

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

DATE..... MARCH 6, 2019  
TIME..... 4:30 P.M.  
PLACE..... CO. OFFICE BLDG.  
20 N. 3<sup>rd</sup> STREET  
LAFAYETTE, IN 47901

**MEMBERS PRESENT**

Tom Murtaugh  
Jackson Bogan  
Carl Griffin  
Gary Schroeder  
Greg Jones  
Larry Leverenz

**MEMBERS ABSENT**

Jerry Reynolds

**STAFF PRESENT**

Sallie Fahey  
Ryan O’Gara  
Kathy Lind  
John Burns  
Diana Trader  
Zach Williams, Atty.

President Tom Murtaugh called the meeting to order.

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the February 6, 2019 Executive Committee public hearing as submitted. Greg Jones seconded, and the motion carried by voice vote.

**II. NEW BUSINESS**

**III. PUBLIC HEARING**

**SUBDIVISIONS:**

**S-4820 ARCHERVILLA SUBDIVISION, A REPLAT OF LOT 6 (minor-sketch):**

Petitioner is seeking primary approval to replat Lot 6 in order to change the original front setback. The 1.255-acre lot is located on the north side of CR 300 N, just east of CR 500 E, in Perry 6 (SW) 23-3.

Gary Schroeder moved to hear and vote on **S-4820 ARCHERVILLA SUBDIVISION, A REPLAT OF LOT 6 (minor- sketch)**. Greg Jones seconded.

Kathy Lind presented the zoning map, site plan and aerial photos. Kathy said the property is located on the north side of CR 300 N. just east of CR 500 E. She said the zoning is R1 single-family residential and the property to the west, north and east is zoned Agricultural. She said East Tipp Middle School is farther to the east and the Hoosier Heartland is off to the north. Kathy said this is Lot 6 of Archervilla subdivision which was platted in 1998. Kathy said there is a house on the property and the reason the lot needs to

be re-platted is to change the front building setback. She said the lot was platted with a 120-ft front building setback, but the house was constructed at the 100-ft setback line. She said 5 lots to the west were platted with 100-ft front setbacks, and 2 lots to the east were platted with 120-ft front setbacks. She said CR 300 N. has a 40-ft setback requirement. She said the developer decided on larger setbacks of 100-ft at first and then 120-ft. later. Kathy said because the house was built at the 100-ft setback line they are asking to have the lot re-platted to the 100-ft setback in order to remedy this situation. Kathy said staff recommends conditional primary approval with the following standard conditions:

A. Conditions

**FINAL PLAT** – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the CR 300 N right-of-way line.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.

**SUBDIVISION COVENANTS** – The following items shall be part of the subdivision covenants:

5. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Todd Starr, Starr Associates, 413 Teal Road, Lafayette, IN 47905, representative for petitioner, said this was a simple replat to move a setback line and asked for approval.

The Executive Committee voted 6-Yes and 0-No for conditional primary approval for **S-4820 ARCHERVILLA SUBDIVISION, A REPLAT OF LOT 6 (minor- sketch).**

**IV. APPROVAL OF THE MARCH AREA PLAN COMMISSION PUBLIC HEARING AGENDA:**

Gary Schroeder moved that the following amendment to the Unified Zoning Ordinance be placed on the March 20, 2019 Area Plan Commission public hearing agenda:  
**UZO AMENDMENT #95 ZONING VIOLATION CITATIONS.**

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

Gary Schroeder moved that the following subdivision petitions be placed on the March 20, 2019 Area Plan Commission public hearing agenda at petitioners' request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:  
**S-4822 MORTON MINOR SUBDIVISION (minor-sketch), and**  
**S-4823 NORFLEET COMMERCIAL SUBDIVISION (major-preliminary).**

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

Gary Schroeder moved that the following rezoning petition be placed on the March 20, 2019 Area Plan Commission public hearing agenda:  
**Z-2757 LISA BECKER (NB to R1U).**

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

#### V. APPROVAL OF THE MARCH ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petitions be placed on the March 27, 2019 Area Board of Zoning Appeals Public Hearing agenda:  
**BZA-2009 CUMBERLAND PARTNERS, LLC, and**  
**BZA-2011 SECOND CIRCLE ACQUISITIONS, LLC**

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

#### VI. DETERMINATION OF VARIANCES – Lafayette Division

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:  
**CASE #2019-07 MEGA FOODS, LLC and**  
**CASE #2019-08 CHICK-FIL-A, INC.**

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

Gary Schroeder moved that the sign ordinance be strictly adhered to for the following request:  
**CASE #2019-07 MEGA FOODS, LLC and**  
**CASE #2019-08 CHICK-FIL-A, INC.**

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

#### VII. REVIEW AND APPROVAL OF THE FEBRUARY BUDGET REPORT

Sallie Fahey said under the Expenditures this Month column in Dues & Subscriptions there is a dollar amount of \$507.00 which represents 2 things. One is the criss-cross Directory that the Area Plan staff keeps up to date for the purposes of street addressing and the other is the annual membership to the Urban Land Institute.

Gary Schroeder moved to approve the February budget report as submitted. Greg Jones seconded, and the motion carried by voice vote.

#### VIII. OTHER BUSINESS

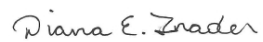
#### IX. ADJOURNMENT

Gary Schroeder moved to adjourn.

The meeting adjourned at 4:41 p.m.

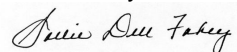
Respectfully submitted,

Diana E. Trader

A handwritten signature in cursive script that reads "Diana E. Trader".

Acting Recording Secretary

Reviewed by,

A handwritten signature in cursive script that reads "Sallie Dell Fahey".

Sallie Dell Fahey  
Executive Director