

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

DATE.....November 2, 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  
Tom Murtaugh  
Greg Jones  
Jerry Reynolds

**MEMBERS ABSENT**

Jackson Bogan

**STAFF PRESENT**

Kathy Lind  
Austin Hammerli  
Larry Aukerman  
Kristina Lamb  
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 October 5, 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. Kathy Parker seconded, and the motion carried by unanimous voice vote.

**SUBDIVISIONS**

**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.

Gary Schroeder moved to hear and vote on **S-5099 MURDOCK PLACE MINOR SUBDIVISION (minor-sketch)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map, plat, and aerial photos. The property is located at Cason, Ferry and N. 30<sup>th</sup> Street. The property is zoned MRU, a leftover zoning when Home Hospital was nearby, and does permit multi-family dwellings, by right. The aerial shows four existing multi-family buildings and people are currently living there. The sketch plan shows the eighteen lots where these four building have been built. In Lafayette, you can build over property/lot lines. The alley that runs between the buildings has already been vacated. There is a variance request for the area along Ferry Street. The street is classified as an urban secondary arterial, requiring a thirty-five-foot half-width right-of-way. What exists now is only thirty feet. If they were to dedicate five additional feet of right-of-way, that would mess up the setback of the buildings. The Board of Works approved the variance yesterday, eliminating the requirement of the five additional feet. Staff recommends that the Board approve the variance. There are three standard conditions of approval. Staff recommends conditional primary approval.

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

Todd Starr, Starr Associates, 215 Alabama Street, Lafayette, explained that a few years ago, they designed the apartments, and they were able to build them, and then they began to get twelve to thirteen different tax bills, because of the different tax key numbers. This is to clean it up and only get one tax bill. The issue became the five additional feet, so we went through the Board of Works to get approval for that five-foot dedication. There is plenty of room for the city to do anything they may need to do in the future, so that is why they approved it yesterday. He offered to answer any questions.

Larry Leverenz asked if any member of the audience wished to comment on this petition. There was no one present.

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

Larry Leverenz called for two votes on two separate white ballots: one for the variance and the other for the conditional approval.

Kathy Lind collected the ballots and noted 6 -Yes to 0 -No for Variance approval of **S-5099 MURDOCK PLACE MINOR SUBDIVISION (minor-sketch)**.

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

Kathy Lind collected the ballots and noted 6 -Yes to 0 -No for conditional primary approval of **S-5099 MURDOCK PLACE MINOR SUBDIVISION (minor-sketch)**.

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

#### IV. APPROVAL OF THE NOVEMBER 2022 APC PUBLIC HEARING AGENDA

No cases have been filed.

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

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

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

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

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

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

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 4:40 PM.

Respectfully Submitted,  
Kristina Lamb  
Recording Secretary

Reviewed By,



David Hittle  
Executive Director