

TOWN OF ST. JOHN
BOARD OF ZONING APPEALS AGENDA REVISED 8-21-23
ST. JOHN MUNICIPAL BUILDING
10955 W. 93RD AVENUE, ST. JOHN, IN 46373
AUGUST 21, 2023 7:00P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. MINUTES:

July 17, 2023 Board of Zoning Appeals Regular Meeting

5. PUBLIC HEARINGS:

- A. 2023-11 SPECIAL EXCEPTION:** from *StJMC 24-342 et seq. StJMC 24-45* to allow a Drive-In Restaurant in the US 41 Overlay District, at 9525 Wicker Avenue St. John, IN; CLD Holdings, LLC. (Applicant/Owner), James Hus and Russ Pozen (DVG).
- B. 2023-11a USE VARIANCE:** from *StJMC 24-342 et seq. StJMC 24-45* to allow the use of outdoor seating within the US 41 Overlay District, at 9525 Wicker Avenue St. John, IN; CLD Holdings, LLC. (Applicant/Owner), James Hus and Russ Pozen (DVG).
- C. 2023-11b DEVELOPMENT VARIANCE:** from *StJMC 24- 345(a), StJMC 24-346, StJMC 24-346(2), StJMC 24-346(4), StJMC 24-346(5), StJMC 24-346(6), StJMC 24- 347(b), StJMC 24-519(c)(1) & (3), StJMC 24-525(a)(1) & (2), StJMC 24-525(a)(3), StJMC 24-525(c)(1), StJMC 24-525(c)(4), StJMC 24-525(d), StJMC 24-525(c)(e), StJMC 24-519, StJMC 24-525(f), StJMC 24- 525(g), StJMC 24-555(e)(1)(a), StJMC 24-555(e)(2)(a), and StJMC 24-355(a)(1)* to develop a parcel within the US 41 Overlay District that is 0.93 acres in size, 1.07 acres less than the 2 acre minimum; to develop a parcel within the US 41 Overlay District who's longest axis is perpendicular to the adjoining highway rather than parallel to the adjoining highway; to allow a portion of the site's parking to be in front of the building within the US 41 Overlay District; to allow the rear yard setback to be 15 feet instead of 45 feet from the east neighboring parcel that is currently zoned residential; to develop a parcel within the US 41 Overlay District who's parcel width is 43% of its depth, 7% less than the 50% minimum; to build a structure within the US 41 Overlay District that is approximately 2,200 square feet of gross floor area, which is 12,800 square feet less than the 15,000 square feet minimum; to allow a proposed parcel coverage of 72%, which is 7% greater than the maximum parcel coverage allowed of 65%; to allow parking between the US 41 right-of-way and the front build-to line of the building; to allow a buffer yard of less than 15 feet adjacent to Commercial property and less than 40 feet adjacent to existing residences; to allow a greenbelt of less than 30 feet in width; to allow the planting of 3 ornamental trees, 41 shrubs and perennials in lieu of the required 5 shade trees, 3 ornamental trees, and 10 shrubs; to allow the developer to not install planting areas equal to an area measuring 25 feet in depth by the width of the front of the building plus 20 feet; to allow the planting of 2 shade trees, 18 shrubs and perennials within the parking lot in lieu of 1 shade tree and 5 shrubs for every 9 parking spaces provided, or not less than 18 trees per acre of parking; to allow less than 15% of planting within the rear yard as extensive shielding vegetation will remain in place at the eastern property line; to allow the developer to minimize greenbelt buffers as reasonable effort has been made to provide side yard landscaping to the extent practicable; to allow the total landscaped area to be 7.4% of the project area, 7.6% less than the 15% minimum required; to allow the combined area of all permanent ground, wall and window signs to be 104.7 square feet, 4.7 square feet above the maximum of 100 square feet; to allow a total of 3 permanent illuminated signs when the

maximum is 2 permanent signs; and to allow the refuse storage structure to be fully enclosed with the exception of a roof structure, at 9525 Wicker Avenue St. John, IN; CLD Holdings, LLC. (Applicant/Owner), James Hus and Russ Pozen (DVG).

- D. 2023-13 USE VARIANCE:** from *StJMC 24-342 et seq. StJMC 24-45* to allow a medical office use within the US 41 Overlay District, at 9321 Wicker Avenue, Suite 101, St. John, IN; Kara Clark (Applicant/Owner), James Wieser (Wieser & Wyllie, LLP).
- E. 2023-14 SPECIAL EXCEPTION:** from *StJMC 24-192 and StJMC 24-342 et seq. StJMC 24-45* to allow the sale of tobacco and vape products within a C-2 Zoning District and the US 231 Overlay District, at 10845 Parrish Avenue, St. John, IN; S.R. Ande, LLC (Applicant/Owner), Jeff Brant (Agent).
- F. 2023-15 DEVELOPMENT VARIANCE:** from *StJMC 24-462 (c)* to construct a garage addition that is twenty-two and one half inches above the highest ridgeline of the residence to which said garage is attached, at 9450 Clarmonte Drive, St. John, IN; Christopher Salazar and Lynn Kozlowski (Applicant/Owner).
- G. 2023-16 DEVELOPMENT VARIANCE:** from *StJMC 24-554(f), StJMC 24-554(f)(1), StJMC 24-554(f)(2), StJMC 24-554(b)(4), and StJMC 24-492* to allow an electronic message church bulletin/sign; to allow sign square footage of three hundred and sixty-four (364) square feet or less, a maximum of three hundred and fifty-two (352) square feet larger than permitted; to allow a sign height of eighteen feet and six inches (18' 6"), which is twelve feet and six inches (12' 6") higher than permitted; to allow the sign location to be within the street right-of-way and to have a height of eighteen feet and six inches (18' 6"), which is twelve feet and six inches (12' 6") higher than permitted; and to allow the existing parking space count or greater, at 11211 W. 93rd Avenue and 9330 Wicker Avenue, St. John, IN; St. John the Evangelist Church (Applicant/Owner), Kevin Hunt (Agent/Attorney).

6. NEW/OLD BUSINESS:

7. PUBLIC COMMENT

8. ADJOURNMENT