

**TOWN OF MUNSTER
BOARD OF ZONING APPEALS MINUTES
D R A F T
OCTOBER 28, 2008
7:00 P.M. REGULAR MEETING**

CALL TO ORDER—The meeting was called to order at approximately 7:00 pm by Sharon Mayer, Chairperson of the Board of Zoning Appeals.

ROLL CALL- Members present:

William Baker
Stuart Friedman
Richard Lasky
Joseph Simonetto
Sharon Mayer
Michael Mellon

Members absent:

John Edington

Staff present:

Ashley Porta
Steve Kennedy

APPROVAL OF MINUTES – A motion was made by Mr. Simonetto to approve the September 23, 2008 minutes as presented. Mr. Friedman seconded the motion. The motion was approved by all Board members.

PRELIMINARY HEARINGS—

Petition 08-016—Landmark Sign Group, 701 Superior, requesting a variance for additional signage, zoned M-Manufacturing. John Zurich, Director of Facilities and another representative from the Franciscan Physicians Hospital were present. Also present were Debbie Davies and Wayne Gottee from Landmark Sign Group. The petition began with the dissemination of additional information to the Board. Mr. Zurich explained that there are two new components to the physical facility and that the point of the signage is to point patients to the edge of the campus where they can park and enter. Mr. Lasky asked how the name “Working Well” conveys the meaning of the business; Mr. Zurich clarified that Working Well is a place where individuals are sent by their employers. Mr. Friedman stated that “Working Well” smacks of commercialism and he still considers that an advertisement; Mr. Simonetto concurred that the signs should be directional by nature. Mr. Mellon stated that if the building is leasing space to other tenants, there should be signage so individuals can see what is offered in that building.

Mrs. Mayer clarified that the request included a new canopy. Ms. Davies approached the Board to better explain the details of the request on their copies of the drawings.

There was explanation of the monument sign requested for Calumet and Superior. This is property not under their ownership yet; they are working with the doctor who owns the property to gain access to put a monument sign up on this parcel. The monument sign would be used to direct individuals as to all the businesses located in the rear of the office park. Mr. Kennedy clarified that the idea was discussed at Staff Team and staff thought it was a good idea. Mr. Lasky stated that the Board would need the total square footage of the existing signage at the Hospital as well as the square footage being requested.

Mr. Simonetto moved to set the petition for Public Hearing in November; Mr. Lasky seconded the motion. The motion was approved by all Board members.

PUBLIC HEARINGS—

Petition 08-014—Thomas & Katherine Wiegele, 8443 Walnut Drive, requesting a variance to replace their garage with a 24' by 26' new garage that will be 19' high. Mrs. Wiegele was present to explain the petition. She began by passing around pictures of her current home. Mrs. Mayer commented that it was very well maintained.

Mrs. Wiegele explained that the current garage is 12' high, 67 years old with walls that are beginning to bow. They are going to have pull down stairs rather than the stairs that were originally pictured. There will be no heating or plumbing in the structure. Mr. Simonetto asked how high the neighbor's garage is; it is 14'. Mrs. Mayer opened the petition up to public hearing. Mr. James Huss, 8330 Walnut stated that there was no problem with the request from the neighborhood. He stated that the Wiegele residence is very well-maintained and he would support the variance. With no other individuals wishing to speak, Mrs. Mayer closed the public hearing and opened the petition back up to the Board. Mr. Lasky made a motion to approve Petition 08-014; Mr. Baker seconded. The motion was approved by all Board members.

Petition 08-015—Horizon Bank, 10429 Calumet Avenue, requesting a special use for construction of a drive-through at the bank. Todd Etzler, Jim Jacksa, and Chris Brayac presented the petition. Mr. Etzler began with a powerpoint presentation about the bank, stating that it will be 2900 square feet with 3 access points and a request of 4 drive-thru lanes, one being an ATM. Since the preliminary hearing, Horizon Bank added a stop sign and speed bump to try to address traffic concerns. The group also brought a traffic study from engineers with Wightman & Associates, Inc. stating that the design of the Bank as presented "adequately meets typical Traffic Engineering standards of design and operational principles". Details of the report were addressed; Mrs. Mayer asked which version of the site plan was used by the engineers—the one presented during the preliminary hearing or the revised one with the speed bump and stop sign. Mr. Etzler stated that both were examined and that the final version was used in writing the report.

Mr. Bob Edwards with the Munster Animal Hospital also attended the meeting to explain the need for an entrance to the bank from the Animal Hospital property. Mr. Edwards stated that sharing a parking lot was always part of the Animal Hospital's plan and that they would like to have cross access. Mr. Simonetto asked about traffic issues that were initially brought up with the site was thought to be a strip center. Mr. Edwards did not believe that was a problem. Mr. Friedman stated that his concern is pedestrians going into the bank.

Mrs. Mayer opened petition 08-015 to public hearing. With no one from the public wishing to speak, she closed the public hearing and reopened the item to discussion from the Board. Mr. Lasky stated that he would like signage preventing a left turn into the drive-thru area for those coming from the Animal Hospital. Mr. Simonetto made a motion to recommend approval to the Town Council with the condition that if there is a cross easement, there be speed bumps and a no left-turn sign. Mr. Lasky seconded the motion. It was approved by all Board members.

OTHER ITEMS—

Update and request for authorization to move forward on Abrinko V. Town of Munster BZA. Mr. Kennedy summarized the case that was previously brought before the BZA. The BZA granted a variance, a neighbor appealed the decision and the judge reversed the BZA's variance. The Judge ruled that reducing the house size by 300 sq ft was not a significant hardship that would warrant the variance. Mr. Kennedy stated that Precision is going forward with an appeal of the decision and that the BZA might want to join Precision in that appeal.

Mr. Baker asked about the cost of the appeal since Precision will be going forward regardless. Mr. Kennedy stated that there will be minimal costs. Mr. Friedman stated that he dissented in the original vote.

Mr. Simonetto made a motion for the BZA to support Precision's appeal. Mr. Lasky seconded. The motion was passed 4-1 with Mr. Friedman dissenting.

ADJOURNMENT— A motion to adjourn was made by Mr. Simonetto. The meeting was adjourned by Mrs. Mayer at approximately 8 pm.

Sharon Mayer, Chairperson, Munster Board of Zoning Appeals

Date