

The  
**AREA PLAN COMMISSION**  
of Tippecanoe County

## **Executive Committee**

Date: November 2, 2022

Time: 4:30 PM

Place: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

**PLEASE NOTE: This meeting will be in person.** Members of the public may choose to watch the live-stream on Facebook or YouTube. These links can be found on the APC website at: <https://www.tippecanoe.in.gov/378/Area-Plan-Commission-APC>

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### **AGENDA**

#### **I. APPROVAL OF MINUTES**

Documents:

[EXEC 10.05.2022 MINUTES.PDF](#)

#### **II. NEW BUSINESS**

#### **III. PUBLIC HEARING**

##### **A. SUBDIVISIONS**

##### **1. S-5099 MURDOCK PLACE MINOR SUBDIVISION (MINOR-SKETCH)**

Petitioner is seeking sketch plan approval for a single, multi-family lot consisting of four existing multi-family buildings on 18

old, platted lots (Lots 1-18 in O'Ferrall Park Addition) between Cason and Ferry Streets, on the west side of 30<sup>th</sup> Street in Lafayette, Fairfield 22 (SW) 23-4.

Documents:

[S-5099 MURDOCK PLACE MINOR SUBDIVISION.PDF](#)

**IV. APPROVAL OF THE NOVEMBER APC PUBLIC HEARING AGENDA**

Documents:

[11162022 APC AGENDA.PDF](#)

**V. DETERMINATION OF VARIANCES (LAFAYETTE DIVISION OF THE ABZA)**

Documents:

[2022-11 LDOV.PDF](#)

**VI. REVIEW AND APPROVAL OF THE OCTOBER BUDGET REPORT**

Documents:

[OCTOBER BUDGET REPORT.PDF](#)

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**

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

DATE..... October 5, 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/UCJleeA9ZQo9E11GdZTdjurQ/featured>*

**MEMBERS PRESENT**

Larry Leverenz  
Kathy Parker  
Gary Schroeder  
Jackson Bogan  
Tom Murtaugh

**MEMBERS ABSENT**

Jerry Reynolds  
Greg Jones

**STAFF PRESENT**

Kathy Lind  
Ryan O’Gara  
Eric Burns, Atty  
Amanda Esposito  
Kristina Lamb

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 September 7, 2022 public hearing. Kathy Parker seconded, and the minutes, as submitted, were approved by unanimous voice vote.

**II. NEW BUSINESS**

**III. PUBLIC HEARING**

**IV. APPROVAL OF THE OCTOBER 2022 APC PUBLIC HEARING AGENDA**

Gary Schroeder moved that the following subdivision petitions be placed on the October 19, 2022 Area Plan Commission public hearing agenda:

**S-5097 DISCOVERY PARK DISTRICT SUBDIVISION, PHASE 3 (major-preliminary) AND S-5098 CAT LAFAYETTE SUBDIVISION, A REPLAT OF LOT 2, FIRST FINANCIAL SUBDIVISION REPLAT (minor-sketch).**

Gary Schroeder moved that the following rezoning petitions be placed on the October 19, 2022 Area Plan Commission public hearing agenda:

**Z-2866 TIPPECANOE ACQUISITIONS, LLC (GB AND R3 TO R3); AND Z-2867 CJ INVESTMENT GROUP, LLC (A TO R2).**

Kathy Parker seconded, and the motion was carried by unanimous voice vote.

**V. APPROVAL OF THE OCTOBER ABZA PUBLIC HEARING AGENDA**

Meeting Canceled – No cases were filed.

**VI. DETERMINATION OF VARIANCES – LAFAYETTE DIVISION OF THE ABZA**

Gary Schroeder moved the following requests for variance from the Unified Zoning Ordinance are not a request for use variance, prohibited from consideration by ordinance and statute:

**CASE #2022-26 NORFLEET BUILDERS, INC. AND**

**CASE #2022-27 STAN MITHOEFER**

Kathy Parker seconded, and the motion was carried by unanimous voice vote.

**VII. REVIEW AND APPROVAL OF THE SEPTEMBER BUDGET REPORT**

Gary Schroeder moved to hear and approve the September 2022 Budget Report as submitted. Kathy Parker seconded.

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

**VIII. OTHER BUSINESS**

None.

**IX. ADJOURNMENT**

Gary Schroeder moved to adjourn.

Meeting adjourned at 4:33 PM.

Respectfully Submitted,  
Kristina Lamb  
Recording Secretary

Reviewed By,



David Hittle  
Executive Director

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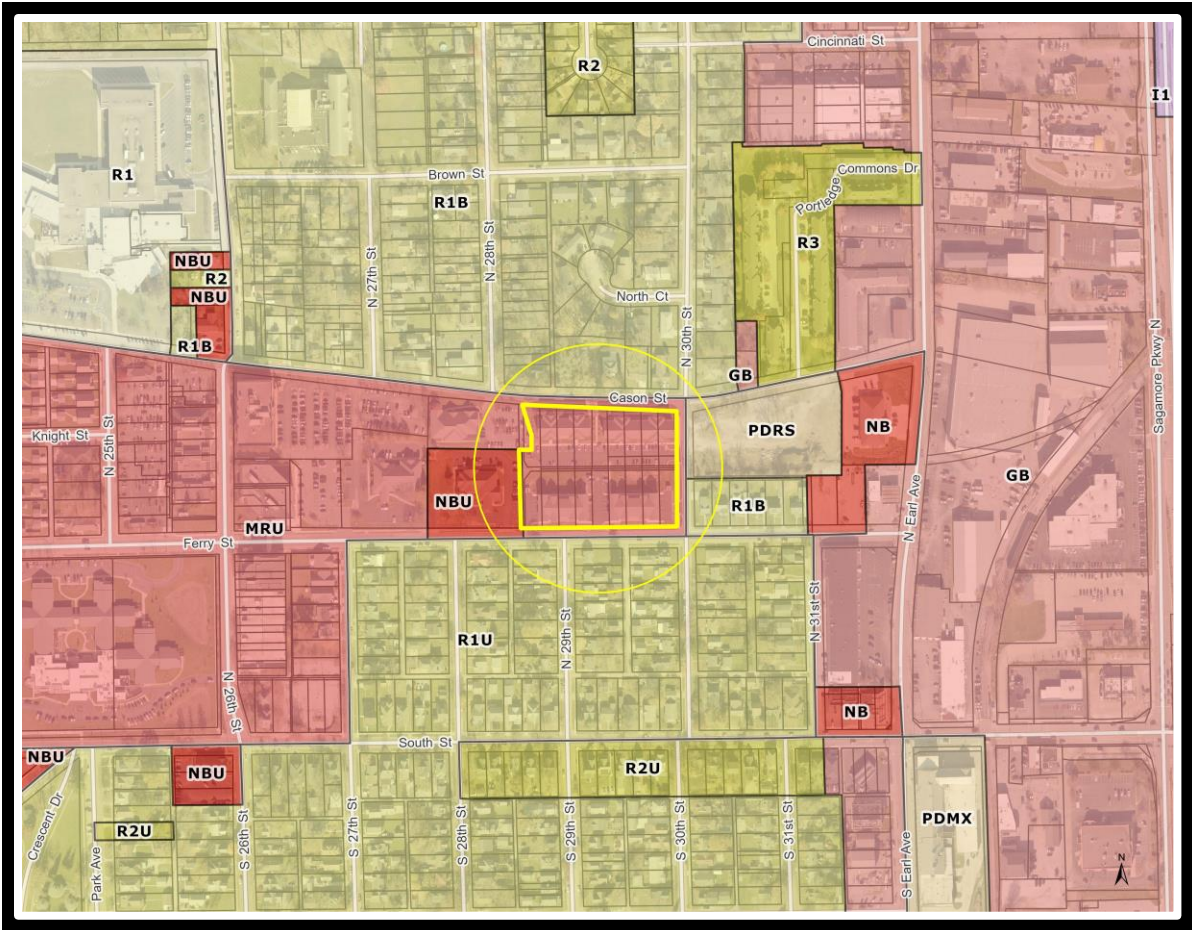
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**S-5099**  
**MURDOCK PLACE**  
**(minor-sketch)**

**STAFF REPORT**  
**October 27, 2022**

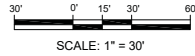
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# Murdock Place Minor Subdivision (Sketch Plan)

A PART OF LOTS NUMBERED 1-18 IN O'FERRALL PARK ADDITION TO THE CITY OF LAFAYETTE, FAIRFIELD TOWNSHIP, TIPPECANOE COUNTY, INDIANA



**DESCRIPTION OF MURDOCK PLACE MINOR SUBDIVISION (3.322 ACRES):**

All or part of Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18), in Block Five (5) in O'Ferrall Park Addition to the City of Lafayette, as recorded in Plat Book 1, Page 8 in the Office of the Recorder in Tippecanoe County, Indiana (9903), as platted upon part of the Southwest Quarter of Section 22, Township 23 North, Range 4 West, and including part of an Alley vacated by Board of Works Record 6, Page 413, vacated by Ordinance 92-35 (Doc. No. 93-01590) and vacated by Ordinance 2019-22 (Doc. No. 201919017598), immediately adjacent to Lots numbered 1 through 18 in Block 5 in said O'Ferrall Park Addition, described as follows: Beginning at the Southwest corner of Lot 9 in said O'Ferrall Park Addition; thence South 89° 19' 40" West (Bearings are based on WGS84) 438.37 feet along the North Right-of-Way line of Ferry Street and the South line of Lots 1 through 9 in said O'Ferrall Park Addition, to the Southwest corner of said vacated Alley, said point referenced by a 3/4" diameter Rebar falling South 01° 23' 44" East 0.33 feet; thence North 01° 23' 44" West 220.42 feet along the West line of said vacated Alley, to a TBRD Capped Rebar on the South line of a tract of land owned by Burlington Family Group, LLC, as described in Document Number 201212000072 (OTRC); thence along said Burlington property, the following Three (3) courses: thence (1) South 89° 58' 04" East 35.56 feet to a Starr Capped Rebar; thence (2) North 00° 39' 12" East 41.23 feet to a TBRD Capped Rebar; thence (3) North 17° 11' 04" West 89.12 feet to a Starr Capped Rebar on the North line of Lot 18 in said O'Ferrall Park Addition and the South Right-of-Way line of Cason Street; thence South 87° 35' 49" East 434.46 feet along the South Right-of-Way line of Cason Street and the North line of Lots 10 through 18 in said O'Ferrall Park Addition, to a 3/4" diameter Rebar marking the Northeast corner of Lot 10 in said O'Ferrall Park Addition; thence South 00° 09' 21" East 323.39 feet along the West Right-of-Way line of N. 30th Street and the East line of Lots 9 & 10 in said O'Ferrall Park Addition, to the Point of Beginning and containing 3.322 Acres. Located in Fairfield Township, Tippecanoe County, Indiana.

SITE



Vicinity Map  
(Not to Scale)

**LEGEND**

- CRS = Capped Rebar Set is a 5/8" rebar with a yellow plastic cap marked STARR FORM NO. 0093
- MNF = Map Nail Found
- SCRF = Starr Capped Rebar Found
- TBCRF = TBRD Capped Rebar Found
- BRF = Bent Rebar Found
- RRSF = Railroad Spike Found
- MBL = Minimum Building Line
- BRF = Bent Rebar Found
- RF = Rebar Found
- AG = Above Ground
- BC = Below Ground
- # = diameter
- \* = Gas Line Easement is established at the center line of the Facilities as constructed. Location shown is an approximation of said center line
- NOTE: All Monuments were set/flush, unless otherwise noted.

**ALLEY & UTILITY EASEMENT VACATIONS:**

- East-West Alley (South of Lots 10-17 & North of Lots 2-9):
- Vacated by Ordinance No. 2019-22 (Doc. No. 201919017598)
- East-West Alley (South of Lot 18, North of Lot 1 & West of Lot 1):
- Vacated by Ordinance No. 92-35 (Doc. No. 93-01590)
- North-South Alley (West of Lot 18):
- Vacated by Board of Works Record 6, Page 413.
- East-West 10' Utility Easement (previously ran across the Southerly 10', and their Westerly extension, of Lots 10-18):
- Vacated by Ordinance No. 2019-22 (Doc. No. 201919017598)



Dated: September 15, 2022

Title Holder: Cason & Earl, LLC

Tax Key No: 79-07-22-360-001.000-004, 79-07-22-360-002.000-004, 79-07-22-360-003.000-004, 79-07-22-360-004.000-004, 79-07-22-360-005.000-004, 79-07-22-360-006.000-004, 79-07-22-360-007.000-004, 79-07-22-360-008.000-004, 79-07-22-360-009.000-004, 79-07-22-360-010.000-004 & 79-07-22-360-012.000-004

This instrument was prepared by Todd Ashley Starr  
I affirm, under penalties for perjury, that I have taken reasonable care to reflect each Social Security number in this document, unless required by law. Todd Ashley Starr.

MURDOCK PLACE MINOR SUBDIVISION  
SKETCH PLAN



Drawing Date: 09/15/2022  
Drawn By: MAJ  
Proj. No. 20220159  
Revised:

215 S. ALABAMA STREET  
LAFAYETTE, IN 47701



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**S-5099**  
**MURDOCK PLACE MINOR SUBDIVISION**  
**Minor-Sketch Plan**

**Staff Report**  
**October 27, 2022**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner John B. Scheumann, representing owner Cason & Earl, LLC, with surveyor Todd Starr of Starr Associates, is requesting preliminary approval of a multi-family subdivision, replatting 18 lots (in O’Ferrall Park Addition to Lafayette) into a single lot. The site currently has four apartment buildings, located on the west side of 30<sup>th</sup> Street between Cason and Ferry Streets, Lafayette, Fairfield 22 (SW) 23-4.

**AREA ZONING PATTERNS:**

The land in the request is zoned MRU, Medical-Related, Urban, as is the lot to the northwest. The MRU zone is a remnant from when the primary land use in the area was Home Hospital and the several clinics and doctor’s offices in its vicinity.

Surrounding properties are zoned R1B, PDRS, R1U, and NBU.

**AREA LAND USE PATTERNS:**

The site in question has four recently completed, multi-family buildings housing a total of 72 apartment units. Single-family dwellings are across Cason Street to the north and across Ferry to the south. Houses also line the north side of Ferry Street to the east. Professional/Medical related offices exist to the west.

**TRAFFIC AND TRANSPORTATION:**

Both Cason and North 30<sup>th</sup> Streets are urban local roads per the adopted *Thoroughfare Plan*; however, Ferry Street is classified as an urban secondary arterial. Secondaries are required to have a 70’ wide right-of-way or a 35’ half width. Ferry Street only has a 30’ half-width.

A subdivision variance has been requested which would allow the subdivision request to go forward without dedicating the additional 5’ of right-of-way on Ferry Street. The other two adjacent streets meet right-of-way width standards. A “no vehicular access” statement is not required by the city.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

The alleys and unnecessary easements on site have already been vacated. New utility easements have already been created. The buildings on site are already occupied and are being served by city sewer and water.

**CONFORMANCE WITH UZO REQUIREMENTS:**

The building setbacks have been met; lot area and lot width can also be met.

**STAFF RECOMMENDATION:**

Conditional primary approval, contingent on the following:

A. Subdivision Variance

Petitioner is requesting a variance to not dedicate the additional 5' of right-of-way required for a secondary arterial on Ferry Street.

B. Conditions

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

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The street addresses and County Auditor's Key Number shall be shown.



THE  
AREA PLAN COMMISSION  
OF TIPPECANOE COUNTY

**NOTICE OF PUBLIC HEARING**

DATE ..... NOVEMBER 16, 2022  
TIME ..... 6:00 P.M.  
PLACE ..... COUNTY OFFICE BUILDING  
20 NORTH 3RD STREET  
LAFAYETTE, IN 47901

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

*Note: No subdivision nor rezone requests have been filed for the November meeting. Also, no cases were continued to the November meeting as all previous cases have been decided. Staff expects to receive a filing for Final Detailed Plan approval (FDP) which, as a new business item, is not required to meet the 30-day deadline. If staff receives the FDPs by Wednesday, November 9<sup>th</sup>, this item will be placed on this agenda and there will be a meeting. If not, this meeting is likely to be cancelled with items VI, VII and VIII happening just prior to the start of those particular meetings.*

- I. BRIEFING SESSION
- II. APPROVAL OF MINUTES
- III. NEW BUSINESS
- IV. PUBLIC HEARING
  - A. SUBDIVISION
  - B. REZONING ACTIVITIES
- V. ADMINISTRATIVE MATTERS
- VI. APPROVAL OF THE DECEMBER EXECUTIVE COMMITTEE AGENDA
- VII. APPROVAL OF THE NOVEMBER/DECEMBER ABZA AGENDA
- VIII. DETERMINATION OF VARIANCES -- Area Board of Zoning Appeals
- IX. DIRECTOR'S REPORT
- X. CITIZENS' COMMENTS AND GRIEVANCES
- XI. ADJOURNMENT

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**Determination of Variance**  
Lafayette Board of Zoning Appeals  
Meeting Date: November 21, 2022

**October 27, 2022**

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**CASE #2022-28 MISTIE NIGH – ASA ABOVE THE REST, LLC**

Petitioner is requesting a variance to increase the total signage on site from the allowed 109.2 square feet to 233.15 square feet for a proposed charter school. The property is located at 1904 Elmwood Avenue, Lafayette, Fairfield 21 (NE) 23-4 (UZO 4-8-5).

**RECOMMENDATION:**

Staff advises that the above request does not constitute a use variance.

**MONTHLY BUDGET REPORT**  
September 29, 2022 - October 26, 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	\$59,683.38	\$716,527.36	\$190,889.64
1000-2510-11-30 Part Time Personnel	\$7,000.00			\$7,000.00		\$4,136.25	\$2,863.75
<b>TOTAL PERSONAL SERVICES</b>	<b>\$914,417.00</b>			<b>\$914,417.00</b>	<b>\$59,683.38</b>	<b>\$720,663.61</b>	<b>\$193,753.39</b>
1000-2510-21-30 Printing & Signs for Purch	\$1,000.00			\$1,000.00			\$1,000.00
1000-2510-21-40 Minor Equipment	\$1,000.00	\$91.00		\$1,091.00		\$843.79	\$247.21
1000-2510-21-10 Office Supplies -Gen.	\$2,500.00	\$7.00		\$2,507.00		\$802.87	\$1,704.13
<b>TOTAL SUPPLIES</b>	<b>\$4,500.00</b>	<b>\$98.00</b>		<b>\$4,598.00</b>		<b>\$1,646.66</b>	<b>\$2,951.34</b>
1000-2510-31-10 Legal Services	\$27,600.00			\$27,600.00	\$1,062.00	\$13,167.68	\$14,432.32
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	\$1,402.08	\$2,860.83	\$5,139.17
1000-2510-33-10 Published Legals	\$750.00			\$750.00		\$263.12	\$486.88
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	\$123.99	\$1,319.99	\$3,980.01
<b>TOTAL OTHER SERVICES &amp; CHARGES</b>	<b>\$43,650.00</b>			<b>\$43,650.00</b>	<b>\$2,588.07</b>	<b>\$17,611.62</b>	<b>\$26,038.38</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>\$48,150.00</b>	<b>\$98.00</b>		<b>\$48,248.00</b>	<b>\$2,588.07</b>	<b>\$19,258.28</b>	<b>\$28,989.72</b>
<b>TOTAL BUDGET</b>	<b>\$962,567.00</b>	<b>\$98.00</b>		<b>\$962,665.00</b>	<b>\$62,271.45</b>	<b>\$739,921.89</b>	<b>\$222,743.11</b>

Social Security \$69,953.00  
 PERF Retirement \$101,631.00  
 Furnished by County  
 TOTAL BUDGET \$1,134,151.00