

MUNSTER BOARD OF ZONING APPEALS
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: May 11, 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:

Daniel Buksa (via Zoom)
Stuart Friedman (via Zoom)
Sharon Mayer (via Zoom)
Jonathan Petersen (via Zoom)
Roland Raffin (via Zoom)
Lee Ann Mellon (Town Council Liaison)

Members Absent:

Staff Present:

Tom Vander Woude, Planning Director
Dave Wickland, Attorney

Approval of Minutes:

Motion: Mr. Petersen moved to approve the minutes of the April 13, 2021 meeting.

Second: Mr. Raffin.

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

Preliminary Hearings

- a. **BZA 21-002 Guy Costanza/GM Contracting representing Vincent Cryns requesting approval of multiple variances for a proposed commercial development at 407-411 Ridge Road.**

Mr. Vander Woude reported that the applicant has requested a continuance.

Motion: Mr. Raffin moved to continue BZA 21-002.

Second: Ms. Mayer.

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

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 the petitioner is still collecting data and has not resolved the problem of stacking trucks and truck congestion on Superior Avenue and has requested a continuance to June.

Motion: Mr. Raffin moved to table BZA 20-012 to the June meeting.

Second: Ms. Mayer.

Discussion: None.

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

- b. BZA 21-001 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.**

Mr. Vander Woude read his staff report into the record. He said that the applicant is requesting sign variances for the property located at 901-931 Fran-Lin Parkway. He said a preliminary hearing was held in March, the petitioner failed to post public notice so the public hearing was delayed one month. He said the applicant is seeking to replace an existing wooden post sign with a metal cabinet sign on a brick base. He said the petition requires two variances: from the maximum area of a monument sign which is 18 square feet, they are proposing 50 square feet; the second is from the prohibition against a metal cabinet sign. He said they have provided a response to the required conditions of approval, which is included in the staff report. Mr. Larry Yurko of ICU Sign Solutions LLC introduced himself. He said they are not including any internal lighting in the sign. He said they are proposing 28 feet of sign area and are meeting the 6' height restriction with an overall height of 5' and a brick veneer base. He said that the building is a multitenant facility, and he feels the code is very restrictive allowing only 18 square feet total as if it were a single-tenant building. He said the existing sign is wood and is falling apart. Mr. Raffin asked if the landscaping is proposed to be the same. Mr. Vander Woude said that the existing landscaping meets the code. Mr. Friedman opened the public hearing. No comments. Mr. Friedman closed the public hearing.

Mr. Raffin asked to clarify the variances. Mr. Vander Woude said that both the size of the sign and sign type, which is a metal cabinet sign, require variances. Mr. Raffin asked for the staff recommendation. Mr. Vander Woude said that the staff proposed some changes recently to the sign ordinance that would have permitted this type of sign. He said that the Plan Commission rejected that change, so he would not recommend approval of this variance. Mr. Raffin asked if there were other types of signs that could be permitted. Mr. Yurko said that he can remove the panel and include exposed supports. Mr. Raffin said the brick wall could be extended upward to hide the supports. Ms. Mellon said that the Plan Commission has maintained strict sign standards to upgrade the aesthetics of the Town over time; she said that this has been effective in removing pole signs. She said that the current professional buildings include the names of tenants on signs and they are not legible, yet she has not had any difficulty finding a particular office. Mr. Petersen asked if the petitioner would be willing to withdraw his request and present a design that could be acceptable to the Town. Mr. Yurko said he prefers not to request variances, but he believes that the proposed sign will improve the aesthetics of the location. Mr. Raffin said that he is less worried about the height than he is the overall area of the sign. Ms. Mayer asked whether the current code takes into account multitenant signs. Mr. Vander Woude said that the rules are the same for a single-tenant and multitenant sign. Mr. Yurko said that the actual square footage of the proposed sign is 28 feet, based on drawing a shape around the copy. Mr. Vander Woude corrected him and said that the entire cabinet is measured.

Motion: Mr. Petersen moved to deny BZA 21-001.

Second: Mr. Buksa.

Discussion: None.

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

c. BZA Docket No. 21-003: Michael J. Koufos/Kukla Properties LLC requesting landscaping variances for the redevelopment of 1734 45th Street as an orthodontic office

Mr. Michael Koufos introduced himself as the property owner. He said they are requesting approval of their plans to convert a restaurant building into an orthodontic office. He said they are seeking approval of landscape variances. Mr. Vander Woude said that a preliminary hearing was held last month and the public hearing is to take place tonight. Mr. Koufos said that they are requesting a variance for landscaping in the parking lot and the causation is the amount of traffic that they run through the parking lot on a daily basis. He has about 16 staff members and they see between 60 and 80 patients a day, so reduction of the number of spaces will affect their operations.

Mr. Friedman opened the public hearing. No comments. Mr. Vander Woude read correspondence received from Dr. Jeffery T. Meister into the record. The correspondence is attached to the minutes. The remonstrant stated that his parking lot is adjacent to the subject property and is the only lot with the required landscaping. Mr. Raffins said they should count the number of parking spaces at the White Oak Professional Center. Mr. Petersen said that his office is just west of the location. Mr. Petersen said that the subject property is being redeveloped from a restaurant to an orthodontic office and the parking is constrained so he believes the variance is justified. He said there is a need for additional space to allow the space to be reused. Mr. Friedman closed the public hearing.

Motion: Mr. Raffin moved to approve the variances in BZA 21-003.

Second: Ms. Mayer.

Discussion: None.

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

Findings of Fact

- a. BZA 21-001 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.**

Mr. Petersen suggested that findings of fact be written following the meeting where action is taken and presented at the following meeting to ensure that they are accurate.

Motion: Mr. Petersen moved to defer the findings of fact for BZA 21-001.

Second: Mr. Buksa.

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

b. BZA Docket No. 21-003: Michael J. Koufos/Kukla Properties LLC requesting landscaping variances for the redevelopment of 1734 45th Street as an orthodontic office.

Motion: Mr. Raffin moved to approve the findings of fact for BZA 21-003.

Second: Ms. Mayer.

Discussion: Mr. Petersen asked for an amendment to the findings of fact to reflect the vote totals: 5 in favor and none opposed. Mr. Raffin agreed to amend his motion. Ms. Mayer agreed to amend her second.

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

Mr. Petersen suggested that any findings presented to the board be in a complete form rather than as “fill-in-the-blank”.

Additional Business/Items for Discussion

None.

Next Meeting: Mr. Freidman announced that the next regular business meeting will be June 8, 2021, at 6:45 p.m.

Adjournment:

Motion: Mr. Petersen moved to adjourn.

Second: Mr. Buksa.

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

Meeting adjourned at 7:47 p.m.

Chairman Stuart Friedman
Board of Zoning Appeals

Date of Approval

Executive Secretary Thomas Vander Woude
Board of Zoning Appeals

Date of Approval