

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY  
LAFAYETTE DIVISION

March 20, 2017

The City of Lafayette Board of Zoning Appeals met in regular session on Monday, March 20, 2017 at 4:00 PM. Members present were: Jackson Bogan, Tracy Walder, David Lahr, and Jake Gray. 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. Lahr. The motion passed by unanimous voice vote.

OLD BUSINESS:

2017-6            Petition filed by DYKE NELSON, WND LAFAYETTE, LLC for variance to allow 32 parking spaces instead of the required 48 spaces. Property located at 217 N 6<sup>TH</sup> ST. And

2017-7            Petition filed by DYKE NELSON, WND LAFAYETTE, LLC for variance to allow 24 parking spaces instead of the required 36 spaces. Property located at 221 N 6<sup>TH</sup> ST.

Secretary Griffee informed the Board that both petitions were WITHDRAWN at the request of the petitioner.

NEW BUSINESS:

2017-9            Petition filed by LONGHORN STEAKHOUSE for multiple requests for property located at 4343 SOUTH ST:

- 1) Variance to allow freestanding sign height of 75' instead of the allowed 36'.
- 2) Variance to allow freestanding sign setback of 0'.
- 3) Variance to allow freestanding sign area of 250 SF instead of the allowed 100 SF.
- 4) Variance to allow 565 SF total sign area instead of the allowed 154 SF.

Ms. Walder moved to hear and approve the petition, second by Mr. Lahr. Charley Shalliol, agent for the petitioner, presented the petition.

Mr. Shalliol provided updated pictures to the Board. He stated that the request is for total sign area and also for the freestanding sign. The site is next to I-65, the location of the former Hour Time Restaurant. They are trying to keep the signage as close to the building as possible on the east side, there are no next door neighbors on that side. They are asking for the increased height because those traveling north and south on I-65 will be able to see the sign before the exit. Those going east and west will be able to see it to help access the site. The site is unique; the layout has the building tuck back from the main access off of South Street.

The building signs will be self-contained, internally illuminated. They propose signage on all facades because of the site; the location can be approached from all directions. The site is zoned Highway Business and is next to Highway Business zones. They will not have a negative impact on the surrounding properties.

Mr. Lahr asked if they will own the property. Mr. Shalioi responded that Longhorn will own the property; it is separate from the new hotel. Ms. Walder asked for clarification on the zero setback and if it will impact adjoining roadways. Mr. Shalioi responded that the leading edge of the sign cabinet is at the zero setback, the pole is actually setback 14'.

The Board voted by ballot:

- 1) 4 yes 0 no. PETITION GRANTED
- 2) 4 yes 0 no. PETITION GRANTED
- 3) 4 yes 0 no. PETITION GRANTED
- 4) 4 yes 0 no. PETITION GRANTED

2017-10 Petition filed by LAFAYETTE RETAIL, LLC for variance to allow a 5'-wide, type "A" buffer-yard instead of the required 15'-wide, type "A" buffer-yard. Property located at 3521 SOUTH ST and

2017-11 Petition filed by LAFAYETTE RETAIL, LLC for multiple requests for property located at 3521 SOUTH ST:

- 1) Variance to allow 120 SF tenant signage instead of the allowed 40 SF (Suite A).
- 2) Variance to allow 120 SF tenant signage instead of the allowed 40 SF (Suite D).
- 3) Variance to allow 80 SF tenant signage instead of the allowed 40 SF (Suite B).
- 4) Variance to allow 80 SF tenant signage instead of the allowed 40 SF (Suite C).

Ms. Walder moved to hear and approve both petitions, second by Mr. Lahr. Dan Teder, agent for the petitioner, presented the petitions. The petitioners, Kyle Hughes and Seth Biggerstaff, were also present.

Mr. Teder stated that the first petition is for the reduction in a buffer-yard from 15' to 5'. The location is already trees that have been there for many years. They are well maintained. It doesn't really make sense because Caterpillar is on the other side in an industrial zone and we are zoned for business. It would make sense if the existing conditions were different.

The project is located at the southeast corner of Farabee and South. They are proposing a 9000 SF strip center at the northeast corner of the overall site. An additional building on the west side facing Farabee will be in the future.

They otherwise meet all other zoning requirements. The signage variances are for the strip center that will be known as Lafayette Shops. There are four tenants (A, B, C, and D). A and D are the endcaps that will be restaurants. The request is for those sign areas to be increased to 120 SF from 40 SF. C and D will be retail and will go to 80 SF from 40 SF.

The request is within what has been previously granted. The site is currently vacant and the prior use was less than desirable. This developer has done good projects in the past.

Mr. Bogan asked if there had been any discussions with Caterpillar. Mr. Hughes stated that he had talked to their attorney, they are aware of the petition, and he did not believe they had any concerns with the proposal.

Mr. Lahr asked what the west building will be. Mr. Hughes stated there are two possible scenarios: 1) it would be a small, multi-tenant building of about 5500 SF or 2) it would be a freestanding, smaller drive-through restaurant of 3200 to 3500 SF.

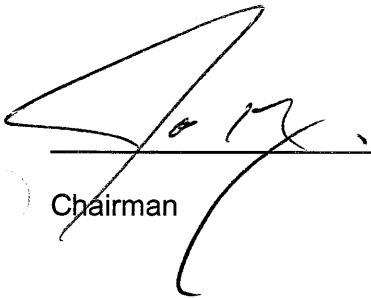
The Board voted by ballot:

2017-10: 4 yes 0 no. PETITION GRANTED

2017-11:

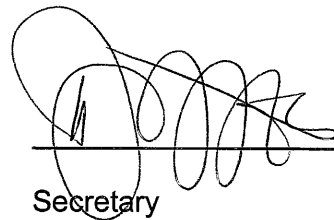
- 1) 4 yes 0 no. PETITION GRANTED
- 2) 4 yes 0 no. PETITION GRANTED
- 3) 4 yes 0 no. PETITION GRANTED
- 4) 4 yes 0 no. PETITION GRANTED

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, April 17, 2017 at 4:00 PM. There being no further business to come before the Board at this time, the meeting was adjourned at 4:30 PM.



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Chairman



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Secretary