



BOARD OF ZONING APPEALS STAFF REPORT

To: Members of the Board of Zoning Appeals

From: Tom Vander Woude, Planning Director

Meeting Date: August 9, 2022

Agenda Item: BZA Docket No. 22-011

Hearing: **PUBLIC 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: Approve variances

Additional Actions Required: Findings of Fact

Staff Recommendation: **Deny variance**

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.

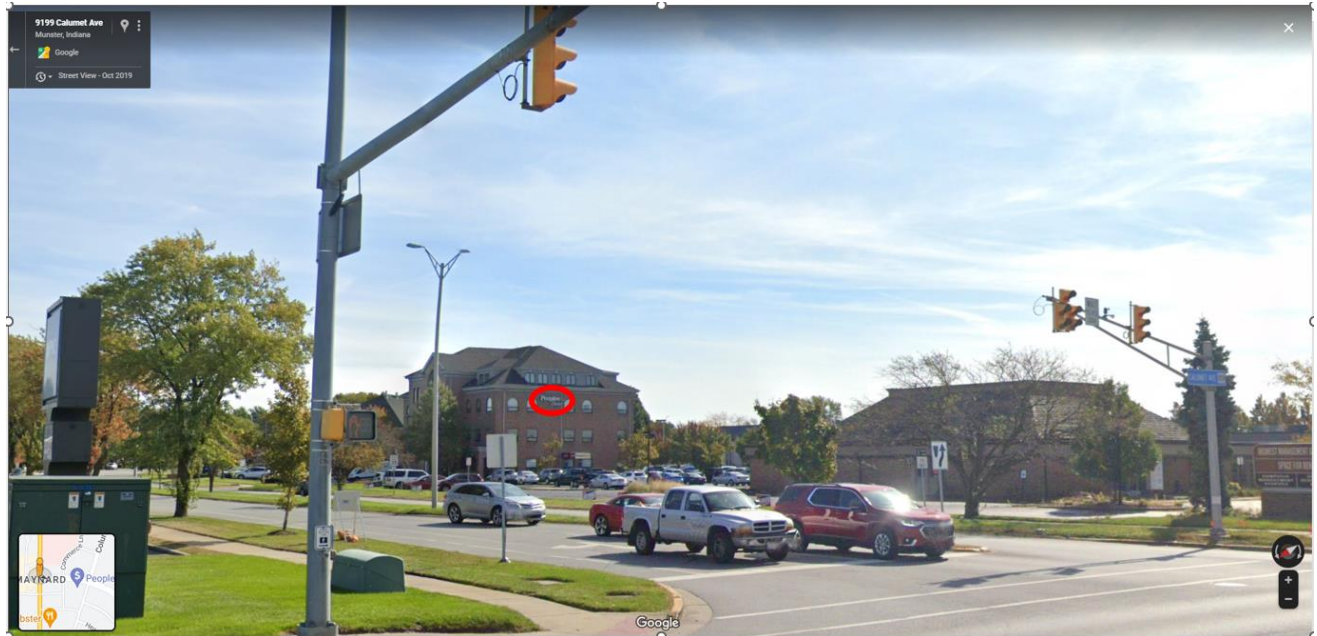


Figure 2 View of previous Peoples Bank sign from intersection of Calumet Avenue and Fran-Lin Parkway

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 3 rd 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.

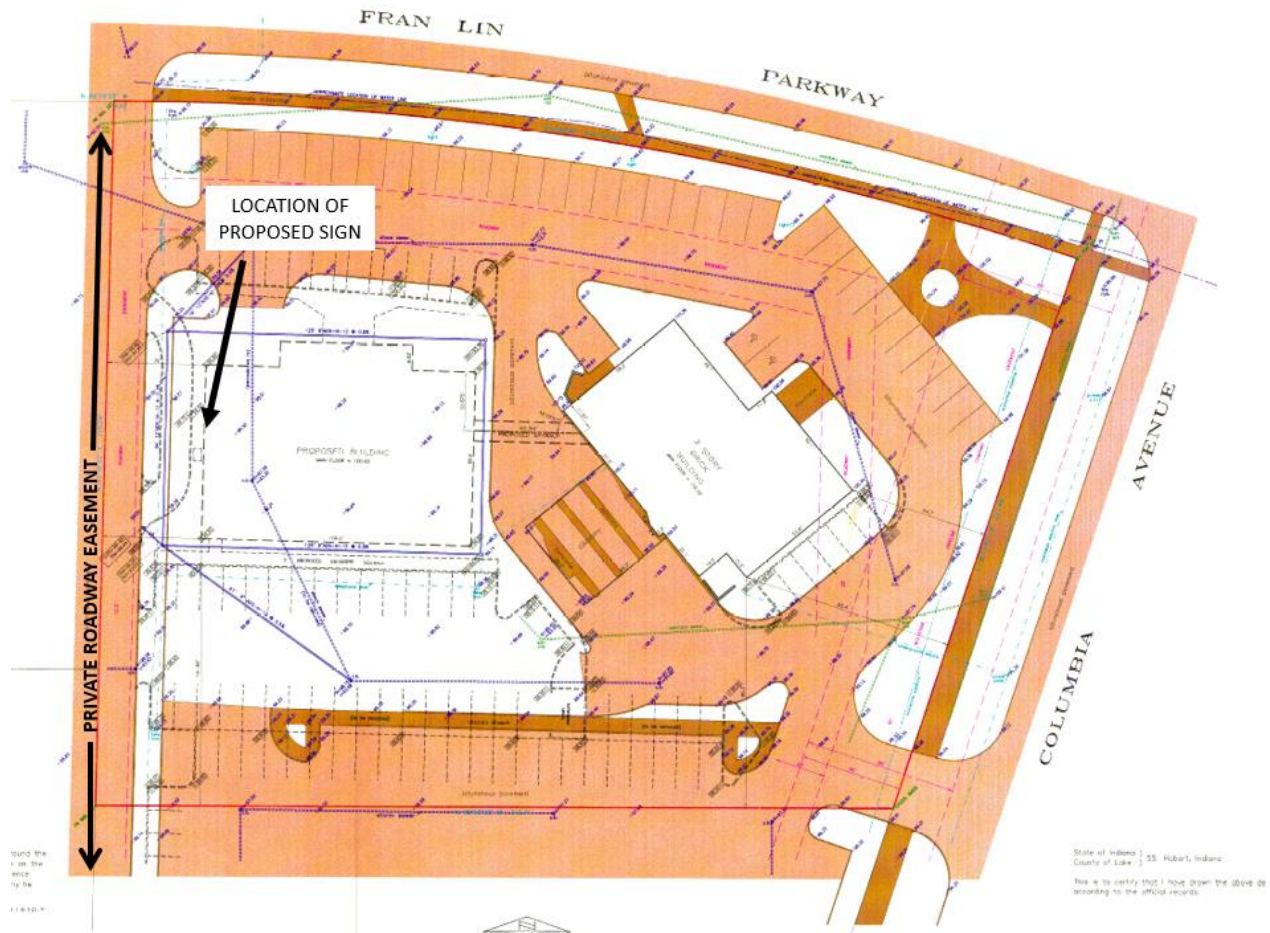


Figure 3 Site Plan

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

Staff does not find that there are practical difficulties in complying with the development standards discussed in this report. The subject property is located on the corner of Columbia Avenue and Fran-Lin Parkway and is therefore already permitted signage on two frontages. Staff recommends denial of the requested variances.

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

Motion to deny BZA Docket No. 22-011.



Petition BZA _____ - _____

Date: _____

Application Fee: \$ _____

Sign Fee: \$ _____

Town of Munster Board of Zoning Appeals Petition Application

OWNER INFORMATION:

Name of Owner

Phone Number

Peoples Bank

219-836-4400

Street address, City, ST, ZIP Code
9204 Columbia Ave, Munster IN46321

Email address

sricciardi@ibankpeoples.com

APPLICANT OR PETITIONER INFORMATION (if different than above):

Name of Applicant/Petitioner

Phone Number

Tim Overmyer

574-952-4556

Street address, City, ST, ZIP Code

Email address

10625 St Rd 10 Argos, IN 46501

tim@vanadco.com

PROPERTY INFORMATION:

Business or Development Name (if applicable)

Peoples Bank

Address of Property or Legal Description

Current Zoning

9204 Columbia Ave

CD-4A

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):

Peoples Bank recently updated their logo and are requesting to install an updated logo. The Bank previously had a variance for a sign in this same location for 34 sq ft, 36" in height and 11'18" in length. Peoples Bank will install only the Chevron with no copy in order to meet 2 of the requirements from the previous variance. Only the height of the new logo (64") exceeds the original 36" height. Sq footage is 33177 and length is 76". The Chevron will be reverse channel with halo lighting. The location location (3rd floor) and set backs (17') are the same as the previous sign.

We are asking for a Variance for height of sign from 36" to 64",

Name of Registered Engineer, Architect or Land Surveyor

Phone Number

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 square footage of the new logo is smaller than the previous sign. The logo is aluminum reverse channel with interior Halo LED lighting. The logo is UL listed and will be properly lagged into the masonry .

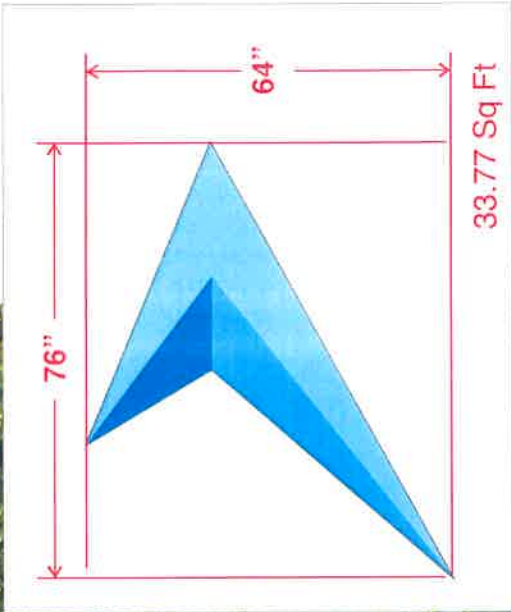
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Explain why this statement is true in this case:

The corporate office of Peoples Bank is located in a CD zoned district. Commercial buildings are on both sides and across Fran Line Parkway.

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 logo is designed to be large enough to assist motorist on Calumet Avenue to have time to move into the proper turn lane..

Attach additional pages if necessary



PMS COLORS	
●	PMS 639
●	PMS 637
●	PMS 636

SCALE: 1/8" & 3/8" = 1'

DATE: 02-24-22 rev. 03-31-22: 04-20-22

FILE: Corp LED Logo 64 inch.cdr

Vanadco Signs
10625 STATE RD 10 • ARGOS, IN. 46501 | vanadco.com

Internally Illuminated LED Channel Logo with Black Trim Caps and Black Returns
Mounted on Raceways Painted to Blend with Bricks

All drawings/designs/derivatives: ©2022, Vanadco Signs, Inc., All Rights Reserved. Due to the limitations of the printing process, printed colors can vary from actual colors.

ARTWORK APPROVED BY:

APPROVAL DATE:



Petition BZA _____ - _____

Town of Munster Board of Zoning Appeals Application Signature Page

I hereby authorize Tim Overmyer of Vanadco Inc. to act on my behalf as my agent in this petition and to furnish, upon request, supplemental information in support of this petition application.

Michael J. Shinal

Signature of Owner

Date

Signature of Applicant

Date

Legal Description

Lot 1, except the South 208.86 feet by right angles from the West line thereof,
Fairmeadow 32nd Addition, to the Town of Munster, as shown in Plat Book 48, page 100,
and as shown in plat of correction recorded in Plat Book 51, page 45, in Lake County,
Indiana

MUNSTER BOARD OF ZONING APPEALS

BZA DOCKET NO. 08-01

Vanadco Signs/Peoples Bank
9204 Columbia
Munster, IN 46321
Applicant

FINDINGS OF FACT

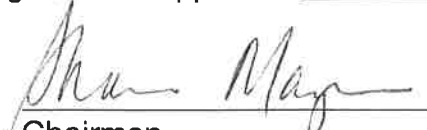
This matter came on for public hearing February 26, 2008. Applicant requests variance from Munster Town Code Section 26-1053 of the Munster Code which limits businesses in a C1 zoning district to one principal sign. Applicant proposes to construct a sign totaling 34 square feet on the west side of the building located at 9204 Columbia Avenue in accordance with plans and specifications submitted. Applicant presented evidence and testimony in support of the variance. Applicant presented proof of publication and notification as required by law. The public hearing was opened. There were no remonstrances. The public hearing was closed. Now therefore based upon the testimony and evidence presented the Board of Zoning Appeals finds as follows:

1. Strict application of the sign code to the Applicant property creates a hardship or practical difficulty because the building in questions faces on Columbia Avenue and on a well traveled private road so it has virtually two frontages with substantial traffic passing on both the east and west side of the building.
2. The codes limitation to signage on only the front of the building makes it difficult for parties approaching on the private road from the west to identify Applicant's building.
3. The proposed sign is relatively small and compatible with the large size of the building.
4. The proposed sign will not have an injurious effect on neighboring property owners or the general public.

WHEREFORE based upon the above findings the Board of Zoning Appeals voted 4-1 to grant the proposed variance.

Action taken February 26, 2008. Findings of Fact approved 27th day of MAY, 2008.

Date: 5/27/08

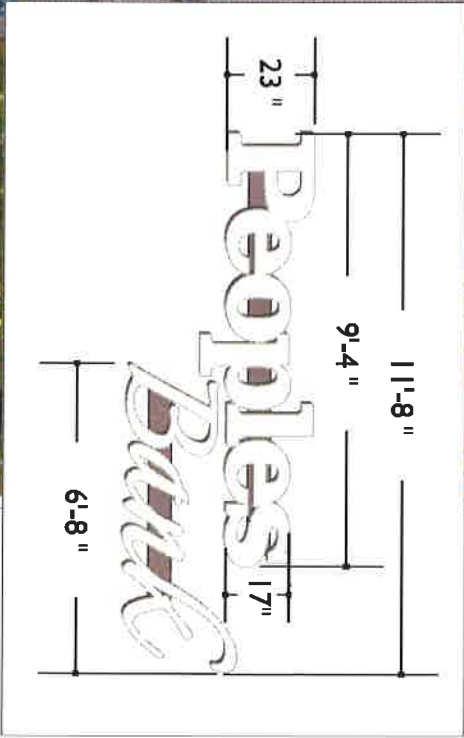


Chairman
Munster Board of Zoning Appeals

ATTEST:

Secretary, Munster Board of Zoning Appeals

Munster Office



Vanadco Signs

10825 ST. RD., 10 • ARGO, IN 48501 • 574-592-5000 Vanadco.com

- Internally Illuminated Channel Letters
- Mounted on a Raceway Painted to Blend with Brick

FILE: PeoplesMunsterChannel.cdr\11(mac)

SCALE: 1/8" & 1/4" = 1'

DATE: 11-20-07

DRAWN BY: **CCR**