

MUNSTER BOARD OF ZONING APPEALS

OWNER & PETITIONER:
School Town of Munster
8616 Columbia Avenue
Munster, IN 46321

BZA DOCKET NO. 25-003

APPLICATION: Development Standard
Variances

PROPERTY:
John E. Friend Athletic Complex
SE Corner Columbia Ave. & 35th St.
8823 Columbia Ave.
Munster, IN 46321

FINDINGS OF FACT

1. Owner and Petitioner, School Town of Munster, requests several Development Standard Variances regarding the parcel of property known as the John E. Friend Athletic Complex, located at the southeast corner of Columbia Ave. and 35th St., in Munster, IN, identified by Parcel 45-07-19-377-003.000-027 (hereinafter "Property"). The property is the Athletic Complex for high school and middle school athletic events and extra-curricular activities, including the football, baseball, and soccer fields, running track, various bleachers, concession stands, and athletic-related structures. At the north end of the Property, Petitioner has recently constructed a storage shed and an approx. 120' x 321' parking lot with 102 parking spaces. Petitioner desires to install new lighting fixtures on the Property, including the areas of the new parking lot, baseball batting cages and bull pen, and pedestrian walking paths/areas.
2. Petitioner requests Variances from the standards set forth in the Town of Munster Zoning Ordinance, as follows:
 - (a) Section 26-6.405.O.1.h.vii.I., Parking Lot Landscape Standards, which requires landscape islands at the end of parking rows, as well as every 10 parking spaces. Petitioner desires to install no parking lot landscape islands in the parking lot so that it is an open space that replicates the football field so the marching band may safely practice after school in the parking lot rather than wait until the evening hours when football practice is over and the band can access the football field.
 - (b) Section 26-6.405.Q-1. and Table 26-6.502.E., Public Lighting Head Type, which permits a coach, acorn, or colonial head type. Petitioner desires to install a cobra head type on all of the proposed new light poles on the Property in order to target the specific areas on the Property where more light is needed, and to minimize the light from going into neighboring homes.
 - (c) Section 26-6.405.Q-2.b., Lighting Pole Height, which permits a pole height consistent with the surrounding buildings, but not higher than 20'. Petitioner desires to install 20' high light poles around the new parking lot on the Property which are not consistent with the surrounding building.
 - (d) Section 26-6.405.Q-3.c., Color Temperature, which permits a maximum lighting color temperature of 3000K. Petitioner desires a lighting temperature of 5700K for all of the new lights proposed on the Property.

3. The matter came before the Board of Zoning Appeals for Public Hearing on May 13, 2025. The Notices were examined for sufficiency. Publication pursuant to the Town of Munster's Code was accomplished. Petitioner appeared by its representative, Jim Glascott, P.E., of WT Group, and Mr. Morgan Nolan, Principal of Munster High School, to present evidence, documentation, and information regarding the Petitioner's Application for Development Variances. The Public Hearing was opened. Remonstrances were heard. The Public Hearing was closed.
4. Based upon the testimony and evidence presented, the Town of Munster Board of Zoning Appeals, upon motion duly made and seconded, by a vote of three (3) in favor, zero (0) opposed, zero (0) abstained, and two (2) absent, approved all four (4) of Petitioner's requested Variances.
5. In making such determinations, the Munster Board of Zoning Appeals now makes the following Findings of Fact:
 - (a) The approval of the variances will not be injurious to the public health, safety, morals, and general welfare of the community;
 - (b) The use and value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner;
 - (c) The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property; and
 - (i) The practical difficulties are unique and not shared by all properties in the vicinity and are not self-imposed;
 - (ii) The requested variance is the minimum variance that will relieve such practical difficulties; and
 - (iii) The requested variance is in the spirit of the general purposes and intent of Article 6, Division I and IV of the Zoning Code; and such Variance is so designed as to provide reasonable consideration to, among other things, the character of the neighborhood, District, or Civic Zone, the conservation of property values in the vicinity, and the guidance of Development in accordance with the Comprehensive Plan.
 - (d) The Findings of the Munster Board of Zoning Appeals are based upon and in accordance with the Munster Zoning Ordinance and Indiana state statutes, and shall not be construed or interpreted to be a determination by the Munster Board of Zoning Appeals of compliance, or noncompliance, with covenants, restrictions, or limitations on the Property defined herein, if any; and,
 - (e) Petitioner shall comply with all requirements of the Munster Municipal Code and Indiana state statutes relating to the applicable building permits, licensing/registration of contractors, inspections, etc. that are required for construction as permitted herein. Additionally, approval of a variance by the Munster Board of Zoning Appeals shall not be construed or interpreted as pre-approval or waiver of such requirements.

WHEREFORE, based upon the above evidence and Findings, the Town of Munster Board of Zoning Appeals, by a vote of three (3) in favor and zero (0) opposed, approved the requested Developmental Variances. The Munster Board of Zoning Appeals took the above official action on May 13, 2025. Findings of Fact approved on the 10th day of June 2025.

MUNSTER BOARD OF ZONING APPEALS

By: _____
Brad Hemingway, Chairman

ATTEST:

Sergio Carrera Mendoza, Executive Secretary