



BOARD OF ZONING APPEALS STAFF REPORT

To: Board of Zoning Appeals Plan

From: Jennifer Barclay, HWC Engineering

Meeting Date: November 12, 2024

Agenda Item: BZA 24-009

Hearing: Preliminary Hearing

Application Type: Conditional Use Permit

Summary: Good Oil Company Inc. requesting a conditional use permit to reuse an existing accessory structure as a car wash at the Marathon gas station at 9451 Calumet Avenue.

Applicant: Good Oil Company, Inc. represented by Justin A. Schramm

Property Address: 9451 Calumet Avenue

Current Zoning: CD-4.A General Urban Character District

Adjacent Zoning: North: CD-4.A
South: CN Railroad
East: CD-4.R-4/CD-3.R-1
West: Maple Leaf Crossing PUD

Action Requested: Schedule public hearing

Additional Actions Required: Approval of Variance
Findings of Fact
Town Council Approval

Staff Recommendation: Schedule Public Hearing

Attachments: Application with supporting documents - page 4



Figure 1: Subject property with proposed car wash outlined in red.

BACKGROUND

Good Oil Company Inc. is the owner of the property located at 9451 Calumet Avenue. The site contains two buildings: a Marathon gas station and convenience store with an attached automobile service center and a 965 square foot accessory building that was formerly used as a car wash, but most recently as an alignment bay for the automobile service center. The gas station and convenience store are operational, but the service center and accessory building have not been in use for over a year.

The applicant is proposing to remove the vehicle lifts and other equipment from the accessory building and to reuse it as a car wash.

The subject property received variances in 2013 from the parking lot fencing requirements, landscape irrigation requirements, and internal landscaping requirements of the Munster Zoning Ordinance.

The accessory building does not meet the minimum setback requirements of the CD-4.A district. An application has been submitted for a variance which still must be obtained if the conditional use is approved by the Town Council.

DISCUSSION

A car wash is classified as a Motor Vehicle Shop Maintenance / Repair / Service / Cleaning use in the Munster Zoning Ordinance, which Table 26-6.405.A-6 identifies as a Conditional Use in the CD-4.A district.

The Munster zoning ordinance TABLE 26-6.405.A-6 DISTRICT STANDARDS Screens requires Parking Lots and Parking Areas at Frontage in 1st or 2nd Lot Layer be screened by a 3'-3.5' Wall or Enhanced Hedge. Should this interest advance, staff would recommend the que area for the car wash be screened accordingly.

Conditional Use Criteria for Approval

Sec. 26-6.405.L.g of the Munster Municipal Code states that no conditional use shall be granted by the board of zoning appeals unless the conditional use:

- i. It is in fact a Conditional Use ("CU") listed for the applicable Zoning District involved;
- ii. It will be harmonious with and in accordance with the general and specific intent, purposes and objectives of this Article as stated in Section 26-6.105 and the Town's Comprehensive Plan;
- iii. It will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the same area;
- iv. It will not be hazardous or disturbing to existing neighboring uses;
- v. It will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
- vi. It will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community;
- vii. It will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;
- viii. It will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares; and
- ix. It will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

RECOMMENDATION

A public hearing is required for consideration of a conditional use request. The granting of a hearing is required upon submittal of a complete application.

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

Motion to schedule a public hearing for BZA Docket No. 24-009.



Petition BZA _____ - _____

Date: _____

Application Fee: \$ _____

Sign Fee: \$ _____

Town of Munster Board of Zoning Appeals Petition Application

OWNER INFORMATION:

Good Oil Co Inc

574-225/1266 or 574-946-4863

Name of Owner

Phone Number

1201 N US Hwy 35, Winamac, IN 46996

I_henry@goodoilcompany.com

Street address, City, ST, ZIP Code

Email address

APPLICANT OR PETITIONER INFORMATION (if different than above):

Sukhwinder Singh Basra (Dickie)

219-608-0031

Name of Applicant/Petitioner

Phone Number

9451 Calumet Ave, Munster IN 46321

dickiesliquor16@gmail.com

Street address, City, ST, ZIP Code

Email address

PROPERTY INFORMATION:

DB Petroleum

219-836-6082

Business or Development Name (if applicable)

9451 Calumet Ave, Munster IN 46321

Address of Property or Legal Description

Current Zoning

APPLICATION INFORMATION:

Please select what this Application is for:

☐ **Variance** If yes, select one of the following: ☐ **Use** ☐ **Developmental Standards**

☒ **Conditional Use**

☐ **Administrative Appeal**

Brief Description of Project and List of Variances or Conditional Uses Being Requested (if applicable):

We request to re-open the existing car wash at this location. Owner and lessee have together made many improvements to this property and wish to finalize those improvements by reincorporating the car wash as part of the business services.

Please see attached for the list of variances or conditional use items.

Name of Registered Engineer, Architect or Land Surveyor

Phone Number

Street address, City, ST, ZIP Code

Email address



Petition BZA _____ - _____

Town of Munster Board of Zoning Appeals Application Signature Page

I hereby authorize Sukhwinder Singh Basra to act on my behalf as my agent in this petition and to furnish, upon request, supplemental information in support of this petition application.

Signature of Owner

Date

Signature of Applicant

Date

REQUIRED ATTACHMENTS

Required Attachments for Board of Zoning Appeals Applications

To ensure that adequate information is provided to the BZA, please check off each of these items and provide documentation to the Community Development Department at the time of submittal of the application.

ALL APPLICATIONS	Included	N/A
Narrative statement describing project	x	
Property owner consent (Signature page)	x	
Proof of Ownership (e.g. copy of tax bill)	x	
Plat of Survey depicting current conditions		
Site Plan containing the following:		
Boundary identification	x	
Fire hydrant locations		
Accessory structures		
Parking lot design	x	
Utility location		
Building footprints	x	
Proposed curb cuts		
Drainage/detention plans		
Traffic circulation	x	
Ingress/egress locations	x	
Major topographic information	x	
Infrastructure improvements		
Conditions of Approval Form (Note: complete the form specific to your petition)*	x	
Any other information that the BZA may find useful in determining whether the application is merited.		

* Unique conditions have been established for special use permits for public garages, gas filling stations, used car lots, garden centers, massage parlors, adult bookstores, tattoo parlors, adult cabarets, and outdoor dining areas. Community Development staff will advise potential applicants of these at the pre-application meeting.

NOTE: If you checked any exhibits "N/A", please explain:

CONDITIONAL USE CONDITIONS OF APPROVAL (PAGE 1 of 2)

The Munster Board of Zoning Appeals is authorized to hear petitions for conditional uses and to forward the petition to the Munster Town Council with a recommendation to approve, a recommendation to deny, or no recommendation. The Board of Zoning Appeals may also recommend reasonable conditions and restrictions. Sec. 26-6.405.L.4 of the Munster Zoning Code states that no conditional use shall be granted by the Munster Town Council unless the special use meets the conditions listed below.

Please explain how the proposed use meets these conditions.

1. It will be harmonious with and in accordance with the general and specific intent, purposes and objectives of Section 26-6.105, that is, it promotes and is necessary to the health, safety, general welfare, comfort, and convenience of the Town and its residents, and the Town's Comprehensive Plan.

The car wash will blend in with the improvements made to date to this property. Calumet is a main thoroughfare through Munster and will be a convenience to the Townspeople.

2. It will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the same area.

The car wash equipment will be reinstalled in the existing building to its originality therefore not changing the character of the area.

3. It will not be hazardous or disturbing to existing neighboring uses.

There will be no hazardous waste on the property and all precautions for proper drainage will be utilized.

4. It will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

The building has parking space around the building allowing for repairs/upgraded to the building without disturbing the traffic flow. Public service are available to all customers.

CONDITIONAL USE CONDITIONS OF APPROVAL (PAGE 2 of 2)

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5. It will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community.

There will be no excessive additional requirements with the car wash. The car wash will generate additional revenue for the lessee and the Town of Munster through local income taxes. The property will be maintained appropriately by the owners and lessee.

6. It will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The equipment to run the car wash will be within the confinements of the building. there will be no equipment located outside of the car wash building, which would cause unnecessary mess or encumbrance.

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7. It will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

The building is conducive with the flow of traffic in its present location. There are three points of entry/exit 2 on Calumet and 1 on Columbia Ave. There is adequate room on the property for vehicles to enter and exit the establishment safely.

8. It will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance

The current landscape around the building has been upgraded and will be maintained.

Attach additional pages if necessary

DATE	10/12/12	BY	AS BROWN	DATE	10/12/12	BY	AS BROWN
REVISION		DATE		REVISION		DATE	
1	10/12/12	BY	AS BROWN	2	10/12/12	BY	AS BROWN
3	10/12/12	BY	AS BROWN	4	10/12/12	BY	AS BROWN
5	10/12/12	BY	AS BROWN	6	10/12/12	BY	AS BROWN
7	10/12/12	BY	AS BROWN	8	10/12/12	BY	AS BROWN
9	10/12/12	BY	AS BROWN	10	10/12/12	BY	AS BROWN
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REMDEL OF C-STORE
6000 CALUMET AVE
MUNSTER, INDIANA 46321

HAMSTRA BUILDERS, INC.
CONTRACTORS & DEVELOPERS
1000 N. Meridian Ave., Suite 100
Indianapolis, IN 46228
Phone: (317) 555-1000
Fax: (317) 555-1001
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PARKING CALCULATIONS

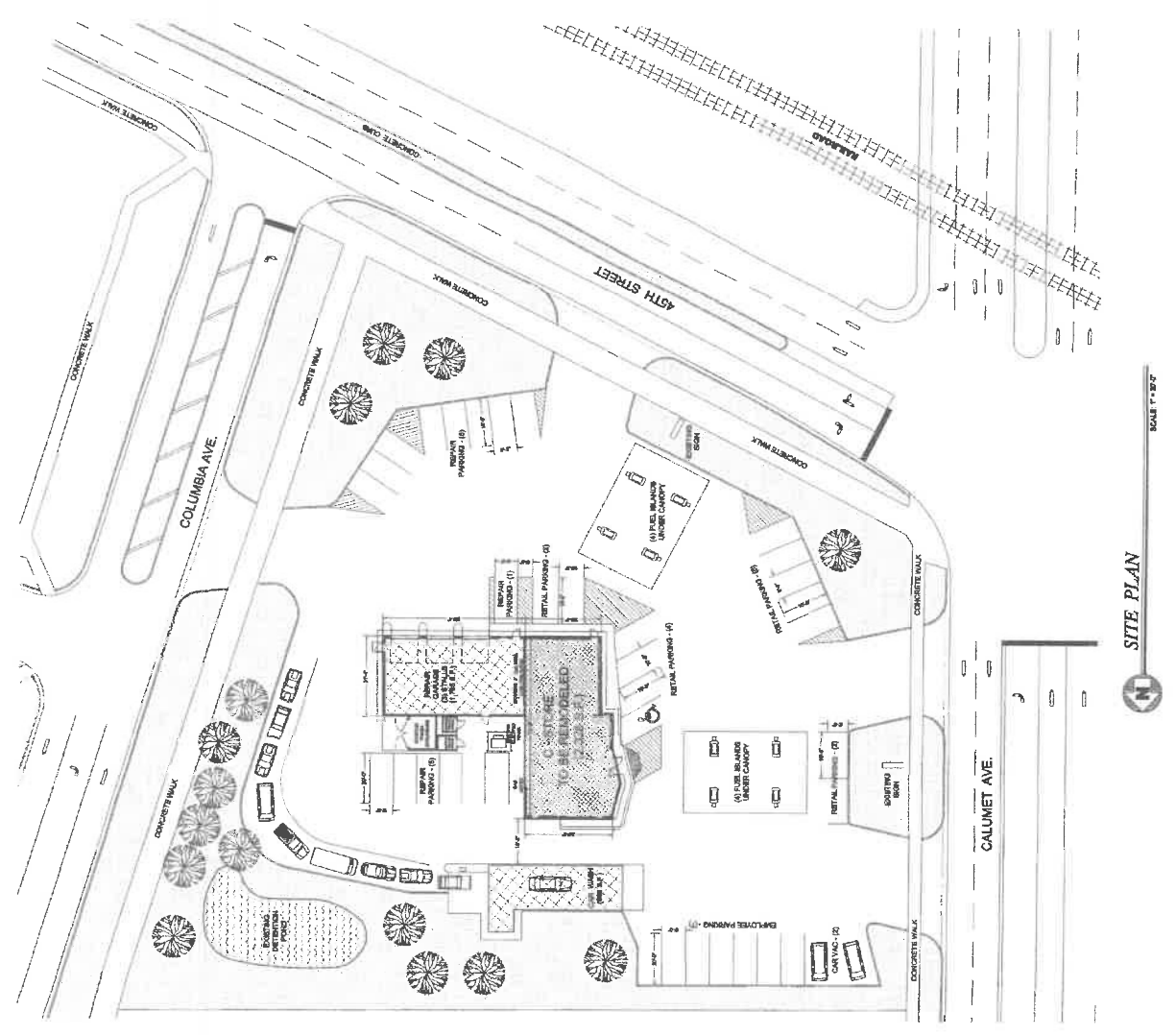
SERVICE STATION = 8 SPACES / 1000 S.F. BUILDING AREA
= 1250 S.F. / 1000 S.F. = 1.25 SPACES REQUIRED
14 RETAIL PARKING SPACES PROVIDED

RETAIL = 4.0 SPACES / 1000 S.F. BUILDING AREA
= 4.0 / 1000 X 2,228 = 10 SPACES REQUIRED
13 RETAIL PARKING SPACES PROVIDED

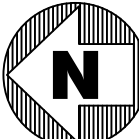
ADDITIONALLY
7 EMPLOYEE PARKING HAVE BEEN PROVIDED
TOTAL NUMBER OF PARKING SPACES PROVIDED
= 34 SPACES

REQUIRED HANDICAPPED PARKING = 1 SPACE AS PROVIDED
AUTO CAR WASH = EXISTS UNCHANGED

811
Know what's below.
Call before you dig.



SITE PLAN
SCALE 1" = 20'



SCALE: 1" = 20'-0"

C01