

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY

MINUTES OF A PUBLIC HEARING

DATE..... February 24, 2021
TIME..... 6:00 P.M.
PLACE..... COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

Due to the public health emergency, the meeting was held virtually. Members of the public may watch the livestream of the meeting at https://www.facebook.com/TippecanoeCountyIndiana

MEMBERS PRESENT

Steve Clevenger
Gary Schroeder
Frank Donaldson
Michelle Dennis
Ed Butz
Tom Andrew
Jen Dekker

MEMBERS ABSENT

STAFF PRESENT

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

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held virtually on the 24th day of February 2021 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Attorney Eric Burns called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the January 27, 2021 BZA public hearing. Jen Dekker seconded and the minutes, as submitted, were approved by unanimous voice vote.

II. NEW BUSINESS

Ryan O’Gara said petitioners have asked to continue BZA-2049 PURDUE CHRISTIAN CAMPUS HOUSE because the legal ad was not posted in Lafayette Leader and BZA-2050 TIPPECANOE COUNTY CONSERVATION CLUB, INC. at petitioner’s request.

III. PUBLIC HEARING

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.

Steve Clevenger read the meeting procedures.

Gary Schroeder moved to continue BZA-2049 PURDUE CHRISTIAN CAMPUS HOUSE and BZA-2050 TIPPECANOE COUNTY CONSERVATION CLUB, INC to the March 24, 2021 BZA meeting. Jen Dekker seconded, and the motion carried by voice vote.

BZA-2047 DESIGN TEAM SIGN COMPANY LLC:

Petitioner is requesting a variance to allow 68.2 65.6 sq. ft. of fascia signage for a business in an integrated center instead of the maximum allowed 40 sq. ft. for a McAlister's Deli in a GB zone. The property is located at 527 Sagamore Parkway W, Suite 101, West Lafayette, Wabash 07 (SE) 23-4. (UZO 4-8-7) *Continued from the January meeting at petitioner's request.*

Gary Schroeder moved to hear and vote on **BZA-2047 DESIGN TEAM SIGN COMPANY LLC.** Jen Dekker seconded.

Ryan O'Gara presented the zoning map, site plan, and aerial photos. He said the site is in the City of West Lafayette just off Sagamore Parkway between the intersections of Salisbury and Nighthawk on the south side of the roadway. The site is zoned General Business. This is the former MCL Cafeteria that has been converted into a four-tenant building. McAlister's Deli will be occupying one of the spots. In terms of zoning history and BZA activity, it has been relatively quiet. With McAlister's being one of four tenants, there is an effort to come back with an integrated center sign that is not part of the package presented. This four-tenant building qualifies for an integrated center sign which guarantees a minimum of 40 square feet of fascia signage per tenant. This petition is requesting a variance to allow two 32.8 square-foot signs. The submitted plans for the restaurant show the façade signs and include green awnings and green LED lit trim for the building. The building is setback the minimum distance from Sagamore Parkway, which is 60 feet, and visibility from the roadway is largely unobstructed. This site is slightly elevated from the roadway. The inclusion of an integrated center sign would expand their signage footprint without need for a variance.

The findings of fact were presented with a staff recommendation of denial.

Steve Clevenger asked if the petitioner or his representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Christopher Shelmon, 250 Main Street, Suite 590, Lafayette, IN 47901, representative for petitioner, said this building has just undergone a significant renovation to modernize the facility. This tenant will likely be the main driver for traffic at this strip center especially during peak hours around lunch and dinner time. This site is located along a large commercial corridor on Sagamore Parkway. The signage being requested is not consistent with the area but it is a reasonable size. It is the same size as the front and will be located on the east side. The east side is important because all of the access from the east and south of Sagamore will be near the eastern side of the building.

The building is not visible from the east and south along Sagamore Parkway. The building is also on a divided highway so people cannot make left turns into the facility. People must enter from Nighthawk Drive, which is significantly further away, and from which the front signage is not visible. Unlike the north side of the road, there is no frontage road that allows the left turn into the area. Mr. Shelmon displayed a map of access to the site from the east and the south. He noted that there was some reference to a potential integrated center sign, but such a sign would only be useful for access for eastbound traffic heading from the west. The proposed sign will be on the east side and is relatively small, and would be visible to everyone coming from the east. When going to the site from the internal road, there is no signage denoting the location. Many of the surrounding businesses have multiple signs along their street frontage. Given the unique fact that access is gained from the divided highway several hundred feet away from the site, additional signage is need. He respectfully requested approval.

Chad Spitznagle, City of West Lafayette, Building Commissioner, said he had a conversation with Mayor Dennis about this. They did not have any arguments against approval of the petition and respect the Board's decision on the matter.

Gary Schroeder said this seems appropriate for this building. As the trees start to get leaves, the building will be less visible. This area can be a maze to someone who is not familiar with it. He said he has no issue with this request.

Steve Clevenger agreed with Gary. This site will be hard to see when the trees have leaves. People could end up passing the site and needing to make a U-Turn.

Jen Dekker thanked Christopher Shelmon for displaying the map with the multiple entrance points to the site. She said it was helpful.

Steve Clevenger said there will be a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if any citizen comments had been received. There had not. He asked the Board to submit their ballots.

Eric Burns said he received the ballots and conducted a roll call vote to confirm each member’s vote.

Yes-Vote

Steve Clevenger
Gary Schroeder
Tom Andrew
Ed Butz
Michelle Dennis
Jen Dekker

No-Vote

Frank Donaldson

The Board voted by ballot 6 yes to 1 no to approve **BZA-2047 DESIGN TEAM SIGN COMPANY LLC.**

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.

IV. ADMINISTRATIVE MATTERS

None.

V. ADJOURNMENT

Gary Schroeder moved for adjournment.

The meeting adjourned at 6:35 p.m.

Respectfully submitted,

Chyna Lynch
Recording Secretary

Reviewed by,

David Hittle
Executive Director