



# BOARD OF ZONING APPEALS STAFF REPORT

**To:** Members of the Board of Zoning Appeals

**From:** Tom Vander Woude, Planning Director

**Meeting Date:** June 14, 2022

**Agenda Item:** BZA Docket No. 22-009

**Hearing:** **PRELIMINARY HEARING**

**Application Type:** **Developmental Standards Variance**

**Summary:** Jeanine Graham on behalf of JEM MedSpa requesting a variance from the Centennial Village Planned Unit Development Design Standards Section 11.7. to permit a second principal sign at the 9610 North Centennial Drive.

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**Applicant:** Jeanine Graham on behalf of JEM MedSpa

**Property Address:** 9610 North Centennial Drive

**Current Zoning:** Centennial Village Planned Unit Development

**Adjacent Zoning:** North: SD-PUD  
South: SD-PUD  
East: SD-PUD  
West: SD-PUD

**Action Requested:** Schedule public hearing

**Additional Actions Required:** Findings of Fact

**Staff Recommendation:** **Schedule public hearing**

**Attachments:** BZA 22-009 variance application  
Proposed building signs prepared by Vision Sign and Design



Figure 1 Subject property.

## BACKGROUND

Jeanine Graham on behalf of Jem Med Spa has submitted an application for approval of a variance from Centennial Village Planned Unit Development Design Standards Section 11.7. to permit a second principal sign at the 9610 North Centennial Drive. The Jem Med Spa is a medical spa offering various aesthetic treatments.

The applicant has rented two adjacent tenant spaces on the ground floor at the southeast corner of the Centennial Village Building G, which is the four-story, mixed-use building at the northwest corner of N. Centennial Drive and Village parkway. The two tenant spaces are divided into two separate storefronts.

The applicant is proposing wall signage that consist of painted aluminum backer with illuminated, push-through acrylic lettering that cannot be installed across the two storefronts because they are separated by an architectural pillar and supports for metal awnings. Consequently, the name of the business is proposed to be divided into two separate 21.34 square foot signs. In addition, the applicant is proposing a 9 square foot projecting sign on the east side of the building. The total square footage permitted for this business is 68.67 square feet. The applicant is proposing 51.68 square feet.



Figure 2 Photo of building with proposed signs shown.

## DISCUSSION

The applicant is proposing two principal wall signs for a single business. A single principal wall sign is permitted.

### Centennial Village Planned Unit Development Design Standards

#### Section 11.7.

Each business within multi-tenant buildings will be permitted one principal sign. Such signs may be wall mounted with a total sign area as calculated below:

- a. The total area of all signs for each business shall not exceed 1 square foot of sign area for each 30-feet of interior retail or business space, excluding storage area. Each business shall be allowed a minimum of 12-square feet of sign area. The maximum total square footage of sign area for a business shall not exceed:
  - i. 75 square feet for businesses having a total gross floor area of 0 square feet to 5,000 square feet.
  - ii. 125 square feet for businesses having a total gross floor area of 5,001 square feet to 20,000 square feet.
  - iii. 200 square feet for businesses having a total gross floor area of 20,001 square feet and larger.

Staff notes that there are other businesses within the Centennial Village PUD that occupy multiple tenant spaces, but have been permitted only one principal business sign.

## VARIANCE STANDARDS

The variance process is established to provide relief to a property owner when, due to unique circumstances, compliance with the zoning code imposes a hardship or practical difficulty on a property owner. The BZA is under no obligation to grant a variance. It is the petitioner's responsibility to prove a hardship or practical difficulty. The BZA should ask the petition to address the criteria listed below.

Sec. 26-6.804.I of the Munster Zoning Code states that the basis for a variance is as follows:

g. General Standards.

A Variance may be granted only if the Decision-Making Authority has made the following determinations for such Variance:

- i. the practical difficulties or unnecessary hardships that would be incurred by strict application of the Use or Development standard, as applicable, are unique and not shared by all properties in the vicinity and are not self-imposed;
- ii. such Variance is the minimum Variance that will relieve such practical difficulties or unnecessary hardships, as applicable;
- iii. such Variance is in the spirit of the general purposes and intent of this Article as stated in Division 1; and
- iv. 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.

h. Specific to Development standards Variances:

A Variance from Development Standards may be approved or approved with conditions only if:

- i. it will not be injurious to the public health, safety, morals, and general welfare of the community;
- ii. the use and value of the area Adjacent to the property included in the Variance will not be affected in a substantially adverse manner; and
- iii. the strict application of the Development standards will result in practical difficulties in the use of the property.

**The applicant has addressed these criteria in the attached application.**

## RECOMMENDATION

The Board of Zoning Appeals may wish to consider the following motion:

*Motion to schedule a public hearing for BZA Docket No. 22-009.*