

The
AREA PLAN COMMISSION
of Tippecanoe County

APC Executive Committee Meeting

Date: January 4, 2023

Time: 4:30 PM

Place: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

I. APPROVAL OF MINUTES

Documents:

[EXEC 12.07.2022 MINUTES.PDF](#)

II. NEW BUSINESS

III. PUBLIC HEARING

IV. APPROVAL OF THE JANUARY APC PUBLIC HEARING AGENDA

Documents:

[1 JANUARY APC AGENDA.PDF](#)

V. APPROVAL OF THE JANUARY ABZA PUBLIC HEARING AGENDA

Documents:

[1-25-2023 BZA AGENDA.PDF](#)

VI. DETERMINATION OF VARIANCES (LAFAYETTE DIVISION OF THE ABZA)

Documents:

[2023-1 LDOV.PDF](#)

VII. REVIEW AND APPROVAL OF THE DECEMBER BUDGET REPORT

Documents:

VIII. OTHER BUSINESS

IX. ADJOURNMENT

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
EXECUTIVE COMMITTEE
MINUTES OF A PUBLIC HEARING**

DATE..... December 7, 2022
TIME.....4:30 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

This meeting was held in-person. Members of the public may watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/TippecanoeCountyGovernment>

MEMBERS PRESENT

Larry Leverenz
Kathy Parker
Gary Schroeder
Tom Murtaugh
Greg Jones
Jerry Reynolds
Jackson Bogan

MEMBERS ABSENT

(none)

STAFF PRESENT

Kathy Lind
Austin Hammerli
Amanda Esposito
David Hittle
Eric Burns, Attorney

Larry Leverenz called the meeting to order.

Attorney Eric Burns, called the roll to establish members present.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the November 2, 2022 meeting. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

None.

III. PUBLIC HEARING

Larry Leverenz read the meeting procedures.

Gary Schroeder moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Plan Commission, the application, and all documents filed therewith, the staff report and recommendations on the applications to be heard this evening and responses from the checkpoint agencies.

Greg Jones seconded, and the motion carried by unanimous voice vote.

SUBDIVISIONS

S-5104 JOHN STEELE SUBDIVISION (minor-sketch): Petitioners are seeking preliminary plat approval for a three-lot residential minor subdivision of 4.09 acres, located on the south side of Taft Road just west of Haven Court, specifically, 4714 Taft Road, Wabash 35 (NW) 24-5.

Gary Schroeder moved to hear and vote on **S-5104 JOHN STEELE SUBDIVISION (minor-sketch)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map and aerial photos. Property is a 4-acre parent tract on the south side of Taft Road, just south of the five-way intersection at 500 N and Morehouse Road. The property is zoned R1 single-family residential, as is all surrounding property. Flood Plain associated with Indian Creek is located a bit further to the east. It was indicated that there may be a dilapidated structure in the middle of the property that will be torn down. The minor sketch plan was displayed, showing three lots. Two of the lots will be flag lots with a 20-foot tail connecting them to Taft Road. There will be a 'no vehicular access' statement along the frontage of Taft, except for the driveway. All three lots will access through this point. There are seven listed conditions and APC staff is recommending conditional primary approval.

Larry Leverenz called for the petitioner or the petitioner's representative.

Kyle Betz, Chastain & Associates LLC, 625 S Earl Ave, Lafayette, stated he has reviewed the conditions and has no objections or concerns. He is available to answer any questions.

Larry Leverenz asked if any member of the audience wished to comment on this petition. There were none.

Larry Leverenz asked for any questions from the commission. There were none.

Larry Leverenz called for a vote on the white ballot.

Eric Burns collected the ballots and noted 7 -Yes to 0 -No for conditional primary approval of **S-5104 JOHN STEELE SUBDIVISION (minor-sketch)**.

Yes – Votes		No - Votes
Tom Murtaugh	Larry Leverenz	(none)
Gary Schroeder	Greg Jones	
Kathy Parker	Jerry Reynolds	
Jackson Bogan		

IV. APPROVAL OF THE DECEMBER 2022 APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following subdivision petition be placed on the December 21, 2022 Area Plan Commission public hearing agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-5108 Harrison Woods (major-preliminary).

Greg Jones seconded, and the motion was carried by unanimous voice vote.

Gary Schroeder moved that the following rezoning petitions be placed on the December 21, 2022 Area Plan Commission public hearing agenda:

Z-2869 Kevin & Tammy Underhill (GB to R1).

Greg Jones seconded, and the motion was carried by unanimous voice vote.

V. APPROVAL OF THE NOVEMBER/DECEMBER ABZA AGENDA

Gary Schroeder moved that the following petitions be placed on the December 7, 2022 Area Board of

Zoning Appeals Public Hearing Agenda:

BZA-2090 CSG Realty, LLC;
BZA-2091 AMBER E. KING; and
BZA-2092 Jennifer O'Shea

Greg Jones seconded, and the motion was carried by unanimous voice vote.
Gary Schroeder moved that regarding the following special exception requests, these cases will not adversely affect the Comprehensive Plan:

BZA-2090 CSG Realty, LLC;
BZA-2091 AMBER E. KING; and
BZA-2092 Jennifer O'Shea

Greg Jones seconded, and the motion was carried by unanimous voice vote.

VI. REVIEW AND APPROVAL OF THE NOVEMBER BUDGET REPORT

Gary Schroeder moved to hear and approve the November 2022 Budget Report as submitted. Greg Jones seconded.

David Hittle stated he had nothing to add.

Larry Leverenz asked for any questions from the commission members. There were none.

Larry Leverenz asked all in favor, and the motion carried by unanimous voice vote.

VII. OTHER BUSINESS

None.

VIII. ADJOURNMENT

Gary Schroeder moved to adjourn. Meeting adjourned at 4:37 PM.

Respectfully Submitted,
Kristina Lamb
Recording Secretary

Reviewed By,



David Hittle
Executive Director

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE.....JANUARY 18, 2023
TIME..... 6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, IN 47901

**(TENTATIVE)
A G E N D A**

- I. ELECTION OF OFFICERS
- II. BRIEFING SESSION
- III. APPROVAL OF MINUTES
- IV. NEW BUSINESS
 - A. Proposed changes to the APC bylaws
- V. PUBLIC HEARING
 - A. ORDINANCE AMENDMENTS

UZO AMENDMENT #109

This amendment would create new standards and requirements for Agricultural Rental Halls that require a special exception.

- B. REZONING ACTIVITIES
 - 1. **Z-2870 AREA PLAN COMMISSION REZONE OF STOCKWELL (R3, A, GB, NB, R1, and AA to R1, R1B, NBU AND GB):**
APC is requesting rezoning 17 properties within the unincorporated town of Stockwell based on recommendations made by the adopted Stockwell Land Use Plan. All of the land in this request is within the platted portion of Stockwell, in Lauramie Sections 5(SW), 8(NE), & 9(NW), 21-3.
 - 2. **Z-2871 ZANIK CORPORATION (I3 to GB):**
Petitioner is requesting rezoning of a single lot for a proposed urgent care, located north and east of the intersection of Veterans Memorial Parkway and Concord Road, specifically 3411 Fairfield Court, in Lafayette, Wea 10 (NE) 22-4.

3. **Z-2872 THE FRIENDS OF THE EDUCATION BUILDING, INC.
(R1U to R3U):**

Petitioner is requesting rezoning of 411 North 7th Street, the former fellowship hall and education building of First Baptist Church, for proposed apartments. The site is located on the east side of 7th Street between North and Brown Streets, within the Centennial Overlay District, in Lafayette, Fairfield 20 (SE) 23-4.

4. **Z-2873 WHISKIR, LLC (I3 to I2):**

Petitioner is requesting rezoning of four lots and two outlots located at the northeast corner of Maple Point Drive and Concord Road, specifically, 2725 Concord Road, and 3410, 3420, and 3430 Maple Point Drive in Lafayette, Wea 3 (NE) 22-4.

VI. ADMINISTRATIVE MATTERS

VII. APPROVAL OF THE FEBRUARY EXECUTIVE COMMITTEE AGENDA

VIII. DETERMINATION OF VARIANCES -- Area Board of Zoning Appeals

IX. DIRECTOR'S REPORT

X. CITIZENS' COMMENTS AND GRIEVANCES

XI. ADJOURNMENT

THE AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE: JANUARY 25, 2023
TIME: 6:00 P.M.
PLACE: COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

(Tentative)
A G E N D A

This meeting will be in person.

Links to watch the livestream can be found on the APC website at: www.tippecanoe.in.gov/apc

- I. APPROVAL OF MINUTES
- II. NEW BUSINESS
- III. PUBLIC HEARING

1. BZA-2090 CSG REALTY, LLC

Petitioner is requesting a special exception to allow a transient guest house operating 24 hours per day, 7 days per week, for a maximum of 6 guests at 348 Overlook Drive (east of Soldiers Home Road in the Ravinamy Addition) just outside of West Lafayette, Wabash 5 (SE) 23-4. (UZO 3-2) With condition. Continued from the December 2022 ABZA Hearing by inconclusive vote.

2. BZA-2091 AMBER E. KING

Petitioner is requesting a special exception to allow an agricultural rental hall, operating between the hours of 8:00am to 10:00pm Sunday through Thursday, and 8:00am to midnight Friday and Saturday. The 10-acre site is located on the south side of CR 700 S, ½ mile east of CR 700 W, specifically, 6537 W 700 S, Wayne 31 (NW) 22-5. (UZO 3-2) Continued from the December 2022 meeting at petitioner's request. (First Continuance)

3. BZA-2093 JHS INVESTMENT GROUP LLC C/O RIPAM SINGH

Petitioner is requesting the following setback variances for a proposed addition to an existing structure in an NB zone:

- 1. To reduce the side setback from the minimum required 60' to 59' (UZO 2-12-7) and
- 2. To reduce the rear setback from the minimum required 15' to 4' (UZO 2-12-8).

The site is located at 5011 Old US Hwy 231 S, Wea 20 (NW) 22-4.

4. BZA-2094 WILLIAMS RUIZ RAMIREZ AND AMANDA RUIZ

Petitioners are requesting a special exception to allow a general contracting business in an AA zone operating 6am to 9pm Monday through Saturday at 2623 N 925 W, Shelby 10 (NE) 23-6. (UZO 3-2)

5. BZA-2095 EMILY SAMPSON

Petitioner is requesting a special exception to allow a haven home for Isaiah 117 House open 24 hours a day, 7 days a week in an R1B district. The property is located in the Vandergraft Addition, at 2710 Bonny Lane, Lafayette, Fairfield 22 (NW) 23-4. (UZO 3-2)

IV. ADMINISTRATIVE MATTERS

V. ADJOURNMENT

December 29, 2022

1. CASE #2023-1 ANCHOR SIGN, INC.

Petitioner is requesting a variance to increase the total signage on site from the allowed 115 square feet to 211.5 square feet for a proposed Family Dollar Combo Store. The property is located at 2432 Teal Road, Lafayette, Fairfield 33 (NE) 23-4 (UZO 4-8-5).

2. CASE #2023-2 SEYED AMIR SADEGHI

Petitioner is requesting a variance to decrease the side setback from 30th Street to 5 feet instead of the required 25 feet for two proposed carports. The property is located at 2901 Teal Road, Lafayette, Fairfield 34 (SW) 23-4 (UZO 2-17-7).

3. CASE #2023-3 BRIAN AND JENNIFER BALLARD

Petitioners are requesting the following three variances to construct a two-story duplex on an unimproved lot in an R2 zone:

1. To allow a minimum lot area of 5,664 square feet instead of the required 7,500 square feet (UZO 2-6-4);
2. To allow a minimum lot width of 48 feet instead of the required 60 feet (UZO 2-6-5); and
3. To allow a front setback for a primary use building of 35 feet instead of the required 40 feet; (UZO 2-6-7)

on property located in the 1900 block of Greenbush, on Lot 3, M L Peirce Addition to the Town of Linnwood, Lafayette, Fairfield 21 (NE) 23-4.

4. CASE #2023-4 BRIAN AND JENNIFER BALLARD

Petitioners are requesting the following three variances to construct a two-story duplex on an unimproved lot in an R2 zone:

1. To allow a minimum lot area of 5,664 square feet instead of the required 7,500 square feet (UZO 2-6-4);
2. To allow a minimum lot width of 48 feet instead of the required 60 feet (UZO 2-6-5); and
3. To allow a front setback for a primary use building of 35 feet instead of the required 40 feet; (UZO 2-6-7)

on property located in the 1900 block of Greenbush, on Lot 4, M L Peirce Addition to the Town of Linnwood, Lafayette, Fairfield 21 (NE) 23-4.

5. CASE #2023-5 CHARLEY SCHALLIOL (SITE ENHANCEMENT SERVICES)

Petitioner is requesting a variance to increase the total signage on site from the allowed 295 square feet to 440.06 square feet for a proposed Academy Sports and Outdoors business. The property is located at 100 S Creasy Lane, Lafayette, Fairfield 26 (NW) 23-4 (UZO 4-8-5).

6. CASE #2023-6 INNOVATIVE ENGINEERING AND CONSULTING, INC.

Petitioner is requesting the following two variances for a proposed BP gas station in a GB zone:

1. To allow a freestanding sign setback of 10.5 feet instead of the required 24 feet (UZO 4-8-6); and
2. To increase the freestanding sign square footage from the allowed 40 square feet to 124.13 square feet (UZO 4-8-6)

on property that is located on the southeast corner of Kossuth and Earl, more commonly known as 3211 Kossuth Street, Lafayette, Fairfield 27 (SW) 23-4.

RECOMMENDATION:

Staff advises that the above requests do not constitute a use variance.

MONTHLY BUDGET REPORT
December 01, 2022 - December 28, 2022

ACCOUNT NUMBER AND NAME		TOTAL APPROPRIATION	ENCUMBRANCE FROM LY	MID YR/ END YR TRANSERS	TOTAL	EXPENDITURES THIS MONTH	EXPENDITURES TO DATE	APPROPRIATION BALANCE
1000-2510-11-10	Full Time Personnel	\$907,417.00			\$907,417.00	\$58,967.47	\$870,317.03	\$37,099.97
1000-2510-11-30	Part Time Personnel	\$7,000.00			\$7,000.00		\$4,136.25	\$2,863.75
TOTAL PERSONAL SERVICES		\$914,417.00			\$914,417.00	\$58,967.47	\$874,453.28	\$39,963.72
1000-2510-21-10	Office Supplies -Gen.	\$2,500.00	\$7.00	\$800.00	\$3,307.00	\$299.95	\$2,366.28	\$940.72
1000-2510-21-30	Printing & Signs for Purch	\$1,000.00		\$-1,000.00				
1000-2510-21-40	Minor Equipment	\$1,000.00	\$91.00	\$200.00	\$1,291.00		\$1,180.34	\$110.66
TOTAL SUPPLIES		\$4,500.00	\$98.00		\$4,598.00	\$299.95	\$3,546.62	\$1,051.38
1000-2510-31-10	Legal Services	\$27,600.00			\$27,600.00	\$600.00	\$14,096.59	\$13,503.41
1000-2510-31-70	Translator							
1000-2510-31-90	Other Professional Services	\$500.00			\$500.00			\$500.00
1000-2510-32-10	Travel Costs & Mileage	\$8,000.00			\$8,000.00	\$221.88	\$3,439.09	\$4,560.91
1000-2510-33-10	Published Legals	\$750.00			\$750.00	\$43.29	\$306.41	\$443.59
1000-2510-36-20	Repair Veh&Equip	\$1,500.00			\$1,500.00			\$1,500.00
1000-2510-39-10	Dues & Subscriptions	\$5,300.00			\$5,300.00	\$28.99	\$1,377.97	\$3,922.03
TOTAL OTHER SERVICES & CHARGE!		\$43,650.00			\$43,650.00	\$894.16	\$19,220.06	\$24,429.94
TOTAL OPERATING EXPENSES		\$48,150.00	\$98.00		\$48,248.00	\$1,194.11	\$22,766.68	\$25,481.32
TOTAL BUDGET		\$962,567.00	\$98.00		\$962,665.00	\$60,161.58	\$897,219.96	\$65,445.04
Social Security	\$69,953.00							
PERF Retirement	\$101,631.00							
Furnished by County								
TOTAL BUDGET	\$1,134,151.00							