

BOARD OF ZONING APPEALS STAFF REPORT

To: Members of the Board of Zoning Appeals

From: Tom Vander Woude, Planning Director

Meeting Date: October 13, 2020

Agenda Item: BZA Docket No. 20-014

Attachments: PETITION NO. BZA 20-014 A RESOLUTION REQUESTING THAT THE MUNSTER PLAN COMMISSION REZONE A PORTION OF THE 8300 BLOCKS OF HARRISON AVENUE, JACKSON AVENUE, AND MONROE AVENUE TO PERMIT SINGLE-FAMILY RESIDENTIAL USES.



Figure 1: Subject area highlighted in blue.

BACKGROUND

On June 9, the Munster Board of Zoning Appeals held a public hearing for ***BZA Docket No. 20-005 Big Star Developments, LLC requesting a use variance to permit a single-family residence in a CD-4.A General Urban – A Character District at 8319 Jackson Street.*** At the conclusion of the hearing, the Board voted to forward to the Town Council a favorable recommendation to approve with the condition that the property will be treated as a legal nonconforming use within the CD-4.A district and the use variance will expire upon the occurrence of one of the events listed in Munster zoning ordinance Section 26-6.122.C. During the discussion of the petition, the BZA noted that there is a significant number of single-family homes within the area which are legal non-conforming because single-family residential is not a permitted use within the CD-4.A district. Staff noted that the prior zoning, which had been in place for decades, was C-1, which did not permit single-family homes either.

The Town Council subsequently approved the use variance for 8319 Jackson Street.

At the July 14, 2020 meeting BZA member Dan Buksa requested that staff prepare a resolution for BZA consideration requesting that the Plan Commission rezone the area to permit single-family homes in the district.

A proposed resolution is attached.

RECOMMENDATION

Consider adopting the attached resolution.

PETITION NO. BZA 20-014

**A RESOLUTION REQUESTING THAT THE MUNSTER PLAN COMMISSION
REZONE A PORTION OF THE 8300 BLOCKS OF HARRISON AVENUE, JACKSON
AVENUE, AND MONROE AVENUE TO PERMIT SINGLE-FAMILY RESIDENTIAL
USES**

WHEREAS, the South Ridge Addition subdivision is an area roughly bounded by Ridge Road, Monroe Avenue, South Street, and the former Monon Railroad tracks; and

WHEREAS, the entirety of the South Ridge Addition is currently zoned CD-4.A General Urban A Character District with No Ground Floor Residential Uses and Ridge Preservation special requirements; and

WHEREAS, single-family residential is not a permitted use within the CD-4.A. character district; and

WHEREAS, certain parcels within the 8300 blocks of Harrison Avenue, Jackson Avenue, and Monroe Avenue within the South Ridge Addition contain legal nonconforming single-family homes; and

WHEREAS, on June 15, 2020 the Town of Munster Town Council, upon the recommendation of the Munster Board of Zoning Appeals approved a use variance to permit a single-family residential use at 8319 Jackson Avenue.

NOW THEREFORE, BE IT RESOLVED as follows:

The Munster Board of Zoning Appeals respectfully requests that the Munster Plan Commission review the current zoning restrictions within the South Ridge Addition and consider rezoning a portion of it to permit single-family residential uses.

RESOLVED AND ADOPTED this 13th day of October 2020 by a vote of _____ in favor and _____ opposed.

**BOARD OF ZONING APPEALS OF THE
TOWN OF MUNSTER, LAKE COUNTY,
INDIANA**

Roland Raffin

Chairman

ATTEST:

Tom Vander Woude, Executive Secretary