

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY  
LAFAYETTE DIVISION

August 20, 2018

The City of Lafayette Board of Zoning Appeals met in regular session on Monday, August 20, 2018 at 4:00 PM. Members present were: Jackson Bogan, Tracy Walder, Kathy Davis, Jake Gray, and David Lahr.

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

OLD BUSINESS

2018-15 Petition filed by KELLER DEVELOPMENT, INC for multiple requests for property located at 2323 FERRY ST:

- 1) Variance to allow a 50' building height instead of the allowed 35'.
- 2) Variance to allow a 5' rear setback instead of the required 20'.
- 3) Variance to allow a 15' front setback instead of the required 40'.
- 4) Variance to allow a 2' side setback instead of the required 15'.
- 5) Variance to allow 71 parking spaces instead of the required 97 spaces.
- 6) Variance to allow 20 bicycle spaces instead of the required 50 spaces.

Ms. Walder moved to hear and approve the petition, second by Ms. Davis. Jason Ramsland, agent for the petitioner, presented the petition. Secretary Griffie explained to the Board that Request (3) is not necessary since the required setback is 15' not 40'. This request was WITHDRAWN by the petitioner.

Mr. Ramsland explained that Keller Development is working on a low-income housing project for seniors at the old Lafayette Medical Building. The existing building is past its prime; Mr. Ramsland showed the Board an image on his phone of the building. It is a boarded-up building and has its electricity shut off. It is in dire need of something to happen to it. Keller Development plans to go through with a redevelopment in service of that. There is no need for re-zoning of this property but there are some building variance needs that we have to make this project viable.

The first is a building height variance to 50' rather than the 35' allowed. We think this is appropriate based on the character of the area; the time has passed since this is a residential area. There is a need for redevelopment here. A 50' height is not going to be particularly burdensome to the surrounding properties. To confine this project to 35' would not allow them to serve the number of seniors they would like to be able to. This is going to be a housing project for low-income seniors. The executive director of the Plan Commission and both Mayors recognize the dire need for this and there is a high priority. A variance of 50' will allow us to serve more people with a better and larger development.

The north front setback is unnecessary and has been withdrawn. The south rear yard setback and the west side yard setback are along the service lines as the expanded building height. This is to maximize the service to the community that can be offered. For the question of on-site parking and bicycle parking variances, since this is a low-income housing project there is a substantially less possibility that there will be a high number of vehicle owners or multiple vehicle owners that will be living in these units. So the ordinary parking requirement of 97 spaces is disproportionate to the number or parking spaces this

development will actually be required to have. This will be independent living not assisted living so there will not be a need for additional parking spaces for employees above what would normally be expected. This is an area that has excellent access to public transportation. Since this is a senior project, we are not anticipating a high need for bicycle parking.

Mr. Bogan asked for confirmation that the current building will be raised. Mr. Ramsland responded that it would be.

The Board voted by ballot:

- 1) 5 yes 0 no. Request GRANTED.
- 2) 5 yes 0 no. Request GRANTED.
- 3) Request WITHDRAWN.
- 4) 5 yes 0 no. Request GRANTED.
- 5) 5 yes 0 no. Request GRANTED.
- 6) 5 yes 0 no. Request GRANTED.

## NEW BUSINESS

2018-16      Petition filed by MEDALIST HOLDINGS, LLC for variance to allow a 0' no-parking setback instead of the required 25'. Property located at 700 N 22<sup>ND</sup> ST.

Ms. Walder moved to hear and approve the petition, second by Ms. Davis. Ryan Munden, agent for the petitioner, presented the petition.

Mr. Munden stated that Medalist Holdings intends to build an 18-unit apartment building on this site. The reason for this variance is that we are asking for the 25' no-parking setback to be eliminated. Even though we are going to eliminate this requirement, the site plan shows that we can still observe a 10' setback. In reality, we are reducing it from 25' to 10', not 0'. There are some trees to the west of the proposed building. The trade-off here is that by allowing the parking to be 15' closer to 22<sup>nd</sup> Street we can preserve the trees behind the building. If we observe the 25' no-parking setback and move everything back 15', the result of the topography of the land we are going to eliminate a bunch of trees. We believe the neighbors would appreciate the trees being preserved. Mr. Munden then recited several of the other zoning ordinance requirements that they intend to be in compliance.

Ms. Walder asked if there are any planting requirements to screen the parking along 22<sup>nd</sup> Street other than the tree planting requirement. Secretary Griffie answered that there are no buffer yard requirements.

Several remonstrators spoke in opposition to the petition. An audio record of the meeting can be made available by contacting the Office of the City Engineer. Secretary Griffie read three letters of remonstrance into the record. The written correspondence is similar to the oral testimonies provided.

The Board voted by ballot: 5 yes 0 no. Petition GRANTED.

2018-17

Petition filed by BCR REAL ESTATE, LLC for multiple requests for property located at 3102 BUILDER DR:

- 1) Variance to allow 69 SF freestanding sign instead of the allowed 40 SF (Osborne Lane frontage).
- 2) Variance to allow 42 SF freestanding sign instead of the allowed 40 SF (Builder Drive frontage).
- 3) Variance to allow 213 SF total sign area instead of the allowed 120 SF.

Ms. Walder moved to hear and approve the petition, second by Ms. Davis. Joe Bumbleburg, agent for the petitioner, presented the petition.

Mr. Bumbleburg stated the petitioner is unable to attend. He continued that we have a Staff Report that is interesting. The petition is for a new building to sell pre-owned cars. The building is going to be completed in about two weeks so they are under some pressure to get their business properly done. There is going to be one building at the site, it is 9400 SF, it is going to be a steel structure. It will have five drive-in bays, two delivery bays, a showroom, and a sales office. They have acquired a sign permit for the building sign. Now it is a question of what to do with the freestanding signs. You have pictures of the monument signs. They are reasonably attractive and not on high poles, that sort of thing.

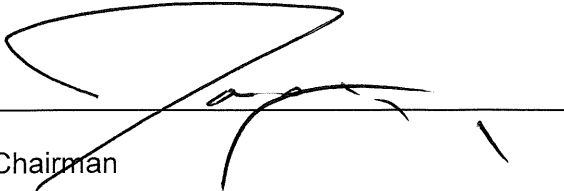
Mr. Bumbleburg then briefly discussed the process for establishing the requirements for the petition. He pointed out the past variances approved in this vicinity and stated that what is currently being requested is not outrageously different than what has been granted in the past. The building is going to be attractive. The monument signs are going to be attractive. We are asking for something typical, this is a new business. The location of the signs do not require variances.

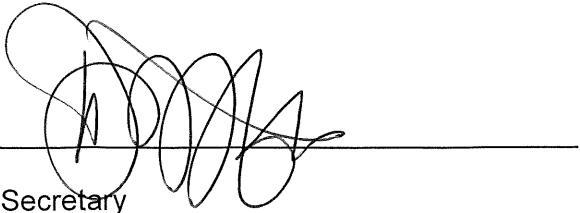
Mr. Bogan asked for clarification on the location of the signs and safety. Secretary Griffie confirmed that the signs are not in the vision triangle. Ms. Walder asked about the size numbers in the calculations. Secretary Griffie confirmed that the LED sign is part of the calculations but in this case the entire sign cabinet is not part of the calculation.

The Board voted by ballot:

- 1) 5 yes 0 no. Request GRANTED.
- 2) 5 yes 0 no. Request GRANTED.
- 3) 5 yes 0 no. Request GRANTED.

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, September 17, 2018 at 4:00 PM. There being no further business to come before the Board at this time, the meeting was adjourned at 5:00 PM.

  
Chairman

  
Secretary