

MUNSTER BOARD OF ZONING APPEALS
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: July 12, 2022

The announced meeting location was Munster Town Hall and could be accessed remotely via Zoom, a video conference application.

Call to Order: 6:45 pm

Pledge of Allegiance

Members in Attendance:

Brian Specht
Daniel Buksa
Roland Raffin
Brad Hemingway

Members Absent:

Sharon Mayer

Staff Present:

Tom Vander Woude, Planning Director
Dave Wickland, Attorney

Approval of Minutes:

Motion: Mr. Buksa moved to approve the minutes of the June 14, 2022, meeting.

Second: Mr. Raffin.

Vote: Yes – 4 No – 0 Abstain – 0. Motion carries.

Preliminary Hearings

- a. **BZA Docket No. 22-011 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.**

Mr. Vander Woude said the subject property is located at the corner of Fran Lin and Columbia Avenue. It is a CD-4A district. The petition is seeking to install a sign on the west face of the building facing Calumet Avenue. It is a channel logo sign proposed for the third floor. They are requesting 4 variances in connection with this proposal. The 1st is related to the quantity of signs. Our standard is there is a maximum of one sign permitted per façade. Façade is defined as a street facing elevation of a building. This proposed sign is on the west side of the building, not facing the street. The 2nd variance is from the overall sign size. The maximum height of a sign is 24" for a building with a setback of less than 100 feet from their lot line. They are requesting a 64" high logo. The 3rd variance is from the overall height of the sign. The maximum permitted is 36". They are requesting a 64" logo sign. The 4th variance is from the additional standards that prohibit a sign installed above the first story of the building. They are proposing to install it on the third floor of the bank building. Mr. Vander Woude said that Peoples Bank received a variance for a sign in this location in February 2008. The original sign was limited to 34 SF. When they rebranded, they wanted to replace the Peoples Bank sign with the chevron sign. The proposed sign does not comply with the previously approved variance.

Tim Overmyer, of Vanadco Signs, address 10625 State Road 10, Argos, IN, introduced himself as the applicant. He said they are seeking to install just the chevron logo; they had looked at including Peoples Bank with the logo, but it is too large. He said the square footage is less than was there before, it is 33" now, it was 34", but they are exceeding the height and they need a variance for the location. He said the sign is reverse illuminated. The previous sign has Peoples Bank lit through the face. They are requesting the

sign so the building can be identified from Calumet Avenue. He said this is the bank's headquarters. Mr. Raffin said staff mentioned that the previous sign was not compliant with our square footage. He

Motion: Mr. Buksa moved to set BZA Docket No. 22-011 for a public hearing.

Second: Mr. Hemingway

Vote: Yes –4 No – 0 Abstain – 0. Motion carries.

Public Hearings

- a. BZA Docket No. 22-006 Paul Kats on behalf of Munster Church, Inc. requesting multiple variances from the Civic Zone Building and Lot Standards; Private Lighting Standards; Vehicular Parking, Bicycle Parking, Loading Space & Trash Receptacles; and Streetscape Repairs, Replacements, & Improvements sections to permit the construction of an addition to the Munster Church and the construction of a new multipurpose accessory building on the same site at 214 Ridge Road.**

Mr. Vander Woude said the applicant is seeking to construct an addition to the main church building, demolish several buildings on the site, reconfigure the parking lot, and build an accessory building at the southeast corner of the site along with a detention pond for storm water. He said the applicant presented at a preliminary hearing last month and have revised their plans since then. The revised plan shows a 6' vinyl fence proposed along the south edge of the east parking area. This is on the east side of the cemetery. A dumpster enclosure is proposed at the southeast corner of the property as well. They also submitted a revised landscaping plan that includes an additional five shade trees along the Ridge Road frontage, south of the sidewalk on Ridge Road.

Mr. Vander Woude listed the variances being requested:

1. From the façade position standard, the requirement is that a building be positioned parallel to Ridge Road. The proposal is to position the building in line with the existing Church building on the straight east-west line.
2. From the design proportion standard; the zoning code requires that buildings either in their entirety or in their individual components be based on fractions using whole numbers or very specific proportions. They have a note on their building addition plans that states the average façade proportion ratio equals 1 to 4 but there is not enough detail to ensure the requirement is being met.
3. From the roof pitch requirement, the code requires that all buildings within a civic zone have a roof pitch that is either flat or between 8:12 and 14:12. The applicant is proposing a multipurpose room which is situated on the south part of the addition with a 5:12 roof pitch.
4. From the requirement that the main entrance of the building be in the façade of the principal frontage. This means the main entrance of the building would have to be Ridge Road. They are proposing that the main entrance be on the south side of the building, and they are removing the pedestrian connection from Ridge Road to the doors.
5. From the requirement is that the parking area be screened from residential properties to the south by a 6' fence or hedge. There is a vinyl fence proposed along the east parking lot. The west parking lot would require additional screening, either a fence or hedge.

He said they are requesting two variances from the lighting standards:

1. From the minimum illumination standard of 0.4 foot candles; they are proposing a lighting plan that has certain portions of the parking lot to be illuminated at less than 0.4 foot candles.

2. From the requirement for colonial, coach, or acorn type light fixtures; they are proposing to reuse existing and provide some new shoebox light fixtures.

Mr. Vander Woude said the construction of a new building requires that all landscaping be brought up to current standards. The applicants are requesting the following variances:

Landscape islands are required in existing parking lots when a building is constructed. These would be required at a ratio of 1 for every 10 parking spaces as well as one island at the end of every row. Both of those standards are not being met so they are requesting variances from each of those standards.

For every 2000 SF of parking area or parking lot, at least 1 must be installed or preserved. The staff calculated that out to be approximately 20 trees for the east parking area and 11 for the west parking area. Those calculations were not provided, so staff cannot tell if they are complying.

The second standard is that no parking space will be more than 72' from a tree within the lot. There are additional trees proposed east of the parking area, but it appears that there are parking spaces that are farther than 72' from a tree.

Mr. Vander Woude said that anytime a project of this scale is completed, the public frontage in front of the building is required to be brought up to compliance with our streetscape standards. If there is not sufficient right of way in front of the building, it is required to be installed on the property. They meet the standard for a sidewalk that is already there. They are required to have shade trees planted 30' on center. He said he estimates that they must install approximately 14 shade trees and they are proposing 7 additional trees.

Ted Rohn from Rohn Associates, Architects of 13177 Rhode Street, Cedar Lake, representing Munster Church, introduced himself. He introduced Don Torrensa from Torrensa Engineering, the site engineer, Paul Kats from Munster Church, Fred Krooswyk, the landscape designer and installer, and Pastor Jim Hollendoner. He said they are removing four buildings to do their project. They are removing the parsonage which sits dead center of where the new addition is going. That will be torn down and three more accessory or garage buildings will be removed. He said removing those and replacing them with the new accessory building and the new addition will already beautify things as well as create a big green landscape area on the east parking. The new addition is a little over 13,000 SF and it is primarily for children's ministries, new offices, and fellowship area. They are adding a new elevator to make the entire building accessible even to their basement which is not accessible at this point. The goal is to make the entrances on the east sides accessible with ramps as well. He said they are connecting Ridge Road to the main addition with a walkway on the east side of the new addition. This meets ADA standards for access to the rear of the building. The accessory building is used mainly for children's stuff, a workshop, storage, and a food pantry. They are doing no work to the west parking lot, the west side of the cemetery or the building at all. That is why they haven't addressed adding islands to the project. They have the new addition as the front entry facing the street. The old building also has a main entry which has a sidewalk and stairs that lead down to Ridge Road. The church feels strongly that they want to remove those stairs and create a raised terrace/patio area that Fred will landscape beautifully. It is used because they have a lot of functions, like weddings, and people will come out. It feels unsafe to have those stairs leading directly to Ridge Road. No one uses those stairs to come to the church, everybody drives to the church. They've requested that variance so they can have a safe gathering place. In the event of an emergency, people can exit those front doors and go out to the west parking lot as opposed to down to the street sidewalk. He said the reason they are not complying with the roof pitch, is because it would raise much higher than the other peaks of the building, so they have kept it at 5:12 on that rear roof so it aligns. He said it is in the far back of the building and you really can't see it

from Ridge Road. He said they meet all the lighting requirements except for a small portion in the rear of the parking lot and they have no light spillage onto the neighbors. He said they are not using acorn light because those kinds of lights are hard to direct the light and get the light close to the property line; they have used a newer type of light fixture so they can direct the light. The neighbor spoke at the last meeting and asked the Board to approve that part of it because he wants less light at the south line where the residents are. Mr. Rohn said that for landscaping, if this were a brand-new project or a new site, they would put all the islands the way the ordinance says but this is all existing parking that they are doing minor modifications to. He said they have added some new islands directly south of the building where the new entry is. He said the parking lot has some huge islands, including the cemetery, with lots of trees. He said for the landscaping across the front, there is some new landscaping at the corner off of Hohman and Ridge. Fred is continuing that theme across the front of Ridge Road. He said there are some utilities and stuff that conflict with installing the required trees, but he is going above and beyond and this will be the nicest landscape along the front face of Ridge Road that you will see. He said to put islands in an existing parking lot will reduce the number of parking spaces, change the water flow, and be quite expensive and cost prohibitive. He said the church stepped up and agreed to do a new concrete curb along the south boundary with the residences and put the privacy fence up. Mr. Raffin said they should run that fence to the west. There are 3 houses that are not shielded by the parking lot. The fence should be run all the way down at least to the last house on the west side. Mr. Kats said that they landscaped that area several years ago and the gentleman who lives in the corner house loved what they did. To block him off from that landscape area, he would be disappointed. Mr. Raffin asked whether the new curb will ensure that water is not going to run off the property. Mr. Torrenga said there are sewers, there are French drains, they are just dry basins. They have taken out the asphalt curb and are putting in an actual 6" high curb with gutter so the water can be captured and pass over the south end of the parking lot. The reason the asphalt one didn't work is because the snowplows hit it and tore holes in it. Mr. Raffin asked what is being done about the trailers and the cargo boxes sitting on the property. Jim Hollendonner, 1517 Melbrook Drive, said one of the trailers will be put in the accessory building. The other one will be put in the very south end of the parking lot where it will not be seen from the street. The building storage container will be gone.

Mr. Raffin opened the public hearing. No comments. Mr. Raffin closed the public hearing.

Ms. Mellon said she is not a voting member of the BZA but wanted clarification. If you were to approve it, you want a direct sidewalk from Ridge Road to the front door. Mr. Vander Woude said there would be a break in the terraced landscape. Ms. Mellon said when she was there to see the tulip, she drove into the parking lot and went to the door. She couldn't remember if you get from the parking lot to the sidewalk, that is from the from the west, level with the front door. Mr. Rohn said there are stairs up to where the tulip is. There is a sidewalk that goes to the east that goes around to the entrance. Ms. Mellon said the way they did the landscaping looks very nice. She can see that as being a nice place for people to come out after church and gather without the stairs.

Motion: Mr. Buksa moved to approve all requested variances under BZA Docket No. 22-006 from the Civic Zone Building and Lot Standards; Private Lighting Standards; Vehicular Parking, Bicycle Parking, Loading Space & Trash Receptacles; and Streetscape Repairs, Replacements, & Improvements sections to permit the construction of an addition to the Munster Church and the construction of a new multipurpose accessory building on the same site at 214 Ridge Road-with the condition that the entire south lot to the west end of the parking lot be screened with a fence that meets the Town standard.

Second: Mr. Hemingway

Vote: Yes – 4 No – 0 Abstain – 0. Motion carries

b. BZA Docket No. 22-008 Larry Gill on behalf of Temple Beth-El requesting approval of variances from TABLE 26-6.405.B to allow a 6-foot vinyl fence at a frontage and in the 1st lot layer in a Civic Zone at 10001 Columbia Avenue

Mr. Vander Woude said the applicant is requesting the installation of a 6' fence along the Columbia Avenue frontage of the Temple Beth-El located at the corner of Palmer Singleton Drive and Columbia Avenue. They are requesting 2 variances. The first is from the maximum height of a fence at frontage which is 3½'-4'. The second is from the material standards that restricts vinyl fence to the third lot layer; they are seeking to install a vinyl fence in the first lot layer. He said they are seeking this variance to increase the security of their building and the grounds alongside Columbia Avenue. It was a recommendation provided to them by the Police Department in light of the recent attacks on religious institutions. He said they want to screen their outdoor patio from Columbia Avenue and provide a visual barrier, so they are not attracting unwanted attention.

Larry Gill introduced himself as representative of Temple Beth-El. He said they are looking for a way to secure their property. The benefit of this particular fence is there is a steel beam on the top and on the bottom to protect it, to give it more security so someone cannot just run through. It also provides privacy. They expect to be able to use the patio and back lawn for activities. They anticipate a lot more traffic on Columbia Avenue with the train station going down Main Street This will give them privacy from that.

Mr. Raffin opened the public hearing. Miriam Marcus 1907 Redwood Lane said she is a Munster resident and a member of the temple. She said she was on the committee and assisted in getting the federal grant money. There are several reasons they chose this fence. The design matches the design of the building. The façade of the building of stone and this fence will blend in better than the typical vinyl fence. It is a step up, it is classy, will blend in with the building including the color on it. We have all heard in the news that any public gathering is fair game for some sort of violence to occur, unfortunately. They have limited their outdoor events because they don't feel safe. That is very sad in this day and age, that people have to worry about gathering particularly at religious events. There are some events that are traditionally held outside. This really will enable them to more freely proactive and have the events they want to have. A 3 ½'-4' fence would not serve that purpose. Mr. Raffin closed the public hearing.

Mr. Gill said the fence will start at the northwest corner of the building about 8' or so, then parallel Columbia Avenue. When it hits the northwest corner of the building it will turn east and be adjacent to the corner of the building on the southwest side.

Motion: Mr. Buksa moved to approve of BZA Docket No. 22-008 granting variances from TABLE 26-6.405.B to allow a 6-foot vinyl fence at a frontage and in the 1st lot layer in a Civic Zone at 10001 Columbia Avenue variances from TABLE 26-6.405.B to allow a 6-foot vinyl fence at a frontage and in the 1st lot layer in a Civic Zone at Temple Beth-El at 10001 Columbia Avenue.

Second: Mr. Specht

Vote: Yes —4 No — 0 Abstain — 0. Motion carries.

c. BZA Docket No. 22-009 Jeanine Graham on behalf of JEM MedSpa requesting a variance from the Centennial Village Planned Unit Development Design Standards Section 11.7. to permit a second principal sign at the 9610 North Centennial Drive.

Mr. Vander Woude said the applicant is proposing two signs to be installed on the tenant space on Building G of Centennial Village PUD. JEM MedSpa is proposing to install 2 signs; they have rented 2 tenant spaces

and are proposing a sign over each. The variances they are requesting are from the Centennial Village planning and development standards Section 11.7 of the design standards, which states that each business in a multitenant building will be permitted one sign. Mr. Vander Woude said that there are other tenants within the Centennial Village PUD that occupy multiple tenant spaces including those that have multiple doors. None of those businesses have been permitted more than one principal business sign. He said that Midwest Orthopedics at Rush occupies the entire east portion of the building B in Centennial Village and there is clearly a place where they could put a second sign. There are multiple doors, but they were restricted to a single sign. Based on that, and on the anticipation that there will be additional tenants in these buildings that will occupy multiple spaces, his recommendation is that the Board deny this variance. Mr. Buksa asked Mr. Vander Woude if, in his professional opinion, that if this variance were granted, a precedence was established, does he believe that the other tenants in that area would come seeking similar variances. Mr. Vander Woude said yes, he predicts that would happen. Mr. Specht asked about projecting sign in the rendering. Mr. Vander Woude said that is an additional sign that is permitted and is not part of this variance. Mr. Hemingway said you have other buildings similar to this that will be developed later so this issue will be coming back up. Mr. Vander Woude said there will be at least one other building identical to this one directly to the south and there will be two very similar ones built. Mr. Specht asked if the awnings are already there or if they change it so there are not those supports. They may be able to center one sign. Mr. Vander Woude said those awnings are in place and the two frontages are separated by both the awning and by an architectural projection and the building is curved. Ms. Mellon said she knows they worked very hard on the standards for this and the sign that hangs off to the side. That one has the whole JEM MedSpa on it. Even if the middle, black MedSpa, isn't there, it seems obvious to her that it is their place. She knows the business around the corner, the boutique is doing quite well. She thinks if they do this, everybody will do this. Everybody wants more signage; they hear this every month. That is why they worked on the standards.

Petitioner Gus Galante of 1510 Somerset Drive said several points have been brought up. He has been a resident of Munster since 1967, so he is invested here. They researched many towns and several properties and chose Munster for a reason. He lives here, he wants to beautify the place, he wants his taxed to go for significant purposes. They (like) Centennial Village and the community in general. He is a plastic surgeon. Surgery is done in the operating room; this is a med spa. This is not a day spa where nails, hair and massage are done. This is medical treatments done by medical personnel. He will be the medical director, so it is a legitimate business from that standpoint. They have taken two suites, they have two entries, two doors. The problem issue is the restrictions they have. First, this is a very small sign, real estate wise. The other businesses area long. Those businesses have the real estate to do this, and he can't do it. If you try to put JEM MedSpa together it will be a very small font. It just won't look right and it will not be pretty. They have to separate it. There are supports so they cannot have they can't just put one sign. The second issue is the angle and they cannot put one sign across. Katie Rose, right next to them has one long sign. They are limited by the curve, the angle and because of the supports. obvious they need two signs. The third thing is at night, those are lit up and which is nice, it makes it pretty. The sign on the side is not lit but the two front are at nighttime when people need to see where they are going. The sign will be lit from behind so it will be beautiful, but they are restricted architecturally. Dr. Galante said the signs will be the same color. They just want to keep the brand and logo consistent. Mr. Vander Woude that the Midwest Orthopedic sign is significantly larger than the sign being proposed by JEM MedSpa. He noted in the staff report that even if they were granted the variance for the two signs; they would not exceed the permitted sign area. They are not proposing a sign or set of signs than are larger than what would be permitted. Mr. Raffin said the Katie Rose sign is every bit as big as these two signs in the same square footage. If the doctor did not have that awning there, he could fit one sign across that whole area. That's why this is unique. Mr.

Raffin opened the public hearing. No comments. Mr. Raffin closed the public hearing. Mr. Buksa said he has concerns that this would set a precedence. Mr. Raffin said to remember that every petition is unique.

Motion: Mr. Specht moved to approve BZA Docket No. 22-009 granting a variance from the Centennial Village Planned Unit Development Design Standards Section 11.7.to permit a second principal sign at 9610 North Centennial Drive.

Second: Mr. Hemingway

Vote: Yes –3 No – 1 Abstain – 0. Motion carries.

Findings of Fact

a. BZA 22-004- Louis Carbonare

Motion: Mr. Buksa moved to approve the Finding of Fact.

Second: Mr. Hemingway

Vote: Yes – 4 No – 0 Abstain – 0. Motion carries.

b. BZA 22-011- CFNI Variances

Motion: Mr. Buksa moved to approve the Finding of Fact.

Second: Mr. Specht

Vote: Yes – 4 No – 0 Abstain – 0. Motion carries.

Additional Business/Items for Discussion

a. None

Next Meeting: Mr. Raffin announced that the next regular business meeting will be August 9, 2022, at 6:45 pm.

Adjournment:

Motion: Mr. Specht moved to adjourn.

Second: Mr. Buksa

Vote: Yes – 4 No – 0 Abstain – 0. Motion carries.

Meeting adjourned at 7:49 pm

President Sharon Mayer
Board of Zoning Appeals

Date of Approval

Executive Secretary Thomas Vander Woude
Board of Zoning Appeals

Date of Approval