MINUTES OF THE BOARD OF
ZONING APPEALS PUBLIC MEETING
APRIL 27, 2026

I. CALL TO ORDER

The Board of Zoning Appeals Public Meeting was called to order at 6:00 P.M. by Chairman Michael Davis at the Schererville Town Hall, 10 E. Joliet St.

A. Pledge of Allegiance

The Pledge of Allegiance was recited.

B. Roll Call

Roll Call was taken with the following members present: Chairman Michael Davis, Vice-Chairman Tom Kouros, Secretary Michael O'Rourke, Mr. William Jarvis, and Mr. Edward Olszewski. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, Planning & Building Administrator Denise Sulek, Recording Secretary Megan Schiltz, and Attorney Christian Bartholomew. In the audience was Councilman Caleb Johnson.

C. Approve Minutes of the Board of Zoning Appeals Meeting of March 23, 2026

Mr. Kouros made a motion to approve which was seconded by Mr. O'Rourke and carried 5-0.

D. Cancellation of the Board of Zoning Appeals Public Meeting of May 25, 2026

Mr. Kouros made a motion to approve which was seconded by Mr. O'Rourke and carried 5-0.

II. PUBLIC ACTION AND PUBLIC HEARINGS

A. B.Z.A. Case #26-4-20 2516 Ticonderoga St. – Michael & Cynthia Zamora

General Location: 2516 Ticonderoga St. – Saratoga Subdivision, Phase One, Lot 8

Petitioner(s): Michael & Cynthia Zamora

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 14, Paragraph A

Purpose: To allow a 6-foot privacy fence to extend 20-feet over the 30-foot building line on a corner lot

Mr. Davis asked if proofs of publication were in order. Attorney Bartholomew replied that all publication and notices were in order. Mr. Michael Zamora informed the board that he was seeking approval to move his existing 6' privacy fence 20' over the 30' building line. Mr. Zamora stated that he lives on a corner at a busy intersection and that the safety of his children and pets is his main concern; then added that vehicles constantly cut through the neighborhood trying to beat the stop sign. Mr. Zamora went on to say that it becomes dangerous from 4 pm-6 pm which is the time he spends outside with his children in the side yard. Mr. Zamora said that the fence would be uniformed with the other fence across Patterson. Mr. Zamora stated that the photograph shown was the view facing north from Ticonderoga with flags showing where the fence would be approximately 3' from the front of the house. Mrs. Cynthia Zamora added that the house located behind them has the same aesthetic fencing. Mr. Zamora went on to say that the fence would not cause any vision issues or obstruction problems for people driving by. Mr. Zamora continued by showing a photo that faced the south side from Gates Ave. with flags for the fence which would be roughly 3' from the front of the house; adding that there was still plenty of vision from the street past the house for the stop sign. Mr. Zamora then showed the south east view just past the line where drivers have to pull past to be able to see anything because of the existing pillar; and at the intersection drivers have to creep past the pillar before you could pull out. Mr. Zamora concluded that they are seeking approval to move the existing fence 20' out, which would leave 10' of property line and 15' of an easement. Mr. Zamora reiterated that the fence would mimic the same as the other to keep it uniformed and would maintain the fence and keep the property appealing.

Mr. Davis asked if there were any questions from board members. Mr. O'Rourke questioned if the fence would be going 20' from the house and not from the existing fence on the north side. Mr. Zamora responded that it would be from the existing fence because the building line was 7 ½' from the house where the fence was currently. Mr. O'Rourke verified that it was from the north and asked how close it would be to the existing column. Mr. Zamora replied that it was within 5'-10'. Mr. O'Rourke asked if the stone was in their property. Mr. Zamora replied that he did not believe that it was. Mr. O'Rourke asked staff if they knew how far way the stone was from where the petitioner is purposing. Mr. Gorman replied that they could measure it. Mr. O'Rourke stated that the existing fence on the north side would be removed. Mr. Zamora said that they would remove that fence. Mr. O'Rourke asked if they would then extend 3' from the front of the house. Mr. Zamora replied that was correct. Mr. O'Rourke said that he was just concerned with how close the fence would be to the stone column. Mr. O'Rourke informed the board that he had driven past the petitioners' house earlier in the day and did not believe that there would be any vision issues with the proposed fence. Mr. Zamora went on to say that the existing subdivision fence went up to the pillar. Mr. O'Rourke then asked staff if there was a plan to put a sidewalk in on the north side of the property. Mr. Gorman replied there was no plan. Mr. Gorman asked Mr. Zamora if the fence outline drawn on the projector was accurate on where the fence would be. Mr. Zamora replied that it was correct. Mr. Gorman informed the board that it would be 20' from the existing fence on the north side of the property. Mr. Davis asked if there were any questions or course of action. Mr. O'Rourke made a motion to approve B.Z.A. Case #26-4-20. The motion was seconded by Mr. Kouros and carried 5-0.

B. B.Z.A. Case #26-4-21 751 Lincoln Hwy. – Family Express

General Location: 751 Lincoln Hwy. – Lot 3, Resubd. of Von Tobel Addition, Lot 1

Petitioner(s): Family Express Corporation – Patrick Lyp, General Counsel and Pete Andreou, Vice President of Development

Represented by: Attorney James L. Wieser, Wieser & Wyllie, LLP and Engineer James Hus, Jr., DVG Team Inc.

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 15 General Lighting Regulations, Paragraph E (4)

Purpose: To allow overspill of lighting by 0.2 foot-candles on the proposed Lot 1 along a portion of the Eastern lot line

Mr. Davis stated for the record that Item B - Item E has been rescheduled to the June 22, 2026 Public Hearing. Attorney Bartholomew called a point of order and stated that a motion should be made. Mr. Jarvis made a motion per Agenda Items B, C, D, and E to move to the June 22, 2026 Board of Zoning Appeals Public Meeting. The motion was seconded by Mr. Olszewski and carried 5-0.

C. B.Z.A. Case #26-4-22 751 Lincoln Hwy. – Family Express

General Location: 751 Lincoln Hwy. – Lot 3, Resubd. of Von Tobel Addition, Lot 1

Petitioner(s): Family Express Corporation – Patrick Lyp, General Counsel and Pete Andreou, Vice President of Development

Represented by: Attorney James L. Wieser, Wieser & Wyllie, LLP and Engineer James Hus, Jr., DVG Team Inc.

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 15 General Lighting Regulations, Paragraph E (4)

Purpose: To allow overspill of lighting by 10.91 foot-candles on the proposed Lot 1 along a portion of the South lot line

For discussion see Item **B**.

D. B.Z.A. Case #26-4-21 751 Lincoln Hwy. – Family Express

General Location: 751 Lincoln Hwy. – Lot 3, Resubd. of Von Tobel Addition, Lot 1

Petitioner(s): Family Express Corporation – Patrick Lyp, General Counsel and Pete Andreou, Vice President of Development

Represented by: Attorney James L. Wieser, Wieser & Wyllie, LLP and
Engineer James Hus, Jr., DVG Team Inc.

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 15 General Lighting Regulations, Paragraph E (4)

Purpose: To allow overspill of lighting by 0.2 foot-candles on the proposed Lot 1 along a portion of the Eastern lot line

For discussion see Item **B**.

E. B.Z.A. Case #26-4-23 751 Lincoln Hwy. – Family Express

General Location: 751 Lincoln Hwy. – Lot 3, Resubd. of Von Tobel Addition, Lot 1

Petitioner(s): Family Express Corporation – Patrick Lyp, General Counsel and Pete Andreou, Vice President of Development

Represented by: Attorney James L. Wieser, Wieser & Wyllie, LLP and
Engineer James Hus, Jr., DVG Team Inc.

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 15 General Lighting Regulations, Paragraph E (4)

Purpose: To allow overspill of lighting by 1.49 foot-candles on the proposed Lot 3 along a portion of the Eastern lot line

For discussion see Item **B**.

F. B.Z.A. Case #26-4-24 751 Lincoln Hwy. – Family Express

General Location: 751 Lincoln Hwy. – Lot 3, Resubd. of Von Tobel Addition, Lot 1

Petitioner(s): Family Express Corporation – Patrick Lyp, General Counsel and Pete Andreou, Vice President of Development

Represented by: Attorney James L. Wieser, Wieser & Wyllie, LLP and
Engineer James Hus, Jr., DVG Team Inc.

Request: Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 15 General Lighting Regulations, Paragraph E (5)

Purpose: To allow the calculated uniformity ratio (the ration between the brightest point on the property and the darkest point on the property) to be 15.28:1 whereas this regulation requires no greater than 12:1 for the proposed Lot 1

For discussion see Item **B**.

III. COMMISSION BUSINESS

A. Findings of Facts:

1. B.Z.A. Case #26-3-19 6849 Tucson Rd. – Alyssa M. Lafevre & Mark T. O'Kelly, Jr. Developmental Variance as required by Ordinance No. 2004, Title XVII, Section 14, Paragraph A – To allow a 6-foot privacy fence to extend 8-feet over a 20-foot building line on a corner lot APPROVED (4-0) 3/23/26

   Mr. Jarvis made a motion to approve which was seconded by Mr. Olszewski and carried 5-0.

B. Correspondence

There was no correspondence.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:14 P.M.

Respectfully Submitted:



Michael O'Rourke, Secretary