BOARD OF ZONING APPEALS
STAFF REPORT

To:	Members of the Board of Zoning Appeals
From:	Tom Vander Woude, Planning Director
Meeting Date:	March 9, 2021
Agenda Item:	BZA Docket No. 21-001
Hearing:	**PRELIMINARY HEARING**
Summary:	ICU Sign Solutions, LLC on behalf of Mark C and Elizabeth A Demakas H&W, requesting approval of variances from TABLE 26-6.701.B MONUMENT SIGN SPECIFIC STANDARDS and SECTION 26-6.701.B.5.t to permit a cabinet-type monument sign that is greater than 18 square feet.

Applicant:	ICU Sign Solutions, LLC on behalf of Mark C and Elizabeth A Demakas H&W
Property Address:	1000 Fran Lin Parkway
Current Zoning:	CD-4.A General Urban A Character District
Adjacent Zoning:	North: CD-4.A South: CD-4.A East: CD-3.R1 West: CD-4.A
Action Requested:	Schedule public hearing
Additional Actions Required:	Approval of Variances Findings of Fact
Staff Recommendation:	**<u>Schedule public hearing</u>**
Attachments:	BZA 21-001 variance application Fran-Lin Professional Center Single Face Non-Illuminated Sign drawing number LY-0493-1C dated 12.15.2020

Figure 1: Subject property highlighted in blue.

BACKGROUND

ICU Sign Solutions of Valparaiso, Indiana has submitted a sign permit application to install a new 50 square foot monument sign for the Fran-Lin Professional Center at the corner of Fran-Lin Parkway and Columbia Avenue. The sign is planned as a replacement to an existing wooden post sign at the same location. The proposed sign is a painted aluminum cabinet with painted aluminum tenant panels mounted on a veneer brick base.

DISCUSSION

Two variances are being requested in connection with this project.

Code Section	Standard	Permitted	Proposed
TABLE 26-6.701.B	MONUMENT SIGN SPECIFIC STANDARDS - AREA	18 square feet maximum	50 square feet
SECTION 26-6.701.B.5.t	General Sign Provisions.	Except as may be expressly permitted in this Article, Neon Signs, Cabinet Signs, and Projection Signs are not permitted.	Cabinet-style monument sign

VARIANCE STANDARDS

The variance process is established to provide relief to a property owner when, due to unique circumstances, compliance with the zoning code imposes a hardship or practical difficulty on a property owner. The BZA is under no obligation to grant a variance. It is the petitioner's responsibility to prove a hardship or practical difficulty. The BZA should ask the petition to address the criteria listed below.

Sec. 26-6.804.I of the Munster Zoning Code states that the basis for a variance is as follows:

g. General Standards.

A Variance may be granted only if the Decision-Making Authority has made the following determinations for such Variance:

i. the practical difficulties or unnecessary hardships that would be incurred by strict application of the Use or Development standard, as applicable, are unique and not shared by all properties in the vicinity and are not self-imposed;
ii. such Variance is the minimum Variance that will relieve such practical difficulties or unnecessary hardships, as applicable;
iii. such Variance is in the spirit of the general purposes and intent of this Article as stated in Division 1; and
iv. such Variance is so designed as to provide reasonable consideration to, among other things, the character of the neighborhood, District, or Civic Zone, the conservation of property values in the vicinity, and the guidance of Development in accordance with the Comprehensive Plan.

h. Specific to Development standards Variances:

A Variance from Development Standards may be approved or approved with conditions only if:

i. it will not be injurious to the public health, safety, morals, and general welfare of the community;
ii. the use and value of the area Adjacent to the property included in the Variance will not be affected in a substantially adverse manner; and
iii. the strict application of the Development standards will result in practical difficulties in the use of the property.

The applicant has addressed these criteria in the attached application.

RECOMMENDATION

The Board of Zoning Appeals may wish to consider the following motion:

Motion to schedule a public hearing for BZA Docket No. 21-001.

Petition BZA 21 - 001
Date: 2/19/21
Application Fee: $ 450.00
Sign Fee: $ 25.00
$475.00

Town of Munster Board of Zoning Appeals Petition Application

OWNER INFORMATION:

MARK C & Elizabeth A DeMakas H&W
Name of Owner

Phone Number

1000 Franlin Pkwy Munster IN 46321
Street address, City, ST, ZIP Code

Email address

APPLICANT OR PETITIONER INFORMATION (if different than above):

ICU Sign Solutions, LLC
Name of Applicant/Petitioner

(219) 406 2002
Phone Number

2201 Cricklewood Ct. Valparaiso IN 46385
Street address, City, ST, ZIP Code

larry@icusignsolutions.com
Email address

PROPERTY INFORMATION:

FRAN-LIN Professional Center
Business or Development Name (if applicable)

901-931 Franlin Pkwy Munster IN
Address of Property or Legal Description

Current Zoning

APPLICATION INFORMATION:

Please select what this Application is for:

☒ **Variance** If yes, select one of the following: ☐ **Use** ☒ **Developmental Standards**

☐ **Conditional Use**

☐ **Administrative Appeal**

Brief Description of Project and List of Variances or Conditional Uses Being Requested (if applicable):

Removal of existing office building monument sign that is wooden & rotting. Replace with a new aluminum display that identifies the (4) four tenants in the building. new sign to be externally illuminated with existing fixture & located in the same location with an overall height of 5' tall.

variance request is due to size of the new sign, which is the same square footage as the existing sign.

Torvenga Engineering
Name of Registered Engineer, Architect or Land Surveyor

(219) 836 8918
Phone Number

901 Ridge Rd Munster IN 46321
Street address, City, ST, ZIP Code

Email address

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 proposed monument sign will be installed meeting Town of Munster set-back requirements & Not obscuring traffic visibility. It will also be manufactured with quality materials that meet Town of Munster code.

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 property will continue to operate as it currently has (I.e. office building) that reflects existing operations.

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:

The businesses will not be able to be identified seeing this office building has four tenants. Code is written based on a(1) one tenant occupant & does not allow for others, thus the need for additional signage needs.

Attach additional pages if necessary

Full Extent | Previous Extent | Search... | Layers | Export | Print | Share | Map Query | Point Select | Line Measure | Point Markup | Street View | Client Info | Help

Parcel (1)

☆ **Parcel: 45-07-30-156-001.000-027**

Owner:
Demakas, Mark C & Elizabeth A Demakas H & W
Mailing Address:
1000 Fran Lin PKWY Munster IN 46321
Site Address:
1000 FRAN LIN PKWY MUNSTER IN 46321

FRAN-LIN Professional
SIGN LOCATION:

- Southeast corner of property
- 10' setback from property lines & in same location as existing sign.

Displaying 1 - 1 (Total: 1)

Page 1 of 1

Layers | Parcel (1) | Basemaps | 0 20 40ft | Scale 1: 564 Go

907 RIDGE ROAD
MUNSTER, INDIANA 46321

TORRENGA ENGINEERING

TELEPHONE 836-8918

CIVIL ENGINEERING & LAND SURVEYING

MORTGAGE INSPECTION SURVEY

THIS REPORT IS BASED ON LIMITED ACCURACY DATA AND THEREFORE NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINES.

DESCRIPTION: Lot 1, Block 5, Fairmeadow 24th Addition to the Town of Munster, as shown in Plat Book 64, page 52 in the Office of the Recorder of Lake County, Indiana.

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ACCORDING TO THE OFFICIAL RECORDS AND THAT THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY.

Gary P. Torrenga

GARY P. TORRENGA - Registered Professional Engineer
Number 18376 and Land Surveyor Number S0514

Prepared For: Community Resources, Inc.
Job Order: #16-89

Single Face Non-Illuminated Sign

Scale: 1/2" = 1'-0"

SIGN SPECIFICATIONS:

ONE SINGLE SIDED NON-ILLUMINATED SIGN DISPLAY:

FABRICATED ALUMINUM CURVED CORNICE - PAINTED MAP BRUSHED ALUMINUM
1-1/2" DEEP ADDRESS PANEL - PAINTED BLACK - WHITE PAINTED ADDRESS
FABRICATED ALUMINUM SIGNCASE - PAINTED MAP WHITE - BLACK 1/2" FCO LETTERS
FOUR (4) 1-1/2" DEEP TENANT PANELS - PAINTED BLACK - WHITE PAINTED COPY AND BORDER STRIPES
FABRICATED ALUMINUM BASE - VENEER BRICK BASE, STYLE TO MATCH EXISTING BUILDING

ILLUMINATED WITH EXISTING EXTERIOR LIGHTING

EXISTING

PROPOSED

ICU SIGN SOLUTIONS
icusignsolutions.com

OFFICE: 219.464.0420
FAX: 219.464.0490

2201 Cricklewood Court
Valparaiso IN 46385.

DRAWING NUMBER:
LY-0493-1C

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CLIENT NAME: **Fran-Lin Professional Center**

JOB LOCATION:
901-931 FRAN-LIN PKWY.
MUNSTER, IN 46321

CLIENT APPROVAL:

LANDLORD APPROVAL:

By signing the Customer Acceptance on this print, I understand that I am accepting all aspects of this drawing. This includes Artwork, Specifications, Dimensions, Spelling and all other representations herein. I also understand that color reproductions on this print are approximate, and may not match manufacturer's samples exactly.

ICU SALES REP.:
LARRY YURKO

DESIGNER:
JEFF FOGG

REVISIONS:
1 EXTENDED BASE - 1-5-21

1/2" = 1'-0"

DATE:
12.15.20