

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY
LAFAYETTE DIVISION
February 16, 2021

The City of Lafayette Board of Zoning Appeals met in regular session on Tuesday, February 16, 2021 at 4:00 PM. Members present were: Jackson Bogan, Tracy Walder, and Dave Williams.

The meeting was called to order by Mr. Bogan. Ms. Walder moved to approve the minutes of the previous meeting as distributed; second by Mr. Williams. The motion passed by unanimous voice vote.

OLD BUSINESS

2021-6 DAHM NO. 26, LLC Variance to increase the total sign area to 373.97 SF instead of the allowed 349.27 SF. Property located at 4023 SOUTH ST.

Ms. Walder moved to hear and approve the petition; second by Williams. Tyler Ochs, agent for the petitioner, presented the petition.

Mr. Ochs stated they are requesting this variance to install a new digital reader board at Crew Carwash. He received two letters in support of the variance which he read aloud. The first letter was from Signcraft Industries, the contractor for the proposed signage. The first letter stated that Crew Carwash had received multiple variances around the state with the same signage request, including West Lafayette. Keeping the same size across their different locations helps with consistency and is important for the programming aspect of the digital sign. All of the signs are programmed for this specific size. This would be the first location in Lafayette for this new digital sign and they chose this location because it is one of the oldest locations in the area. This would bring the South St. location up to speed with other locations.

The second letter was from the owner of Crew Carwash. The letter stated that Crew Carwash has been in Lafayette for 17 years and they will be opening their third Lafayette location in a week. They would like to remove the old reader board and update it with a new digital reader board to give this location a new and refreshed look. It will help keep a consistent brand throughout their locations and help keep customers up-to-date on deals. They also use their digital reader boards to help local non-profit organizations through fundraising events.

Mr. Bogan stated that he does not have an issue with the 12' x 4' digital sign that is proposed, however he believes the previously granted 349.27 SF is enough for this location. Mr. Bogan asked how much square footage the West Lafayette Crew Carwash was granted along with their 12' x 4' digital sign and Mr. Ochs was not certain.

Mr. Ochs stated that he understands that these variances do not set precedents for other variances and he knows that these requests are reviewed on a case-by-case basis. However, he also understands that other variances granted in specific areas can be used as an argument to get more than what was previously allowed. He does not believe this is an irrational request and he believes this variance is needed to bring this location up-to-date, especially since it has been there for 17 years. They asked for the most minimal amount possible to install this new sign. Mr. Bogan stated that he was still going to struggle supporting more than the already approved 349.27 SF.

Mr. Ochs pointed out that this square footage request is still under some of the other previously approved petitions in the past, including Olive Garden and the Drury Inn which was granted over 1,000 SF of signage. He believe this request for an additional 24 SF of signage, which will most likely keep the petitioner satisfied for another 17 years or more, is reasonable.

The Board voted by ballot:

- 1) 0 yes 3 no. Petition DENIED.

2021-7 DAHM NO. 54, LLC Multiple requests for property located at 1805 TROXEL DR.

- 1) Variance to increase the total sign area to 299.52 SF (as amended) instead of the allowed 172 SF.
- 2) Variance to increase the freestanding sign area to 72 SF (as amended) instead of the allowed 60 SF
- 3) ~~Variance to reduce the freestanding sign setback to 24' instead of the required 28.5'.~~
WITHDRAWN

Ms. Walder moved to hear and approve the petition; second by Mr. Williams. Tyler Ochs, agent for the petitioner, presented the petition.

Mr. Ochs went over the changes to this petition. They had originally requested a total sign area of 460.63 SF and this has been reduced to 299.52 SF. They had also requested a freestanding sign area of 173.43 SF and this has been reduced to 72 SF. The third request for the freestanding sign setback has been withdrawn and will be discussed at a future meeting. Ms. Walder made a motion to amend the petition requests to match the updated requests; second by Mr. Williams.

Mr. Ochs stated that the biggest change was the freestanding sign. The previously proposed sign was much larger and taller and he believes this new freestanding sign is more in line with Crew's newer locations. The Crew Carwash at this location is sitting on a 2 acre tract which is larger than a lot of the surrounding properties and this property has 3 different road frontages. This unique location would benefit from these sign requests since customers will be coming from multiple directions. The owner of Crew Carwash wanted to submit their letter from the first petition in support of these requests, as well.

Ms. Walder asked if there would be 4 building signs for Crew Carwash. The renderings show 4 building signs plus the newly proposed freestanding sign. Mr. Ochs confirmed there would be 3 signs on the tower portion of the building and one sign on the northern portion of the building. Mr. Bogan asked if the monument sign would be visible from the east and the west and Mr. Ochs confirmed that would be the case.

Mr. Bogan stated that this request would be the largest granted in the area with the exception of one other petition which was granted for an integrated center. He questioned whether there needed to be signage covering every side of the building because you will know it is a Crew Carwash, regardless if all of the building signage is approved or not.

Mr. Ochs reiterated that this sign package is on-brand with many of their other newer locations and he wanted to stress the uniqueness of this location having 3 different road frontages. He understands this

would be the largest allotment in the area but he also believes it is reasonable. This request is also 50 SF less than the previously approved allotment at the South St. Crew Carwash location.

Mr. Bogan stated that he understood that this location is fairly unique but pointed out that most of the proposed signage is condensed in one location. Mr. Ochs stated that the tower makes the most sense when it comes to signage since it is the highest point on the lot and it will cover most of Veterans Memorial Parkway. Ms. Walder stated that she still believes there is too much duplication of the building signage. She also pointed out that the other property in the area that was granted slightly more signage was an integrated center and that it is serving at least 4 businesses.

Mr. Shively stated that Crew Carwash did already go through the permitting process for their allowed 172 SF. The signs that were permitted were the 3 on the tower portion of the building. The proposed northern building and freestanding signs were omitted from this permit application while they were waiting to hear about this variance request.

Mr. Ochs reiterated that Crew Carwash has invested a lot into Lafayette and West Lafayette and has existed here for quite some time. They participate in philanthropic endeavors within the community and value their relationship with Lafayette. However, Mr. Ochs stated he was comfortable continuing this variance, especially since the freestanding sign is going through a separate variance. Mr. Ochs requested to continue the petition until the following meeting which was approved.

NEW BUSINESS

2021-8 TAD RENTALS, LLC Multiple requests for property located at 3829 and 3841 SR 38 E.

- 1) Variance to eliminate the Type A bufferyard with a 20' width along the west side of the property.
- 2) Variance to reduce the Type C bufferyard with a 30' width along the east side of the property to conform to the submitted site plan.
- 3) Variance to reduce the rear yard setback to 30' instead of the required 40'.

Ms. Walder moved to hear and approve the petition; second by Mr. Williams. Dan Teder, agent for the petitioner, presented the petition.

Mr. Teder went over the petitioner's requests and stated he believes their proposals won't have any negative effects on the neighboring properties. The property to the west is an old bakery that is currently unused and the property to the south is a residential neighborhood. Mr. Teder said that the ordinance states that a bufferyard is not required where a street serves as the boundary line between different zoning districts. He does not personally believe a bufferyard is required along the east side of the property but understands there are arguments to be made against this belief. Instead of arguing this point, they decided they would install a reduced bufferyard. The bufferyard required in the rear of the property will not be changed. He also wanted to point out that they will have to install 2 exit doors on the rear of the building to meet fire code. These doors will have lights above them but they are designed to have no impact on the neighboring properties. The canopy for the gas pumps will be lower than the building height so the light from this location will be negligible to the adjacent southern property, as well.

Casey Mast, treasurer of Torchwood Condominiums, spoke in opposition of the variance. He spoke on behalf of the residents of Torchwood Condominiums. They are not opposed to new business in the area,

however they have concerns about the additional traffic this development will draw to the area. They believe the owner should have a traffic study conducted for this site. Mr. Mast stated that it is sometimes very difficult to leave Torchwood and the residents might be waiting on traffic for a very long time. This new development will only make this issue worse. Mr. Bogan pointed out that the board does not make traffic decisions and it does not pertain to the variances requested. Mr. Teder said that if enough people are concerned about potential traffic issues, they can produce letters to the correct departments who will be reviewing this development.

Margie Stein, president of Torchwood Condominiums, had some general questions. She asked what kinds of trees would be planted along the property lines. Mr. Bogan stated that the tree requirements recently changed to requiring evergreens and Mr. Teder stated that the evergreens must be at least 8' in height and spaced 10' apart. The plantings also have to be staggered between multiple rows. Ms. Stein also raised concerns about the amount of debris that comes from the property on the east side of the Torchwood entrance. She was hoping the proposed bufferyard for this new development would mitigate additional debris from the west side of the Torchwood entrance and wondered if there could be an extra row of plantings. Mr. Teder stated he could not say whether or not the bufferyard would keep debris from leaving that site but he reiterated that he does not personally believe there even needs to be a bufferyard on the east side of the property in the first place.

Robert Gellenbeck, vice president of Torchwood Condominiums, asked if there are any maintenance requirements for bufferyards. Mr. Teder stated that there are requirements to maintain the bufferyards and that is typically done through the code enforcement process with the City of Lafayette. Mr. Gellenbeck also mirrored Ms. Stein's concerns about potential debris coming from this development.

The Board voted by ballot:

- 1) 3 yes 0 no. Petition GRANTED.
- 2) 3 yes 0 no. Petition GRANTED.
- 3) 3 yes 0 no. Petition GRANTED.

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, March 15, 2021 at 4:00 PM. There being no further business to come before the Board at this time, the meeting was adjourned at 5:05 PM.

Chairman

Secretary