

MUNSTER BOARD OF ZONING APPEALS
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: May 14, 2024

The announced meeting location was Munster Town Hall and could be accessed remotely via Zoom Webinar, a video conference application.

Call to Order: Mr. Raffin, Chairman, called the meeting to order at 6:45 pm

Pledge of Allegiance

Members in Attendance:

Brad Hemingway
Jennifer Johns
Sharon Mayer
Ed Pilawski
Roland Raffin

Members Absent:

Staff Present:

Sergio Mendoza, Planning Director
David Wickland, Attorney

Jonathan Petersen, Town Council Liaison

Approval of Minutes:

a. April 9, 2024, Draft Minutes

Mr. Pilawski requested a change to the dimensions recorded on Preliminary Hearing BZA24-001, paragraph 6, page 2. The text should be changed from “he measured the signs at 12 ¾ inches by 17 inches” to “he measured the signs at 2 ¾ inches by 7 ½ inches”.

Motion: Mr. Hemingway moved to approve the April 9, 2024, minutes contingent upon the correction noted by Mr. Pilawski.

Second: Ms. Mayer

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

Preliminary Hearings:

- a. BZA24-002 DEVELOPMENTAL STANDARDS VARIANCE:** Erin Adduci representing Dr. Gustavo Galante of JEM MedSpa is requesting three (3) variances from Table 26-6.701.B WINDOW SIGNS to allow window and door signs installed without a permit to remain on display at 9610 N. Centennial Drive, Suite F.

Mr. Mendoza reported on petition BZA24-002. He referenced material he had prepared for the staff report. He explained that JEM MedSpa has been established within two retail spaces of Building G. JEM MedSpa is in the Centennial Village Planned Unit Development, and the sign standards are governed in the Development Design Standards, Section 11 – Signage, 6; which is silent on window signs, so the Town of Munster Window Sign Standards would be applicable. He explained that the window and door signs for JEM MedSpa have been installed without a permit. They exceed sign code allowance, so they

are now seeking three Developmental Standard Variances from the Munster Character Based Zoning Code, as follows:

- **Table 26-6.701.B, WINDOW SIGNS, Dimensions**, Area, max 25% of glass onto which it is applied, if made up of individual letters; max 15% of glass if on an opaque background.
 1. Variance Request- They are proposing two window signs, 9.3 square feet and 7.1 square feet whereas only one 3.9 square feet is permitted for one window sign.
- **Table 26-6.701.B, WINDOW SIGNS Additional Standards, b.** shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product display.
 1. Variance Request- One (1) nonfunctioning (accessible) door window sign measuring 79 inches X 27 inches is requested on the east side of the building to be 100% in an opaque vinyl sign.
- **Table 26-6.701.B, WINDOW SIGNS Additional Standards, c.** in addition to one (1) door sign, there shall be no more than one (1) Window Sign per Façade.
 1. Variance Request- A second window sign is being requested and a second door sign is being requested on a second functioning (accessible) door.
 2. Variance Request- A third nonfunctioning (accessible) door sign is requested on the east side of the building.
 3. Four 24-inch X 4-inch window logo signs are being requested on the east side of the building windows facing the North Centennial Drive building façade. Per code definition, a Façade is defined as the exterior wall of a building that is set along a Frontage Line, excluding any garage or other parking accommodations. A Frontage Line is defined as the common line that separates the Private Frontage from the Public Frontage, typically at the Front Lot Line in cases where the entire Public Frontage is with the public right-of-way.

Mr. Mendoza added that the staff finds the application and supporting documents to be in order and recommends the applicant be given a Public Hearing.

Chairman Raffin asked the Board if they had any questions for staff. He then called upon the petitioner.

Dr. Gus Gallante, of 1510 Somerset Drive, representing JEM MedSpa, said he was last before the Board when asking for a variance for an over-the-door sign. He said they had no intention of doing anything wrong or putting anything over on the Board in this case. He explained that his partner in two other locations in Illinois put up these signs. She thought it would be the same, but they needed to move forward. He said they want to provide information and direct foot and street traffic. They understand the aesthetics and looking good in Munster. They also want beauty; they are in the beauty business. He explained that they are on a corner with two doors and two entrances. Both doors are functional. The same is true on the side. They think it is all of it is tasteful and aesthetically pleasing, they do want to make a positive impression.

There were several questions from Board members asking for clarification on the doors, which are in use and their functions.

Motion: Ms. Mayer moved to schedule BZA 24-002 for a Public Hearing on June 11, 2024.

Second: Ms. Johns

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

Chairman Raffin advised Dr. Galante to work with staff to make sure all Public Notice requirements are met.

Public Hearings:

- a. **BZA 24-001 DEVELOPMENTAL STANDARDS VARIANCE: Aaron Adelman with SMJ International, representing Tesla, is requesting a variance from Section 26-6.701.B.1. to permit 1’6” L X 2.5” H internally illuminated Tesla Logo signs on each (12) EV charging station located in the Target Parking lot at 8005 Calumet Avenue.**

Mr. Mendoza stated that Tesla is asking for this variance in order to identify their EV charging stations. The size they request is the standard for all their equipment. He said there is 4 (inch?) by 4 (inch?) signage on the bollard. He said he had asked Tesla who they had no representation last month or this month. He was told that the company is going through a reorganization of staff but that this Public Hearing was notified correctly.

Chairman Raffin asked if staff was happy with the landscaping according to what is required for charging stations. Mr. Mendoza said they were. He added that the original drawings for this project do show the Tesla name.

Chairman Raffin opened the Public Hearing. There were no comments or questions. Chairman Raffin closed the Public Hearing.

Motion: Ms. Mayer moved to approve BZA24-001 granting a variance from Section 26-6.701.B.1. to permit 1’6” L X 2.5” H internally illuminated Tesla Logo signs on each (12) EV charging station located in the Target Parking lot at 8005 Calumet Avenue.

Second: Mr. Pilawski

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

Findings of Fact: None

Continued Discussion Items/Other Business:

- a. **Board of Zoning Appeals Training Update**

Mr. Mendoza stated he emailed a memo to the Interim Town Manager, the President of the Town Council, and two of the Town’s attorneys in response to the Board of Zoning Appeals (BZA) and Plan Commission (PC) requests for new member training and refresher training. He explained that the staff has contacted an individual who offers BZA and PC Training. Over the past couple of months, the staff has been coordinating to secure Citizen Planner Training with Ms. K.K. Fritz, FAICP. He said at last month’s BZA and PC meetings, information was distributed regarding potential training topics, a professional biography of the trainer, and sample contract letter for review. He said they had a discussion regarding the ideal training date and training format. This discussion resulted in a large consensus requesting Saturday Training in late May or early June, with expanded topics, and lunch.

Through coordination with Town Council President Nellans, staff was able to secure a contract letter for consideration. The Citizen Planner Training has been secured for Saturday, June 1, 2024. He said it is anticipated that the Citizen Planner Training would be approximately 4 hours, with an anticipated start time of 9:30 am, and a light lunch provided. In addition, the topics have been identified for training and discussion and an agenda has been produced. He said that all the details will be formalized and sent to all interested parties prior to the training date.

Next Meeting: Chairman Raffin announced the next regular business meeting will be held on June 11, 2024.

Adjournment:

Motion: Mr. Pilawski moved to adjourn.

Second: Ms. Mayer

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

Meeting adjourned at 7:04 pm

Chairman Roland Raffin
Board of Zoning Appeals

Date of Approval

Executive Secretary Sergio Mendoza
Board of Zoning Appeals

Date of Approval