

**MUNSTER BOARD OF ZONING APPEALS**  
**MINUTES OF REGULAR BUSINESS MEETING**

Meeting Date: October 13, 2020

Date of Approval: \_\_\_\_\_

The announced meeting location was Munster Town Hall. Due to the Governor's Executive Orders 20-09 and 20-18 placing restrictions on the number of people allowed to gather in one location, some members attended the meeting remotely via Zoom, a video conferencing application.

**Call to Order:** 7:00 pm

**Pledge of Allegiance**

**Members in Attendance:**

Roland Raffin, President (via Zoom)  
Daniel Buksa  
Stuart Friedman (via Zoom)  
Sharon Mayer (via Zoom)  
Jonathan Petersen (via Zoom)  
Andy Koultourides, Council Liaison

**Members Absent:**

**Staff Present:**

Tom Vander Woude, Planning Director  
Dave Wickland, Attorney

**Approval of Minutes:**

**Motion:** Mr. Buksa moved to approve the amended minutes of the Munster Board of Zoning Appeals July 14, 2020 meeting.

**Second:** Mr. Friedman.

**Vote:** Yes – 5 No – 0 Abstain – 0. Motion carries.

**Preliminary Hearings**

- a. **BZA 20-012.Superior Ave.475. BCORE Corridor Chicago LLC represented by Kimley-Horn requesting approval of developmental standards variances from Table 26-6.405.A-7 of the Munster zoning ordinance to expand a driveway beyond the maximum permitted width, to permit off-street parking in the first lot layer, to permit off-street loading in the first lot layer, and to waive the required screening for loading areas and from Table 26-6.405.O-3 to waive the minimum dimensions for a parking area.**

Mr. Vander Woude presented his staff report. He said that the applicant is represented by Kimley-Horn and Associates. The GE Appliance Distribution center is located at 475 Superior. They would like to expand their driveway to 60 feet in width to allow 4 more trucks to stack in the driveway rather than line up on Superior Avenue which they are currently doing. The project requires a variance from the 24 foot maximum driveway width, a variance to permit parking in the first lot layer, a variance to permit loading in the first lot layer, to waive the screening of the loading area, and to construct a nonconforming parking lot, because they are removing a space from the east side of the existing substandard employee parking lot and replacing it on the west side. He said they are proposing a

landscaping plan for the employee parking lot and a new wooden screening fence south of the loading docks to comply with codes.

Mr. Raffin said that when he has visited the site, there have been trucks parked along Superior Avenue all the way to the Franciscan hospital. He said it's a traffic hindrance and safety issue. He asked whether the Munster Police Department is issuing citations and what the amount of those citations are. Mr. Vander Woude said that he doesn't know the amount of the fine, but he does know that the Police Department does write tickets from time to time, and they installed "no parking" signs. Mr. Raffin said that it is on the business to send an employee out to tell the truck drivers to move. Mr. Vander Woude said yes and the distribution center is hoping to make it easier for the drivers to follow the rules with this application. Mr. Raffin noted that they gave a variance for an empty lot next door to the property to park semis and they have not maintained it, including the fence which has been knocked over. Mr. Vander Woude confirmed that they had discussed this with the applicant.

Mr. Friedman asked whether the proposed project would solve the problem of trucks not being able to enter the yard. Mr. Vander Woude said that it would permit the trucks to wait on their site rather than on the street. Mr. Friedman asked whether they could place a condition on the variance that would require them to comply with the law to keep trucks off the street. Mr. Vander Woude confirmed they could.

Mr. Jonathan Goky from GE Appliances introduced himself. He stated that this distribution center is older. A new center would have a long winding driveway that would prevent trucks from backing out on the streets. This particular center does not have that and they are aware that it is an issue. They have made operational changes to help fix the issue. They have told the carriers that they are not to park on the street, and they have installed cameras so they can see Superior Avenue from the building. They are proposing the driveway expansion to add some truck queuing on the property. He said that he has seen 5 trucks on the street – the project would permit 4 more trucks on the property. He said he can't guarantee that this will always get all trucks off the road.

Mr. Raffin said that last night there were 9 trucks on Superior Ave. Mr. Goky said that the pandemic has caused their volumes to be incredibly high and he thinks that once business gets down to normal levels that would change. Mr. Raffin asked whether they could move empty trailers around to make more room. Mr. Goky said that he doesn't believe that they can.

Mr. Nate Groff of Kimley-Horn introduced himself as the civil engineer on the project. He said that he worked with staff to design the wide driveway apron to ensure that inbound trucks can pull onto the driveway without conflicting with the eastbound lane. He said they modeled it to ensure that trucks can pull in and out without conflict. He confirmed that they will stripe the drive.

Ms. Sharon Mayer asked how the truck in front of the guard shed will be able to maneuver. Mr. Groff said that there will have to be some jockeying and waiting for that truck. Ms. Mayer asked if the guard shed is manned 24 hours a day and whether trucks arrive 24 hours a day. Mr. Goky confirmed that it was.

Mr. Raffin urged the developer to keep the trucks off the street because he has heard numerous complaints from adjacent businesses and suggested that the Town increase enforcement and fines. Ms. Mayer asked whether trucks were stacking both night and day.

Mr. Mike Purcell owner of Purcell Commercial Cleaning and Supply at 530 Superior Avenue said that the trucks are a hindrance to his and other businesses. He said that he thinks GE needs to do a better job policing the trucks. He said no one from GE comes out unless he calls the police. He said the truckers are disrespectful. He said they should be ticketed. He said that he would like the Town Manager and the Police Chief to be present at the public hearing. Mr. Raffin stated that his friend received a \$500 ticket for parking at Centennial Park after dusk and would like to know whether truck drivers are receiving similar fines. Mr. Wickland said that he would provide that information.

**Motion:** Mr. Buksa moved to set BZA 20-012 for public hearing.

**Second:** Mr. Petersen.

**Discussion:** None.

**Vote:** Yes – 5. No – 0 Abstain – 0. Motion carries.

**b. BZA 20-013.Kennedy Ct.9300.Regional Boat and RV Storage. Kevin Kish requesting a developmental standards variance from Table 26-6.405.A-9 to permit the installation of a barbed wire fence around a boat and rv storage yard at 9300 Kennedy Court.**

Mr. Raffin introduces the agenda item. Mr. Vander Woude described the petition. He said that the applicant owns and operates a boat and rv storage yard at 9300 Kennedy Court. He said there was a break in at the yard in which someone hopped the security fence and broke into trailers. He said the applicant would like to install barbed wire on the existing 8-foot chain link fence as a deterrent. The Town code does not permit barbed wire. He said there are photos of the business in the packet. He said the property is bounded by railroad tracks on the north and west.

Mr. Kevin Kish introduced himself. He said that he has been there for 16 years with no problem. He installed security lights, but he thinks that may have drawn attention to the lot. He said he's not visible from anywhere and by installing the barbed wire it will give his renters a sense of security. He doesn't think that it will affect anyone else. Mr. Petersen asked if he had investigated any security alternatives. Mr. Kish said that they installed infrared cameras but he's not sure it will prevent people from hopping the fence. He said he also installed lights and has made the police aware that he's back there. Mr. Petersen asked whether he had considered installing a motion detectors alarm system. He said that he's concerned about the installation of barbed wire because there may be a liability issue if someone gets tangled in it and he thinks barbed wire gives an industrial and negative connotation and is not the image Munster wants to project. He said there are other ways to achieve the security that he desires that would not require a variance. Ms. Mayer asked Mr. Kish to describe the break in. Mr. Kish said they hopped the fence and broke into six rvs and stole small objects. Ms. Mayer said that in her work on construction sites, they are using livestream cameras. Mr. Kish said he already installed that.

**Motion:** Mr. Buksa moved to set BZA 20-013 for public hearing

**Second:** Mr. Petersen.

**Vote:** Yes – 5 No – 0 Abstain – 0. Motion carries.

**Findings of Fact**

- a. **BZA Docket No. 20-008. NP Building Partners, LLC requesting the following variances in for a medical office building at 9445 Calumet Avenue: from Sec. 26-6.405.O.1.h.vii.II to waive the requirement to plant trees within the required parking lot buffer and from Sec. 26-6.405.S.2 to waive the requirement to plant thoroughfare trees along Columbia Avenue.**

**Motion:** Mr. Buksa moved to approve.

**Second:** Mr. Petersen.

**Vote:** Yes – 5 No – 0 Abstain – 0. Motion carries.

**Additional Business/Items for Discussion**

- a. **BZA 20-014.Rezone South Ridge Addition.BZA.RESOLUTION**

Mr. Vander Woude presented a resolution that had been drafted at the request of the BZA. The resolution urged the Plan Commission to consider rezoning the residential area located south of Ridge Road, east of the Monon ROW, west of Monroe Ave, and north of South Street to permit single family residential uses. After discussion, the Board concluded that they were no longer in favor of the rezoning.

No motion was made and the resolution was withdrawn.

- b. **Changing regular meeting time**

The Board discussed changing their meeting time to allow Plan Commission meetings to begin on time at 7:30 PM. 6:45 PM was deemed agreeable to all.

**Motion:** Mr. Buksa moved to schedule the remaining 2020 BZA meetings to begin at 6:45 PM on the regular date.

**Second:** Mr. Friedman

**Vote:** Viva voce. Motion carries.

**Adjournment:**

**Motion:** Mr. Buksa moved to adjourn the meeting.

**Second:** Mr. Friedman.

**Vote:** Viva voce. Motion carries.

Meeting adjourned at 8:05 p.m.

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Chairman Roland Raffin  
Board of Zoning Appeals

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Date of Approval

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Executive Secretary Thomas Vander Woude  
Board of Zoning Appeals

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Date of Approval