

MUNSTER BOARD OF ZONING APPEALS
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: January 12, 2021

The announced meeting location was Munster Town Hall. In accordance with the Governor's Executive Orders 20-09 and subsequent orders related to the COVID-19 pandemic placing restrictions on the number of people allowed to gather in one location, some members attended the meeting remotely via Zoom, a video conferencing application.

Call to Order: 6:45 pm

Pledge of Allegiance

Members in Attendance:

Roland Raffin, President (via Zoom)
Daniel Buksa
Stuart Friedman (via Zoom)
Sharon Mayer (via Zoom)
Jonathan Petersen (via Zoom)

Members Absent:

Staff Present:

Tom Vander Woude, Planning Director
Dave Wickland, Attorney

Approval of Minutes:

Motion: Mr. Buksa moved to approve the minutes of the December 8, 2020 meeting.

Second: Mr. Friedman.

Vote: Approved viva voce.

Preliminary Hearings

- a. None.

Public Hearings

- a. **BZA 20-012.Superior Ave.475. BCORE Corridor Chicago LLC represented by Kimley-Horn requesting approval of developmental standards variances from Table 26-6.405.A-7 of the Munster zoning ordinance to expand a driveway beyond the maximum permitted width, to permit off-street parking in the first lot layer, to permit off-street loading in the first lot layer, and to waive the required screening for loading areas and from Table 26-6.405.O-3 to waive the minimum dimensions for a parking area.**

Mr. Vander Woude stated that a public hearing was held in November and December. He said the board had made recommendations regarding the width of the driveway and off-peak delivery hours. He said the applicant requested that the project be tabled in December and have requested a continuance again. Mr. Jonathan Gocke of GE Appliance said that they are negotiating with eight large carriers to begin moving pick ups and deliveries to early hours. They have made agreements to reschedule seven to eight trucks from picking up in the afternoon between 3 and 6 pm to between 7 and 8 am and the two to three delivery trucks serving those pickups have been moved from between 10 am and noon to between 8 pm and 12 pm. He said that they are still negotiating. He said that they cap their sales volume

in that facility to no more than 70 outbound loads per day to keep that building from having extremely high volumes. Mr. Raffin asked how many inbound loads they took per day. Mr. Gocke said roughly 50.

Mr. Raffin opened the public hearing. Mr. Mike Purcell stated that he spoke in November. He said that the situation has not changed much since then. He said that there are more than ten to fifteen trucks every day. Mr. Raffin closed the public hearing.

Ms. Mayer asked how long the adjustments to the deliveries have been in effect. Mr. Gocke said that it has been in place for about three weeks. He said that it has helped some, but he thinks this project is still very valid.

Mr. Vander Woude said that he visited the site today and there was a line of trucks parked along Superior, though not as long as it was during the November peak. He said that he spoke with a neighboring business BMWC which is located across the street and they had informed him that they were experiencing other property damage from trucks turning around in the cul-de-sac. Mr. Raffin said that they need to review the design and come up with ideas above and beyond this project.

Motion: Mr. Buksa moved to table the petition to the February meeting.

Second: Mr. Petersen.

Discussion: None.

Vote: Yes – 5 No – 0 Abstain – 0. Motion carries.

b. BZA Docket No. 20-015 Humane Indiana requesting approval of a variance to permit a window sign that exceeds the 25% maximum area of a window and exceeds the maximum number of window signs at 421 45th Street.

Mr. Vander Woude presented his staff report. He said they are asking for variances to the area of the signs: to exceed the maximum area for a window sign, which is 25% of the glass onto which it is applied; and for the number of signs: the maximum is one; they are proposing two signs. He said that during the preliminary hearing there was discussion of whether a wall sign or conforming window sign could be installed. He said they concluded that neither one of those signs could be installed without another variance. He said that it is regrettable that they didn't obtain a permit prior to installing the sign, but he supports the variance.

Mr. Brian Fitzpatrick introduced himself as the CEO of Humane Indiana. He said that the monument sign at the street was old and in need of repair. He said when they went to get it fixed and updated with their new name, they were not grandfathered and the price of a new conforming monument sign was too high. He said they installed with decals without realizing they needed a permit. Mr. Friedman asked how much the monument sign replacement cost and how much the vinyl decals cost. Mr. Fitzpatrick said the monument proposal was \$12,000 and the decals cost less than \$200. Mr. Buksa asked if the Humane Society is a non-profit. Mr. Fitzpatrick said that they are a nonprofit and they have been in that location for about 20 years where they operate an animal shelter and low-cost spay/neuter clinic.

Mr. Raffin opened the public hearing. No members of the public came forward. Mr. Raffin closed the public hearing.

Motion: Ms. Mayer moved to approve BZA Docket No. 20-015 as presented.

Second: Mr. Petersen.

Discussion: Mr. Buksa asked whether the proofs of publication were in order. Mr. Vander Woude responded that the proofs were in order.

Vote: Yes – 5 No – 0 Abstain – 0. Motion carries.

Findings of Fact

a. None.

Additional Business/Items for Discussion

a. Election of Officers

Motion: Mr. Petersen moved to nominate Mr. Friedman to Chairman and Mr. Buksa to Vice Chairman.

Second: Mr. Buksa.

Discussion: None.

Vote: Yes – 5 No – 0 Abstain – 0. Motion carries.

Adjournment:

Motion: Mr. Petersen moved to adjourn.

Second: Mr. Buksa.

Vote: Viva voce. Motion carries.

Meeting adjourned at 7:08 p.m.

Chairman Roland Raffin
Board of Zoning Appeals

Date of Approval

Executive Secretary Thomas Vander Woude
Board of Zoning Appeals

Date of Approval