BOARD OF ZONING APPEALS
STAFF REPORT

To:	Members of the Board of Zoning Appeals
From:	Tom Vander Woude, Planning Director
Meeting Date:	July 12, 2022
Agenda Item:	BZA Docket No. 22-011
Hearing:	**PRELIMINARY HEARING**
Application Type:	**Developmental Standards Variance**
Summary:	Tim Overmyer of Vanadco Signs on behalf of Peoples Bank requesting variances from TABLE 26-6.701.B Wall Sign Specific Standards to permit a wall sign on the 3rd floor of the west elevation of the building at 9204-B Columbia Avenue.

Applicant:	Tim Overmyer of Vanadco Signs on behalf of Peoples Bank
Property Address:	9204 Columbia Avenue
Current Zoning:	CD-4.A General Urban - A District
Adjacent Zoning:	North: CD-4.A South: CD-4.A East: CD-3.R2 West: CD-4.A
Action Requested:	Schedule public hearing
Additional Actions Required:	Findings of Fact
Staff Recommendation:	**<u>Schedule public hearing</u>**
Attachments:	BZA 22-011 variance application including sign cut sheet prepared by Vanadco Signs dated 04.20.2022 BZA 08-01 Findings of Fact Peoples Bank Munster Office channel letter sign approved under BZA 08-01 prepared by Vanadco Signs dated 11.20.2007

Figure 1 Subject property.

BACKGROUND

Tim Overmyer of Vanadco Signs on behalf of Peoples Bank has submitted an application for approval of variances from TABLE 26-6.701.B Wall Sign Specific Standards to permit a wall sign on the 3rd floor of the west elevation of the building at 9204-B Columbia Avenue. There are two buildings located on the subject parcel. The west building has the address 9204-B and is the location of the Peoples Bank corporate offices and loan center. The east building, 9204-A, is the location of the banking and investment center. The sign is proposed to be located on the west wall of the west building.

Peoples Bank received a variance for a sign in this location in February 2008. The approved signage and the findings of fact are attached to this report. That variance permitted a second principal sign in a C1 zoning district. The sign was limited to 34 square feet, though the actual dimensions of the sign appear to be larger – approximately 45 square feet. The approved sign was an internally illuminated channel letter sign.

Earlier this year, Peoples Bank began implementing new branding standards including the replacement of all their signage. The sign previously approved by variance was removed and a "chevron" logo sign

was proposed in its place. The sign currently proposed by Peoples Bank is a 33.8 square foot reverse channel logo sign with interior halo lighting. The new sign is smaller in area than the previously approved sign, but it exceeds the height of the sign approved by variance and the maximum letter height and overall height of a channel letter wall sign, which is 24” and 36” respectively.

Figure 2 View of previous Peoples Bank sign from intersection of Calumet Avenue and Fran-Lin Parkway

DISCUSSION

The following variances are being requested:

	Code Section	Standard	Permitted	Proposed
1.	Table 26-6.701.B Sign Types – Wall Sign – Specific Standards	Quantity	Maximum 1 per Façade - a single sign on the north side of the building; 1 sign on the west side permitted by previous variance	In addition to the existing sign on the north side facade, 1 sign on the west side of the building
2.	Table 26-6.701.B Sign Types – Wall Sign – Specific Standards	Dimensions Sign Size Lot with bldg. setback < 100' Letter Height (max)	24" height permitted by ordinance; 23" permitted by previous variance	64" logo height
3.	Table 26-6.701.B Sign Types – Wall Sign – Specific Standards	Dimensions Sign Size Lot with bldg. setback < 100' Overall Height (max)	36" height permitted by ordinance; ~46" permitted by previous variance	64" logo height
4.	Table 26-6.701.B Sign Types – Wall Sign – Specific Standards	Additional Standards	shall be applied to the first Story Facade and not project vertically above the roof line	Sign to be installed on 3rd floor

The subject property is located at the intersection of a private internal "roadway easement", which, though it does not meet the Town's roadway standards, does provide access to the adjacent properties. Were this a public road, the west side of the building would be defined as a "secondary frontage" and variance #1 would not be required.

Figure 3 Site Plan

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. 22-011.