

Eddie D. Melton  
Mayor



Marco Molina  
City Attorney

## CITY OF GARY BOARD OF ZONING APPEALS PUBLIC MEETING

**Thursday, May 8, 2025 @ 3:00 PM**

Council Chambers, Gary City Hall, 2<sup>nd</sup> floor, 401 Broadway Gary, IN 46402.

Live viewing of the meeting can be seen here: [www.youtube.com/@GaryTV](https://www.youtube.com/@GaryTV)

### AGENDA

#### **1. Meeting Called to order**

#### **2. Roll call**

TARYL BONDS, - President  
FLORZELL HAWKINS – Vice President  
REV. CHESTER JONES – Secretary  
BILL COOK  
DAVID FOSSET

#### **3. Approval of minutes**

April 10, 2025

#### **4. Old Business**

#### **5. New Business**

##### **a. Time of future BZA meetings.**

#### **6. Public Hearings**

PETITION	DESCRIPTION	ADDRESS
BZA 2025-12	<b>Special Use to allow used auto dealership</b>	3980 W. 5 <sup>th</sup> Ave
BZA 2025-21	<b>Special Use to allow used auto dealership</b>	4900 W. 5 <sup>th</sup> Ave
BZA 2025-22	<b>Special Use to allow mechanical and auto body work</b>	2557 Colfax St.
BZA 2025-23	<b>Special Use to allow light manufacturing activities related to auto body mounting, equipment up-fit, and repair</b>	2601 E. 15 <sup>th</sup> Ave
BZA 2025-25	<b>Special Use to allow a home daycare</b>	2658 E. 21 <sup>st</sup> Place

### **ADJOURNMENT**



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## CITY OF GARY BOARD OF ZONING APPEALS

**Thursday, March 13, 2025 @ 3:00 PM**

Council Chambers, Gary City Hall, 2<sup>nd</sup> floor,  
401 Broadway Gary, IN 46402

### AGENDA

#### **Roll call**

TARYL BONDS - ABSENT  
FLORZELL HAWKINS – PRESENT  
REV. CHESTER JONES – PRESENT  
BILL COOK – PRESENT  
DAVID FOSSETT – PRESENT

**Motion to approve the minutes from February 2025 & August 8 2024 meeting provided by:** Rev. Chester Jones

**Second by:** Bill Cook

**Motion to approve January 2025 & August 2024 meeting minutes passed w/ a 4-0 vote**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

#### **Old Business**

##### **BZA 2025-06 – Special Use (Short – Term Rental) 8045 Oak Avenue**

- **Staff overview provided by C. Sharp:** The petition is requesting to conduct a Short-Term Rental on the property. The zoning classification is zoned R2 and the land use within the comprehensive plan is residential. All publications were completed. **Staff provided a favorable recommendation.**
- **Petitioner, Jim Anderson, representative of Scott S.: Jim Andersons, 2318 N Oakley,** read a statement given by Scott S. regarding resolving concerns of the community. There have been several steps taken to ensure peace, including a limit of four adults per visit, video and audio devices have been installed for continuous monitoring, quiet hour will be implemented based on local ordinances, and ample parking to minimize congestions.
- **Public Comment:** No comments

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- **Questions from the Board:** No questions

**Motion to approve BZA 2025-06 provided by:** Bill Cook

**Second by:** Rev. Chester Jones

**Motion to approve BZA 2025-06 passed w/ a 4-0 vote**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

## PUBLIC HEARINGS

### **BZA 2025-10 – Special Use (Daycare)**

**1925 Roosevelt Place**

- **Staff's overview provided by C. Sharp:** The petitioner is requesting to operate a home daycare. The special use application was submitted with an outdated format but was accepted. The property is zoned R2 and is residential. The publications required were completed. **Staff provided a favorable recommendation.**
- **Petitioner, Ebony Reed:** She provided history of her connection to the neighborhood and home. The purpose of childcare will be to make childcare services accessible to families during evening hours and weekends, which is typically not available. She submitted a schedule of daily operations.
- **Public Comment:**
- **Questions from the Board:** age range of adolescents; newborn – 13 years old. who will assist daily operations; herself, grandmother, mother-in-law. quantity of adolescents; 16 adolescents. how many rooms; 2 bedrooms, 1 living room, and 1 bathroom. parking on property; a driveway that has ample parking. drop off on property, kids can be drop-offed at the front door and there is room in the front of property, staff will park in back of house. are there already clientele; yes. food availability; food be provided. saturation of daycares in area; none in area.

**Motion to approve BZA 2025-10:** Bill Cook

**Second by:** David Fossett

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**Motion to approve BZA 2025-10 passed w/ a vote of 4-0**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**✚ BZA 2025-11 – Special Use (Auto Dealer) DEFERRED  
5800 W. 5<sup>th</sup> Ave.**

- Staff's overview provided by C. Sharp:
- Petitioner, Scott, was not present:
- Public Comment:

**Motion to defer BZA 2025-11 provided by:** David Fossett  
**Second by:** Rev. Chester Jones

**Motion to defer BZA 2025-11 was approved w/ a vote of 3-0-1**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Abstain</b>	<b>Yes</b>

**✚ BZA 2025-12 – Special Use (Auto Dealer) DEFERRED  
2762 W 18<sup>th</sup> Avenue & 1502-16 Marshall Street**

- Staff's overview provided by C. Sharp:
- Petitioner Greg L., DVG representative:
- Public comment was opened:
- Board's questions:

**Motion to defer BZA 2025-12 provided by:** David Fossett  
**Second by:** Rev. Chester Jones

**Motion to defer BZA 2025-12 was passed w/ 3-0-1**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Abstain</b>	<b>Yes</b>



 **BZA 2025-13 - Developmental Standards Variance  
8401 Lake Shore Drive**

- **Staff's overview provided by C. Sharp:** The petitioner is requesting developmental standards variance to build an upper walkway along their property line. The property is zoned R2. Publications were complete. Thomas and Theresa Cera, 8829 Lake Shore Drive, sent a letter of support. Sander Finnegan, 8417 Lake Shore Drive, sent a letter of support. Paul Osmulski sent a packet of opposition. The project is already in construction and was stopped after seeing the encroachment into the side yard. A building permit was already issued, B-24-1189. A review was conducted with the project drawings provided in the permit. Staff initially provided a favorable recommendation with the understanding that the stairs would be compliant with the front yard setbacks whereas stairs up to four feet in height are compliant. However, an updated site plan was provided where property lines, existing house, the garage, replaced porch and deck, the location of walkway, and a 25-foot setback line which shows the improvements extend further than the compliant setback. Staff gave multiple options regarding placement of the stairs where they can stay in the same position facing the lake, or the stairs change direction, or provide a ladder type system. They are requesting an encroachment to build the walkway. **Staff's provided a favorable recommendation with the presented site plan, but would leave it open based on encroachment of walkway.**
- **Petitioner, Dea & John Bejster:** She stated that the stairs are partially built and were inspected. She provided clarity to the site plan submitted depicting the existing foot print continuing to the additions that are being requested. They intend to build the walkway to create an exit from second floor. They are requesting for the 18 inch on the east side. She addressed the concerns in opposition for the project stating that it would not have any safety or drainage issues. John provided photos that showed the before and after of the view of the stairs in perspective to the neighbor's property.
- **Public comment:** Paul Osmulski stated his concerns and attempted to resolve the issue with the petitioner prior to the meetings. He read his opposition letter. The variance request does not accurately reflect the project whereas the petitioner is requesting to build a skywalk beyond the easement. It extends the build line by 16 feet. It comes with negative financial hardships. There was an additional level incorporated into the build that goes beyond 60 feet in height above the build line. Jim Martin,

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8307 Lake Shore Drive, provided background on the house. He reviewed the site plans, but it is not exceeding the existing foot print. He supported the petition. Carolinda Camisa, 7055 N Shelby Street, supported the petition. Sarah Lowther, 8418 Pine Avenue, supported the petition. John Bejster displayed photos of the property to provide a visual of the project. Paul Osmulski stated that the height of the stairs would encroach on the front yard setbacks. Following, Ms. Sharp highlighted that the petition was for the encroachment of the side yard setback of the original foot print. Atty. Molina suggested that both the side yard variance and a front yard variance should be decided at the same time because it was cause conflict to approve one and deny the other. He proceeded to state the standards for an eligible developmental standard variance and informed the petitioners they would need another variance for the encroachment of the front yard. The petitioners decided to proceed for the current variance and return for the additional variance.

- **Questions by the Board:** Did the Building Department review plan; yes, but at the time of the permit issuance the right of way was not considered in approving it. What would happen if the stairs were reoriented west; it would create a nuisance, obstructing their view as well and would be in conflict with a door on the first floor. With the tree intact, would privacy be restored, yes. Are the stairs accessible to both rooms on the second floor, it is a landing

**Motion to approve BZA 2025-13:** Bill Cook

**Second by:** David Fossett

**Motion to approve BZA 2025-13 was passed w/ 2-1-1**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>No</b>	<b>Abstain</b>	<b>Yes</b>	<b>Yes</b>

 **BZA 2025-14 - Special Use (Short-Term Rental)**

**1924 Hovey Place**

- **Staff's overview provided by C. Sharp:** Petitioner, Wayne Young is requesting to operate as a Short-Term Rental. The property is zoned R2 and in the comprehensive plan as flexible residential. Publication were completed. Edward McClain sent a letter of support. **Staff provided a favorable recommendation.**

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- **Petitioner, Wayne Young:** Steve Kendrick, 4127 W. 11<sup>th</sup> Ave will be the representative for Mr. Young
- **Public comment:**
- **Board's questions:** Who will the property be maintained and monitored; he is the on-call representative and/or a maintenance man to fix the issue, does he have keys to property; no and the maintenance man have access to keys. Marco Molina mentioned that Short-Term Rental are required to have in-town managers of the property.

**Motion to approve BZA 2025-14:** Bill Cook

**Second by:** Rev. Chester Jones

**Motion to approve BZA 2025-14 was passed w/ 4-0**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

 **BZA 2025-15- Special Use (Short-Term Rental)**

**1175 Shelby Street**

- **Staff's overview provided by C. Sharp:** Petitioner is seeking to operate a Short-Term Rental. The property is zoned R2 and residential by comprehensive plan. Publications were completed. A letter of opposition was received from Lela and Zygmunt Dyrkacz, 1176 N Shelby Street. A letter of support from Sandra Gross, 1160 N Shelby Street. **Staff provided a favorable recommendation.**
- **Petitioner, Margaret Spaan:** She stated that there has been rules and procedures implemented to mitigate any concerns within the community.
- **Public comment:** Sarah Lowther provided a packet prior to speaking. She stated her concern was safety regarding the intersection. She presented information regarding the building safety, but not special use variance.
- **Board's questions:**

**Motion to approve BZA 2025-15:** Bill Cook

**Second by:** Rev. Chester Jones

**Motion to approve BZA 2025-15 was passed w/ 4-0**

Member	President	Vice	Secretary	Comm.	Comm.
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	Bonds	President Hawkins	Jones	Cook	Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**BZA 2025-16 - Special Use (Short-Term Rental)**

**917 Vermillion Street**

- **Staff's overview provided by C. Sharp:** Petitioner is seeking to operate a Short-Term Rental. The property is zoned R2 and residential by comprehensive plan. Publications were completed. Additional photos were added of the property. A letter of opposition was received from Andy and Heather Garrett. **Staff provided a favorable recommendation.**
- **Petitioner, Margaret Spaan:** The house was a foreclosure that has been rehabilitated to raise the property value. There was a previous incident where conflict arose, but was resolved.
- **Public comment:** Robert L. Brown, 911 Vermillion, questioned how the special use would affect his property. Ms. Sharp stated that his property would remain in the residential tax bracket.
- **Board's questions:**

**Motion to approve BZA 2025-16:** Bill Cook

**Second by:** Rev. Chester Jones

**Motion to approve BZA 2025-16 was passed w/ 4-0**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**BZA 2025-17 - Special Use (Short-Term Rental)**

**7300 Locust Street**

- **Staff's overview provided by C. Sharp:** Petitioner is seeking to operate a Short-Term Rental. The property is zoned R2 and residential by comprehensive plan. Publications were completed. **Staff provided a favorable recommendation.**
- **Petitioner, Margaret Spaan:**
- **Public comment:**
- **Board's questions:**

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**Motion to approve BZA 2025-17:** Bill Cook

**Second by:** David Fossett

**Motion to approve BZA 2025-17 was passed w/ 4-0**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**BZA 2025-18 - Special Use (Short-Term Rental)**

**1101 St. Joseph Street**

- **Staff's overview provided by C. Sharp:** Publication was complete. There was a letter of concern. **Staff provided a favorable recommendation.**
- **Petitioner, John Sarwark:** He provided an overview of his intent for the property, reading his narrative statement. He is using the property for personal use, but wants to offset house expenditures by hosting as an Airbnb. There is no encouragement of parties and there have been rules and procedures implemented to ensure safety for the community.
- **Public comment:**
- **Board's questions:** how will property be managed; a camera is on property, a keypad on door and live an hour away, why the name party porch; the yard is festive and vibrant, how often is it rented; during the summers.

**Motion to approve BZA 2025-18:** Rev. Chester Jones

**Second by:** Rev. David Fossett

**Motion to approve BZA 2025-18 was passed w/ 4-0**

Member	President Bonds	Vice President Hawkins	Secretary Jones	Comm. Cook	Comm. Fossett
Vote	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**ADJOURNMENT**

# BOARD OF ZONING APPEALS

## PETITION PACKET

<b>BZA PETITION NUMBER</b>	2025-12
<b>PETITIONER</b>	Eric Tonie Smith
<b>REQUEST</b>	The petitioner seeks a special use to operate used auto dealership.
<b>ADDRESS</b>	3980 W 5TH AVE, GARY, IN 46406
<b>PACEL NUMBER</b>	45-08-06-326-008.000-004
<b>ZONING CLASSIFICATION</b>	B3-1 Limited Service Districts
<b>COMPREHENSIVE PLAN</b> <b>LAND USE</b>	Flexible Commercial: This designation applies to distressed commercial areas with high rates of vacancy and disinvestment. It allows for higher levels of flexibility and targeted investment around viable activity centers, transit stops, and commercial nodes. These areas allow for a broad mix of uses and could ultimately transition to another role over time.
<b>PROOF OF PUBLICATION</b>	Received and Complete
<b>PUBLIC INPUT RECEIVED</b>	None received prior to 5/7
<b>RECOMMENDATION</b>	<b>APPROVE based on hardships stated in narrative.</b>
<b>GIS MAP</b>	

### Special Use Permit criteria per section 123-59 (c)

1. *The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.*
2. *The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.*
3. *The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.*
4. *Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.*
6. *The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.*
7. *The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.*



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Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Rodney Pol, Jr.  
City Attorney  
219-881-1332  
zoning@gary.gov

#### DESCRIBE THE REQUESTED PETITION

Has been a Used Car Lot for the last 15 years

#### APPLICANT NAME

Eric Tonie Smith

#### COMPANY OR ORGANIZATION

T N D Auto Sales LLC

ADDRESS 3980 W. 5th Ave.

CITY/STATE/ZIP Gary IN 46406

EMAIL *ersmith911@gmail.com*

PHONE (219) 242-6778

#### OWNER OF RECORD (IF DIFFERENT FROM APPLICANT)

Indiana Land Trust Co. U/T#2985

*If the applicant is not the recorded property owner, proof of ownership and a notarized statement of consent from the owner of record permitting the applicant to file this petition must be provided.*

#### SUBJECT PROPERTY ADDRESS

3980 W. 5th Ave., Gary IN 46406

#### PARCEL IDENTIFICATION NUMBER(S)

45-08-06-326-008.000-004

#### LEGAL DESCRIPTION

W. 125 ft of E. 325 ft. NW Lying N. of 5th Ave. S 6 T 36 R 8

#### PRIMARY CONTACT PERSON (IF DIFFERENT FROM ABOVE)

NAME/TITLE

EMAIL

PHONE

#### SPECIAL USE PERMIT APPLICATION FEE: \$220

BZA #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Date *01/09/05*

Signature *JB*

Receipt # *473732*

PAID  CASH  CHECK  CREDIT  
*Money Order*



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City of Gary  
Department of Zoning  
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City Attorney  
219-881-1332  
zoning@gary.gov

I, the undersigned, do hereby certify that I am the owner or have written permission from the owner to conduct the business as stated on the petition on the particular property and do hereby certify that the above statements are true and correct to the best of my knowledge.

SIGNATURE *A.27*  
ADDRESS 300 W. Ridge Rd.  
CITY/STATE/ZIP Gary IN 46408

State of Indiana)

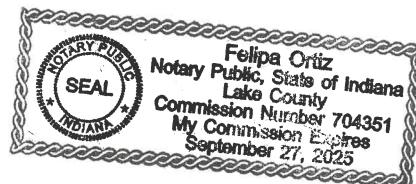
County of Lake}

) ss:

Subscribed and sworn to before me this 7th day of January 2025.

(Notary Public) Felipa Ortiz  
Felipa Ortiz

(Seal)



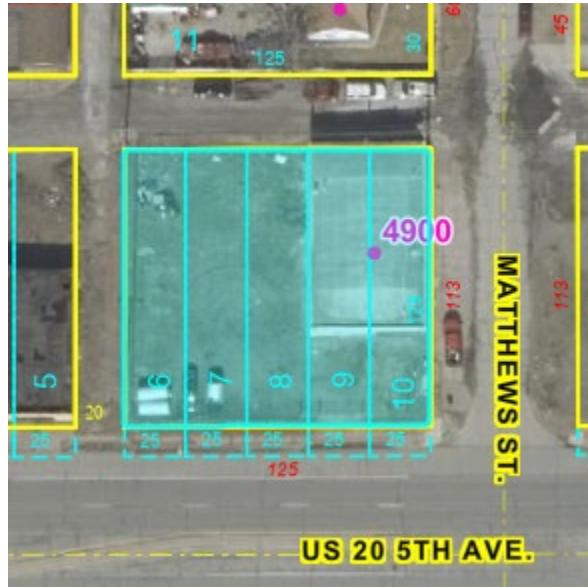
Resident: Lake County

My Commission Expires: 9/27/25



# BOARD OF ZONING APPEALS

## PETITION PACKET

<b>BZA PETITION NUMBER</b>	2025-21
<b>PETITIONER</b>	Amani Musleh/ Mega Auto Brokers
<b>REQUEST</b>	The petitioner seeks a special use to operate used auto dealership.
<b>ADDRESS</b>	5800-06 W 5TH AVE, GARY, IN 46406
<b>PACEL NUMBER</b>	45-08-06-326-008.000-004
<b>ZONING CLASSIFICATION</b>	B3-1 Limited Service District
<b>COMPREHENSIVE PLAN LAND USE</b>	Flexible Commercial: This designation applies to distressed commercial areas with high rates of vacancy and disinvestment. It allows for higher levels of flexibility and targeted investment around viable activity centers, transit stops, and commercial nodes. These areas allow for a broad mix of uses and could ultimately transition to another role over time.
<b>PROOF OF PUBLICATION</b>	Received and Complete
<b>PUBLIC INPUT RECEIVED</b>	None received prior to 5/7
<b>RECOMMENDATION</b>	<b>APPROVE, based on compliance of Special Use criteria.</b>
<b>GIS MAP</b>	<div style="display: flex; align-items: center;"> <div style="flex: 1;">  </div> <div style="flex: 1; text-align: center;">  </div> </div>

### Special Use Permit criteria per section 123-59 (c)

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.
3. The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.
6. The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.
7. The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.



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Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Rodney Pol, Jr.  
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zoning@gary.gov

DESCRIBE THE REQUESTED PETITION

Car Dealership

APPLICANT NAME

Amani A Musleh

COMPANY OR ORGANIZATION

Mega Auto Brokers INC

ADDRESS 4900 W. 5th Ave

CITY/STATE/ZIP Gary, IN 46406

EMAIL Mmusleh553@gmail.com

PHONE 314-601-2705

OWNER OF RECORD (IF DIFFERENT FROM APPLICANT)

*If the applicant is not the recorded property owner, proof of ownership and a notarized statement of consent from the owner of record permitting the applicant to file this petition must be provided.*

SUBJECT PROPERTY ADDRESS

4900 W. 5th Ave, Gary, IN 46406

PARCEL IDENTIFICATION NUMBER(S)

45-07-01-4216-004.000 - 004

LEGAL DESCRIPTION

Brunswick Add. BL. 4 Lots 6,7,8,9 & 10 Ex. S. 12 ft.  
in R/w

PRIMARY CONTACT PERSON (IF DIFFERENT FROM ABOVE)

NAME/TITLE Mustafa Musleh

EMAIL Mmusleh553@gmail.com

PHONE 314-601-2705

**SPECIAL USE PERMIT APPLICATION FEE: \$220**

BZA #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Receipt # 476769  
Signature 3/18/25  
Date 3/18/25

**PAID**  **CASH** / MO # 220  
 **CHECK**  
 **CREDIT**



Eddie D. Melton  
Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Rodney Pol, Jr.  
City Attorney  
219-881-1332  
zoning@gary.gov

I, the undersigned, do hereby certify that I am the owner or have written permission from the owner to conduct the business as stated on the petition on the particular property and do hereby certify that the above statements are true and correct to the best of my knowledge.

SIGNATURE arman

ADDRESS 4900 W 5th Ave

CITY/STATE/ZIP Gary IN 46406

Subscribed and sworn to before me this 29<sup>th</sup> day of February 2024.

(Notary Public)

(Seal)



Hamadi Vanessa Jawdat



# BOARD OF ZONING APPEALS

## PETITION PACKET

<b>BZA PETITION NUMBER</b>	2025-22
<b>PETITIONER</b>	John Kulach
<b>REQUEST</b>	The petitioner seeks a special use to allow mechanical and auto body work.
<b>ADDRESS</b>	2557 COLFAX ST, GARY, IN 46406
<b>PACEL NUMBER</b>	45-07-13-302-003.000-003
<b>ZONING CLASSIFICATION</b>	B3-1 Limited Service District
<b>COMPREHENSIVE PLAN LAND USE</b>	Light Industrial/Employment Flex
<b>PROOF OF PUBLICATION</b>	Received and Complete
<b>PUBLIC INPUT RECEIVED</b>	None received prior to 5/7
<b>RECOMMENDATION</b>	<b>APPROVE, based on compliance of Special Use criteria.</b>
<b>GIS MAP</b>	

### Special Use Permit criteria per section 123-59 (c)

1. *The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.*
2. *The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.*
3. *The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.*
4. *Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.*
6. *The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.*
7. *The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.*



Eddie D. Melton      City of Gary  
Mayor                      Department of Zoning      Marco Molina  
                            401 Broadway, Suite 307      City Attorney  
                            Gary, Indiana 46402      219-881-1332  
                            zoning@gary.gov

DESCRIBE THE REQUESTED PETITION

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APPLICANT NAME

JOHN KULACH

COMPANY OR ORGANIZATION

DS ENTERPRISES & INC

ADDRESS

2557 COLFAX ST

CITY/STATE/ZIP

GARY IN 46406

EMAIL

dsententerprisesauto@yahoo.com

PHONE

708-259-8799

OWNER OF RECORD (IF DIFFERENT FROM APPLICANT)

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*If the applicant is not the recorded property owner, proof of ownership and a notarized statement of consent from the owner of record permitting the applicant to file this petition must be provided.*

SUBJECT PROPERTY ADDRESS

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PARCEL IDENTIFICATION NUMBER(S)

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Eddie D. Melton      City of Gary  
Mayor                      Department of Zoning  
                            401 Broadway, Suite 307  
Gary, Indiana 46402

Marco Molina  
City Attorney  
219-881-1332  
zoning@gary.gov

I, the undersigned, do hereby certify that I am the owner or have written permission from the owner to conduct the business as stated on the petition on the particular property and do hereby certify that the above statements are true and correct to the best of my knowledge.

SIGNATURE

ADDRESS 2557 COLFAX ST  
CITY/STATE/ZIP GARY IN 46406

State of Indiana)

County of Lake}

) ss:

Subscribed and sworn to before me this 27 day of March 2025.

(Notary Public)

(Seal)

Resident: Lake County

<b>JESSICA NAUMANN</b> NOTARY PUBLIC - SEAL STATE OF INDIANA COMMISSION NUMBER NP0756823 MY COMMISSION EXPIRES JUNE 04, 2032
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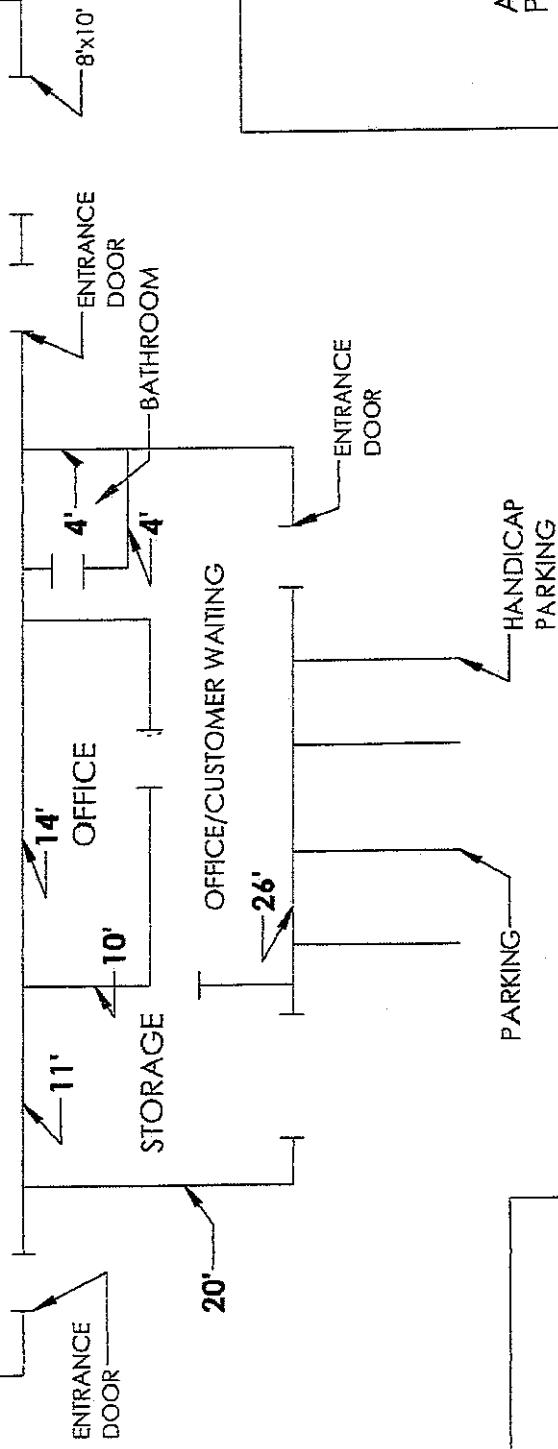
My Commission Expires: 06/04/2032

64'

REPAIR SHOP

CAR LIFT

30'



DS ENTERPRISES 2 INC

2557 COLFAX ST

GARY, IN 46406

708-259-8799

I am requesting a Rebuilder License for mechanical and body work at my location. This license will enhance my business, expand my services, and provide access to additional auctions, allowing me to purchase and restore more vehicles efficiently.



# BOARD OF ZONING APPEALS

## PETITION PACKET

<b>BZA PETITION NUMBER</b>	2025-23
<b>PETITIONER</b>	Benjamin Ayala on behalf of Wabash Parts Chicago Holding Co, LLC
<b>REQUEST</b>	The petitioner seeks a special use to allow light manufacturing activities related to auto body mounting, equipment up-fit, and repair in an M1-2 zone.
<b>ADDRESS</b>	2601 E 15TH AVE, GARY, IN 46402
<b>PACEL NUMBER</b>	45-08-11-476-001.000-004
<b>ZONING CLASSIFICATION</b>	M1-2
<b>COMPREHENSIVE PLAN LAND USE</b>	Light Industrial/Employment Flex
<b>PROOF OF PUBLICATION</b>	Received and Complete
<b>PUBLIC INPUT RECEIVED</b>	None received prior to 5/7
<b>RECOMMENDATION</b>	APPROVE, based on compliance of Special Use criteria.
<b>GIS MAP</b>	 

### Special Use Permit criteria per section 123-59 (c)

1. *The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.*
2. *The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.*
3. *The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.*
4. *Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.*
6. *The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.*
7. *The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.*



Eddie D. Melton  
Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Marco Molina  
City Attorney  
219-881-1332  
zoning@gary.gov

DESCRIBE THE REQUESTED PETITION

Wabash is requesting a Special Use Variance for light manufacturing activities related to  
body mounting, equipment up-fit, and repair.

APPLICANT NAME Benjamin P Ayala on behalf of Wabash Parts Chicago Holding Co LLC

COMPANY OR ORGANIZATION Wabash Parts Chicago Holding Co LLC

ADDRESS 3900 McCarty Lane

CITY/STATE/ZIP Lafayette, IN 47905

EMAIL Benjamin.ayala@onewabash.com

PHONE 765-237-1410

OWNER OF RECORD (IF DIFFERENT FROM APPLICANT)

Indiana Land Trust Company, Trustee of Trust No. 120581

*If the applicant is not the recorded property owner, proof of ownership and a notarized statement of consent from the owner of record permitting the applicant to file this petition must be provided.*

SUBJECT PROPERTY ADDRESS

2601 E. 15Th Avenue, Gary, IN 46402

PARCEL IDENTIFICATION NUMBER(S)

Permanent Parcel Numbers 45-08-11-451-004.000-004 and 45-08-11-476-001.000-004

**PAID**  CASH  
 CHECK  
 CREDIT  
#220

Date 4/9/25  
Signature EM  
Receipt # 477548



Eddie D. Melton Mayor	City of Gary Department of Zoning 401 Broadway, Suite 307 Gary, Indiana 46402	Marco Molina City Attorney 219-881-1332 zoning@gary.gov
--------------------------	--	--

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LEGAL DESCRIPTION

Please see Exhibit "A"

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PRIMARY CONTACT PERSON (IF DIFFERENT FROM ABOVE)

NAME/TITLE \_\_\_\_\_

EMAIL \_\_\_\_\_

PHONE \_\_\_\_\_

**SPECIAL USE PERMIT APPLICATION FEE: \$220**

BZA #: \_\_\_\_\_

Date Filed: \_\_\_\_\_



Eddie D. Melton Mayor	City of Gary Department of Zoning 401 Broadway, Suite 307 Gary, Indiana 46402	Marco Molina City Attorney 219-881-1332 zoning@gary.gov
--------------------------	--	--

I, the undersigned, do hereby certify that I am the owner or have written permission from the owner to conduct the business as stated on the petition on the particular property and do hereby certify that the above statements are true and correct to the best of my knowledge.

SIGNATURE

A handwritten signature in black ink, appearing to read "Eddie D. Melton".

ADDRESS 3900 McCarty Ln

CITY/STATE/ZIP Lafayette, IN 47905

State of Indiana)

County of ~~Lake~~

~~Tippecanoe~~

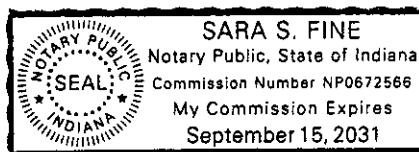
) ss:

Subscribed and sworn to before me this 8 day of April 2025.

(Notary Public)

A handwritten signature in black ink, appearing to read "Sara S. Fine".

(Seal)



Resident: Tippecanoe County

My Commission Expires: 9/15/2031





## Special Use Permit Criteria

The petitioner is responsible for writing a response for how their petition will address each of the following criteria. The Board of Zoning Appeals uses these criteria to make a determination.

Petitioner name: Benjamin Ayala on behalf of Wabash Parts Chicago Holding Co, LLC

Petition number: BZA 2025-23

According to the municipal code, no special use variance shall be granted unless the following qualifications are met:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.

The real property which is the subject of this Petition is located in an area which is currently zoned M1-2 and permits a number of uses similar in nature to the use proposed by Petitioner. There is an existing building on site and the work conducted will be inside the building. There will be no negative impact or endangerment to the public health, safety or general welfare.

2. The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.

Other properties in the immediate area engage in light industrial activities as well and thus will not be negatively impacted by the special use approval. As planned, the Petitioner will be improving the property, including the building, which will improve the quality of the entire area.

3. The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The special use will not impede or substantially alter the normal and orderly development and improvement of surrounding properties. The special use is consistent with other uses permitted in the district and will result in an improved parcel of property generating increased real estate taxes.

4. Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

Adequate utilities, access road, drainage and related utilities are available.

5. Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.

Adequate measures have been taken to provide for access, ingress and egress to minimize potential traffic congestion on any public roads.

6. The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.

Yes. This use is authorized by special exception in the M1-2 zoning district, and all other requirements which are applicable to the special use will be met.

7. The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.

The special use does provide for the implementation of sustainable growth principles. The Petitioner will be re-purposing an existing building for significant use in the automotive industry. The Petitioner is known in the industry as an Original Equipment Manufacturer of semi-trailers and truck bodies. The primary operation will be the mounting of bodies (flatbeds, service bodies, and truck bodies) onto chassis manufactured by the likes of Ford, GM, Isuzu, Freightliner, etc. Also, The Petitioner is a manufacturer of semi-trailers at its facility in Lafayette, IN and truck bodies at its facility in Goshen, IN and this is an expansion of its service operations business. The expansion of the service operations business will also include diesel repair work, which is the same operations that a former building tenant also performed for more than 30 years.

# BOARD OF ZONING APPEALS

## PETITION PACKET

<b>BZA PETITION NUMBER</b>	2025-23
<b>PETITIONER</b>	Cole-Cummings, Betty
<b>REQUEST</b>	The petitioner seeks a special use to operate a home daycare.
<b>ADDRESS</b>	2658 E 21ST PL, GARY, IN 46407
<b>PACEL NUMBER</b>	45-08-14-203-009.000-004
<b>ZONING CLASSIFICATION</b>	R2
<b>COMPREHENSIVE PLAN LAND USE</b>	Transition to Employment
<b>PROOF OF PUBLICATION</b>	Received and Complete
<b>PUBLIC INPUT RECEIVED</b>	None received prior to 5/7
<b>RECOMMENDATION</b>	APPROVE, based on compliance of Special Use criteria.
<b>GIS MAP</b>	 

### Special Use Permit criteria per section 123-59 (c)

1. *The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.*
2. *The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.*
3. *The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.*
4. *Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.*
6. *The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.*
7. *The petitioner documents and presents to the commission that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the commission.*



Eddie D. Melton  
Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Marco Molina  
City Attorney  
219-881-1332  
zoning@gary.gov

DESCRIBE THE REQUESTED PETITION

Home Daycare

APPLICANT NAME

Betty Cole Cummings

COMPANY OR ORGANIZATION

ADDRESS 2658 E 21st Place

CITY/STATE/ZIP Gary IN 46407

EMAIL B.Cummings088@gmail.com

PHONE 773-5033277

OWNER OF RECORD (IF DIFFERENT FROM APPLICANT)

Betty Cole Cummings

*If the applicant is not the recorded property owner, proof of ownership and a notarized statement of consent from the owner of record permitting the applicant to file this petition must be provided.*

SUBJECT PROPERTY ADDRESS

2658 E 21st Place

PARCEL IDENTIFICATION NUMBER(S)

45-08-14-203-009.000-004



Eddie D. Melton  
Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Marco Molina  
City Attorney  
219-881-1332  
zoning@gary.gov

LEGAL DESCRIPTION

Marshall Town Terrace L.40 BL.2

PRIMARY CONTACT PERSON (IF DIFFERENT FROM ABOVE)

NAME/TITLE \_\_\_\_\_

EMAIL \_\_\_\_\_

PHONE \_\_\_\_\_

**SPECIAL USE PERMIT APPLICATION FEE: \$220**

BZA #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Date 04/02/25  
Signature JB  
Receipt # 477322

**PAID**  CASH  
 CHECK  
 CREDIT

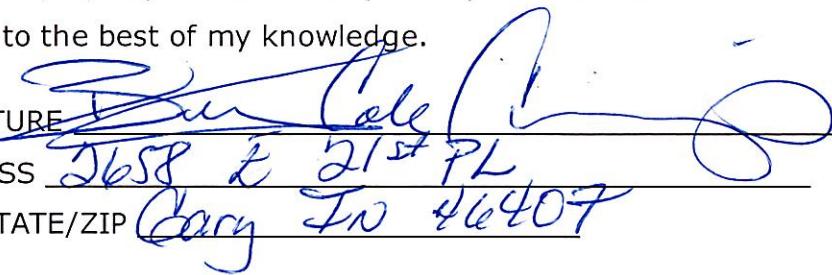


Eddie D. Melton  
Mayor

City of Gary  
Department of Zoning  
401 Broadway, Suite 307  
Gary, Indiana 46402

Marco Molina  
City Attorney  
219-881-1332  
zoning@gary.gov

I, the undersigned, do hereby certify that I am the owner or have written permission from the owner to conduct the business as stated on the petition on the particular property and do hereby certify that the above statements are true and correct to the best of my knowledge.

SIGNATURE 

ADDRESS 5658 E 21st PL

CITY/STATE/ZIP Gary IN 46407

State of Indiana)

County of Lake}

) ss:

Subscribed and sworn to before me this 2<sup>nd</sup> day of April 2025.

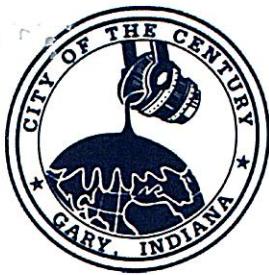
(Notary Public) Katrina L Stinson

(Seal)

Resident: Lake County

My Commission Expires: 10/25/2028





Eddie D. Melton

Mayor

City of Gary

Department of Zoning

401 Broadway, Suite 307

Gary, Indiana 46402

Marco Molina

City Attorney

219-881-1332

[zoning@gary.gov](mailto:zoning@gary.gov)

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**SPECIAL USE PERMIT APPLICATION CHECKLIST:**

- Application, completed, signed and notarized
- Narrative Statement addressing the need for the request
- Findings of Fact Form
- Computer-drawn, to scale, building floor plan showing the following
  - Work spaces
  - Room walls with dimensions
  - Exit doors and fire extinguisher locations
  - Maximum capacity
  - Drawing scale
- Existing Plat or computer-drawn, to scale, site plan showing
  - North arrow
  - Drawing scale
  - Building location with dimensions to property lines
  - Property lines with dimensions
  - Site improvement locations with dimensions to property lines (including by not limited to; fence, sheds, driveways, accessory buildings)
- (For requests in residential zones) Home inspection report from a licensed inspector
- Proof of ownership or letter from owner granting permission
- Application fee

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**(FOR CITY USE ONLY)**

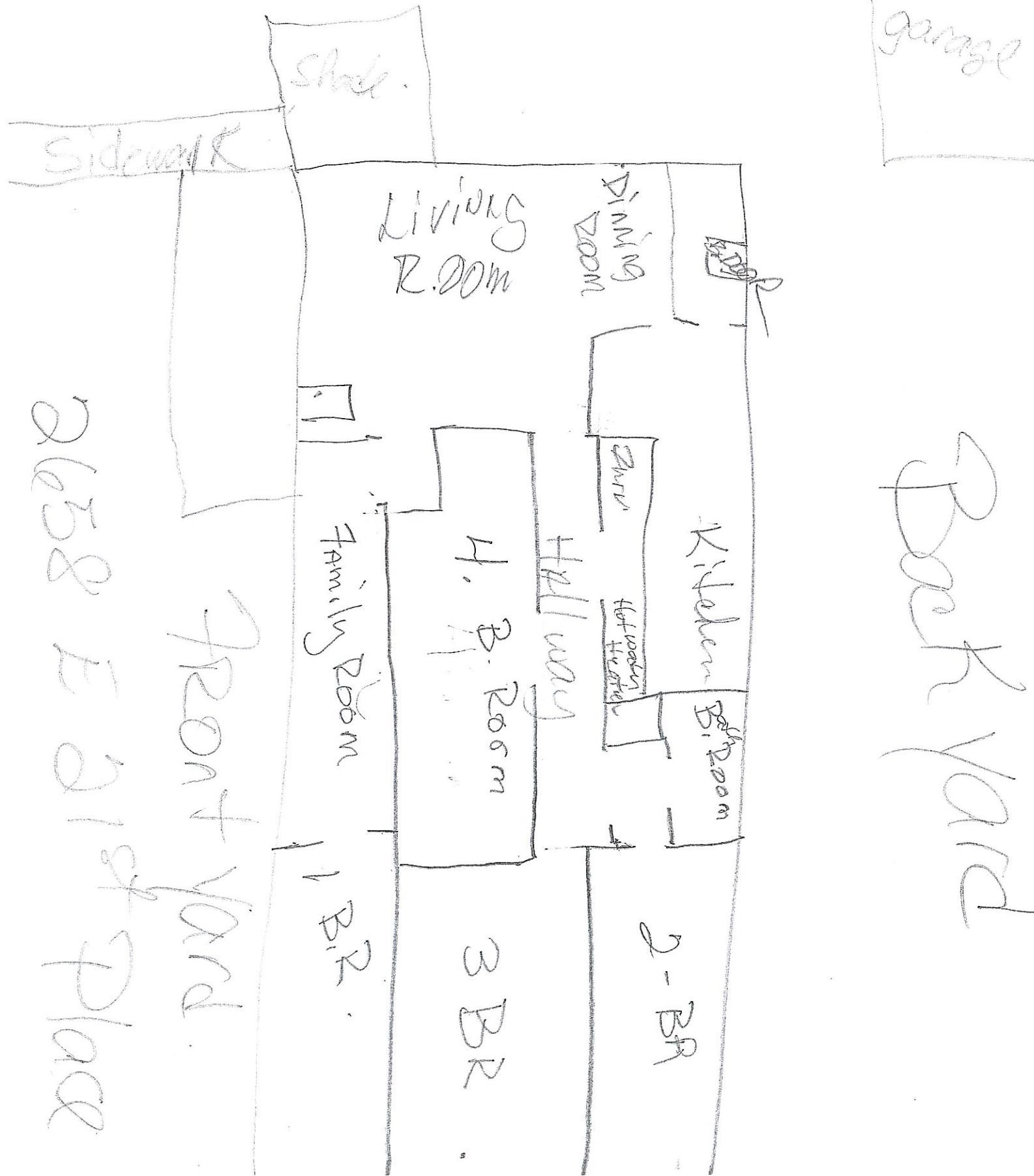
Filed with City on: \_\_\_\_\_, 20\_\_\_\_\_

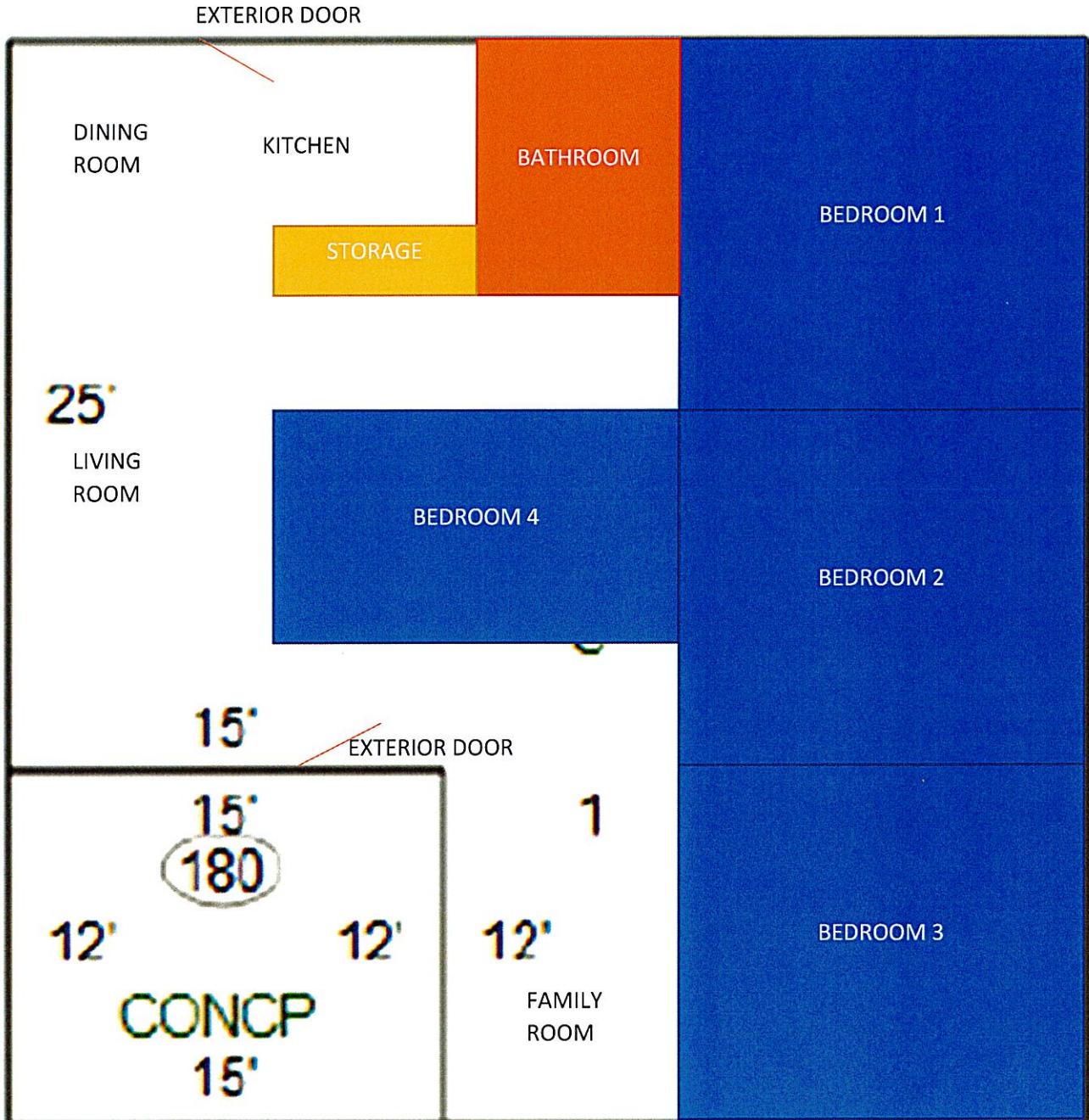
Scheduled for the Board of Zoning Appeals meeting on \_\_\_\_\_

Continuation (if any) \_\_\_\_\_

Notice of hearing published in: \_\_\_\_\_ on: \_\_\_\_\_

Driveway





2658 E. 21<sup>ST</sup> PLACE

45-08-14-203-009.000-004 Cole-Cummings, Betty and Anth 2658 E 21ST PL

510, 1 Family Dwell - Platted Lot

Neighborhood-2501

2/2

General Information		Plumbing		#	TF	Floor Constr	Base Finish	Cost Ladder	Value	Totals
Occupancy	Single-Family									
Description	Single-Family R 01	1	3			1Fr	1189	1189	\$89,700	
Story Height	1	Full Bath	1							
Style	135 - Ranch	Half Bath	0	0						
Finished Area	1189 sqft	Kitchen Sinks	1	1	2					
Make		Water Heaters	1	1	4					
Floor Finish		Add Fixtures	0	0	1/4					
Earth		Total	3	5	1/2					
Slab		Tile			3/4					
Sub & Joist		Carpet								
Wood		Unfinished								
Parquet		Other								

Wall Finish		Accommodations	
<input checked="" type="checkbox"/> Plaster/Drywall	<input type="checkbox"/> Unfinished	Bedrooms	
<input type="checkbox"/> Paneling	<input type="checkbox"/> Other	Living Rooms	0
<input type="checkbox"/> Fiberboard		Dining Rooms	0
		Family Rooms	0

Roofing		Heat Type	
<input type="checkbox"/> Built-Up	<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Slate
<input type="checkbox"/> Wood Shingle		<input type="checkbox"/> Other	<input type="checkbox"/> Tile

Description	Area	Value
Patio, Concrete	180	\$1,000

Description	Count	Value

Specialty Plumbing		Count		Value	

Description	Count	Value

Description	Count	Value

Description	Count	Value

Description	Count	Value

Description	Count	Value

Description	Count	Value

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Description	Count	Value

45-08-14-203-009.000-004

Cole-Cummings, Betty and Anth

2658 E 21ST PL

510, 1 Family Dwell - Platted Lot

Neighborhood- 2501

1/2

Parcel Number	Cole-Cummings, Betty and Anthony Cu
45-08-14-203-009.000-004	2658 E 21st PL
Local Parcel Number	Gary, IN 46407
001-25-46-0550-0040	

Tax ID:	
Routing Number	J46-550

Property Class	510
1 Family Dwell - Platted Lot	

Year:	2024
Location Information	
County	CALUMET TOWNSHIP
Lake	
Township	
District	004 (Local 004)
Gary Corp - Calumet Twp - Gary Sc	
School Corp	4690
GARY COMMUNITY	
Neighborhood	2501-004
Neighborhood	2501
Section/Plat	



Assessment Year	2024
Reason For Change	AA
As Of Date	06/06/2024
Valuation Method	Indiana Cost Mod
Equalization Factor	1.0000
Notice Required	<input checked="" type="checkbox"/>

Land	\$8,700	\$8,700	\$5,800	\$5,800	\$5,800	\$5,800
Land Res (1)	\$8,700	\$8,700	\$5,800	\$5,800	\$5,800	\$5,800
Land Non Res (2)	\$0	\$0	\$0	\$0	\$0	\$0
Land Non Res (3)	\$0	\$0	\$0	\$0	\$0	\$0
Improvement	\$36,200	\$33,900	\$33,600	\$30,800	\$34,000	
Imp Res (1)	\$36,200	\$33,900	\$33,600	\$30,500	\$33,700	
Imp Non Res (2)	\$0	\$0	\$0	\$0	\$0	
Imp Non Res (3)	\$0	\$0	\$300	\$300	\$300	
Total	\$44,900	\$42,600	\$39,400	\$36,600	\$39,800	
Total Res (1)	\$44,900	\$42,600	\$39,100	\$36,300	\$39,500	
Total Non Res (2)	\$0	\$0	\$0	\$0	\$0	
Total Non Res (3)	\$0	\$0	\$300	\$300	\$300	

Land Data (Standard Depth: Res 0' x 0', Cl 120')	Base Lot: Res 0' x 0', Cl 0' x 0')
Land Computations	

Land Computations	
Calculated Acreage	0.11
Actual Frontage	50
Developer Discount	<input type="checkbox"/>

Location Address (1)	2658 E 21ST PL	GARY, IN 46407	Land Data (Standard Depth: Res 0' x 0', Cl 120')	Base Lot: Res 0' x 0', Cl 0' x 0')	Land Computations	Res
Location Address (2)						
Location Address (3)						
Land Type	Pricing Method	Soil ID	Front.	Size Factor	Rate	Adj. Rate
F	F	F	50	50x100	0.91	\$190
Subdivision						
Lot						
Market Model	N/A					
Characteristics						
Topography						
Level	<input type="checkbox"/>					
Public Utilities	ERA					
All	<input type="checkbox"/>					
Streets or Roads	TIF					
Paved, Sidewalk	<input type="checkbox"/>					
Neighborhood Life Cycle Stage						
Static						
Printed	Tuesday, January 7, 2025					
Review Group	2023	Data Source	N/A	Collector	07/08/2022	KENYA STINES
				Appraiser	10/26/2022	Derrick Washington

Measured Acreage	0.00
Avg Farmland Value/Acre	0.0
Value of Farmland	\$0
Classified Total	\$0
Farm / Classified Value	\$0
Homestead(s) Value	\$0
9192 Value	\$0
Supp. Page Land Value	\$8,700
CAP 1 Value	\$0
CAP 2 Value	\$0
CAP 3 Value	\$0
Total Value	\$8,700

# 2658 E. 21st Place



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



# Narrative

To whom may this concern that I  
Betty Cuning will like to use  
my home for a home daycare at  
2658 E 21st Place

Cary TN 46407

A handwritten signature in black ink that reads "Betty Cuning". The signature is fluid and cursive, with "Betty" on the left and "Cuning" on the right, connected by a diagonal line.