

The
AREA PLAN COMMISSION
of Tippecanoe County

Executive Committee

Notice of Public Hearing

Date: February 2, 2022

Time: 4:30 PM

Place: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

PLEASE NOTE: This meeting will be in person. Members of the public may choose to watch the live-stream on Facebook or YouTube. These links can be found on the APC website at: [https://www.tippecanoe.in.gov/378/Area-Plan-Commission-](https://www.tippecanoe.in.gov/378/Area-Plan-Commission-APC)

[APC](#)

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AGENDA

I. APPROVAL OF MINUTES

Documents:

[EXEC 01.05.2022.PDF](#)

II. NEW BUSINESS

III. PUBLIC HEARING

IV. APPROVAL OF THE FEBRUARY APC PUBLIC HEARING AGENDA

Documents:

[02162022 APC AGENDA.PDF](#)

V. APPROVAL OF THE FEBRUARY ABZA PUBLIC HEARING AGENDA

Documents:

[02-23-2022 ABZA AGENDA.PDF](#)

VI. DETERMINATION OF VARIANCES (LAFAYETTE DIVISION OF THE ABZA)

Documents:

[2022-02 LDOV.PDF](#)

VII. REVIEW AND APPROVAL OF THE JANUARY BUDGET REPORT

Documents:

[JANUARY 2022 BUDGET REPORT.PDF](#)

VIII. OTHER BUSINESS

IX. ADJOURNMENT

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
EXECUTIVE COMMITTEE
MINUTES OF A PUBLIC HEARING**

DATE..... JANUARY 05, 2022
TIME..... 4:30 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

This meeting was held in-person. Members of the public may watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>

MEMBERS PRESENT

Jackson Bogan
Kathy Parker
Gary Schroeder
Tom Murtaugh
Jerry Reynolds
Greg Jones

MEMBERS ABSENT

Larry Leverenz

STAFF PRESENT

David Hittle
Ryan O’Gara
Kathy Lind
Jennifer Ewen
Eric Burns, Atty

Jackson Bogan called the meeting to order.

Attorney, Eric Burns, called the roll to establish members present.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the December 01, 2021 meeting. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

None.

III. PUBLIC HEARING

Jackson Bogan 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 Plan Commission, the application and all documents filed therewith, the staff report and recommendations on the applications to be heard this evening and responses from the checkpoint agencies. Greg Jones seconded, and the motion carried by unanimous voice vote.

1. SUBDIVISIONS

S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch):

Petitioner is seeking primary approval for a replat of one lot into two commercial lots on 6.47 acres, located on the east side of Promenade Parkway south of Veterans Memorial Parkway, in Lafayette, Wea 10 (SW) 22-4.

Gary Schroeder moved to hear and vote on **S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch)**. Greg Jones seconded.

APC staff Kathy Lind presented the zoning map, plat, and aerial photos, and she noted the petitioner's property is located on the east side of Promenade Parkway just south of Veterans Memorial Parkway. It is zoned GB (General Business). Wal-Mart is just to the east; and Foxfire Apartments are further to the west. She stated they are basically dividing the bottom portion of the existing strip center, so it could be sold separately or get a building permit for another building. The setbacks shown are correct; no buffering is required, and city utilities serve the site. There is an existing driveway off Promenade Parkway for both Lots 1B and 1A. There are three conditions, and staff is recommending conditional primary approval.

Jackson Bogan asked for any questions from the commission. There were none.

Jackson Bogan called for the petitioner or the petitioner's representative.

Mark Hennessey, Schneider Geomatics, 1330 Win Hentschel Boulevard, West Lafayette, stated they agree with the staff report, and they are requesting approval.

Jackson Bogan asked for any other questions or comments. There were none.

Jackson Bogan called for a vote on a white ballot.

Jackson Bogan collected the ballots and noted 6-Yes to 0-No for conditional primary approval of **S-5047 CONCORD PLAZA SUBDIVISION, REPLAT OF LOT 1, PHASE 1 (minor-sketch)**.

Yes-Votes

Jackson Bogan
Tom Murtaugh
Gary Schroeder
Kathy Parker
Jerry Reynolds
Greg Jones

No-Votes

IV. APPROVAL OF THE JANUARY 2022 APC PUBLIC HEARING AGENDA

Gary Schroeder moved that the following subdivision petitions be placed on the January 19, 2022 Area Plan Commission public hearing agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-5050 Autozone #5535 Subdivision, A Replat Of Lot 6, Meijer #186 Subdivision (minor-sketch); and S-5051 Churchwoods Major Subdivision (major-preliminary).

Greg Jones seconded.

Jackson Bogan asked for any comments. There were none. Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

Gary Schroeder moved that the following rezoning petitions be placed on the January 19, 2022 Area Plan Commission public hearing agenda:

Z-2845 Jetboy, LLC (GB to I3); and Z-2846 Benito Munoz (AA to A).

Greg Jones seconded.

Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

V. APPROVAL OF THE JANUARY ABZA PUBLIC HEARING AGENDA

Gary Schroeder moved that the following petition be placed on the January 26, 2022 Area Board of Zoning Appeals Public Hearing Agenda:

BZA-2069 Wabash Lofts, LLC.

Greg Jones seconded, and the motion was carried by unanimous voice vote.

VI. DETERMINATION OF VARIANCE – LAFAYETTE DIVISION OF THE ABZA

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance is not a request for use variance, prohibited from consideration by ordinance and statute:

CASE #2022-01 Rick D. and Kathy L. Gordon;
CASE #2022-02 KRM Architecture / Katie Grajewski;
CASE #2022-03 NOVA Lafayette, LLC;
CASE #2022-04 Treece Meadows, LLC By David Gilman; and
CASE #2022-05 KJY Investments, LLC (800 Main Street, LLC).

Greg Jones seconded.

Jackson Bogan asked all in favor, and the motion was carried by unanimous voice vote.

VII. REVIEW AND APPROVAL OF DECEMBER 2021 BUDGET REPORT

Gary Schroeder moved to hear and approve the December 2021 Budget Report as submitted. Greg Jones seconded.

Jackson Bogan asked for any questions. There were none.

Jackson Bogan asked all in favor, and the motion carried by unanimous voice vote.

VIII. OTHER BUSINESS

None.

IX. ADJOURNMENT

Gary Schroeder moved to adjourn.

Meeting adjourned at 4:40 PM.

Respectfully Submitted,

Jennifer A. Ewen
Recording Secretary

Reviewed By,

A handwritten signature in black ink, appearing to read "D. Hittle", with a horizontal line extending to the right from the end of the signature.

David Hittle
Executive Director

THE
AREA PLAN COMMISSION
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE..... FEBRUARY 16, 2022
TIME..... 6:00 P.M.
PLACE COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, IN 47901

(TENTATIVE)
A G E N D A

- I. BRIEFING SESSION
- II. APPROVAL OF MINUTES
- III. NEW BUSINESS
- IV. PUBLIC HEARING
 - A. SUBDIVISIONS
 - 1. **S-5054 CONCORD CROSSING SOUTH (major-preliminary):**
Petitioner is seeking preliminary plat approval of a duplex development of 152 units on 32.01 acres, located on the east side of Concord Road, south of Veterans Memorial Parkway, in Wea 10 (SE) 22-4.
 - 2. **S-5055 PRETTY PRAIRIE MINOR SUBDIVISION (minor-sketch):**
Petitioner is seeking preliminary approval of a four-lot single-family subdivision on 24.49 acres, located on the south side of Pretty Prairie Road, between Tyler and Grant Roads, in Tippecanoe 8 (NE) 24-3.
 - B. REZONING ACTIVITIES
 - 1. **Z-2845 JETBOY, LLC (GB to I3):**
Petitioner is seeking a rezone of 7.883 acres, for an existing limo service and proposed outdoor storage of RV's and boats, located on the north side of Elston Road, specifically, 600 Elston Road, Lafayette, Fairfield 31 (SW) 23-4. With Commitment. CONTINUED FROM THE JANUARY MEETING TO ADD A COMMITMENT AND CORRECT A FILING DEFICIENCY.

2. **Z-2846 BENITO MUNOZ (AA to A):**

Petitioner is seeking a rezone of 25.3 acres, in anticipation of filing a special exception in the A zone, in order to make conforming a rodeo/concert venue located at the northeast corner of CR 1300 S and CR 400 E in Lauramie 25 (SW) 21-4. CONTINUED FROM THE JANUARY MEETING BECAUSE A LEGAL AD AND NOTICE TO INTERESTED PERSONS WERE NOT DONE.

- V. ADMINISTRATIVE MATTERS
- VI. APPROVAL OF THE MARCH EXECUTIVE COMMITTEE AGENDA
- VII. DETERMINATION OF VARIANCES -- Area Board of Zoning Appeals
- VIII. DIRECTOR'S REPORT
- IX. CITIZENS' COMMENTS AND GRIEVANCES
- X. ADJOURNMENT

**THE
AREA BOARD OF ZONING APPEALS
OF TIPPECANOE COUNTY**

NOTICE OF PUBLIC HEARING

DATE: FEBRUARY 23, 2021
TIME: 6:00 P.M.
PLACE: COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

TENTATIVE AGENDA

This meeting will be in person.

Links to watch the livestream can be found on the APC website at: www.tippecanoe.in.gov/apc

- I. APPROVAL OF MINUTES
- II. NEW BUSINESS
- III. PUBLIC HEARING

1. BZA-2068 KOH AND COURTNEY KNOX:

Petitioners are requesting a special exception to permit an agricultural rental hall in the AW zone with a maximum capacity of 295 people. The proposed hours of operation are Monday through Thursday 8:00 AM to midnight and Friday through Sunday 8:00 AM to 2:00 AM with all outdoor activities ceasing at midnight. The property is located at 5124 Jackson Hwy, Shelby 08 (NE) 23-5 (UZO 3-2). *Continued from the December 1st, 2021 hearing per petitioner's request.*

2. BZA-2070 DESTINY PETERS-BLESSING BARN, LLC

Petitioners are requesting an extension of a previously approved special exception (BZA-2015) to add a 20' x 20' outdoor eating area and a 707 sq ft gazebo to their agricultural rental hall in an AW zone. The hours of operation will be 8am-11pm, Thursday through Sunday. The property is located at 5350 S 900 E, Sheffield 22 (NE) 22-3 (UZO 3-2).

3. BZA-2071 GATHERING ACRES EVENT CENTER, LLC

Petitioners are requesting an extension of a previously approved special exception (BZA-1984) to add storage, more kitchen space, and additional toilets to their agricultural rental hall in an A zone. The hours of operation are 9am-10pm, Monday through Thursday, and 9am to midnight, Friday through Sunday. The property is located 5074 E 550 S, Sheffield 19 (NW) 22-3 (UZO 3-2).

- IV. ADMINISTRATIVE MATTERS
- V. ADJOURNMENT

January 27, 2022

1. CASE #2022-06 LEGACY SIGN GROUP

Petitioner is requesting a sign variance to allow 157.12 sq ft of total signage instead of the permitted 30 sq ft of signage for a Valley Oaks Health Center in an MRU zone. The site is located in Kellers Addition, 2323 Ferry Street, Lafayette, Fairfield 21 (SE) 23-4. (UZO 4-8-5)

2. CASE #2022-07 MARK E. EINSTEIN AND JANE A. EINSTEIN

Petitioners are requesting a variance to reduce the front setback to 15.4 ft from the minimum requirement of 25 ft to construct an 11.8' x 11.8' roofed front deck for their single-family home in an R1 zone. The site is located in Vinton Woods Second Addition, 30 Elder Court, Lafayette, Fairfield 15 (SE) 23-4. (UZO 2-1-7)

3. CASE #2022-08 BLACKTHORN HOLDINGS, LLC

Petitioner is requesting the following three bufferyard variances at a proposed multi-family development known as Churchwoods:

1. To remove the bufferyard along the portion of the south boundary line extending east from the southwest corner of the property approximately 426 ft rather than the minimum required 30 ft bufferyard (UZO 4-9-3(a); 4-9-3(b));
2. To remove the bufferyard along the portion of the east boundary line extending north from the southeast corner of the property approximately 93 ft rather than the minimum required 30 ft bufferyard (UZO 4-9-3(a); 4-9-3(b)) and
3. To reduce the minimum height of the evergreen trees located in the bufferyard along the north property line to 4 ft instead of the required 8 ft (UZO 4-9-1(b) and Appendix E-1)

on 16.93 acres of property located on Elston Rd between Old Romney Rd and S Beck Ln, Lafayette, Fairfield 31 (SW) 23-4.

4. CASE #2022-09 RANDALL L. WAGNER

Petitioner is requesting a variance to reduce the rear setback to 7 ft from the minimum required 10 ft. The request is for a proposed 16' x 20' addition to the existing 28.5' x 24' detached garage for a single-family residence in an R1B zone. The site is in the Highland Park Addition, 612 Cherokee Ave, Lafayette, Fairfield 29 (SE) 23-4. (UZO 2-3-8)

RECOMMENDATION:

Staff advises that none of the above requests constitute a use variance.

MONTHLY BUDGET REPORT
January 01, 2022 - January 26, 2022

ACCOUNT NUMBER AND NAME		TOTAL APPROPRIATION	ENCUMBRANCE FROM LY	MID YR/ END YR TRANSERS	TOTAL	EXPENDITURES THIS MONTH	EXPENDITURES TO DATE	APPROPRIATION BALANCE
1000-2510-11-10	Full Time Personnel	\$907,417.00			\$907,417.00	\$44,390.65	\$44,390.65	\$863,026.35
1000-2510-11-30	Part Time Personnel	\$7,000.00			\$7,000.00			\$7,000.00
TOTAL PERSONAL SERVICES		\$914,417.00			\$914,417.00	\$44,390.65	\$44,390.65	\$870,026.35
1000-2510-21-10	Office Supplies -Gen.	\$2,500.00	\$7.00		\$2,507.00	\$240.74	\$240.74	\$2,266.26
1000-2510-21-30	Printing & Signs for Purch	\$1,000.00			\$1,000.00			\$1,000.00
1000-2510-21-40	Minor Equipment	\$1,000.00	\$91.00		\$1,091.00	\$91.98	\$91.98	\$999.02
TOTAL SUPPLIES		\$4,500.00	\$98.00		\$4,598.00	\$332.72	\$332.72	\$4,265.28
1000-2510-31-10	Legal Services	\$27,600.00			\$27,600.00	\$-405.33	\$-405.33	\$28,005.33
1000-2510-31-70	Translator							
1000-2510-31-90	Other Professional Services	\$500.00			\$500.00			\$500.00
1000-2510-32-10	Travel Costs & Mileage	\$8,000.00			\$8,000.00	\$11.70	\$11.70	\$7,988.30
1000-2510-33-10	Published Legals	\$750.00			\$750.00			\$750.00
1000-2510-36-20	Repair Veh&Equip	\$1,500.00			\$1,500.00			\$1,500.00
1000-2510-39-10	Dues & Subscriptions	\$5,300.00			\$5,300.00	\$19.00	\$19.00	\$5,281.00
TOTAL OTHER SERVICES & CHARGE:		\$43,650.00			\$43,650.00	\$-374.63	\$-374.63	\$44,024.63
TOTAL OPERATING EXPENSES		\$48,150.00	\$98.00		\$48,248.00	\$-41.91	\$-41.91	\$48,289.91
TOTAL BUDGET		\$962,567.00	\$98.00		\$962,665.00	\$44,348.74	\$44,348.74	\$918,316.26
Social Security	\$69,953.00							
PERF Retirement	\$101,631.00							
Furnished by County								
TOTAL BUDGET	\$1,134,151.00							