

MUNSTER BOARD OF ZONING APPEALS

Ted Vinyard
830 Ridge Road
Munster, IN 46321

BZA DOCKET NO. 19-006

FINDINGS OF FACT

This matter came on for Public Hearing on September 10, 2019. Applicant requests developmental standards variances from Sec. 26-1302 of the Munster Land Development Code to waive the requirement to install and maintain landscaping for a remodeling project at 830 Ridge Road, at a cost that exceeds \$10,000.00. The project constitutes a remodeling of the current Dairy Queen business. Applicant presented Proof of Publication and Notification as required by law. Applicant presented testimony and evidence in support of the requested variances. The Public Hearing was opened. The Public Hearing was closed.

NOW, THEREFORE, based upon the testimony and evidence presented, the Munster Board of Zoning Appeals finds as follows:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variances will not be affected in a substantially adverse manner.
3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties and undue hardship in the use of the property.
4. The Board of Zoning Appeals has given due consideration to those matters set forth in Sec. 26-456 of the Munster Municipal Code with regard to Developmental Standards Variances.
5. The Board of Zoning Appeals granted the Applicant's requests for developmental standards variances from Sec. 26-1302 to permit reduced internal landscaped area, reduced internal parking lot trees, and no perimeter landscaping along the east, west, and south sides of the property at 830 Ridge Road in accordance with the filed plans.

Conditions:

The approval is conditional upon the following:

1. Signage is installed at the two temporary parking spaces indicating that they are for pick up only.
2. The property owner commits to preventing vehicles from encroaching on the sidewalk that passes through the drive through lane.

WHEREFORE, based upon the above Findings, the Town of Munster Board of Zoning Appeals voted to approve the requested variances by a vote of 4 in favor and 0 opposed, subject to the plans and specifications submitted by the applicant to Staff.

Variances granted September 10, 2019.

Findings of Fact approved the 16th day of October, 2019.

MUNSTER BOARD OF ZONING APPEALS

Jonathan D. Petersen, Chairman

ATTEST:

Thomas Vander Woude, Executive Secretary