

MUNSTER BOARD OF ZONING APPEALS

Robert Pelino  
9809 Margo Lane  
Munster, IN 46321

PETITION BZA 17-005

FINDINGS OF FACT

This matter came on for Public Hearing on October 10, 2017. Applicant requests a Developmental Variance from Sec. 26-514 of the Munster Zoning Ordinance to permit a tree house that encroaches into a side yard and rear setback at his residence at 9809 Margo Lane, Munster, Indiana. Applicant presented Proof of Publication and Notification as required by law. Applicant presented testimony and evidence in support of the requested Developmental Variance. The Public Hearing was open. There were several remonstrances, both pro and con. The Public Hearing was closed.

NOW, THEREFORE, based upon the testimony and evidence presented, as well as the remonstrances, the Munster Board of Zoning Appeals finds as follows:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
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.
3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties and/or undue hardship in the use of the property.
4. The Board of Zoning Appeals has given due consideration to those matters set forth in Sec. 26-456 of the Munster Town Code in taking action upon a Variance request.

Conditions: The granting of the variance is conditional upon approval by the body that enforces the covenants of the West Lakes Subdivision.

WHEREFORE, based upon the above Findings, the Town of Munster Board of Zoning Appeals voted three (3) in favor and two (2) opposed to approve the requested Developmental Variance, subject to the plans and specifications submitted by the applicant.

Findings of Fact approved the 14<sup>th</sup> day of November, 2017.

Developmental Variance granted October 10, 2017.

MUNSTER BOARD OF ZONING APPEALS

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Stuart J. Friedman, Chairman

ATTEST:

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Tom Vander Woude, Secretary