

DEVELOPMENTAL VARIANCE CONDITIONS OF APPROVAL

The Munster Board of Zoning Appeals is authorized to hear petitions for developmental standards variances and to approve or deny. The Board of Zoning Appeals may also impose reasonable conditions and restrictions. Indiana Code 36-7-4-918.5 lists the legal criteria for a developmental standards variance:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community. Explain why this statement is true in this case:

The approval of the Eads Elementary School Parking Lot Project will not be injurious to the public health, safety, morals, and general welfare of the community. The lighting fixtures will provide similar lighting as the current fixtures, while being more downward facing. This project will enable the students, staff, and public to safely enter and exit the building during periods of low illumination. The lighting and poles will be similar in light color temperature, and fixture height as the current lighting configuration.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Explain why this statement is true in this case:

The lighting fixtures and poles are a replacement-in-kind. The current lights are starting to fail causing some of the fixtures to strobe. The light poles are rusting and discolored. The replacement of these fixtures and light poles will be an improvement for the school and neighbors.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. Explain why this statement is true in this case:

This building is used by hundreds of students and staff as well as the public. Students and staff access this building during the winter months when it is dark during arrival and dismissal. In addition, this building is used after hours by the public to include Boy Scouts, Girl Scouts, AAU basketball, and as a polling place during elections. It is very important that the parking lots are well illuminated when people are entering and exiting the building.

Attach additional pages if necessary