

MEMORANDUM

TO: APC Ordinance Committee
FROM: Kathy Lind, Senior Planner
SUBJECT: 4 Minor Amendments from the Administrative Officer's February meeting
DATE: February 25, 2021

I. **BASEMENT WINDOW WELLS:**

This concern was brought up by the West Lafayette Administrative Officer (A.O.) and has to do with basement window wells located at either the front or the rear of a new house, particularly a house constructed right at the 25' front or rear setback. Currently the ordinance allows window wells to extend into *side* setbacks, but it says nothing about basement window wells at the front or rear of a house extending into those setbacks.

According to our A.O.s, the Indiana Building Code requires window wells extend 3' out from a house to allow adequate egress in case of fire. It was decided to allow window wells up to 4' into a front or rear setback with the Administrative Officer's approval. (See the proposed addition to that section highlighted below.)

4-4-5 SETBACKS FOR STRUCTURAL PROJECTIONS AND STOOPS:

(a) The following ***structural projections*** may extend up to 2' into a minimum ***front, rear*** or 6' ***side setback*** and no more than 1' into a minimum 5' ***side setback*** where permitted: eaves, overhangs, bay windows, greenhouse windows, window wells, window-mounted or wall-mounted air conditioners, fascia brick and exterior siding. (Amend 44 and 52) **However, window wells may extend up to a maximum of 4' into rear and front setbacks at the discretion of the Administrative Officer.**

II. **ELECTRICAL CONTRACTOR'S BUILDING SIZE LIMITATION:**

Last month the APC heard a rezone case from Agricultural to General Business for an electrical contractor's business. The use is allowed in the A zone with a special exception, but GB zoning was necessary for this particular business because petitioner was planning to construct a building of 7,200 square feet. A footnote in the use table limits electrical contractors, and all general construction contractors, to buildings of 5,000 square feet in the Agricultural zone.

Staff took this issue to the A.O.'s and solutions were discussed. Every month, the County Building Commissioner issues building permits for pole barns well over 5,000 square feet in size for farming or for "personal storage" and none of these permits require GB zoning. It was debated whether to increase the size limit or to simply remove the building size limitation. Finally, it was agreed to double the size limit to 10,000 square feet. It was decided that the original wording of the footnote was ambiguous (Does one total all of the buildings on site to get the maximum

gross floor area or is that the area of the largest building on site?) so that has also been remedied below.

Footnote 8 is attached to all of the following uses in the Permitted Use Table of the zoning ordinance:

SIC 15: "Building Construction – general contractors & operative builders"

SIC 1611: "Asphalt or Concrete Paving – roads, highways, public sidewalks & streets – contractors" and

SIC 17: "Construction – specialty trade contractors"

If the Ordinance Committee decides to change this part of the ordinance, it could change the footnote for all the above categories of use, or only for SIC 17. These two options are shown below:

Option A: Change the limit for only SIC Group 17 Construction special trade contractors:

Footnote 8: Permitted in NB, NBU, OR, CB and CBW **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5,000 square feet. Permitted by Special Exception in A, AA and AW zones on 5 acres or more, with the **largest building's** maximum **gross floor area** of 5,000 square feet. (Amend 36) **However, SIC Group 17 Construction special trade contractors' largest building shall have a maximum gross floor area of 10,000 square feet in A, AA and AW zones.**

Option B: Change the limit for all businesses in the Use Table with footnote 8 attached:

Footnote 8: Permitted in NB, NBU, OR, CB and CBW zones only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5,000 square feet. Permitted by Special Exception in A, AA and AW zones on 5 acres or more, with **the largest building's** maximum **gross floor area** of **5,000 10,000** square feet. (Amend 36)

III. **CHANGING THE PARKING STANDARD FOR LARGE ITEM REPAIR SHOPS:**

Recently, the ABZA heard a special exception for "Industrial truck services or misc. repair shops" (SIC 76) in the Agricultural zone. While reviewing this case, staff noticed the required parking standard for this use seemed much too high. The parking standard, Group 8: 1 space per 200 sq.ft. of **gross floor area**, which is also the standard for most stores, seemed excessive to staff. Naturally, a large area is needed to repair trucks or large farm machinery; but this does not translate to needing a large amount of customer parking. For example, furniture stores only require 1 space per 400 square feet of floor area, half as much as a grocery store would need to provide. Like furniture, trucks and farm equipment, being larger, require more space, but not necessarily more customer parking.

Staff discussed this with A.O.'s at our February meeting and it was decided changing the parking standard from Group 8 to parking Group 6 would solve the problem. The parking standard for uses in Group 6 are, "1 space per employee

on the largest shift, plus 1 per 200 sq. ft. of office, sales, or similar floor area.” This standard would mean each employee would have a parking space and the office floor area, instead of the large repair shop area, would determine the number of parking spaces required to be on site.

Parking Group	SIC Number	Use
8	76	Miscellaneous repair shops
	Except:	
8	7629	Medical equipment repair, electrical
8	7699	Medical equipment repair, except electrical
6	7699	Farm machinery and equipment service & repair
6	7699	Industrial Truck Services

IV. **USING STORAGE/SHIPPING CONTAINERS AS A GARAGE:**

The County Administrative Officer brought this issue up for discussion. Building Commissioner Mike Wolf has been getting more questions recently about whether or not shipping containers can be utilized to store personal items and kept in yards. (We also discussed the re-use of these shipping containers as residences. It was decided that as long as the residential requirements found in the Indiana Building Code were being met, we would not limit this.) It was agreed that permitting one or two of these containers for storage on a farm zoned A would be acceptable; however, allowing even one in a backyard of a residential subdivision of any zone would not. Nothing definitive was decided at A.O.’s and it is brought up here for discussion purposes only.