The regular meeting of the Board of Zoning Appeals of the City of Hammond was held on Tuesday, December 2, 2025 at 6:00 p.m., Council Chambers, 2nd Floor, Hammond City Hall, 5925 Calumet Avenue, Hammond, IN 46320, and via www.Zoom.us

Kathleen Hill called the meeting to order at 6:01 p.m. Ms. Hill led the reciting of the Pledge of Allegiance.

PRESENT	ABSENT	ALSO PRESENT
Roger Brock (IP)		Brian L. Poland, AICP
William Hutton (IP)		Director of City Planner
Cynthia Jasso (IP)		
Dan Faulkner (IP)		Tom Novak
Kathleen Hill (IP)		Assistant City Planner
		Shannon Morris-Smith
		BZA Recording Secretary
		Dave Westland
		BZA Attorney

PRESENT: FIVE (5) ABSENT: ONE (0) QUORUM

APPROVAL OF MINUTES

Chairperson Hill called for a motion to approve the minutes for August 26, 2025. Ms. Jasso so moved, seconded by Mr. Faulkner. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/Yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill called for a motion to table the minutes for October 28, 2025. Mr. Hutton so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/Yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

Z-25-19 Petition of Dollar Tree, Inc for a developmental variance regarding T/S 21.23 (B)(1) to allow a wall sign greater than 54 SQ FT in a C-2 Shopping Center District located at 3514 – 169th Street within the City of Hammond, Lake County, Indiana

Chairperson Hill asked the secretary if the notification requirements have been met. Ms. Morris-Smith stated "Yes".

Garry Potts, Professional Permits, 58171 Dragonfly Ct., Osceola, IN 46561, represented the petitioner. Mr. Potts stated the petitioner was seeking a variance to install a 96 SQ FT wall sign that was larger than the maximum 54 SQ FT size allowed. The other signs within the shopping center were similar sizes. This would be a parallel sign to the road.

Chairperson Hill asked if there were any questions from the Board. Mr. Hutton asked if the other signs were similar to 54 SQ FT or 96 SQ FT. Mr. Potts stated there were six (6) businesses that had signs over 54 SQ FT. Mr. Poland further discussed the spreadsheet of the sign evaluation in the shopping center. O'Reilly's has received a similar sign variance.

Chairperson Hill asked if there were any additional questions from the Board. There were none.

Chairperson Hill opened the floor for public comments. There were none.

Chairperson Hill closed the floor for public comments.

Chairperson Hill asked if there were any additional questions from the Board. There were none.

Chairperson Hill asked for staff to read the staff report recommendations (Z-25-19), however it is included in its entirety.

Zoning Citation
Title XXI C-2 Shopping Center District,
Section 21.23 (B) (1) Signs in Commercial (C-2) Districts,
"No individual sign shall exceed 54 square feet."

Background

The subject property is Lot 1 of the Hammond Briar East Mercantile Plaza Addition, recently approved by the Plan Commission. It is an outlot of the Briar East Shopping Center and currently undergoing construction of a 2 unit commercial building. The property is zoned C-2 Shopping Center District and is a multi-building commercial development with a shared parking lot complex accessed off 169th St. at its north end and located at the SW corner of Grand Avenue & 169th Street. This grouping includes six (6) separate tax parcels over an area of greater than ten (10) acres.

Hammond Mercantile Plaza, LLC, is the owner of the subject parcel. Dollar Tree is to occupy 10,033 SF, or 85% of the floor space, of this 11,796 SF building. The tenant for the second unit is undefined.

The Plan Commission approved the development plan at its June 16, 2025 meeting. The preliminary plans for the signs showed two front-facing wall signs at the maximum 54 SF. A compliant free-standing pole sign was included in the development plan.

Petition

Tenant Dollar Tree, Inc, is the petitioner and presenting to the Board under the express written permission of owner Hammond Mercantile Plaza, LLC.

The petitioner seeks a developmental variance to allow a wall sign of 96.43 SF, greater than the 54 SF maximum for any individual sign in a C-2 District.

The sign is 3' tall and 32' 1" long. 96 SF. The LED-illuminated channel letters are 5"-inches thick and of a clear Lexan (plastic) face with a green colored vinyl surface. Wall sign to be mounted on a 5" x 5" aluminum raceway centered over the main entrance to Dollar Tree; facing north to 169th St. It would be wide enough to span the distance between the main entrance's two pilasters. It would be as wide as the awning and bay of doors and windows below it. Sign with raceway would extend 10" from the surface of front wall.

There are at least six (6) other businesses in the Briar East Shopping Center with a wall sign of larger than 54 SF in area: O'Reilly Auto Parts, Sav-A-Lot, Family Dollar, Citgo, Excel Center, and Shark's. City Planning Staff created a survey of signage at Briar East (**as attached.**) This incomplete assessment put the total of signage in Briar East Shopping Center at 1,089 SF.

O'Reilly Auto Parts at 3540 169th St, 99.87 SF wall sign, was approved under Z-20-09 on 12/1/2020. Sav-A-Lot at 3446 169th St, 79 SF wall sign, was approved under Z-21-02 on 2/23/2021.

Sign capacity under the T/S 21.23(B)(3) is 831 SF. With the approval of this sign with 46.32 SF over the 54 SF and with the 54 SF of the pole sign, the total overage for this tenant in 50.43 SF. The remaining "Other" capacity is 453.69 SF.

Reviews and Approvals
City Planning Staff has reviewed signage materials provided by the petitioner.

There were no objections from Building Commissioner, City Engineer, Chief Fire Inspector, Superintendent of Wastewater Treatment and Stormwater Coordinator of the Hammond Sanitary District (HSD), nor Director of the Hammond Department of Environmental Management (HDEM).

Standards for Granting a Developmental Variance
1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and the 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 in the use of the property.

Staff Recommendation
Staff has reviewed the petitioner's request and recommends that the BZA grant the developmental variance should the Board feel the petitioner has met the standards.

Mr. Poland concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members. There were none.

FINDINGS OF FACT

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
a. The Building Commissioner and the City Engineer determined that the proposed wall sign does not pose any safety hazards to users of the site and the general public.

b. The proposed wall sign does not directly face an intersection, where an argument could be made for it being distracting.

2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

a. List of other oversized wall signs already existing in the Briar East Shopping Center and approved in recent years by the BZA shows other businesses and property owners have utilized such signage in a similar way to what Dollar Tree proposes without adverse effects to neighborhood or drivers.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

a. The proposed signage is in keeping with the size of the recently approved O'Reilly wall and other signs elsewhere in the C-2 Shopping Center District

b. Additional signage for property will comply with Zoning Ordinance.

c. The petitioner will comply with all other applicable City regulations in Zoning Ordinance 8514 for signage (Title XXI), landscaping around a pole sign (Title XXII), and development in a C-2 Central Shopping District (Title VIII.)

Chairperson Hill asked for a motion to accept the staff report into the record as amended by staff and to adopt the Finding of Fact as presented into the record (Z-25-19). Mr. Brock so moved, seconded by Mr. Faulkner. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the developmental variance (Z-25-19). Mr. Faulkner so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Z-25-20 Petition of DBR Construction, LLC for a developmental variance regarding T/S 3.30 (B) to allow a reduction in the minimum lot area (6,250 SQ. FT.) requirement to build a two-family attached dwelling located at 2619 167th Street in a R-1U Urban Single Family Residential District in the City of Hammond, Lake County, IN

Chairperson Hill asked if the notification requirements have been met. Ms. Morris-Smith stated "Yes".

Jeff Callahan, DBR Construction, 332 S. Michigan Avenue, Suite 121-J450, Chicago, IL 60604, represented the petitioner. Mr. Callahan requested a developmental variance to

reduce the minimum square footage to construct a building. The property was zoned to build a duplex, and all of the setbacks requirements have been met. The total square foot requirement was short as other homes in the immediate area were short as well.

Chairperson Hill asked if there were any questions from the Board. There were none.

Mr. Poland stated for the record that the reduction was for 6250 SQ. FT. down to 5295 SQ. FT. This was a 125 depth of the lot to 106 FT. depth of the lot.

Chairperson Hill asked if the tree would remain on the lot. Mr. Callahan stated the tree would be removed and the remaining part of an asphalt driveway. The driveway would be filled with landscaping.

Chairperson Hill asked if there were any additional questions from the Board. Mr. Hutton asked what was the foundation depth. Mr. Callahan state 48". Mr. Hutton asked what part of the foundation. Mr. Callahan stated from the top of the footer to the bottom of the foundation wall.

Chairperson Hill asked if there were any other questions from the Board. There were none.

Chairperson Hill opened the floor for public comments.

Robert Click, 6644 McCook Avenue, Hammond, IN 46324
-Property is too small for the proposed project
-Neighbors on both sides have flooding due to demolition and the fill that was used
-Concerned that the run off from the height of the new duplex would run into the neighbors yards.
-Concerned about parking for the duplex occupants

Betty Wheatley, 2615 177th Street, Hammond, IN 46324
-Happy to know the tree would be cut down
-Water runs both ways onto neighbors property and floods
-Does not want the construction to move forward

Chairperson Hill closed the floor for public comments.

Mr. Callahan stated he was a new owner of the property. He was not responsible for the last home on the property, the demolition, or the back filling of the lot. Mr. Callahan apologized to the neighbors and committed to addressing the water run off to the neighboring properties with professional grading per the site plan, and water flow would be directed away from the neighboring properties.

There would be four (4) parking spaces constructed on the rear of the property. There would also be on street public parking.

Mr. Callahan further stated the tree would be removed. The size of the home would be 2100 SF. The size was within the ordinance required square footage. There would not be a covered garage that would run water off the top of the roof.

Mr. Novak stated the footprint of the house was 1100 SF. The structure would be a two-story build that has a total 2100 SF. Mr. Callahan stated the project was smaller than single-family home with a detached garage.

Chairperson Hill asked if there were any additional questions from the Board. Mr. Hutton asked Mr. Novak if there was a site plan available. Mr. Novak stated it was on the Plat of Survey and labeled Site Plan. Mr. Novak further stated there would be more detailed site plan from the construction drawings.

Chairperson Hill asked would the parking spaces in the rear have drainage and what materials would be used. Mr. Callahan stated the parking pad would be 20x40, and it would be either concrete or asphalt. The water would drain towards the alleyway. In addition, the front of the house would drain towards the street.

Chairperson Hill asked the Board if the public comment period could be reopened. There were no objections.

Robert Click, 6644 McCook Avenue, Hammond, IN 46324
-How much space would there be between the houses for proper run off.

Chairperson Hill closed the public comments.

Mr. Callahan stated there would be 5.5 FT. This was a similar amount of space from the neighbor's property line to his property line. The space would be equal for the two

neighbor's property and the petitioner's property. There was further discussion on the measurements between the petitioner's property and the properties of both sides of the petitioner.

Chairperson Hill asked if there were additional questions from the Board. There were none.

Chairperson Hill asked for staff to read the staff report recommendations (Z-25-20), however it is included in its entirety.

Zoning Citation
Title III R-1U Urban Single Family Residential District,
Section 3.30(B) Area and Width Regulations Two-Family Residential Uses
"Minimum Lot Area of not less than 6,250 square feet"

Background
Subject property is a 50' x 105' 11" rectangular parcel (5,295 SF; 0.122 -acre). It is a vacant lot on the north side of the dead-end 2600-block of 167th St; the middle of three lots between McCook Ave. and NIPSCO utility property. A 1-story single family home and detached garage were demolished here in December 2012; all neighboring homes are occupied. Subject property sits on the west edge of mostly single family. The area is zoned R-1U Urban Single Family Residential District. To the west of the dead-end is a Norfolk Southern railroad diamond interchange and a wooded glen, separating neighborhood by 600'+ from light industrial uses. The City's 1992 Comprehensive Land Use Plan designates this area for "Low Density Residential" use. Subject parcel is Lot 8 of Block 8 of Midway Gardens, platted in January 1923.

Petition
The petitioner is seeking a developmental variance from Zoning Ordinance 8514, Title III, Section 3.30(B) to reduce the minimum lot size from 6,250 SF to 5,295 SF, so they may begin construction on a 28' x 39' (1,092 SF footprint), 2-story, gable-roofed two-family attached dwelling (duplex).

Petitioner DBR Construction, LLC, will act as general contractor on construction of dwelling. Petitioner has experience in residential construction in Hammond, including a similar duplex at 1030-32 167th St. in 2023. Received deed ownership of subject parcel on November 9th, 2023.

Analysis

The parcel/lot size of 2619 167th St. could be considered within normal range when compared to the preponderance of the other lots in Midway Gardens: All but two (2) of the thirteen (13) parcels west of McCook Ave. (Blocks 7 and 8) share the same lot dimensions as subject parcel; that is, 85%. The two (2) other parcels are much smaller at around 31' wide and shallower. All of these twelve (12) other parcels/lots are developed with single family homes.

The lot size variance is for the only known duplex (two-unit) in Blocks 7 and 8 of Midway Gardens. A limited number of two-family properties exist in the Midway Gardens neighborhood, including two at 6703-05 and 6707-09 Marshall Ave, and these known ones are likewise of insufficient size. Construction of this duplex will not cause two-family dwellings to exceed twenty-percent (20%) of the dwelling units on block, thus in compliance with T/S 3.10(2)

The duplex's design presented does make attempts to sufficiently address T/S 3.80 for compatibility of new infill house construction in an existing neighborhood, when compared to both other two-family homes and to single family homes in Midway Gardens. While the roof ridge orientation of east-west is perpendicular to the six (6) homes on this dead-end block, there are examples east of this block in such orientation so as to not be out-of-place. The same situation may be said of its 2-story height – examples abound east of McCook Ave.

Parking will be accommodated per T/S 20.41.01(C) with four (4) 10' x 20' parking spaces on an alley—accessed concrete parking pad at rear of parcel. Minimum lot width of 50' is met for a two-family dwelling. All building setbacks met, including 5' 6"-wide side yards. A 20' front yard setback was selected to better match the front building line of home to the east.

Reviews and Approvals

City Planning Department Staff have reviewed materials, including elevation drawings, floor plans, and preliminary site plan provided by the petitioner.

The Building Commissioner, the City Engineer, the Chief Fire Inspector, the Superintendent of Wastewater Treatment and Stormwater Coordinator of the Hammond Sanitary District (HSD), and the Director of the Hammond Department of Environmental Management (HDEM) have no objections.

Standards for Granting a Developmental Variance

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and the 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 in the use of the property.

Staff Recommendation

Staff has reviewed the petitioner's request and recommends that the BZA grant the developmental variance should the Board feel the petitioner has met the standards, subject to the following conditions:
1) Technical review and final approval of all building and site plans by City Staff;
2) The removal of the non-necessary curb cut.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members. There were none.

FINDINGS OF FACT

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
a. All of the thirteen (13) parcels/lots in Blocks 7 and 8 of Midway Gardens (west of McCook Ave.) are either the same or of smaller size than the 5,925 SF subject parcel; all are developed with homes.
b. This is one of only three vacant parcels on the 4600-block of Johnson Ave.
c. The proposal will follow current Zoning requirements for front yard, side yard and rear yard setbacks, as well as other Zoning Ordinance regulations like off-street parking.
d. The petitioner will comply with the City of Hammond Municipal Code, the International Residential Code and its Indiana amendments, the National Fire Protection Association (NFPA) Code, and applicable Indiana State Statutes.
2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
a. The development of this lot will stabilize and increase the property value of this lot and thus of the neighborhood.

b. A single family home occupied the property until 2013 and similar residential use occupies the neighboring parcels. A new two-family home would have no measurably adverse impact on the uses and density in the area.
c. In all directions is a similar single family residential use and R-1U zoning designation.
d. The proposed two family dwelling is compatible with nearby houses in the Midway Gardens Addition in context of size, front elevation orientation, roof shape, roof pitch, and roof orientation. Better examples in terms of size and roof orientation exist east of McCook Ave. beyond its dead-end block.
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.
a. Construction of this duplex will not cause two-family dwellings to "exceed twenty-percent (20%) of the dwelling units on any block," thus in compliance with T/S 3.10(2).
b. The lot can only be redeveloped as a single family home, as this particular use is the only permitted use in a R-1U Urban Single Family District which parcel's size accommodates.
c. The petitioner will comply with all other applicable City regulations in Zoning Ordinance 8514 and its amendments for development in a R-1U Urban Single Family Residential District (Title III) and for off-street parking (Title XX).

Chairperson Hill asked for a motion to accept the staff report into the record with the 2 conditions and to adopt the Finding of Fact as presented into the record (Z-25-20). Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the developmental variance with the two conditions (Z-25-20). Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/no, Kathleen Hill/yes. 4 "Ayes", 1 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Z-25-21 Petition of Reliable Properties & Development, LLC for a developmental variance from Zoning Ordinance to allow a reduction in minimum lot area (7,500 SF) requirement to build a single family home in a R-1 Single Family Residential District located at 505-07 177th Street within the City of Hammond, Lake County, Indiana

Chairperson Hill asked if the notification requirements have been met. Ms. Morris-Smith stated "Yes".

Jezreel Rodriguez, Reliable Properties and Development, LLC., 6824 Calumet Avenue, Hammond, IN 46324-1640. Mr. Rodriguez was proposing to construct a single family home. The lot does not meet the minimum lot size. The lot was 228 SF short of the minimum requirement. Mr. Rodriguez further stated the lot meets all other requirements. There were other lots on the block that did not meet the minimum lot size. This was common for the area

Chairperson Hill asked if there were any questions from the Board. Mr. Hutton asked if the proposed home had a basement or crawl space. Mr. Rodriguez stated the proposed home was a slab and did not have a basement.

Mr. Poland stated the area was no longer in the flood plain area, but recommended the petitioner to consider the possibility a levy breach and a slab home.

Mr. Rodriguez stated he would have his engineers and surveyors review the elevations and decide on a slab home or a home with a crawl space or basement.

Chairperson Hill asked if there were any additional questions from the Board. There were none.

Chairperson Hill opened the floor for public comments. There were none.

Chairperson Hill closed public comments.

Chairperson Hill asked for staff to read the staff report recommendations (Z-25-21), however it is included in its entirety.

Zoning Citation
Title II R-1 Single Family Residential District,
Section 2.30(A) Are and Width Regulations
which reads as follows: "Minimum Lot Area of not less than 7,500 square feet."

Background
Subject property (approximately 7,272 SF) is in a somewhat isolated single family residential neighborhood, all zoned R-1 Single Family Residential District. Access to this

neighborhood has historically been north via the Harrison Ave. viaduct and east via 177th St, which parallels I-80/94, becomes River Rd. and intersects with Calumet Ave. South of this neighborhood is the Little Calumet River and city limits. Property sits at the NE corner of 177th St. and Harrison Ave. just south of where the Harrison Ave. viaduct crosses under the I-80/94 elevated freeway. This entire north side of 500-block 177th St. is vacant, unpaved land lying along the southern edge of the I-80/94 right-of-way. That is, east of this parcel is an open and grassy field hundreds of feet long. Across Harrison Ave. to the west and across 177th St. to the south are 20th Century single family homes; only one of these homes is 2-story. It is a mix of homes with basements and homes on slab; front door elevations vary. All other readily-developable residential parcels in this neighborhood are developed.

Petition

The petitioner, Reliable Properties and Development, LLC. of Hammond, IN, is the contingent purchaser of the subject property from Infinite Batteries, Inc. The petitioner is seeking a developmental variance from Zoning Ordinance 8514, Title II, Section 2.30(A) to reduce the minimum lot size from 7,500 SF to 7,272 SF, in order to construct a single family home and detached garage with driveway. The lot meets minimum 60' width.

Reliable Properties and Development, LLC, is registered under Jezreel Rodriguez, a landlord, property manager and general contractor licensed with the City of Hammond. Mr. Rodriguez is to serve as the general contractor on home's construction.

Analysis

This area was platted as the Calumet Development Company's Addition in 1942 but never developed with homes. In April 1976, the area was re-subdivided as the 4-lot **Gluth Addition**. All 4 lots lose portions of their NE quadrants to the I-80/94 right-of-way. Otherwise, the 4 lots as platted would be the 7,500 SF minimum lot size. All 4-lots meet the minimum 60' lot width.

Following figures account for adjacent 400 and 500-blocks of 177th St., entirely residential:

Only one (1), of the twenty (20) residential lots on 177th St. in this pocket neighborhood meet the minimum lot size of 7,500 SF – the corner across from subject parcel at 504 177th St. Subject parcel and 504 177th St. are the only two (2) of these twenty (20) parcels on the 400 and 500-blocks of 177th St. to meet the minimum 60' lot width.

The front, side and rear yard minimum setbacks are met by the petitioner. The detached garage is set 28′ north of the home. The side-loading garage is set back 20′ from Harrison Ave. ROW to comply with T/S 3.31(D), providing a 20′ long driveway. The site plan reflects the 10′ wide utility easement which runs along the north edge of property; the NE corner of the detached garage will avoid easement by a little over 2′.

The question before the Board is regarding buildability on a less-than-7,500-SF parcel in a R-1 District. The Board is not making a final judgement on the design of the home. However, the staff has determined the following: The proposed model of home is the same model as what was proposed to the BZA in 2024 at both 7815 Chestnut Ave. and at 7809 Beech Ave. Petitioner undertook construction of those 30′ x 40′ (1,200 SF), 1-story, 3-bedroom gable-roofed single family slab homes. City Staff, including from the Economic Development Department, met internally on 11/5/2025 to discuss this proposed model of home. It may be noted subject parcel sits less-than-1000′ west of what will soon be a commercial redevelopment of the 600-block of 177th St. Aesthetically, it may be noted the proposed home will sit on the edge of a large, open field adjacent to the freeway and thus a small home may appear isolated or underwhelming. City Staff agreed the petitioner should be encouraged to explore other, more substantial models of home featuring a larger size and/or more prominent presence for this highly-visible corner parcel.

Reviews and Approvals

City Planning Department Staff have reviewed materials, including elevation drawings, floor plans, and preliminary site plan provided by the petitioner.

The Building Commissioner, the City Engineer, the Chief Fire Inspector, the Superintendent of Wastewater Treatment and Stormwater Coordinator of the Hammond Sanitary District (HSD), and the Director of the Hammond Department of Environmental Management (HDEM) have no objections.

Standards for Granting a Developmental Variance

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and the 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 in the use of the property.

Staff Recommendation

Staff has reviewed the petitioner's request and recommends that the BZA grant the developmental variance should the Board feel the petitioner has met the standards, subject to the following condition:

1.) Consideration be given by petitioner to final design of home in relation to its prominent corner location and, following any such revisions, final technical review made and final approval granted by City Staff of all finalized building and site plans.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members. Chairperson Hill asked if there were four (4) lots. Mr. Novak stated there were two (2) parcels, but four (4) lots. The other three lots (3) were currently combined into one (1) parcel. The owner's intentions were unknown at this time. There was a discussion on the other uses for the area.

FINDINGS OF FACT

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

a. On the 400 and 500-blocks of 177th St, only one (1) of the twenty (20) residential parcels meet the minimum lot area size of 7,500 SF.

b. Only parcel not developed with housing on the 400 and 500-blocks of 177th Street.

c. The proposal will follow current Zoning requirements for front yard, side yard and rear yard setbacks and follow requirements of 10'-wide easement in the rear of lot.

d. The petitioner will comply with the City of Hammond Municipal Code, the International Residential Code and its Indiana amendments, the National Fire Protection Association (NFPA) Code, and applicable Indiana State Statutes.

2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

a. Proposal for a two-car detached garage meets the requirement for off-street parking.

b. The proposed single family dwelling is compatible with many but not all of the nearby houses in context of size, front elevation orientation, roof shape, roof pitch, and roof orientation, and thus consideration for a more substantial model of home than currently proposed is a reasonable expectation.

c. Property appears to have never been developed and sits on the edge of an existing residential neighborhood; It has sold on tax sale multiple times.

d. Development of this lot will stabilize and increase property value of this lot and thus of the neighborhood, and will place a new home on property tax rolls.

e. Save for the land along freeway and along river, in all directions is a similar single family residential use with similar R-1 zoning, including homes north of I-80/94.

f. The commercial re-development planned for the C-4 zoned 600-block of 177th St. is approximately 1,000' east of subject parcel.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

a. The lot can only be redeveloped as a single family home, as this particular use is the only permitted use in a R-1 Single Family District.

b. The petitioner will comply with all other applicable City regulations in Zoning Ordinance 8514 and its amendments for development in a R-1 Single Family Residential District (Title II), for development of accessory buildings (Titles II & XVIII), for vision clearance at intersections and corners (Titles XXVIII and XXII), for off street parking (Title XX), and for fences (Title XXII.)

Chairperson Hill asked for a motion to accept the staff report into the record with the one (1) conditions and to adopt the Finding of Fact as presented into the record (Z-25-21). Mr. Brock so moved, seconded by Mr. Faulkner. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the developmental variance with the one (1) conditions (Z-25-21). Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

COMMISSIONER COMMENTS

Chairperson Hill wished everyone a happy holiday season.

STAFF COMMENTS

There was a discussion on the 2026 BZA meeting schedule. The Board agreed to revisit the May 26, 2026 meeting in March 2026.

Mr. Hutton motioned to adopt the 2026 BZA meeting schedule with the exception of revisiting the May 2026 meeting at the March 31, 2026 meeting.

Mr. Poland advised the Board that staff was anticipating a January 27, 2026 meeting. There would be two (2) new cases. There was a possibility that the January or February 2026 meeting would have a conditional use and seven (7) developmental variances.

Mr. Poland wished the Board a Merry Christmas and a Happy New Year.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Chairperson Hill called for a motion to adjourn the meeting at 7:04 p.m. Mr. Hutton so moved, seconded by Ms. Jasso. "Ayes" all.

PREPARED BY:

Shannon Morris-Smith

Shannon Morris-Smith
Secretary to the Board of Zoning Appeals

APPROVED BY THE BOARD OF ZONING APPEALS:

Kathleen Hill

Kathleen Hill
Chairperson

Date Approved: 4/28/26