

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY  
LAFAYETTE DIVISION  
June 21, 2021

The City of Lafayette Board of Zoning Appeals met in regular session on Monday, June 21, 2021 at 4:00 PM. Members present were: Jackson Bogan, Dave Williams, Dick Murray, Bob Metzger, and Carlynn Smith.

The meeting was called to order by Mr. Bogan. The first order of business was the election of the Vice President for the Board. Mr. Murray nominated Mr. Williams; second by Mr. Bogan. The motion passed by unanimous voice vote. Mr. Williams will be Vice President of the Board for 2021. Mr. Williams moved to approve the minutes of the previous meeting as distributed; second by Mr. Murray. The motion passed by unanimous voice vote.

NEW BUSINESS

2021-16      IBUILD PROPERTIES, LLC Variance to eliminate the Type A Bufferyard with a 20' width from the eastern property line. Property located at 2653 DUNCAN RD.

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

Mr. Teder stated that the property in question was recently rezoned from I3 to GB and the petitioner is going to construct a commercial building with tenant spaces. The petitioner's construction business will occupy one of these spaces. All of the surrounding properties are zoned GB except for the property directly east which is zoned I3. They are asking to eliminate the Type A bufferyard with a 20' width from the east side of the property and they want to replace it with three 8' tall evergreens and four 8' tall shade trees. These trees are reflected on the submitted site plan. They are asking for this variance so they can provide more parking onsite. Mr. Teder pointed out that the only thing you see when looking at the property to the east is the back of their building.

The Board voted by ballot:

- 1) 5 yes 0 no. Petition GRANTED.

2021-17      TESSA GARROW & JARED YORK Multiple requests for property located at 1601 CENTRAL ST.

- 1) Variance to reduce the side yard setback (17<sup>th</sup> St.) to 0' instead of the required 25'.
- 2) Variance to reduce the rear yard setback to 10' instead of the required 25'.

Mr. Williams moved to hear and approve the petition; second by Mr. Murray. Tessa Garrow and Jared York presented the petition.

Ms. Garrow stated that they would like to construct an attached garage to the existing residence. She pointed out that other properties along 17<sup>th</sup> St. have detached garages that are currently close to or on the 17<sup>th</sup> St. property lines. Mr. York stated that the edge of their proposed garage would line up with the existing garages down 17<sup>th</sup> St.

Mr. Bogan stated that the Board typically has reservations about 0' lot line requests because it makes it impossible to service the structure without trespassing on adjacent property. Ms. Garrow said that the 0' lot line request is to the 17<sup>th</sup> St. property line and asked if that makes a difference. Mr. Bogan said it would still be a challenge to accept that request. Mr. Bogan let the petitioners know that they could amend their petition to make it a little more easily acceptable.

Ms. Garrow stated that they had been in discussion with the Engineers Office for over a year to figure out how best to proceed with this project. Mr. York pointed out that their proposed building area is where their current driveway sits. Mr. Bogan asked if the Engineers Office wanted to comment on the request. Mr. Griffiee said that he agreed with the board about the 0' setback request. He did not know what the solution was but believed there should be some room between the property line and the edge of the structure. The City does not have utilities to maintain in that area but he believes there should be some sort of compromise. Ms. Garrow stated that if they need to compromise, they are open to that.

Mr. Teder suggested that the petitioners ask the board for some time so they could come back at the end of the meeting with any amendments they might have. Mr. Bogan stated the Board would be more than happy to do that. The petitioners decided to go over their requests and come back at the end of the meeting.

2021-18      CUSTARD REALTY 52, LLC Variance to increase the total sign area to 188.28 SF instead of the allowed 86 SF. Property located at 2800 S. CREASY LN.

Mr. Williams moved to hear and approve the petition; second by Mr. Murray. Joe Bumbleburg, agent for the petitioner, presented the petition. Marc Clapper, the petitioner, was also present.

Mr. Bumbleburg stated that there will be a Freddy's restaurant on the lot directly northeast of the existing Jimmy Johns. There is an existing Freddy's in West Lafayette and now they are expanding into Lafayette. There were previously approved variances in this subdivision with the condition that the outlots in this area would not have freestanding signs. The owner of Freddy's would prefer to have his own monument sign on the northeast end of their property and if this variance was approved, it would supersede the existing condition.

Mr. Bumbleburg believes their request is in line with the history of the area. He pointed out that other lots in the area have been granted more signage. This location is on a major thoroughfare so this identification is important. Mr. Bumbleburg respectfully requested support for the variance.

Mr. Bogan asked where the monument sign would be installed. He had concerns about potential safety issues from any sort of vision obstruction posed by the sign. Mr. Bumbleburg pointed out the location of the proposed monument sign on the site plan. Freddy's access will be off of the existing drive into the Menards property and will not have another access and the proposed sign location would not pose a vision issue for the gas station to the northeast. The monument sign will meet the required setback.

The Board voted by ballot:

- 1) 5 yes 0 no. Petition GRANTED.

2021-19      DEBORAH K. WATT Multiple requests for property located at 1005 TRILLIUM LN.

- 1) Variance to reduce the side yard setback to 4' 7" instead of the required 6'
- 2) Variance to reduce the rear yard setback to 16' 2" instead of the required 25'

Mr. Williams moved to hear and approve the petition; second by Mr. Murray. Deborah Watt presented the petition.

Ms. Watt stated that she would like to replace her existing deck with an all-season room. Mr. Bogan asked if the all-season room would go over the exact same footprint as the existing deck and Ms. Watt confirmed that is the case.

The Board voted by ballot:

- 1) 5 yes 0 no. Petition GRANTED.
- 2) 5 yes 0 no. Petition GRANTED.

2021-20      NATE BARRETT Multiple requests for property located at 3838 SR 38 E.

- 1) Variance to increase the total sign area to 252.37 SF instead of the allowed 135 SF
- 2) Variance to reduce the freestanding sign setback (SR 38 E frontage) to 14.5' instead of the required 30'
- 3) Variance to increase the freestanding sign area (Creasy Ln. frontage) to 86.28' instead of the allowed 60'
- 4) Variance to increase the freestanding sign height (SR 38 E frontage) to 30' instead of the allowed 24'

Mr. Williams moved to hear and approve the petition; second by Mr. Murray. Dan Teder, agent for the petitioner, presented the petition. Nate Barrett, the petitioner, was also present.

Mr. Teder stated that the petitioner recently moved his car dealership to the property in question. Their requests include a freestanding sign on the SR 38 E. frontage and a monument sign on the Creasy Ln. frontage. This site was allowed 135 square feet of signage and the existing signage on the building takes up this allotment. Mr. Teder pointed out that if the proposed freestanding sign on the SR 38 E. frontage were to fall, it would be roughly 5' over the right-of-way line. They talked to the engineer of the sign and the sign can handle winds up to 115 MPH. Mr. Teder respectfully requested support for the variances.

Mr. Murray asked if there was the possibility of a left turn out of this site on the SR 38 E. frontage. He was wondering if the proposed freestanding sign would limit the vision of people pulling out of the dealership. Mr. Teder said you can only turn right out of the dealership on the SR 38 E. frontage and pointed out that the freestanding sign pole is only 1' in diameter.

The Board voted by ballot:

- 1) 5 yes 0 no. Petition GRANTED.
- 2) 5 yes 0 no. Petition GRANTED.
- 3) 5 yes 0 no. Petition GRANTED.
- 4) 5 yes 0 no. Petition GRANTED.

2021-17

TESSA GARROW & JARED YORK Multiple requests for property located at 1601  
CENTRAL ST. (continued from earlier in the meeting)

- 1) Variance to reduce the side yard setback (17<sup>th</sup> St.) to 2' instead of the required 25'.  
(AS AMENDED)
- 2) Variance to reduce the rear yard setback to 10' instead of the required 25'.

Mr. York thanked the Board for the opportunity to assess and amend their petition. They would like to amend the first request from a 0' setback request to a 2' setback request. Mr. Williams made a motion to amend the first variance to a 2' setback request instead of a 0' setback request; second by Mr. Murray. The motion passed by unanimous voice vote.

Mr. Shively read a letter of support from Aria Staiger. This is the property owner directly south of the property in question.

The Board voted by ballot:

- 1) 5 yes 0 no. Petition GRANTED.
- 2) 5 yes 0 no. Petition GRANTED.

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, July 19, 2021 at 4:00 PM. There being no further business to come before the Board at this time, the meeting was adjourned at 4:50 PM.

  
Chairman

  
Secretary