

## MUNSTER BOARD OF ZONING APPEALS

Guy Costanza/GM Contracting  
1001 Perthshire Lane  
Dyer, IN 46311

BZA DOCKET NO. 19-009

### FINDINGS OF FACT

This matter came on for Public Hearing on May 12, 2020. Applicant requests developmental standards variances from Section 26-931 to reduce the number of required parking spaces and from Section 26-602 to reduce the required setback in order to construct a 2500 square foot building and parking lot for use as a café at 407-411 Ridge Road. 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 on the condition that the number of seats in the building be limited to 77, and that the building must adhere to all building standards of the current zoning code. The height of the building must be equivalent to 2 stories, although it is not required to have an actual occupiable second story.

WHEREFORE, based upon the above Findings, the Town of Munster Board of Zoning Appeals voted to approve the requested variances by a vote of 5 in favor and 0 opposed.

Variances granted May 12, 2020. Findings of Fact approved the 9<sup>th</sup> day of June, 2020.

MUNSTER BOARD OF ZONING APPEALS

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Roland Raffin, Chairman

ATTEST:

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Thomas Vander Woude, Executive Secretary