accept, yes.

Nominations for Vice-president. I nominate Lilia Ramos. Any other nominations?

MR. PETERSON: I nominate myself.

MR. SOLORIO: You can either accept or decline the nomination?

MS. RAMOS: I'll decline.

MR. SOLORIO: So do you accept the nomination?

MR. PETERSON: I'll accept.

MR. PEREZ: Tracy is secretary, unless you want her removed.

MR. SOLORIO: You need to have a motion to accept the newly elected officers.

MR. PEREZ: Is there a motion to accept the newly elected officers to their positions for 2026?

MS. RAMOS: So moved.

MR. PETERSON: Second.

Questions/Comments: None

Roll Call: "All in Favor": Cesar Perez, Lilia Ramos, Lydia Lopez, Ralph Peterson Abstain: None

Opposed: None

MR. PEREZ: Motion carries.

So let's move on to this education, Indiana Planners Guide - Section 2: Board of Zoning Appeals Basics.

MR. SOLORIO: Perfect. This is actually, if you take a look at it and if you want more time to read into it, it kind of goes into the basics of what the Board's function is suppose to be, and this is the Board of Zoning Appeals basically in a nutshell.

Zoning is a categorization of land use in the City of East Chicago. And so the City is broken up into pieces, where it says R1 is residential, R2 is two-family dwelling, R3, R4 commercial and neighborhood commercial, and then industrial and waterfront.

And so that zoning was instilled in the 1930's when they had to figure out a way to control how development happened, because before the 1930's there were no rules, so people were building whatever. Case in point, in East Chicago they were building industry right next to residential neighborhoods. And so it was a way to kind of create barrier space of use and control how development happened in a city.

So, as part of that, obviously you give somebody new rules. Let's just say I build my house and my house is a three-story house, but the new code now says that I can only have a two-story house in my zone. You would be grandfathered in. In perpetuity, for example, if the house burnt down, you have a year to fix it and put it back. But if you were to ever vacate the home or the home gets demolished and gets put back, it would revert to the new code, which then if anybody wanted to build that three-story home, they would not be able to do it.

But let's say, for example, someone says, I really want to do it for historical purposes or for purposes because my late nana lived there or whatever, blah, blah; the BZA is a way for them, through a formal process, that would require them to get a variance, to allow them to rebuild that home after they lost their grandfather clause. That's a perfect example what a BZA can be used for.

The BZA, that's a development standard that sets code. For example, you can only build 35 feet high, but you are trying to build 40 feet. That's not something that's controversial to the point

where you are trying to change the use of the land. You were still building a home, it's just that it's higher than what is allowed. That's the developmental variance.

Parking is a perfect example. You need to, by code, only build 20 parking stalls based on the size of the commercial space that you are building, but you only have room to put 18. Then you would go get a variance that allows you to only have 18 parking stalls. That's a developmental variance also because you still have parking, you just don't have the right amount.

That's very different from a use variance, which also comes to the Board. That's when someone says, I want to build a scrap yard in this residential neighborhood, and so the use is not residential. A scrap yard is industrial use. And now we are trying to fit a use that's not permitted in the current zone. You try to get a variance for that. It's a use variance, a land use variance, because you are using the land for something else that's not what it was made for.

It's different from a developmental variance in that standpoint because you are not changing the use of the land, you are just changing the standard or asking for an accommodation of the standards on the land use standards.

If you are asking for a change in zoning all together, with zoning, BZA hearings are a little more complicated because you are in essence trying to define whether the use is going to be either harmful or will be okay for the neighboring area. And that's what you have to kind of guide yourself to, and it's a two-step process.

They find it important to have this two-step process because you are an advisory board. You are an advisory board, you don't create legislation or anything like that. You advise the Council to tell them, hey, we heard the case and we believe that you should not approve it, or we believe that you should deny it, or we believe that you should approve but with conditions. Then it goes to the Council and the Council -- good example, you say, we don't think this is a good use, it should be denied. And then it goes to the Council. The Council is like, we don't see the issue. So, you know, we think this and we think that, and we are going to approve it.

Ultimately the Council is the ultimate governing body that will decide whether

something is approved or denied. They take your recommendation as a base to that recommendation as to what they might do. But they can also, deny. If they don't see what you are seeking, there is an issue, or for example, you may say, approved and they say, absolutely, we are not approving it and they deny it. Ultimately the Council is the one to say yes or no to approve.

They can ask, for example, did you put conditions here? They can have more conditions over there or they can remove conditions that you advise.

And so, again, they are the actual, ultimate authority. And the reason why, because they are the legislative body. Meaning the code is a legal legislative code and you have to abide by the citation. If you don't, the variance is not legitimate. If there is no legislative body that's saying, yeah, we are allowing you this. We are a legal legislative body allowing you to do it.

MS. RAMOS: I have a question. Not all variances go to the Council, correct?

MR. SOLORIO: Correct.

MR. FONTANEZ: Yes.

MS. RAMOS: Developmental does not.

MR. SOLORIO: Only land variances and special use. We'll go over special use in a little bit.

A developmental variance, like I said, it's five feet, but you are needing six feet. It's still the same use though, it's still the same land use. I am still building a home or still building commercial space, or I'm using commercial space for residential, or commercial for industrial, or industrial for commercial, vice versa.

So a lot of people question that. They're, like, if the Council really has the defining yes or no, what is the point of us, right? And the point of you is that you are the advisory board to the Council. So you are like an extension to them. If they were to create a committee to kind of go into this and figure it out, and then say, give us a recommendation. You are the committee, right. And only in those circumstances is the committee comprised of members of that board, but they are using you as a board to be able to tell them what you would recommend to do.

Now, the other component to BZA is special use and that is codified to say -- perfect example. We just added scrap yards as a special use in our code. What that means is, that although I am an industrial owner, I own an industrial piece of property and I want to open up a scrap yard. Theoretically I can because the code would allow me to build in an industrial corridor. The difference is, now we have to define it as a special use. It has to go through the approval process to even allow you to build a scrap yard in the industrial code. It's an even further way to restrict certain types of development that you feel by putting special use, you have already felt they needed to be checked in. We can't have a scrap yard opening up everywhere. The same way we can't have another -- what is it called -- special use would be like a dump, like a waste dump site.

And so in those cases, special use still goes through a two-step process. They still go to this Board and still go to the Council. The difference is that a special use automatically requires you to quote in the process no matter what. No matter if your use is still consistent to code because its governed as a special use.

So in this case we recently had a scrap yard that wanted to open up right behind Block Stadium. This Board denied it. That goes back to the protection that that special use has. So as a special use, you are protecting the integrity of whatever neighborhood or whatever area, and you are creating a little more stringent use. Hey, you need to meet certain criteria for us to allow you to build a scrap yard.

The perfect example, if the scrap yard opened up by ArclerMittal, close to where the peninsula is over at ArclerMittal, you still go through the process. But when you are hearing the case, and the land is in ArclerMittal, you are nowhere close to say a residential neighborhood or it's not, you know, the noise isn't going to effect anybody because it's in the middle of nowhere; that's when you say we can approve this. This makes sense because it's a scrap yard. It does belong in industrial. It's nowhere close to residential, versus a scrap yard right next to Block Stadium. That's the difference with the authority and the power that you have.

Now, with this power you also -- there is also checks and balances to the Board members. Because if you, for example, have a conflict of

interest -- this could be a perfect example. You live right next door to Block Stadium. So you have a vested interest in not allowing that scrap yard or vice versa. You wanted a certain type of business to show up in your area and you are pushing it because it's going to benefit let's say, your house. Now the value is going up. So if you have a vested interest, you are by law required to state the conflict of interest and abstain from the vote.

There is another conflict of interest. These are conflicts of interest that we don't see here. I know somebody that knows somebody that contacts me and says, this case is coming up and I would really prefer you give us a favorable approval. So you were contacted by someone, you come here, and so it's best to abstain. You don't have to state why you are abstaining, you just say, I abstain. You don't have to necessarily state, this is why I am abstaining. It's always good to say why, but you don't have to. But it's better you abstain than take the vote and someone finds out later on after this got approved and you were involved in, for example, the property was your property, your family's property, and by allowing this you made a cut or your family made a cut. It could be even an indirect relationship to the project that would require you to abstain because at that point --

MS. RAMOS: It's unethical.

MR. SOLORIO: It's definitely unethical. I don't own it, my family does and I don't really talk to my family. So I don't really care at this point, right? You can argue that by law that looks like it's a conflict.

And so even in that case, for example, you could say, hey, my family owns that property. I want to make sure it's on the record, but my vote is stick to the nines and I have nothing to do with that and I want to make sure that's on the record. That looks better.

Again, you know, taking a vote, that could be misconstrued or construed as you are benefiting in some way, shape, or form. It's always best to kind of abstain. If you have doubts, it's also best to discuss that with the attorney. Say, hey, I have a situation. This is what it is, what do you recommend I do. There are other Board members that obviously can vote, you are not the only one. You can still express your opinion. You can still state whatever you need to

state, but you relieve yourself from the vote itself. This is important because there has to be objective reasoning to your decision and the objective reasoning which is discussed here, is to discuss the question of zoning specifically.

The Planning Commission on the other hand has to look at the plans, the Comprehensive Plan and what is the future of the City. You are here to answer whether the zoning change or developmental change, or whatever the case may be, will figure negatively or will effect property owners negatively. The key is negatively. If it effects it positively, then it's a nonissue. But if it's effecting it negatively, then that's where you have to base your decision on those type of things.

Now negatively a very rare thing. It's not cut and dried, like black and white. So a scrap yard next to a residential area, it's a little different from -- say I'm in a residential area. It's a different type of use. They are both industrial. In those circumstances you might judge if one project is less or more merit-able because you say one is not necessarily noisy, or one doesn't have smokestacks, or one doesn't have X, Y, Z. The other one offers more jobs. You begin to rate and category fix on that. And to make an informed decision, you have the look at the benefits, negative and positive, and things like that.

Now, to even come to this Board, you have to pay. So when they come to the Planning Department you say, you have to go through the Board of Zoning Appeals. Meaning it can cost someone up to $800.00 to a thousand dollars, depends on how many mailings we need to send out.

By code you have to submit a BZA informing letter to any parcels that are 300 feet away from the parcel that's trying to get the variance. So in this case, for example, if a scrap yard was requesting the variance, 300 feet from that scrap yard everyone would have gotten a notice there is a meeting and they are going to discuss this issue. You might want to come if you are in favor or against.

So public input is very important to use. Fortunately we don't get a lot of that in our meetings, but a lot of times it is really just a person coming here to get the variance. Best believe, because these are put in the paper, that if there is something else, controversial issue, they will come.

And so depending on the complexity of the project and depending on the controversy of the

project itself, that will help you or hinder you. That's why again you are appointed to be non-bias members. Meaning you are not technically to follow what the Mayor says or what would the Council say. You are here to give your opinion and advise based on the facts that are brought in. So you are kind of like a jury of a court system. You deliberate and then the judge then does the sentencing or whatever the case may be, which is the Council.

Are there any questions on the importance of your role with the BZA? (None)

So I am going to ask you guys some questions, just to see if you guys may or may not know the answer. It's okay not to know, all right. But can a variance have conditions?

MS. RAMOS: Yes.

MR. SOLORIO: That is accurate. So a variance can have conditions.

Can a variance follow the land versus the owners? Example, X owner gets a variance and wants to use commercial and residential. You approve it. Does it follow the land? (No response)

It does. So the difference is that if you want to give conditions, say it will not follow, then you could put that condition on. So here's a perfect example. You may not be okay with a bar, let's just say. But the person has proven that they have other establishments and they've never had issues. So you are like, well, okay, we'll allow the commercial bar in this residential area, but the condition is that if you sell that property to somebody else, the variance will not transfer over. You can make a condition like that. Because inherently the variance will follow the land.

MS. RAMOS: So in my neighborhood, there's a bar, new owners. They can allow them to open?

MR. SOLORIO: If that's zoned appropriately. If that is zoned appropriate, they won't have to come here. Let's just say they weren't.

MR. PETERSON: What if it's already established as a business?

MR. SOLORIO: That's what the grandfather clause is. The grandfather clause gives a year of

leeway. Someone left it vacant -- I'm done. I'm out of business. Sold it to somebody else. They have a year to redo that use at what they do. If not, it reverts to whatever code is there. Then they might have to go through the process again.

Let's just say in this case, no, it's zoned accordingly. Let's say hypothetical, it was zoned only residential, and so that's a commercial use. They vacated it and they took eight months. Someone else came in and they reopened the place, called it a different name, whatever the case may be. They are technically allowed to operate because they did not lapse past the one year.

But now on the flip side, if it took a year and half to reopen. Now they will have to come to this Board and get approval because they lost their grandfather clause.

So those are the kinds of things you will be hearing and those are the kind of case by case things. Like you may have more insight, for example, as Board members in East Chicago, you may have more insight when that place was open, there was always drug deals there. It was always this or that issue. I want security cameras.

One time we had a case where we required them to put security cameras in that establishment and they would have to coordinate with the police. They would have to put signs up, no loitering, this or that. List their hours of operation, had to be certain time. It could not be past one or 12:00 o'clock. This is, like, for a liquor store because they always had issues with previous liquor stores. So you can put conditions. What may happen is that when they say, I agree with the conditions, that's the best case scenario, I agree with the conditions. I agree to follow them.

Enforceability is another question. That falls on the Building Department to enforce the conditions, but they are at least on record. It could happen. If they say, no, this is too much of a burden on me and my business couldn't function. I need to be able to open at 11 not 12:00 o'clock, so I don't want to accept that condition. Then at that point you can say, either you negotiate or you say, then unfortunately we'll deny this petition and then leave it up to them to discuss with the Council, but you send the denial based on the conditions.

You can put as many conditions as you want on the variance, so never shy away. We put ten

conditions on one. It just depends on the case. That's the power that you have to advise the Council of why you are doing it. And as long as there is a reason for it and it's not something done maliciously, and that you state why it conflicts with whatever, why you have to have the conditions to begin with, it's always best. But we always suggest to people when they come to this Board, we say, be the best neighbor you can be. Meaning, when you come and propose something, propose it like you are going above and beyond what is even being asked of you at a minimum threshold.

This is a perfect example. When we talked about the scrap yard, the scrap yard owner, we would advise if you wanted to be a good neighbor and wanted to try to get this passed, you should probably handle everything of your operation inside the building. The building is big enough. It will help with the sound. It will be this, help with that, etcetera, etcetera. Maybe go as far as saying that you will paint a mural on the side of the building, East Chicago We Love You, whatever. I don't know, something. But be mindful that you are coming into a neighborhood for the use that isn't necessarily wanted.

They could have taken our advice and I think that might have changed a little bit the outcome, but they came in here saying they wanted to do the full operation the way they wanted to do it, outside. They didn't care, dah, dah, and guess what happened. The questions were asked and wait a minute, if you do this, it's going to do that, it's going to be noisy. By the time it was over, I don't know, I let him talk. He could have said, we'll do everything that you guys want us to do to get the project pushed through.

Unfortunately the wrong person was speaking. They are the owners -- they were the potential owners. The wrong person discussed what followed for them to try to get this done. Or like if we did this, would you recommend approval?

Some will listen, some won't, and that's okay. Your job is to make sure that you pull the rug out and make sure that everything is discussed that you have concerns about. And so no question is a bad question. And I'd rather, in terms of these boards, it's best to ask the questions that you may have and try to get resolution to that.

Case in point, you may not get all the answers and you are okay to table the decision. You don't even have to make a decision. Sometimes you are put on the spot. Sometimes we feel like we need to

respond, but you can table the decision and wait until the next meeting to make a decision to think about it, to research a little bit more, figure things out. Go look at the site. You may not know the site, for example. It gives you time that you can have a motion to table it and then decide on it afterwards.

MR. PETERSON: What are they going to do over on Guthrie?

MR. SOLORIO: In terms of this Board, they are looking to build residential I presume, but that's zoned residential. So it is not like -- unless they build commercial there, they have to come here for example.

MS. RAMOS: Can they build?

MR. SOLORIO: On Guthrie they cannot build.

MS. RAMOS: On Calumet, what used to be the projects.

MR. SOLORIO: The housing complex. So currently, from what I understand, this is zoned -- they changed the zoning to industrial, so houses can't go there. And so if they want to build an Amazon, they could because it's zoned already for that.

MR. PETERSON: The conditions would be for steel mills.

MR. SOLORIO: They could put a steel mill there because it's zoned industrial.

MR. PETERSON: But the area there --

MR. SOLORIO: This is kind of like one of those things, it may not come to this Board because it's zoned accordingly and not a special use, so it wouldn't come to this Board. You best believe if they are putting something with smokestacks over there, they will show up to the Planning Commission and Council. So there is other ways to go about stopping development, not just necessarily here.

So your jurisdiction, if the zoning doesn't match the plat, you have got to come here. But an issue can happen in the Planning Commission, for

example, they can get approved to be developed. They are governed by a whole other type of rules. Does this follow what the people want, etcetera. So that's a very different conversation. So even though it is zoned accordingly, they may have to come to the Board of Zoning Appeals and they may have to go to the Planning Commission to get approved.

That's when people with pitchforks come in, we don't want smokestacks. People are dying of cancer, get out of here. The Planning Commission can deny on that basis. That's a whole other board or whole other reason. But your jurisdiction is to answer one question. If it does not meet the code interest, it's do we allow it through variance or do we deny it as a variance, period. That is really the question you are answering.

So if the change to a variance is going to effect negatively only property owners. If it does effect negatively, then you have to deny it because inherently those are the three questions that you have to ask yourself, and that's one of them. Right? It's will this have a negative effect to surrounding property owners? Does it effect the health and welfare of the public? That's another one. And so those are things that you have to think through.

This is the variance cheat sheet that I would recommend. Go through it as a Board member to understand your power, understand the rules of engagement, and understand the complexity of the type of project. No project is too small.

A scrap yard would show up here at the BZA and we would have to site the outcome. I just mentioned one by ArclerMittal and one next to Block Stadium. Those are two separate complete outcomes and it's okay to have different outcomes because they are two different areas, two different circumstances, two different cases. So that's acceptable. You don't have to follow, for example, we did this for the other one, so we should do the same, unless there is the same exact case, then you follow suit. But now you are not following the same rules, but you will never find that because it will never be the same.

The only difference is that someone submits a petition for variance. They may get denied, but they have to go through the process. They have a year to come back and reapply for the same variance. The Board members change. The Council changes. If they want to be persistent, that's the only way. There is no appeal.

The only way that there would be an appeal to a decision, that's through the Council, is if negligence and/or some type of conflict of interest that somebody might have done and somebody dug up. And then they are, like, you voted this way because it was in effectual on you. I can now go to the court and have them overturn the decision because there was some foul play. Those things do happen and they have happened. They have gone to court. Cases have gone all the way up to the Supreme Court, and they have been revoked and we had to then allow them to build what they were going to build.

So that's why it is always good if there could be a possibility that there is a conflict of interest, that you abstain. That you don't put the City in a precarious situation that they can come back in effect.

Other than that, this is a Board that is constructed by State statute required. So every city has to have one of these boards for cases like this because the rules of whatever code this is, it's the board that would help alleviate issues when it comes to that code and/or the enforcement of that code in the sense there may be people that legitimately say, I wasn't here in the 1930's. My house was always like this. Or I have a big example, we have a lot of lots that were parceled out as 25-foot lots. That's how wide they are. According to our code, the lot needs to be 35 feet. So how do you -- that's where the court system will say, well, it's an unfair burden on that person if they are legitimate property owners of the 25 feet, now they can't use the property for nothing because they can't build on it. They were denying them the home because it's not 35 feet. And so boards like this help alleviate those situations.

Now the only difference between that example, is that if they have not been replated. A re-plating means I am merging or I am splitting the parcel, then they are governed by the old code. So technically that person could come and say, well, my 25-foot lot has been in existence before zoning even existed, so therefore I have to base my building requirements based on that and not by the new code, and that is in perpetuity until I re-plat that land. So that holds even a year or two years, 20 years from now. As long as they don't re-plat that land, they follow the codes of before. Those things could come to question and this board is made to answer those questions.

For example, we found one with a

sign, insurance sign. They came here and they were fighting for a new sign. By the time the meeting was over, what if I took that sign down? If you did that at the beginning, then you didn't have to come here. So you find out, like if you just do this or X, Y, Z, you don't have to go through the process, you know. And then the person is, like, I didn't know that, which I know at this point, they still -- they still put that sign up. That's a whole other conversation.

MR. PEREZ: Do we have the authority to do something if it's not done in that time frame?

MR. SOLORIO: The BZA for a variance is like the grandfather clause. A year from when it was formally approved. Not when you guys advised the Council, when the Council approved or denied saying, this case is approved. One year from that date to do what they are suppose to do. If they do not, it reverts back to again the variance. So they have to start the process again.

Perfect example, just happened recently. Indiana Restaurant got a variance for a bigger sign. They never put that bigger sign up and now -- well, it's changed a little bit now. Let's say they were going to put that same sign up. It would have to get a variance. That variance was from 2020 -- sorry -- 2024, January 2nd. When January 2nd hits 2026, the variance is gone. It's null and void.

Now, there have been cases, for example, where the person was on vacation, you know, there may be some wiggle room. In this case, for example, the variance was in 2020 and they started putting the sign up this year. So that's a five year difference. So there is an absolute, no, you have to come back and get a variance.

What is interesting about that case is, the reason they went to the BZA was because they wanted more square footage. Instead of 32 feet, they wanted 37 square feet. The new sign is only 32 square feet, so it's irrelevant now, even for the variance, because it's not required. Now they still have to go through the BZA because now it's an electronic sign. An electronic sign is considered special use, which they were required to bring before the BZA. They already started putting it up and we had to stop them, cite them and tell them the procedure. They said, we already have the variance. The variance was for something completely different. Now you are doing something else. Oh, we

thought -- well, we had a permit. The permit expired. It was a year and a half ago. So a lot of the time you will find cases that come here because of citations. Then it goes to the court, take it through whatever process, and whatever they say, then we'll kind of dictate what we are going to do.

Storage container, for example, has came here. Storage container was cited because you are not suppose to have a storage container. They are not considered a garage and you have to build a garage for storage. They came here and applied to the BZA. It was denied. Once it was denied, it went back to the court system. The court said, well, okay denied by the governing body, which is the Council, therefore you have to remove the storage container. So theoretically they can come back another year from now and reapply, spend money again, and still be denied, or possibly get a ruling. In this case that's why those examples make sense. If you are the same board and that's how you treated that situation, it's best to follow the same situation.

So, say they come back again a year from now and you were here, that's the best case scenario, to keep it the same way, because if you open that up, the questions will be, what changed. Why all of a sudden are you making me apply when you could have allowed it a year ago? So in that circumstance it's the same case. It's the same source. It's just a different year and they are just trying to see if they can get a change. You should follow the same kind of procedure.

But it can get very complicated and very contentious by the BZA if people start fighting, they are going at it. You never had a situation like that, but we have had situations where it's been contentious. And Planning Commission, for example, we have those issues. It's always best to keep your demeanor professional. Again, you are here to hear the case and you are here to make judgment on the merit of that case. So it really comes down that.

Like even during when they ask, do you have a conflict? Are you being malicious? Like if it's a church that believes in satanism. This is about saying different things or whatever the case is, let me remove myself from that because I would not be an impartial juror because I have a religious background and firmly believe whatever they develop should not be worshipped. There are cases like that. That's the same thing, you need to be impartial. You have to be impartial as a board member here.

If someone ever approached you, just FYI, if someone ever approached you about a case that's coming here, technically you are not suppose to discuss that with them, the case, nor the merits of the case, nor what you are going to vote, how you are going to vote. But you can welcome them to come to the meeting if they want to express their opinion.

There have been cases, for example, where they found out that the person or people will try to get this pushed through as best they can and they will say, I know Lilia, she's my neighbor and we talked to her. Can we get the scoop on this? And so you are not allowed to do that. If they ask for something like that, you say, ask for information, or get the details of whatever, just say, you can show up at the meeting. You are not to discuss the case because that would be, like, if you are discussing the case prior to the court date. So anybody that has what they say is vested interest or whatever, you can't talk about the case, because then what could happen -- let's just say you meant well, oh, yeah, we might be like, I don't really like it and this and that. I might vote this or that, and then it happens, and then they get denied.

Let's just say, follow through with what you say. They can say, I already know she was going to deny. She already had this vote. She didn't listen to what we had to say because she already told me she was going to deny it. Now it opens Pandora's box because of an unfair case. So it's always best to just say, if you want information, contact the Planning Department or show up at the meeting, and you're done that way.

MR. FONTANEZ: Improper encroachment.

MR. SOLORIO: Whether you intended to help them or try to get -- just to kind of see whatever. And if you break in and say, it's not being malicious. I know this is really controversial and we are going to deny it. You are saying it because that's your intention and that what you really said was not malicious because you have a vendetta, it can be perceived as that at the point of me showing up and telling them about the case when you already were going to deny it anyway. And we had a return situation where they had to get the development done now because one of the members, one of the members did what I'm talking about.

MR. FONTANEZ: Being complicit.

MR. SOLORIO: Just be careful, be conscious and know your authority, know your power.

MR. FONTANEZ: I can see somebody setting that up on purpose.

MR. SOLORIO: Yeah, pay them a little to get whatever. Believe me it's been done. Not in East Chicago that I know of.

MR. FONTANEZ: I'm thinking of Hobart. They moved the meeting out of City Hall to the high school because they had metal detection and people were bringing guns to the meeting. I didn't believe it when I read it the first time until I read it again the second time. They were really getting worked up.

MR. SOLORIO: So if there are no further questions for myself, I know I took a lot of your time, but I know it's worthwhile to discuss. We have a new member also.

MR. PEREZ: If somebody doesn't follow through, who reports that to you or who enforces that?

MR. SOLORIO: The enforceability?

MR. PEREZ: Doing things and they are doing or doing whatever they want and nobody is really enforcing it.

MR. SOLORIO: I will say this. We just had a recent meeting about enforceability and that, hey, if we are not going to enforce this, what is the point of any of this. So we have discussed how to deal with these things and to be more vigilant because a lot of times the departments aren't speaking to each other. They are handling their own type of things, but we have things happening. When we say that sign, why is that sign going up? Do they have a permit? It started with, do they have a permit. Then we said, well, they had a permit if they are trying to replace the sign that they were trying to get the variance. The variance has lapsed and then it triggered looking into it more. So that's why it's good to have good recordkeeping, because at the end of the day, that's the only way they are able to start.

We are getting more vigilant, more stringent on these things across the board. That's why

it is always recommended if someone is already -- an example, I tell them, Tracy, take them to the BZA. And if they don't, we charge them to get them compliant. They have a piece of paper, I'm able to do this and I'm protected by the seal of approval. Now they have that record for their purposes because I may die tomorrow and any reservations I might have had about any type of business, whatever, if it's not somewhere documented, they have got something at least. It behooves them to keep documents. Like getting a birth certificate and social security card, keep it somewhere safe because it follows, again, it follows the land.

So, there's been a lot of -- for example, when we look back, they don't have a variance. They don't have nothing. How are they even doing this? So enforceability starts from the inspectors. A lot of times, for example, just we've got somebody hopefully working with us on this issue. But a lot of times, yes, what we should be doing when we record this and put it at the BZA, do this and the day they got approved. That's something that automatically tells, for example, this has lapsed or has this been done. So we ask the question, if it's not been done, do we check to make sure this isn't lapsed. So we are getting better and that. But, yes, the enforceability of these variances now falls under the Building Department.

So, in this case you have these cases and you see something, a situation like that, call the Building Department. Hey, by the way, we heard this case. They haven't moved on it and it's been more than a year. So I'm noticing right now they are putting whatever, what is going on with that. Put them on alert. Then we can only start by people saying something because we won't catch everything, but trying to be more proactive.

I think what we started to do at the Planning Department, people know we mean business. They are not, oh, I forgot to do this and they are going to come for it. So fortunately that's not your role to do per se, but it can be your role to bring it up. Especially if you are very well versed in your neighborhood. For example, you see it and say, wait a minute, that was three years ago. It's not adding up. Great, bring that up. But we are getting better at recordkeeping in terms of how those things show up on our system. We are going to work to make that alert.

Any time, for example, we have a property, it's going to ding, ding, they had a variance to this date. It's done. Building permit for that

variance. Even to the point we have this one, they got a variance to have an eight-foot fence. An example, someone got a variance for an eight-foot fence or six-foot fence. The zoning is you can only put a four-foot fence. They got the variance, pulled the permit. The permit said 8-foot fence. Okay. Now the permit doesn't coincide with the variance. A lot of times the variances are not readily available and the Building Department says go ahead.

In other circumstances, for example, we have the same thing except they do put on the permit six feet and then they build an eight-foot fence. Knowingly they applied for six-foot, consistent with the variance and that's the situation we are catching now. We are not -- I'm not here to deter people where they live, but they have to become compliant. Meaning, have an arbitrary board that says yes or no. If they have to say no, you have to live with the decision and take the fence down because you did it wrongfully. Period. But if they say yes, then now you have a little piece of paper and if anyone wants to say anything, you are properly approved. You have something that says that you can do that.

That variance, again it's always good to have that copy, give it to the next property owner, if you are going to sell it, for example, or record in the County so it follows the property when the property gets sold. We are working on it.

If there's no further questions --

MR. PEREZ: No questions. (None)

Our next scheduled meeting is Thursday, February 5, 2026, at 5:00 p.m..

Can I get a motion to adjourn?

MS. RAMOS: So moved.

MS. LOPEZ: Second.

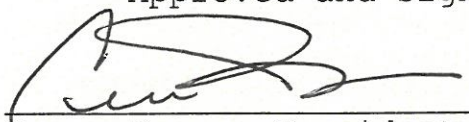
Roll Call: "All in Favor": Cesar Perez, Lilia Ramos, Lydia Lopez, Ralph Peterson Abstain: None Opposed: None

MR. PEREZ: Thank you. Meeting is adjourned.

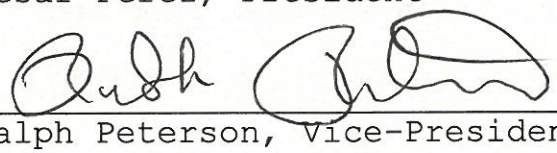
**** Meeting adjourned ****

Approval of the Meeting Minutes of
January 15, 2026

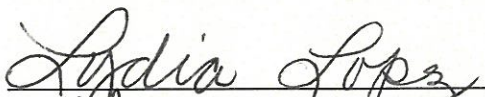
Approved and signed March 5, 2026



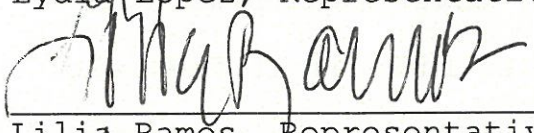
Cesar Perez, President



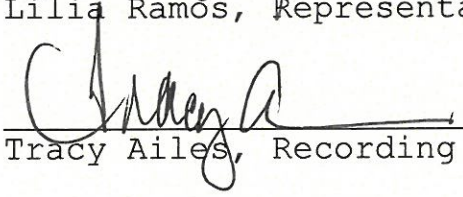
Ralph Peterson, Vice-President



Lydia Lopez, Representative



Lilia Ramos, Representative



Tracy Ailes, Recording Secretary

C E R T I F I C A T E

I, Peggy S. LaLonde, a competent and duly qualified court reporter, do hereby certify that I did report in machine shorthand the foregoing proceedings and that my shorthand notes so taken at said time and place were thereafter reduced to typewriting under my personal direction.

I further certify that the foregoing typewritten transcript constitutes minutes of the said proceedings taken at said time and place, so ordered to be transcribed.

Dated at Munster, Indiana, this 22nd day of January, 2026.

Peggy S. LaLonde

Peggy S. LaLonde, Court Reporter