

CITY OF EAST CHICAGO
BOARD OF ZONING APPEALS

BOARD MEMBERS

Steven Segura, President
Lilia Ramos, Vice-President
Cesar Perez, Representative
Lydia Lopez, Representative

Regular Meeting Minutes
Wednesday, May 5, 2021, 4:30 p.m.

Reporter for Fissinger & Associates, Ltd.

By: Peggy S. LaLonde

Call to Order: 4:30 p.m.

Pledge of Allegiance:

Roll Call: Present in Chambers: Steven Segura, Lilia
Ramos, Cesar Perez

Present via Zoom: Lydia Lopez

Also Present: Ateria Allen, Recording Secretary
Douglas Powers, City Planner
Richard Morrisroe, Legal Counsel
James Portalatin, Building Commissioner

MR. SEGURA: Has a quorum been
established?

MS. ALLEN: A quorum has been
established.

MR. SEGURA: What staff is present today?

MS. ALLEN: We have Douglas Powers, the
City Planner; Richard Morrisroe, Legal Counsel;
James Portalatin, Building Commissioner; Ateria
Allen, recording secretary, and Mireya Huizar,
Planning Secretary.

MR. SEGURA: Thank you. The purpose of
this hearing is to identify by the zoning code an
ordinance with the following sections that I will
read.

Ordinance 2752: WHEREAS, the Common Council of

1 the City of East Chicago, Indiana, deems it
2 necessary, in order to conserve the value of
3 property in the City of East Chicago, and to the
4 end that adequate light, air, convenience of
5 access, and safety from fire and other dangers may
6 be secured, the congestion of public streets may
7 be lessened or avoided, and that public health,
8 comfort, convenience, morals and general welfare
9 may otherwise be promoted in accordance with the
10 general plan for the use and development of all
11 property throughout the City of East Chicago.

12 Ordinance 0-00-0016: WHEREAS, the Plan Commission
13 and Common Counsel of the City of East Chicago
14 have determined that proposed uses, at proposed
15 locations within the community should promote the
16 public interest, promote public health, safety,
17 and welfare, should promote public convenience and
18 should not adversely affect property values; and
19 WHEREAS, it is in the best interest of the
20 citizens of the City of East Chicago to maned the
21 Zoning Ordinance text to provide for certain uses
22 to be classified as "Special Uses; and allowed in
23 certain zoning classifications only upon showing
24 that the above criteria have been met; and

25 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 a
Special Use Permit request to the Common Council.

1 The first thing we have is a
2 petition has been filled for variance at 418-22
3 Vernon Avenue, to permit primary structure 24 feet
4 from the rear of the property line -- that's
5 Resolution 21-002. I shall now ask the staff to
6 explain the nature of the hearing.

7 MR. POWERS: Thank you Board members. My
8 name is Doug Powers. I am City Planner of East
9 Chicago. We have a petition -- a petition has been
10 filed by Safe Haven Development for property address
11 commonly known as 418-22 Vernon Avenue. The zoning
12 classification is R-2 or family dwelling. The
13 variance is to allow for a primary structure to be
14 located 24 feet from the rear property line, or six
15 feet closer than what the zoning ordinance permits.

1 So that is the reason as to why this meeting is
called.

2 So, I'd like to add that we do have
representatives from the Safe Haven Development here
3 with us online, as well as we also have the Building
Commissioner present. I will be more than happy to
4 address any comments or questions or concerns
regarding this petition, but this is the request to
5 approve the variance for this housing unit to be
able to be developed.

6
MR. SEGURA: Have all the required public
7 notification documents and receipts been completed
and received for this variance petition?

8
MS. ALLEN: Yes. I certify all notices
9 and receipts of public hearing, receipts for funds
to cover public notices, receipts from local press,
10 and also receipts from certified mail.

11 MR. SEGURA: This next section of the
hearing is for testimony and exhibits. The order of
12 hearing will be as follows: We will have the
Petitioner's presentation and then we are going to
13 have the acceptance of written comments of the
petition, and then comments from those present in
14 the audience with regard to giving testimony and
exhibits. At the appropriate time, please come
15 forward, state your name, spell your last name,
state your address, spell the street name, if
16 unique, sign the sign-in sheet that's found at the
podium. I call forth the petitioner and any
17 associates.

18 MR. POWERS: Joe, did you want to say
anything regarding this petition or the request for
19 it?

20 MR. DELARAUZE: I can speak. My name is
Joe Delarauze. I'm with Safe Haven and we are very
21 excited to be proposing this product to bring a
variety of single family homes to East Chicago.

22 I would introduce myself as the
co-founder of Safe Haven Foundation, and we also
23 have Brian Rowland on the call. Brian, you want to
introduce yourself?

24
MR. ROWLAND: Brian Rowland, KMA
25 Management.

1 MR. SEGURA: Anyone else, please state
2 your name.

3 MS. VASQUEZ: My name is Neoy, N-E-O-Y,
4 Vasquez, V-A-S-Q-U-E-Z, Rowland, R-O-W-L-A-N-D,
5 president and co-founder of Safe Haven Foundation.

6 MR. SEGURA: You may continue with your
7 presentation.

8 MS. ROWLAND: So I am excited and honored
9 to be here today. I apologize we couldn't be on the
10 zoom. I really would have liked to see everyone's
11 faces, but we had trouble dialing in. But I want to
12 acknowledge and thank everyone from the City to
13 ICDA, for making the award to fund this incredible
14 project of affordable housing in East Chicago.

15 Multiple single families homes are
16 going to be built and for individuals making between
17 52,500 to \$101,000 a year, which is up to 20 percent
18 AMI. This is going to give further access to home
19 ownership, which will be facilitated by the City's
20 Home Buyer Down Payment Assistance Initiative.
21 These payments will allow the prospective buyer to
22 purchase homes, the 15,000, in terms of their down
23 payment, allowing them to build equity in their home
24 at a much faster pace.

25 As Safe Haven and KMA participate in
revitalization of this community, we see it as a
first phase and hopefully will provide a pathway to
beautiful, high quality, affordable homes, right
there in East Chicago.

And, again, I just wanted to take
this opportunity to thank you for your support and
happy to have the team on the phone here with Joe,
who's been really leading a lot of this. Brian
Rowland is also on the call, and we are happy to
answer any questions anyone might have.

MR. SEGURA: Thank you. Anyone else?

MR. DELARAUZA: I have been, you know,
coordinating this process. And so just to comment
on the need for variance for these particular
parcels, 418 to 422. It was -- basically it was
brought to our attention that the north/south
direction of these plots were too short, according
to municipal code, to accommodate the house that we
had planned for it. We also have a lack of

1 flexibility in this parcel because the house that we
2 intend to build is a modular home. So it comes as a
3 prebuilt structure that is trucked over and then
4 installed on-site. So that's an additional reason
5 for the need for this variance.

6 MR. SEGURA: Thank you. Anyone else
7 going to speak?

8 MS. FRANKE: Jessica Franke, I'm from the
9 architecture firm doing the project. I don't know
10 if you need me to spell Franke, F-R-A-N-K-E. So if
11 anyone has questions for us, I'm happy to try and
12 answer those.

13 MR. SEGURA: Thank you. I call for any
14 citizens supporting the petition to come forward.

15 COUNCILMAN HILL: Good evening.
16 Councilman Terence Hill, 3rd District, and also
17 precinct committeeman. I also have lived on Vernon
18 for 61 years. I'd like to thank you all for
19 assisting with this project. It's been a long time
20 coming.

21 I've lived on this street for
22 61 years. I saw things go down and I never seen
23 anything come up till now. So I'm excited about it.

24 However, there is a couple issues
25 that the Mayor and I are working on, so whoever
participates in trying to buy the home, can live
safely and happily. I'm looking forward to the
ground breaking and first concrete pour.

Again, I'm Councilman of the 3rd
District and I live at 434 Vernon, a couple doors
down. Thank you. I also have my neighbors here,
Miss Emma Jones, which lives directly across the
street, and Miss Terri Williams. She lives a couple
doors down from the new structure of the homes to be
built. I'm quite sure they'd be proud too.

MR. SEGURA: I call forth any citizens
having any questions about the petition?

MS. WILLIAMS: My name is Terri Williams.
I'm happy that they are in the process of doing this
for our street. But when they build these homes,
are they going to put a fence around it to protect
the property due to we have traffic going back and
forth. We have a high rate of traffic flowing

1 through there.

2 MR. SEGURA: Can anyone address that?

3 MR. DELARAUZE: I can confirm we will be
4 putting fencing around the homes. If Jessica wants
to elaborate on the type of fencing.

5 MS. FRANKE: I think the type of fencing
6 they are going to have to work out with Safe Haven
to determine what kind of a look they are going for
7 in that respect.

8 MR. DELARAUZE: But to answer your
question, Miss Williams -- thank you for thinking of
9 that question -- that is something that is planned
for all of the parcels that we were looking at so
10 far. Again, as Jessica was saying, when it comes to
the aesthetics, that might influence whether we use
11 picket fence or iron gate fence, but that is planned
for all the homes that we are planning to build.

12 MS. WILLIAMS: Thank you.

13 MR. POWERS: I'd like to add, for point
of clarification, any questions or concerns, this is
14 for the variance to allow for the house to be closer
to the rear property line than what is typically
15 permitted. So they will have to come back through
-- we have a process. It goes to the Technical
16 Review Committee, where then at that time they will
submit several engineer drawings, which will show
17 the type of fence, where it is located and those
types of things.

18 So, you know, we can get you that
information at that time as well. That's not part
19 of the current request at this time. Thank you.

20 MR. SEGURA: Thank you.

21 MR. PORTALATIN: James Portalatin,
Building Commissioner. We have been working
22 diligently with Safe Haven and we are very excited,
being that the Building Department has quite a few
23 parcels that have been vacant and public nuisance.
We can acknowledge the new development going on in
24 that area and we are very excited about this. It's
one step closer.

25 As you know, many of you are

1 citizens that have two vehicles. So we want to be
2 able to accommodate the driveway for two vehicles.
3 That's why we are going a little more back, so that
4 we can have at least two vehicles back to back and
5 they are not sitting on the sidewalk. So we want to
6 give it a little bit further back, even though it
7 decreases the rear yard. That's one of the reasons
8 why we chose this, but we are excited.

9 Like Doug said, this is our first
10 step, and from here we can only see that this will
11 continue and we will see that community rise again.

12 MR. SEGURA: Thank you. I call forth any
13 questions from the Board.

14 MR. PEREZ: Has the City changed its
15 policy on prefab homes? I know at one time they
16 weren't allowed. Did they change that now?

17 MR. POWERS: Well, there is a lot of
18 changes that have occurred since. If you saw -- I
19 don't know if you noticed the rendering, that this
20 is what we are talking about. It is not
21 rectangular. We didn't want a mobile structure,
22 rectangular, that had no design. We want something
23 that is actually -- you know -- and you couldn't
24 tell this is prefab. In fact not only are we
25 getting the design, but we are adding to it where it
can have some brick veneer. It's going to look
really sharp.

We went out there and we actually
visited Heckman homes and saw their process and just
how they build it. It's going to be energy
efficient. I think this is going to be a very nice
home that's being built there. So it is not going
to be what you think and it's not going to look like
a trailer type. It's basically constructed at the
factory. It will come back in pieces, but the
foundation and everything, all the underground, all
utility work will have to be done here first. And
then once it's all set, they will come and be able
to put that in.

We had a property similar to this,
but it is not the ones like on Hemlock -- 138th. I
believe those were also prefab and those were built
there, that are owned right there on that corner.
They came in and they were able to assemble there.
It's put together in pieces.

25

1 MR. PEREZ: Thank you.

2 MR. SEGURA: I just want to say, the
3 prefab homes built now are very high quality. This
4 does not even look like a prefab. I'm very pleased
with the design. It looks like your normal home and
that's a good thing for East Chicago.

5 MR. PORTALATIN: Thank you.

6 MR. SEGURA: I call forth any questions
7 from staff and/or attorneys. (None)

8 At this time I would like to close
the public comments and call for a motion to close
the taking of public comments.

9 MS. RAMOS: So moved.

10 MR. PEREZ: Second.

11 MR. SEGURA: No further comments will be
12 heard. I would ask the Attorney to confirm the BZA
recommendation that can be made to the Council.

13 MR. POWERS: If I may, for "special use"
14 variance, you make a recommendation to the Common
Council. For a variance, you have the authority to
15 act upon that and act today. So that doesn't apply
in this situation.

16 MR. MORRISORE: What it asks for, doesn't
17 make sense.

18 MR. POWERS: That's correct. Typical
types of conditions that may be applied to this type
19 of situation would be that the site plan would
conform with what was submitted to the Board of
20 Zoning Appeals. That's the only type of condition I
could possibly see in this situation.

21 MR. SEGURA: Okay. Thank you. I call
22 for a motion to approve petition for variance with
or without comments.

23 MS. RAMOS: So moved.

24 MR. PEREZ: Second.

25 MR. SEGURA: Roll call. All in favor:

1 Steve Segura, Lilia Ramos, Cesar Perez, Lyida Lopez.
Motion carries.

2 I would declare this matter will be
closed.

3 * * * *

4 (Commissioner Lopez has left the call.)

5 MR. SEGURA: Call for approval of minutes
6 for Thursday, December 2, 2020.

7 MS. RAMOS: So moved.

8 MR. SEGURA: Second. Roll Call. All in
favor: Steve Segura and Lillie Ramos. Abstain:
9 Cesar Perez.

10 * * * *

11 The Department of Zoning Appeals
convenes this public hearing, on Wednesday, May 5,
12 4:30 p.m., for 4728-30 Indianapolis Boulevard for a
variance to permit a sign with area of 37 square
13 feet, for the existing Indiana Restaurant.

14 MR. SEGURA: Has a quorum been established?

15 MS. ALLEN: A quorum has been established.

16 MR. SEGURA: What staff is present today?

17 MS. ALLEN: We have Douglas Powers, the City
Planner; Richard Morrisroe, Legal Counsel; James
18 Portalatin, Building Commissioner; Ateria Allen,
recording secretary, and Mireya Huizar, Planning
19 Secretary.

20 MR. SEGURA: The purpose of this hearing
is to identify the zoning code and ordinance for the
21 following section that I will read:

22 Ordinance 2752: WHEREAS, the Common Council of
the City of East Chicago, Indiana, deems it
23 necessary, in order to conserve the value of
property in the City of East Chicago, and to the
24 end that adequate light, air, convenience of
access, and safety from fire and other dangers may
25 be secured, the congestion of public streets may

1 be lessened or avoided, and that public health,
2 comfort, convenience, morals and general welfare
3 may otherwise be promoted in accordance with the
4 general plan for the use and development of all
5 property throughout the City of East Chicago.
6 Ordinance 0-00-0016: WHEREAS, the Plan Commission
7 and Common Counsel of the City of East Chicago
8 have determined that proposed uses, at proposed
9 locations within the community should promote the
10 public interest, promote public health, safety,
11 and welfare, should promote public convenience and
12 should not adversely affect property values; and
13 WHEREAS, it is in the best interest of the
14 citizens of the City of East Chicago to maned the
15 Zoning Ordinance text to provide for certain uses
16 to be classified as "Special Uses; and allowed in
17 certain zoning classifications only upon showing
18 that the above criteria have been met; and

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

24 A petition has been filed for
25 variance at 4728-30 Indianapolis Boulevard to permit
a sign with area of 37 feet. This is Resolution
21-001.

At this time I'd like the City
Planner to briefly explain the purpose of this
project.

MR. POWERS: Thank you. Today we have a
petition for address commonly known as 4728-30
Indianapolis Boulevard, also referred to as the
Indiana Restaurant. The petitioner is owner of
Indiana Restaurant and the developmental variance is
to allow for a sign with area of 37 square feet,
five feet or 15 percent greater than what the zoning
ordinance permits within the C-2 zoning district
referred to as general commercial.

The purpose of this request is that
we are asking for the Board of Zoning Appeals
recommend approval on this request. We also do have
the petitioner present, but I am here for any
questions that you may have.

1 MR. SEGURA: Thank you. Have all the
2 required public notification documents and receipts
3 been completed and received for this variance
4 petition?

5 MS. ALLEN: Yes. I certify all notices
6 and receipts of public hearing, receipts for funds
7 to cover public notices, receipts from local press,
8 and also receipts from certified mail.

9 MR. SEGURA: Thank you. The order of
10 this hearing will be testimony and exhibits. This
11 next section of the hearing is for the petitioner's
12 presentation, acceptance of written comments or
13 petition, comments for those present in audience
14 with regard to giving testimony or exhibits. At the
15 appropriate time, please come forward and state your
16 name, spell your last name, state your address,
17 spell your street, if unique, sign the sign-in
18 sheet.

19 I call forth the petitioner.

20 MR. WARGO: Good evening. My name is
21 Joseph Wargo, W-A-R-G-O. I reside at 1505 Calumet
22 Avenue, in Whiting. I own a sign shop here in town,
23 at 4333 Indianapolis Boulevard. And the reason I am
24 here tonight is to show you a sign that we'd like
25 you guys to approve for us, for Indiana Restaurant.
And I brought some pictures for you folks to view.

I think one of the problems is, we
are a little bit bigger than what we should be due
to exposure. And I brought -- the reason why I
brought those pictures is to show you, if you are
coming back down the boulevard north or southbound,
there is no exposure for a sign that you can
basically see, and that's why I'd like to get a sign
as proposed in the drawings.

MR. SEGURA: Thank you. I call forth any
written petition or comments? (None)

I would ask, is there anyone here in
favor or against? (No Response)

I call forth citizens supporting the
petition. (No Response)

I call forth citizens opposing the
petition. (No Response)

I call forth citizens having
questions of the petition. (No Response)

I call forth the petitioner to

1 respond to any of the questions -- which we have
2 none.

3 I call forth questions of the Board
4 members. Anyone from the Board? (No questions)

5 I call forth any questions from
6 staff or attorney. (No Response)

7 I would close this part of public
8 comments. I would call for a motion to close the
9 taking of public comments.

10 MS. RAMOS: So moved.

11 MR. PEREZ: Second.

12 MR. SEGURA: Roll Call. All in favor:
13 Steve Segura, Lilia Ramos, Cesar Perez. Motion
14 carries.

15 No other comments will be heard.
16 I would call for a motion to approve
17 variance.

18 MS. RAMOS: So moved.

19 MR. PEREZ: Second.

20 MR. SEGURA: Roll Call. All in favor:
21 Steven Segura, Lilia Ramos, Cesar Perez. Motion
22 carried. Congratulations.

23 We will have our election of
24 officers.

25 MS. RAMOS: I nominate Steve for
president.

MR. PEREZ: Second.

MR. SEGURA: Take a vote. All in favor:
Steve Segura, Lilia Ramos, Cesar Perez. Motion
carried.

I nominate Cesar Perez as
Vice-president.

MS. Ramos: Second.

MR. SEGURA: Do you accept?

MR. PEREZ: Yes, I accept.

25

1 MR. SEGURA: We'll have a vote. All in
2 favor: Steve Segura, Lilia Ramos, Cesar Perez.
Motion carries.

3 That concludes our election of
4 officers. Congratulations.
Now I call for a motion to adjourn.

5 MR. RAMOS: So moved.

6 MR. PEREZ: Second.

7 MR. SEGURA: All in favor: Steve Segura,
8 Lilia Ramos, Cesar Perez. Motion carries. Meeting
adjourned.

9 *** Meeting adjourned ***

10 Approval of the Meeting Minutes
11 Wednesday, May 5, 2021

12 Approved and signed June 2, 2021

13
14 
15 Steven Segura

16
17 
18 Lilia Ramos

19
20 
Cesar Perez

21
22 _____
Lydia Lopez

23
24 
25 Ateria Allen

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 11th day of May, 2021.

Peggy S. LaLonde



Peggy S. LaLonde, CSR, RPR