CITY OF EAST CHICAGO BOARD OF ZONING APPEALS
Public Hearing Minutes
March 19, 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 March 19th, 2026. It's 5:00 p.m.
Motion for approval of the regular meeting minutes of March 5th, 2026 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: We have one item under Old Business.

A petition for a land use variance within an R3 Zoning (Multi family dwelling, two-story row house) on the property commonly known as 3424 Fir Street, East Chicago, Indiana 46312. The variance is to permit a supervised residential emergency shelter.

MR. PEREZ: What staff are present?

MS. AILS: Tracy Ailes, Secretary

MR. FONTANEZ: Eduardo Fontanez, Legal Counsel for the Board.

MR. PEREZ: We have already had the Petitioner's presentation and comments at our last meeting. If you would come forward and state your name.

Have you submitted anything further in support of your petition?

MS. MORRISON: Well, I submitted it in an e-mail.

MS. AILES: They have the attachments in their packet. We can start with the video. They requested the video so they can see the layout.

MS. MORRISON: I do have reference letters, as well as my pest control information I would like to submit. As well as I have some more residential work I have done with individuals in the residential setting. I have two letters for those.

MR. SOLORIO: Would you state your name for the record?

MS. MORRISON: Shevon Morrison.

MR. SOLORIO: The main thing that was requested was the layout, right. So how is this going to function, people coming in and going out, etcetera. I think that's what this video will show and then you all should have the attachment that shows the floor plan.

Is the second and first floor the same?

MS. MORRISON: Identical.

MR. SOLORIO: We can assume it's the same floor plan. Go ahead.

MS. MORRISON: I don't think I need to talk you through the video because I'm talking during the tour.

MR. SOLORIO: Let's hear it first.

MS. AILES: Stop me if you need me to explain anything, just let me know.

(Video Playing and Ms. Morrison narrating.)

MS. MORRISON: The first thing you see is the security camera at the top of the building, also security camera on the stairs. There are two entry ways, one for the side, one for the front door.

When you want to go to the A unit, you will go around to the side door. If you want to go to B, you will go up to this door. There is doorbells to identify staff. Security front door. You are now entering the building. You turn right, you are able to go up to Unit A. This is the entryway to the basement. This is the entry door to Unit B.

Enter, security doors on the front, you're entering this Unit A, which has a large living room area, dining room area. I'm collecting books and crafts for the children.

First bedroom, this bedroom will have one bed. As you can see we are collecting donations. I can remove doorknobs from the main doors to the bedrooms. I'll remove -- this is a bi-fold door as well for all closet doors. We're collecting donations for the girls. This is the hallway after leaving the bedroom.

So we have the living room, dining room, fire extinguisher, first bedroom, restroom. This will be a locked medical cabinet with a regular door installed here. Second bedroom will have two beds. One is already in there and another twin bed will be put in there. Also by the two twin beds here, I'll remove this closet door.

The kitchen will have the refrigerator for food, another fire extinguisher. Child locks on the cabinets. Security plugs in the outlets.

I'm now at the exit sign on the rear and the back exit. They also glow in the dark. There's

a list of hazardous information as well for staff.

Also in the living room area we also have the emergency evacuation plan, as well as emergency contact sheets.

As we enter into the back hallway leaving Unit B, we have the option to go downstairs also. That is the other exit for the backyard area for the side of the building for the exit area. Hallway, smoke detectors.

We are now in the back area of Unit A. Well, we are going to go up to Unit A, same floor plan in regards to the layout. Motion sensor lights in the hallways. We are entering into the secure back door and there will be sign up there for Unit A. Kitchen area same, refrigerator, pretty much same layout.

Master bedroom, each room has a ceiling fan and light. That door will be removed. This is the closet door. This is bedroom two. Two beds in here. Secure door here, bathroom, living room area; the layout is pretty much the same. Another third bedroom, collecting toys, books for the young ladies. This is Unit A.

We are now going to go out of Unit A and down to the basement, which will be the rec area for the young ladies as well. Each floor also has security windows, back hallway has security windows also, and we also have pest control. As you can see we have them come monthly. So we have Frank's Solution Pest Control comes monthly.

This is entering the basement. I just removed the security gate, just for the video. There is a security gate to lock this area from the basement. This is where the rec area will be. I'm selecting things and I have them stored over there on the other side of the basement for the rec area, but I put some tile down here.

There is smoke detectors, carbon monoxide detectors, washer and dryer for the girls in regards to cleaning up their clothes. There's another smoke detector on the other side. You can also exit the basement there at the basement stairs. There are ceiling fans in the basement. There is a huge area that will be able to keep the girls on rainy or snowy days, occupied. I have items over there and put the lock doors down.

Now we'll go out of the exit. We have the hallway rules already posted, another secure door locked, and secure backyard lighting and side night lighting and camera as well.

When out, we are utilizing that side sidewalk if you wanted to get a child out of Unit A. We are now entering into the backyard area. Deck area for the girls, appropriate gazebo, plenty of area for them to play. Secure lighting here. Again, another camera there. There is parking for two cars as well.

Please let me know if there is anything else that you need. Secure gate, this is the back area. That has a latch on it. This is for the side entry.

(End of video recording.)

MR. SOLORIO: Did you guys have any questions regarding her layout or the video, anything related to that?

MR. PEREZ: Well, my only question is right now, did your place get inspected by the Indiana Department of Child Services? Do they come out and inspect that?

MS. MORRISON: Absolutely. I have to submit my policy and within the policy there is just one of the things I have to obtain, but the Fire Marshall have to come out as well.

MR. PEREZ: They haven't come out yet?

MS. MORRISON: No, they haven't come out yet.

MS. AILES: She needs approval first of the variance before they will come.

MS. RAMOS: I do have a question. Because you have children ages 10 through 17, that doesn't seem like a wide range, but it is. How are you going to handle that? Are you going to have separate age groups?

MS. MORRISON: So upstairs there are young ladies 10 to 17, that will be with child or already had a child. The middle unit will be 10 to 17 with no children. So within that timeframe, say we have some children there between 10 and 15. If I get a call for someone who might be 17, I review my list of security questions that I will be asking. If I inquire and some of those questions don't fit in that range, I

don't feel like they don't need to be here, they won't be accepted.

MS. RAMOS: So you are not going to separate the teens from the pre-teens?

MS. MORRISON: No. Like I said, if you are with child or you already have a child, you will be in the upstairs unit. I'll separate them depending on if I want them to be engaged or not. If there's too big a range for the age, where I've gotten -- say the majority of my girls are 10 to 13 at that time, then those will be all I accept at the time.

I don't really feel, because of the maturity and things like that, I don't really want the younger ones to be exposed to some of the ones that are 16 and 17. Because of their behavior and exposure they might have negative influence on them. If they are not a fit at that moment, no, they will not be accepted in that timeframe.

MR. PEREZ: How many girls at one time?

MS. MORRISON: Five upside, five down.

MR. PEREZ: Three bedrooms downstairs and three bedrooms upstairs.

MR. SOLORIO: So two, two, and one?

MS. MORRISON: Correct.

MR. PEREZ: And even the ones upstairs with child?

MS. MORRISON: Yes, I did access that, that was one of my questions. Honestly, they said when they come in, they still have to see the actual footage, square footage within the unit to see if I would be even allowed to have five and five. The State when they come through, the Fire Marshall will let me know, but five is the max for each unit.

MR. PEREZ: So if you do have somebody with child, are you providing a small crib?

MS. MORRISON: Yes, the child will have a bassinet. The child does not sleep in the bed with the mother, no.

MS. RAMOS: So if you have a total of four girls ages 10 to 17, you are not going to separate two downstairs, the 10 to 13, 12, and put the older ones upstairs?

MS. MORRISON: I might not accept that 17 year old. If I have four girls and the first ones that come in are 10 to 13, the 10 to 13 may be all I accept. I do not want a 16-year old, if there's a different type of behavior, different type of age range, I don't want them to have a negative influence. I might do 10 to 13 within the timeframe and when they get discharged, then consider older. These places usually have a wait list. Once they get discharged I can accept that 17-year old. I do not want them to intermingle.

MS. RAMOS: That's my point, too wide of an age group. Some may have behavior or a type of behavior they might have for 17 or 16-year old should be in a separate sleeping quarters than 10 or 11-year old.

MS. MORRISON: I might not accept that kid. There is no guarantee. I don't want them to have a negative influence. Because of the range, maybe at that timeframe maybe I only have two 16 and 17-year old and not any 10 or 13 in the unit. They might not be in the same unit within the same timeframe.

MS. RAMOS: My other question, you made references for several RNs. Are you going to have RNs on staff at all times?

MS. MORRISON: I have to. I have -- the State requires I have to have at least three RNs, contract three RNs. That's a State requirement.

MS. RAMOS: You also talked about therapy, so the therapy and the RNs, the therapists, are they paid through DCFS?

MS. MORRISON: Yes, DCF is the provider. So RNs are my providers, but the therapist or behavior specialist would be DCF provider. They pay for that, I would not have to pay for them.

MS. RAMOS: In order to maintain your license, do you have to maintain a quota or minimum amount of young girls that you have to have?

MS. MORRISON: No. I reviewed that within the policy, no.

MR. PEREZ: Anybody else have any questions?

MS. LOPEZ: I was going to ask the same questions. So if they have problems, do you have a counselor to help them out with any problems?

MS. MORRISON: So, I'm a licensed therapist myself. So I will be there, yes, ma'am, I would say 95 percent of the time.

MR. PEREZ: Thank you.

MS. RAMOS: Our Attorney, am I correct in saying that a facility, residential facility, is less regulated than in the State?

MR. FONTANEZ: I don't know if it's less regulated. I think we'll have, if it's approved, I don't know what oversight we would have here as to how things are ran there. I believe that's the duty of the State. We would approve it. Unless we put conditions on here, then there is no mechanism, I don't think, for the City to go check it out to make sure it is running right. That's the duty of the State.

So that would be about the same as the State as far as jail, County jail or juvenile justice complexes, where they house minors there. They have the jail cards. They handle their problems that happen in-house. I don't know any towns where they check how the money is spent, what services are provided there, how many incidents occur. I think it has to rise to a level where it goes outside the facility and somebody goes to a hospital, somebody being hurt.

But the role of the City I don't think would be necessarily, oh, we don't like what happened here. We need to change this policy. You know what I mean? That's got to be governed by the State and the State alone, I think.

MS. MORRISON: To support him, the policies are very strict. They come out and they do random checks. I'm not going to go down for any of them. The State comes out and they are very adamant about coming in and checking out these facilities because so many children are not tended to

appropriately. They come out and do random checks as well.

MR. PEREZ: Thank you.

MR. SOLORIO: So I have a couple of things. Back to the point that the Commissioner made regarding separation of age groups. Are you amenable to make that separation further? So let's just say the first floor is preteen and the second floor is teen. Then the rooms are separated by someone that may have a kid versus not having a kid. I think that is a concern. Is that something that you are amenable to?

MS. MORRISON: Absolutely.

MR. SOLORIO: The security cameras that you have outdoors, is that on every side of the building or just in the back?

MS. MORRISON: So we have -- I'm sorry -- there was one that was missing. There was one within the parking area as well. So we have the back yard, you have the parking area, and you have the side of the building, you have the front of the building. I missed one in the video, that's been installed. They are installed in the hallway and inside the unit, but not where the children are not exposed. There are indoor cameras as well. I'm sorry, they hadn't gotten installed by the time I did the video.

MR. SOLORIO: And then just FYI, as a business, because you would operate as a business, you would need to get a dumpster. Like if this is approved, just know that you can't just use a regular trash receptacle service. You have to get a dumpster with a qualified company.

I think I'm ready to proceed with some recommendations and then the Board can either approve with or without conditions.

MS. AILES: I want to say one thing. I did look on the State's website about on-site visits. They are conducted once each quarter by the State. They are going to be there, kind of like what she said.

MR. PEREZ: So before I get the recommendations, I need to ask if there is anyone still for or against this petition?

I was going to say, I know this is not a public hearing anymore, but did we get anymore feedback?

MS. AILES: No.

MR. PEREZ: Is there anybody here that's for or against it? (No Response) Nobody here in the audience for that.

MR. SOLORIO: So, I'm going to recommend that we provisionally approve this type of business and there is quite a few conditions. And so you would either need to be amenable to it or if you are not, then you -- that's something that you will have to either adjust with the Council, because ultimately the Council decides, and the Board either decides or denies the conditions. I am the staff member letting them know what the recommendations are going to be.

First, cooperation with the Police Department regarding security cameras and access to security cameras if something would arise, you would need to be amenable to that.

And then I would request that you have a 30-day recording on a cloud. Meaning it can't just be cameras. Just because you have them, you need to be able to access them. In case the police need to do an investigation or things like that, they can go back a couple of days, you would have them recorded and stored 30-days. They can go back up to 30 days. Also conditionally approve that for a year.

Other conditions, you cannot have any major nuisance. And, again, they can change what that nuisance is, but pretty much if you get a call from the police and the police have to go to your facility; that for me would be considered a nuisance. As long as it's properly investigated and reported that it was a legitimate nuisance, not someone calling and trying to start trouble. This is where the police investigate and there was a situation that happened, then that could revoke your issuance of permitting you to operate. It will be one year provisional. So if after the year everything works out, then the nuisance clause would then apply afterwards. Meaning like whatever the nuisance law statute states and how many times you get in trouble, whatever, or things like that, that would then apply. But provisionally for this one year, any nuisance that is reported and investigated as such will count as revoking your ability to operate as a business.

We would ask that you alert -- I'm not sure how we want to go about this -- but alert maybe the Police Department, alerting the Police Department if you have taken someone in. We don't need to know names. We don't need to know any of that information. But just that you have taken someone in. So if they need to do further vigilance to make sure for your safety and for their safety, that they are just alerted if they need to just kind of patrol more, things like that, in the area. That's provisional for one year. And they can be done in bulk. You don't have to necessarily -- for example, if you took in four at once, just alerting them, I have taken someone in.

And, Attorney Fontanez, I'm not sure if that's something that can be done as long as we are not asking for private information or personal information.

MR. FONTANEZ: If you are seeking, granting provisional temporary, after the fact, then you have a normal place of business afterwards, I think that's something you can do. Just to make sure everybody is comfortable with the situation. You don't know how the neighbors are going to be, how people are going to react. People make things up or maybe they won't even notice that anything is going on. Just a couple more kids on the block that happened to be there at the time and then they change up every once in awhile. It sounds like it's temporary.

MS. MORRISON: Every 45 days.

MR. SOLORIO: Then your building would have to meet, obviously the State inspection. That's one thing. But inspections need to be done both by Health and Fire, and Building Codes checked. I'm already going to tell you now, just based on what we saw in the video, the windows in the basement are not proper windows to actually use the basement for the way you are trying to use it. They are going to let you know that. This is going to be something that's going to have to change if you use the basement for usable space.

We talked about the separation of groups. And we are allowed to inspect your facility randomly twice in a year. Whether that happens or not, I will say that we have the ability to do that. As a condition, we would have to be allowed to enter the premises to inspect ourselves and that will also be put in the conditions.

So those are my conditions that I recommended to the Board for provisional approval of one year. If after the year nothing happens, everything is kind of moving forward, then you would be allowed to operate as that business. And then the nuisance law that exists locally and from the State would then apply afterwards. Meaning, if you get called, three police calls, four police calls, or whatever, that can come back to the Board and get that revoked separately. But this would be one year provisional with the understanding that any legitimate report and incident investigated as such nuisance would revoke your license.

MS. MORRISON: I just maybe have two questions. The first one is in regards to reporting to the police when I get a kid in. Would that be like a certain contact person?

MR. SOLORIO: We can give you that contact of who that would be, for sure.

MS. MORRISON: And then I would, Miss Tracy, once the variance is approved and I have submitted everything to the State, that's all I am to do. The variance would only be for so long before I have to start operating. Is there a certain timeframe I would have to start operating?

MR. SOLORIO: From what I understand, six months. The variance is good for a year up to the date that it is approved. Meaning not today, but when formally the Council either approves or denies. If they approve, the date of approval, the clock starts ticking and that's a year from that date.

MS. MORRISON: Thank you.

MR. PEREZ: I have got one more question. Your staff, who's doing the background, doing the background checks?

MS. MORRISON: They will have to go through the Police Department to have background checks, CPR training, fingerprinting, drug screening. All my staff will have to have that, even the RNs.

MR. SOLORIO: If you want to add that as a condition in this case, you can.

MS. AILES: You are having older children, I'm assuming staff will sleep there as well.

MS. MORRISON: That's one of the policies.

MR. SOLORIO: For the record, you would just need to add that condition, that all staff members be certified, have background checks, and all that stuff for what they do. And then if there is any further conditions, you can add those now.

MR. PEREZ: Lilia?

MS. RAMOS: I think everything has been mentioned.

MR. PEREZ: Anybody else have any other conditions? (None) Okay, thank you.

MR. SOLORIO: I will say on record, I misspoke in reference to talking about that you take girls from the street because that's not necessarily the case and that's a little bit ignorant of me. I was educated later on. So these could be possibly like DCS situations where they are pulled out of the home because the mom is never there or the dad is abusive; the kid got pulled out of the home, not necessarily from the streets. I want to make sure on the record I clarify that, because I did not know that.

MS. MORRISON: Thank you for that. And there's a lot of kids that go through DCS. Nine times out of ten when the child is removed, it's the parents, it's not the child. It's definitely because of the parent. It's very sad.

I took a kid to the airport today and he's going to Memphis because there is nowhere for him to go here. Thank you. Enjoy your weekend.

MS. AILES: You can stay for the vote.

MR. PEREZ: Go head, Tracy.

MS. AILES: Cesar Perez.

MR. PEREZ: I am going to go ahead and grant you my vote with the conditions that we set forth. However, just know that we are going to be on top of

this. If we get called out, as far as the Police Department, we'll shut that down, you know. And I just want you to understand, it's nothing personal, but we don't want to have that. So my vote can be, yes, with the conditions.

MS. AILES: Lilia Ramos.

MS. RAMOS: Yes. And I also want to let you know that I thank you for answering all these questions that I had. I did talk to someone with over 20 years of -- a family member with over 20 years of experience in this work and there is a lot of unknowns. But I am voting yes, because of the conditions, and I also basically echo the President's sentiments on this.

MS. AILES: Lydia Lopez.

MS. LOPEZ: Yes. I also going to vote yes on the provisional and I'm glad that you are helping out a lot of girls that need help. It does come from the home and if they don't have the support and love, that's sad. Thank you.

MS. AILES: Ralph Peterson.

MR. PETERSON: I say yes. We can check out provisions and see how it goes, but it's yes for right now. We have no idea what's going to happen later.

MR. PEREZ: Okay. We are putting a lot on you here.

MS. MORRISON: I'm ready.

MR. PEREZ: I think you are strong enough to handle it.

MS. MORRISON: If you only knew. These kids come so detached, they don't have anyone.

MR. PEREZ: I understand. And I read through your file here, so I am impressed. And, you know, we want to do the right thing for some of the girls here. We just don't want it to get out of hand.

MS. MORRISON: Absolutely. Thank you.

MR. SOLORIO: The next step is, this will go to the Council at the next Council meeting and they can deny or approve what has been done here. This is the advisory board to the Council. The Council could add more conditions or take out conditions. But the ultimate say is the Council, so just so you know.

MS. MORRISON: May I ask when the Council will meet next?

MS. AILES: April 8, and they meet here in the Council Chambers at 6:00 p.m.. I will update you on that.

MR. PEREZ: Thank you.

We'll now move on to New Business. So the purpose of this hearing is defined by the Zoning Code in accordance with the following sections that I will read. The Ordinance number 2752, which states:

WHEREAS, the Common Council of the City of East Chicago, Indiana, deems it necessary, in order to conserve the value of the property in the City of East Chicago, and to the end that adequate light air, convenience of access, and safety from fire and other dangers may be secured, the congestion of public streets may be lessened or avoided, and that public health, comfort, convenience, morals, and general welfare may otherwise be promoted in accordance with the general plan for the use and development of all property throughout the City of East Chicago.

Ordinance number 0-00-0016 states:

WHEREAS, the Plan Commission and the Common Council of the City of East Chicago, Indiana have determined that proposed uses, at proposed locations within the community should promote the public interest, promote public health, safety, and welfare, should promote public convenience and should not adversely affect property values, and

WHEREAS, the Plan Commission and the Common Council of the City of East Chicago have determined that proposed uses which are not permitted uses within a zoning classification should confirm for the purpose, intent, and the spirit of the Zoning Ordinance, be compatible with the surrounding area, and should not be detrimental or injurious or create excessive nuisance in the surrounding area, and

WHEREAS, it is in the best interest of the citizens of the City of East Chicago to amend the Zoning Ordinance to provide for certain uses to be classified as "Special Uses" and allowed in certain zoning classifications only upon showing that the above criteria have been met; and

WHEREAS, Indiana Code requires that the Advisory Board of Zoning Appeals hold a public hearing and make Findings of Fact to determine whether the above criteria have been met before forwarding the Special Use Permit request to the Common Council.

MR. PEREZ: So this is a petition for a land use variance within and R1A zoning (Single family, semi-detached dwelling) on the property commonly known as 4936 Tod Avenue, East Chicago, Indiana 46312. The variance is to allow the current property owner to increase the number of permissible dwelling units to three.

Have all required public notifications, documents and receipts been completed and received for this variance petition?

MS. AILES: I certify receipts for funds to cover public notices, published notice receipts from the local press, and receipts from certified mail have been received.

MR. PEREZ: The next section of the hearing is for testimony and exhibits. The order of the hearing shall be as follows: The Petitioner's presentation, acceptance of written comments or petitions, and comments from those present in the audience. If you would come forward and state your name, spell your name and sign on the sign-in sheet.

Has there been anything submitted in writing for or against?

MS. AILES: There has been no communication for or against.

MR. PEREZ: Do we have people in the audience that are here for it or against it? Are you a resident for it or against it?

MS. AILES: This is the petitioner.

MR. PEREZ: First I'm asking if there is

anybody, other than the owner right now, because there is other people here. Are you guys for it or against it? You live in the neighborhood?

MR. MARTINEZ: We live on the other street.

MR. PEREZ: I'm going to have you step forward and state your name.

MR. MARTINEZ: Martinez.

MR. PEREZ: Your address?

MR. MARTINEZ: 4941 Olcott Avenue. I don't have any issue with the guy. The only thing is that people renting there, they park in the alley, almost all of them. And, you know, they are blocking everybody driveway. If he can talk to the guys and let them know, they need to park on the street.

MR. PEREZ: There's probably no parking on the street.

MR. MARTINEZ: That's the problem. The street is full. They park on my street, that's the only thing.

MR. PEREZ: Parking in the alley is illegal. Just to let you know, right now the Police Department is towing all those vehicles.

MR. MARTINEZ: They will tow those cars. That's the only thing.

MR. PEREZ: Now you can come forward. State your name and address please.

MR. DIAZ: Pedro Diaz, at 4933 Tod Avenue, right across the street.

MR. PEREZ: You can go ahead.

MR. DIAZ: I lived there since 2004.

MR. PEREZ: What are you looking to do here?

MR. DIAZ: So the property, I know the

previous owner, he had the property for many decades. When he sadly passed, he passed it down to his kid, who had a mental breakdown. It went up for sale. I was fortunate enough to pick it up because I have been there for a long time. Basically I wanted to protect the neighborhood, you know. What happened, it had been a pretty peaceable area for the last 20 years. I have been living there since '04.

I ended up actually overpaying quite a bit. I was pretty adamant about making sure we stay peaceful. We have got homeowners across the street, north and south of them. It's a pretty nice pocket to live in; so I bought it.

The building, you can see through the pictures, is just like I bought it. In the back there is a small house. This front building is two levels, with nine-foot ceilings each. It's been like that since day one. All I did was buy it.

I went to the Building Department and pulled my permits to do the rehab. They issued them. I did the work and that was it. So when the decision came about -- when I went to do the refi, they wanted a letter from the Zoning Department saying it could be -- that it was legal nonconforming, which is something that I have been through in the past in other cities. And that's when I found out that it never had been registered as a three-unit.

And I failed to mention, when I got it, I immediately went to the City and registered as a three-unit and got my stickers. But apparently that was kind of mishap on the Building Department side because that had been the first time that it had been registered since I guess 30 years or whatever. I'm not sure. That's pretty much the gist of it.

MR. PEREZ: So the downstairs is one unit and the upstairs is a separate unit?

MR. DIAZ: Correct.

MR. PEREZ: How do you get into the upstairs?

MR. DIAZ: There's stairs in the front and back.

MR. PEREZ: In the back too?

MR. DIAZ: Yes.

MR. PEREZ: So right now there is just the dwelling downstairs?

MR. DIAZ: No, there is people living in the first floor and the second floor, and the rear house.

MS. RAMOS: So you are trying to get a variance for a permit for the third unit in the back?

MR. DIAZ: So I think, I don't know how, I don't know what is considered the first unit or second unit. The house in the back was built in 1934 and this was a separate house, by itself. So I am trying to get the variance for, as I understand it, the building that you see in the picture, for it to have the first floor as a legal apartment and the second floor as a legal apartment, which structurally I didn't change anything. I just rehabbed it and I provided pictures of all the rooms, you know, the kitchen, the bathrooms and all that for that Building Department, and for the building, the house in the back.

MS. RAMOS: Do you currently have people residing in those two other apartments?

MR. DIAZ: Yes.

MR. PEREZ: Do you live in that apartment?

MR. DIAZ: I live right across the street.

MR. PEREZ: You don't live there?

MR. DIAZ: No, I live across the street.

MR. PEREZ: So, this has never been registered with the Building Department you are saying?

MR. DIAZ: So I registered it last year as soon as I bought it. So I literally just found out this was an issue when I asked for a letter for it to be legal nonconforming.

MR. PEREZ: Before you bought this, how many people lived in this house?

MR. DIAZ: Over the years -- I have been there 20 years.

MR. PEREZ: Two separate buildings?

MR. DIAZ: Absolutely. The owner lived in the back. He had some rental on the second floor and they had some people on the first floor come and go. He fell ill. He was not very mobile. His son took over. And then there was a couple of tenants in and out as well. Just never bothered me, just the way it was.

Just a quick -- see that fence right there on the picture, the brown fence. So I asked permission to do that. I basically extended the driveway, that driveway goes all the way back. So instead of having space for one car, it's a space for two cars. The people that live on the second floor, they park there. It was their choice because they happened to be the first ones that came through.

MR. PEREZ: Where the people live downstairs, on the back part, where do they park?

MR. DIAZ: So what I asked my tenants actually, you know -- say this is kind of a soft policy. It's like, please don't park in front of the neighbor's house, like right in front of the building. Like I said, it's a pocket. I have been living there for 20 years. It's always been something that we haven't had a problem. Will you please park -- they can park across the street, over by Pablo's, all over the place.

So I said, you are not to park in front of the owners of the other buildings. You can go across the street. I actually have two lots across the street and my neighbor has two lots. She doesn't have any vehicles. Actually she is more like adopted family, Lupe's place someone can park. She doesn't own a vehicle. She doesn't mind for the front of her space to be used. Like I said, there is nobody there.

MR. PEREZ: The back, in the back.

MR. DIAZ: That's the point. It's my first time knowing about that. And, you know, I understand. If I had known about it, I would have told them not to do that. But they can park across the street on this side. I think the issue there is that recently I know he had some people come in temporarily because someone passing in the family and they were

looking for a place to live. They were just basically holding them up. So like there is a another vehicle that was kind of blocking. I know that was going on. I honestly don't know exactly what or who was parking out there consistently. I can certainly talk to them and ask them not to do that because he's going to get towed.

MR. PEREZ: And who lives there?

MR. DIAZ: Junior and his wife, he has two kids.

MR. PEREZ: And you understand there is no alley parking whatsoever, it's illegal.

MR. DIAZ: Correct.

MR. PEREZ: Anybody else have any questions?

MR. SOLORIO: I do have questions for him. So, on the record, how long has this property been vacant since you took it over, from when you took it over to when you renovated it, until now that you are renting? So how long did it sit vacant?

MR. DIAZ: Not very long. I wasn't -- when it came on the market, it was June of 2024. I was in Puerto Rico and a good friend of mine actually got it under contract. I just happened to figure it was him and I was trying to reach out, and it happened to be him. Before that I new that Steve, who was Al's son or is Al's son, had a mental breakdown and he was, you know, he was taken somewhere. So probably a month and a half to two months it was vacant before someone got it under contract, and that's when I found out and I reached out.

MR. SOLORIO: When did you pull permits?

MR. DIAZ: At that time -- at some point, I'm not sure of the date. It took us quite awhile because it's a big endeavor. I mean we pulled permits and posted them. I don't know the dates.

MR. SOLORIO: Same year?

MR. DIAZ: Yeah, it must have been because we probably started work at least within a

couple months I would think.

MR. SOLORIO: You don't know exactly when? We can pull the file.

MR. DIAZ: I would say a couple of months.

MR. SOLORIO: Was it Summer or Fall that you started work?

MR. DIAZ: Summer, in between I would say. Actually I think it must have been in Fall. I think I bought it in July, so must have been Fall.

MR. SOLORIO: So when did you first start renting the units?

MR. DIAZ: I think August of '25. Took us quite awhile.

MR. SOLORIO: And last year was the first year that you actually registered these units, correct?

MR. DIAZ: Actually, yes.

MS. AILES: You registered, the end of 2024 you listed them as vacant, correct?

MR. DIAZ: Correct.

MS. AILES: Then you registered again in 2025 and it was still vacant, correct?

MR. DIAZ: So I remember listing, registering when I got it, just saying it was vacant. I had been through that process before. And then I turned in my paperwork a little while ago for this year.

MR. SOLORIO: So just to be clear, 2025?

MR. DIAZ: For '25 it stayed vacant -- I don't remember. I don't know that I actually registered then.

MR. SOLORIO: When did you start renting the units?

MR. DIAZ: In '25.

MR. SOLORIO: And just so you are aware, you rented the units in '25, but they were registered as vacant in '25, correct?

MR. DIAZ: So I thought that I registered them in '24. And because I didn't -- and they were vacant for the beginning of the year. So in August I went to the Building Department, but because at some point I went to register and they said you can't. We are not going to issue anything until this gets sorted out.

So then when this thing started taking shape, they said, just go ahead and bring them. So they time stamped them, but we can't give you anything until it's sorted out.

MS. AILES: But you were coming to the Planning Department for the letter at the end of 2025?

MR. DIAZ: Correct.

MR. SOLORIO: Because you had already purchased it in June or whatever, or July, whatever the case may be.

MR. DIAZ: I think it was July.

MR. SOLORIO: So based on those things alone, just so you are aware, and if the property was already vacant prior to you even purchasing the property, I just want to be clear on that.

MR. DIAZ: Right.

MR. SOLORIO: Normally these properties are grandfathered, they are grandfathered for the year. If you do not maintain the use and the year lapses, you lose the grandfather, which is what protects you from continuing the use as such. So the reason you are here today is because you have lost that, and so now you are seeking a variance to uphold what was legal nonconforming at the time that you would have been grandfathered in or whomever had the property would have been grandfathered in.

Where you kind of shot yourself in the foot is by not going back to the Building Department when you did register -- when you did start renting the units back in 2025, to then say, hey, I'm renting them now. Can I get a registration sticker and then that

would have not lapsed your situation possibly. That's neither here nor there, that's why I wanted to know -- I wanted you to say coming from your recollection of what transpired.

And so the only reason we are here now, the bank is requiring you to get a letter, right?

MS. AILES: He wanted to refinance.

MR. SOLORIO: Refinance, and the bank is aware of the zoning state, that you are able to have three-units.

MR. DIAZ: Right.

MR. SOLORIO: Correct. I have no further questions.

MR. PETERSON: You said in the back was a garage?

MR. DIAZ: No, it's a house.

MR. PEREZ: It's an apartment.

MR. DIAZ: I submitted pictures.

MR. PETERSON: Some people have converted garages to apartments.

MR. SOLORIO: It's also cinderblock with kind of a second level, almost bilevel look. It's definitely, intentionally does look like it's an extra house.

MR. PETERSON: Most people convert --

MR. SOLORIO: This doesn't look like that.

MR. PETERSON: Like I say, with the plumbing and that, so many --

MR. SOLORIO: There's a picture in the back that shows the cinderblock, even has basement like windows. So it definitely looks intentional.

MR. DIAZ: Just a quick comment, and this -- I mean I'm pretty sure I did not because I don't

recall, but it wasn't obviously intentional. I registered them vacant because they were still vacant. It just never occurred to me to re-register them as vacant. It just never occurred to me. As soon as I got someone in there, we started kind of this whole process.

I have had some conversation with the Building Department, and I think by the time our interaction came about, it was clear the mistake had already been made because I should have registered in, if it was vacant, before April 15th of '25. That was just wrong assumption on my part.

MR. SOLORIO: Unfortunately, when you go and register, even as non-vacant, the application and the documentation that goes with it, states that if anything changes, you should go back, that you need to go back and alert the Building Department that something has changed.

So unfortunately, whether it's ignorance, whether you just didn't know, whether no one told you, whether you just misread or you just were neglectful; you did not meet the criteria to allow you to keep going to use the property as such.

Furthermore, on the County side, this is not registered as a three-unit. That's never been registered as three-unit. Is that a correct statement?

MS. AILES: That's right. It was only registered as a two-family dwelling.

MR. SOLORIO: And because furthermore there's never been any rental registration done on this property until you took it over and said it was non-vacant, meaning even on our records. So every time in perpetuity of this property, there's never been anything that has stated that it's a rental unit. It's been used as a family owner occupied, possibly another family living on the second floor.

MR. DIAZ: Yeah, it was all news to me. I was like, what?

MR. SOLORIO: So I guess I can move on to the recommendation if you would like.

MR. PEREZ: Yes.

MR. SOLORIO: So unfortunately I do not

believe that you will be able -- I am not recommending that you use this as a three-unit because of the situation that I have stated.

So on the County records it's recorded as two-unit. So technically if this was used as a three-unit, it should have gone to County. You would have paid more taxes or the previous owner would have paid more taxes. This never happened.

This has never been registered as a rental unit outside, not even as a two-unit, let alone as any type of rental unit. There was -- we have no record to give him a break, because unfortunately he may not have known, but the previous owner did keep it current, that doesn't exist.

The other part is that because you registered them as vacant rental units and then you did not come back when the time lapsed, unfortunately whether that's again ignorance, whether you didn't know, or you purposely did; that's irrelevant to the fact that it's not something that you did.

Therefore, I do believe structurally the back building as a structure was made as another unit. It would be, to me, an unfair burden to have him convert it to a garage when it's not meant or intended to be a garage.

And, so, therefore I am recommending, in that it's an R1A zoning classification, which would allow for a duplex. In this case, this is not a duplex, but would have allowed two-units if there would have been a shared wall. I am recommending that we would allow you to have the two-unit dwelling, not three-units. As such you can either choose how you want to slice and dice it.

My recommendation is that the front part of the house become one dwelling and the back part of the property become the second dwelling. But you can pick and choose how you want to do that. I'm recommending a two-unit based on the zoning classification that would have allowed two units if it was a duplex. That's not the case here. I'm giving that grace.

The building on the property at the back is a unit. It's not a garage converted, so therefore I believe that should maintain that character.

And we already know that parking wise you are not suppose to park in the alley. I would recommend that you tell your tenants to not park in the alley because they will be towed. But I would say you should be more proactive by informing them as such.

You will have to register this. It's already registered in the County as two-unit, but you will have to move forward, so you do not lose this variance, because this variance also can lapse if approved, that you are to maintain registration of this property in perpetuity. If not, then you could lose that variance in the future.

That is my recommendation to the Board. Again, to permit a two-unit dwelling not a three-unit and that's what I would say.

MR. PETERSON: When you say two-unit, the house itself is one-unit.

MR. SOLORIO: He might vacate the building.

MR. PETERSON: The back part is a unit too.

MR. SOLORIO: That's two-units, correct. So right now there's three-units.

MR. PETERSON: I understand that, but you can allow the two.

MR. SOLORIO: He would have to convert that front one into one house, one-unit. Someone lives on the first and second floor. And the back property, the building that's there can be as a separate family unit. That's what I am recommending.

MR. DIAZ: May I say something?

MR. PEREZ: You could, I guess.

MR. DIAZ: I understand everything that you are saying. I guess I just perhaps can restate my position because I have been living there for 20 years and that doesn't look, smell, or taste like a single family home in any way, shape, or form. I have been living with neighbors there half my adult life. I put a ton of money through the proper channels. I was issued a permit. The City allowed me to spend thousands upon thousands upon thousands of dollars too.

If you look at the pictures, this is a brand new kitchen, brand new bathroom, refinished the original hardwood floors. I'm a licensed electrician in the City. I rewired the place. I mean it's immaculate.

it was a huge undertaking and piece of what is suppose to be my financial future and my family's.

You say it would be too much of a burden to demo the rear house or anything, at this point it's a huge burden because the money was allowed to be spent.

MR. PEREZ: I've got a question for you. So when you pulled the permit, you pulled the permit stating you were putting the apartment upstairs?

MR. DIAZ: There was an apartment there already. The smoke detector -- the walk through they took pictures.

MR. SOLORIO: So when he pulled the permits, he pulled the permits to use the building as the way it is. The issue here is that once he was done with the construction.

So, again, you still have a year to accomplish the goal, right? So remodeling, you get somebody in there so that you can have the three-units or at a minimum rent out the three-units to keep the use going. You have remodeled the property, and again, you remodeled it. It was good. But you never came back when you did rent them, which then would have met the timeframe, then he wouldn't be sitting in this situation.

MR. DIAZ: So the cutoff --

MR. SOLORIO: So you let it lapse. The cutoff is when it's been sitting vacant. Meaning when you bought it, and that's again due diligence at that point or ignorance, you didn't know, whatever the case may be. Due diligence, how long it's been vacant and that would have triggered the time.

MR. PEREZ: I have got one more question. I didn't mean to cut you off. You also said this has never been registered.

MR. SOLORIO: Never.

MS. AILES: Never at County as the rental.

MR. PEREZ: So is it correct in saying that he wouldn't -- I am just trying to be devil's

advocate here -- since it was never registered as a three-unit, how did he lose anything if it was never registered as a three-unit?

MR. SOLORIO: So that's because technically it was being used as a three-unit, right, and you are correct. So technically, by code, there is not -- he has no legal standing as a three-unit no matter because nothing has ever been registered as a three-unit. Therefore, you are correct, he would never have been grandfathered. It's irrelevant.

MR. PEREZ: That's just what I wanted to understand. Okay. Thank you.

MR. SOLORIO: But he is correct that he was allowed to rehab it as a three-unit, and I think someone gave him the opportunity to do that. That's fine. That's not the issue here. It's that when he finished rehabbing it, etcetera, etcetera, what I just stated a little bit ago.

MR. PEREZ: Got it.

MR. DIAZ: I think given the same situation, it would be very hard for anyone to not make the mistakes that were made here.

MR. PETERSON: Two different meters, gas meters?

MR. DIAZ: It's got three.

MR. PEREZ: The three have been there.

MR. DIAZ: Yes. That was not -- it was in perfect shape. And it looks like it's been that way.

MR. PETERSON: It could have been grandfathered.

MR. SOLORIO: It never would have been grandfathered because it's never even registered as a three-unit. Had it been registered as a three-unit somewhere in the books, then you could have maybe made the argument and said it was registered as a three-unit.

MR. PEREZ: The County only has it as two-unit.

MR. SOLORIO: This is what we call, not you, but the previous owner or previous owners illegally converted this property into a three-unit when it should have been a two, or it should be actually one-unit. But let's just say for purposes of what the County says, because there are records that the County has that lists it as two. That's what I recommended. We can leave it as such.

MR. DIAZ: It's got three meters. It's had three meters. I mean the bank situation came and went. I already lost, and know this is neither here or there, to you, to me. There's too much time. It's upwards of $50,000.00 just on the value alone that's lost and that ship sailed a long time ago. Now we are talking about literally losing money on this because I pulled the permits. I mean had they said, you can't do that, then I wouldn't have done it.

MR. PEREZ: Puts us in a bad spot and you are putting us in a bad spot.

MR. DIAZ: I have done, you know, this legal nonconforming in other cities and what you spoke about. I understand the whole 12 month thing and what not. That's why when I started the reno, I think at month 11 or something, and from the feedback that I get from other cities is when the reno finishes, everybody knows, inspectors know, the Building Department knows.

MR. PEREZ: Did they come and inspect you after it was done?

MR. DIAZ: Yeah, of course. Of course.

MR. PEREZ: Do we have a record of that?

MS. AILES: The Building Department would have that. We wouldn't inspect. We don't have it, but the Building Department would have gone back.

MR. SOLORIO: And, again --

MR. DIAZ: I'm sorry, that was before I had any tenants. He didn't go in there and take pictures of furniture. It's empty spaces. That was, you know, what I mean.

MR. SOLORIO: I want to run the scenario.

Forget him for a minute, okay. We have already stated or established that there is no grandfather here because there's never been anything on record that this has been a three-unit. Was he given permits to rehab it as three-units? Yes. At that point we can assume, not him, but someone else, smoke detectors the same thing. And if he was grandfathered, which would have been appropriate for that project, they would know that they have one year to finish the project and to get the place rented out. If not, they would lose that grandfather.

The gentleman has mentioned that he's done this -- now to go back -- he's done this in other places. This is the standard. People know this. And so they take the risk, whether, you know, they front the money or they do whatever. They take the risk. They are going to get it all done in time to get it rented.

My issue is, even if he had not gotten it rented, to come back to the Building Department and say, hey, look, I need more time. I need an extension. Maybe we can work with him zoning wise, things like that. That never happened. When he did rent it, that happened in 2025, he never even came back to let them know it was rented. So what could have saved him was that and he didn't even do that until now in 2026, when he does have to register them again that this all is coming.

MR. DIAZ: That's not exactly accurate. This has been going on for months. This has been going on for months, because I approached the office back in November. So this is -- not now, 2026 -- when I first got renters in there, it was August I believe. By the time I ended up getting -- in order for me to refi, I have to have tenants. So by the time I rented it and I got the process started, it was, you know, October or whatever the case it was.

MS. RAMOS: At that point why didn't you come back and state that it was rented like Marino said?

MR. DIAZ: Because I was literally waiting for the year to state, because in my mind I was doing nothing wrong, I told them it was vacant. I went through the process to register between April 15th. In my mind, January 1st to April 15th, that's when you register.

MR. SOLORIO: I need you to understand

something. So the code, the code is pretty clear and being as you have done this in other places, the code is very clear. When you rent a unit, whether it's one or three, you are to go and register the unit as such. This is 101 on renting of apartments at any residential, any community, Hammond, Gary, Whiting, whatever the case may be.

Your failure do that, whether again you intentionally did it or you wanted to wait, or it was ignorance; you failed to do something legitimately codified by all the cities to do, and you have experience in this and would know that. And so you should have done it. And in this case, you didn't. So unfortunately you have kind of the domino effect. You are already in a bad situation to begin with. You made it worse by not doing that. Because I think at that point, you know, even though the time lapsed or whatever the case may be, he did come and he did register them and he did the right thing, blah, blah, and maybe there is a little more wiggle room there, but that never happened.

So, again, I am recommending -- so I think we have to move to recommendation at this point. The recommendation is that it be maintained as a two-unit based on what the County says and based on what we just discussed as of today.

MR. DIAZ: That puts a financial burden on my family. After everything I have to go through, following the proper channels, because as you state, I failed to register when I had a renter in there. When I am, in my mind, I am going to register it at the end of the year, because for this year it was vacant more than half the time.

You know, let's say I failed -- I failed to register in August. That all by itself is enough for the City of East Chicago, that issued me building permits, to say you didn't only lose $50,000.00 in the appraisal, you get way more money back than you thought you were actually going to get, and yet leave thousand of savings.

Now you are going to have to rip out the kitchen, that I was permitted to do. Rip out the bathroom, which I was permitted to do. Somehow make these two, one, which they have never been physically, in the physical standpoint of things, they have never been. And I have been looking at it since I bought the place, from across the street, since I was late twenties. I mean --

MR. SOLORIO: We don't know --

MS. AILES: That's his recommendation. You don't have -- you can leave the back house vacant and keep the two units at the front. You don't have to convert them.

MR. PETERSON: What you are saying, he can rent the front two-units and disregard the back?

MS. AILES: He could. It's an investment in the front house.

MR. SOLORIO: Just to be clear --

MR. DIAZ: There's brand new heating and cooling, new units, new electrical. I don't mess around with my rentals.

MR. PETERSON: Like I said, a large family may need the whole house.

MR. PEREZ: Okay, let's move on. We have got a good explanation of what is going on here. Let's go for a vote.

MS. AILES: Cesar Perez.

MR. PEREZ: Yes. I am going to vote right now with what the City has recommended right now. We are just the advisory board. You still have a chance to go through the Council, so I am going to vote no.

MS. AILES: Lilia Ramos.

MS. RAMOS: No. I'm sorry, Mr. Diaz, and I believe we have a position with the conditions.

MR. SOLORIO: Okay. A couple of things. Is it no, because this is for a variance for a three-unit, right? So you can put the conditions on it only being two-units.

MR. PEREZ: That's what I am going with, the recommendation.

MR. SOLORIO: So you are approving the recommendation that it be a two-unit and not three?

MR. PEREZ: Yes. Okay.

MS. AILES: So with that understanding then --

MR. SOLORIO: So, yes, with the condition of two-units.

MR. PEREZ: Yes.

MS. RAMOS: Yes, with the condition of two-units.

MS. AILES: Lydia Lopez.

MS. LOPEZ: I am also voting yes on the two-units.

MS. AILES: Ralph Peterson.

MR. PETERSON: No, I guess.

MR. PEREZ: The three-units now and you want two.

MR. SOLORIO: You can state you are approving the two-units for the record.

MR. PETERSON: I am approving the two-units. I won't deny that.

MR. PEREZ: So that's four yes, with a condition that it be a two-unit.

MR. SOLORIO: This will go to the Council for further approval. This is, just as Cesar said, the advisory board. You can plead your case there. I will tell you that the City has been, you know, trying to crack down on these illegal conversion of houses. We have single family homes that would be split in two, three-units illegally. And unfortunately you are caught up in a situation that is kind of unique. If there's anything that could have gone wrong, all of it went wrong.

But two-units at this point is what we are voting for the Council to either amend that and/or uphold that, or completely deny all together. And so just so you are clear, if the Council denies it all together, then it would have to maintained as a

single family home. So that would have to be converted into a single family home regardless if you have the ability to have three-units or whatever the case may be.

MR. PETERSON: That's the back. We are back to two-units.

MR. PEREZ: Okay. Can I get a motion to adjourn?

MS. RAMOS: So move.

MS. LOPEZ: Second.

MR. PEREZ: Roll call.

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

MR. PEREZ: Meeting adjourned.

* * * * *

Approval of the Meeting Minutes of
March 19, 2026

~~Approved~~ and signed April 2, 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 24th day of March 2026.



Peggy S. LaLonde

Peggy S. LaLonde, Court Reporter