

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY

MINUTES OF A PUBLIC HEARING

DATE..... DECEMBER 4, 2019
TIME..... 6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Steve Clevenger
Tom Andrew
Gary Schroeder
Frank Donaldson

MEMBERS ABSENT

Ed Butz
Jen Dekker
Carl Griffin

STAFF PRESENT

Ryan O’Gara
Rabita Foley
Chyna Lynch
Zach Williams, Atty.

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held on the 4th day of December 2019 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Steve Clevenger called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the October 23, 2019 Board of Zoning Appeals public hearing. Tom Andrew seconded and the minutes were approved by unanimous voice vote.

II. NEW BUSINESS

Ryan O’Gara said **BZA-2027 SCOTT JONES** has been continued to the January 22, 2020 meeting at petitioner’s request. The remaining case is ready to be heard.

III. PUBLIC HEARING

Steve Clevenger 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 Board of Zoning Appeals, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Tom Andrew seconded and the motion carried by voice vote.

Gary Schroeder moved to continue **BZA-2027 SCOTT JONES** to the January 22, 2020 Board of Zoning Appeals public hearing at petitioner’s request. Tom Andrew seconded and the motion was approved by unanimous voice vote.

BZA-2028 DAVE HELTON AND ASSOCIATES, INC.:

Petitioner is requesting a special exception to allow a primary communications tower (SIC 48) in a Select Agricultural (AA) zone. The unmanned cell tower will operate 24 hours per day, 7 days per week at 7083 W 900 N, Shelby 12 (NE) 24-6. (UZO 3-2).

Gary Schroeder moved to hear and vote on **BZA-2028 DAVE HELTON AND ASSOCIATES, INC.** Tom Andrew seconded.

Rabita Foley presented the zoning map, aerial photos, photos of the site and site plan. The proposed site is currently zoned AA and is a 100' by 100' area in the southwest corner of a 2-acre tract. The tract is an active hog farm. The proposed site does not require well or septic as it will house a cell tower. The site will be accessed through a driveway easement which is approximately 350' in length. The request is to improve the wireless service in this area. The request meets all the ordinance requirements. The cell tower does not need to have lights or be painted because the tower height is 195' as the FAA and ICAO require these measures when a structure is 200' or taller. Petitioner will need a new address for the cell tower site in case of an emergency. Staff is recommending approval.

Steve Clevenger asked if the address needs to be a condition.

Rabita Foley said it does not need to be a condition. The site will have a 6' fence and 1' of barbed wire around it. The site also has a provision for a small shed for equipment.

Dave Helton, 106 Parkridge Road, Danville, IN 46122, petitioner, said AT&T has proposed to construct a 195' monopole tower at this site. The property is currently owned by David Lehe. The special exception request is to allow the 195' primary communications tower and an unmanned equipment shed. The tower will be built to accommodate three additional wireless carriers. The site will have a fence around the full 100' by 100' area.

The board voted by ballot 4-Yes and 0-No to approve **BZA-2028 DAVE HELTON AND ASSOCIATES, INC.**

IV. ADMINISTRATIVE MATTERS

None.

Steve Clevenger stated that unless any member has an objection the chair will order the findings of each member casting a vote for the majority decision of the Board to be the collective findings of the Board in support of the decision of the Board. Hearing none, it is so ordered.

V. ADJOURNMENT

Gary Schroeder moved for adjournment.

The meeting adjourned at 6:15 p.m.

Respectfully submitted,

Chyna Lynch
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director