

MUNSTER BOARD OF ZONING APPEALS

PETITIONER:

Diana Garza, Doyle Signs
232 W. Interstate Rd.
Addison, IL 60101

BZA DOCKET NO. 24-010

APPLICATION: Developmental Variance

OWNER:

Jessica Entingh
11995 El Comino Real
San Diego, CA 92130

PROPERTY:

BMO Harris Bank N A
915 Ridge Rd.
Munster, IN 46321

FINDINGS OF FACT

1. Jessica Entingh is the owner of the real estate located at 915 Ridge Rd., Munster IN, identified by parcel # 45-07-19-151-013.000-027 (hereinafter "Property"). The Property is presently zoned General Urban Character District (CD-4.A).
2. Petitioner, Diana Garza, of Doyle Signs, as agent for the Owner, desires to update the signage on the Property to remove the "Harris" name as part of a rebranding of BMO. The updated signage includes installing replacement faces on the existing double-faced pole sign and removing the "BMO ® Harris Bank" wall sign on the west side of the building, in compliance with the Development Standards of the Munster Zoning Code. Petitioner also desires to erect a new wall sign "BMO ®" on the building and is agreeable to place the wall sign on the first story façade of the front of the building, as required by the Munster Zoning Ordinance. The placement of the proposed signage, however, does not comply with the required clearance set forth in the Zoning Ordinance.
3. The Munster Zoning Code, Table 26-6.701.B pertaining to Wall Signs, requires a wall sign to be placed on the first story façade of the front of the building with a clearance of a minimum of 7-foot from ground level. Additionally, a wall sign

shall not obscure any architectural element of the building and shall be in vertical alignment with the center of an architectural element such as a storefront window or entrance . . .

Petitioner's proposed sign would be located on the first story façade on the front (south side) of the building with a 6-foot clearance from ground level in order to not obscure the architecture on the building. As a result, to erect the proposed sign on the south facade, Petitioner requires a 1-foot variance.

4. This matter came before the Munster Board of Zoning Appeals for Public Hearing on December 10, 2024. Petitioner appeared. However, due to the public notice requirements having not been met, by a vote of four (4) in favor, zero (0) opposed, zero (0) abstained, and one (1) absent, upon motion duly made and seconded, the Board of Zoning Appeals voted to table Petitioner's application for development variance.
5. Thereafter, Petitioner appeared before the Munster Board of Zoning Appeals for Public Hearing on March 11, 2025. Petitioner presented proof of notice and publication as required by law. Petitioner presented testimony and evidence in support of the requested variance.

The Public Hearing was opened. No remonstrances were heard. The Public Hearing was closed.

6. 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 five (5) in favor, zero (0) opposed, zero (0) abstained, and zero (0) absent, voted to approve the requested 1-foot developmental variance to allow Petitioner to erect the proposed sign with a 6-foot clearance.
7. In making such determination, the Munster Board of Zoning Appeals now makes the following Findings of Fact:
 - A. The approval of the variance for the wall sign 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 variance 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
 - (1) The practical difficulties are unique and not shared by all properties in the vicinity and are not self-imposed;
 - (2) The requested variance is the minimum variance that will relieve such practical difficulties;
 - (3) 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 Munster Board of Zoning Appeals by a vote of five (5) in favor and zero (0) opposed, approved Petitioner's requested variance. The Munster Board of Zoning Appeals took the above official action on March 11, 2025.

Findings of Fact approved on the 8th day of April 2025.

MUNSTER BOARD OF ZONING APPEALS

By: _____
Brad Hemingway, Chairman

ATTEST:

Sergio Carrera Mendoza, Executive Secretary