

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

**MINUTES OF A PUBLIC HEARING**

DATE.....July 28, 2021  
TIME.....6:00 P.M.  
PLACE..... COUNTY OFFICE BUILDING  
20 N. 3RD STREET  
LAFAYETTE, IN 47901

*This meeting was held in-person, with no virtual option.*

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

**STAFF PRESENT**

David Hittle  
Ryan O’Gara  
Chyna Lynch  
Larry Aukerman  
Eric Burns, Atty.

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held virtually on the 28<sup>th</sup> day of July 2021 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Steve Clevenger called the meeting to order at 6:00 PM.

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the June 23, 2021 BZA public hearing. Jen Dekker seconded and the minutes, as submitted, were approved by unanimous voice vote.

**II. PUBLIC HEARING**

Ryan O’Gara said all cases are ready to be heard this evening.

**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. Jen Dekker seconded, and the motion carried by voice vote.

**BZA-2058 DANIEL L. MCDOLE:**

Petitioner is requesting a setback of 1’ from the minimum requirement of 10’ (the minimum setback by averaging) from Forest Street to build a 24’ x 24’ detached garage on R1B-zoned land. The corner lot is located at 6827 Monroe Street in the unincorporated town of Stockwell, Lauramie 08 (NE) 21-3. (UZO 2-3-7) *Continued from the June meeting to provide paperwork.*

Gary Schroeder move to hear and vote on BZA-2058 DANIEL L. MCDOLE. Jen Dekker seconded.

Ryan O’Gara presented the zoning map, site plan, and aerial photos. The site is in the unincorporated Town of Stockwell just west of the historic core. There is mostly R1, R1B and Agricultural zoning around the site. The site contains a single-family home and carport and is similar to other homes in the vicinity. The petitioner’s garage was destroyed by a fire earlier this year. The garage was built in the late 1940s and the owner would like to use the existing foundation to rebuild. The garage currently has a 1-foot setback. The zoning ordinance allows for a setback to be average for existing homes in historic situations like this but does not allow less than 10 feet. Staff feels the hardship is self-imposed because the petitioner could pour a new foundation in the allowed setback. Staff recommended denial.

Daniel McDole, petitioner, said he has lived in this home for 51 years. The garage that burned down was Bob Rohrman’s where he started his business. He said he would like to build another garage so he has somewhere to store his lawnmowers.

Milo Mossman, petitioner’s representative, noted that the hardship is imposed by insurance relief. There is not enough money to move the garage back. If the foundation was moved, there would not be enough money left to build a garage. The plan is just to build a 24’ by 24’ garage the same color as the house. If this is denied, the concrete foundation will just be an eyesore.

Steve Clevenger asked what the third concrete pad is for.

Milo Mossman said the plan is to use that as extra parking next to the garage. The garage would be in the middle portion would be rebuilt.

Jen Dekker clarified that the plan is just to rebuild a garage in the existing area that served as a grandfathered structure for 51 years. Milo said that is correct.

Gary Schroeder said he understands the ordinance and it is unfortunate that the garage burned down. It seems reasonable to rebuild because the foundation is already there.

The Board voted by ballot 7-yes to 0-no to grant **BZA-2058 DANIEL L. MCDOLE.**

**IV. ADMINISTRATIVE MATTERS**

None.

**V. ADJOURNMENT**

Gary Schroeder moved for adjournment.

The meeting adjourned at 6:19 p.m.

Respectfully submitted,

Chyna Lynch  
Recording Secretary

Reviewed by,

David Hittle  
Executive Director