

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

DATE.....DECEMBER 07, 2022  
TIME.....4:45 P.M.  
PLACE..... COUNTY OFFICE BUILDING  
20 N. 3RD STREET  
LAFAYETTE, IN 47901

*This meeting was held in-person. Members of the public could watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/c/TippecanoeCountyGovernment>*

**MEMBERS PRESENT**

Larry Leverenz  
Vicki Pearl  
Greg Jones  
Kathy Parker  
Gary Schroeder  
Tom Murtaugh  
Jackson Bogan  
Jerry Reynolds

**MEMBERS ABSENT**

**STAFF PRESENT**

David Hittle  
Kathy Lind  
Amanda Esposito  
Austin Hammerli  
Eric Burns, Atty.

Gary Schroeder called the meeting to order at 4:40 PM.

**I. APPROVAL OF MINUTES**

Jackson Bogan moved to approve the minutes from the July 6, 2022 public hearing. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

**II. PROPOSED CHANGES TO THE BYLAWS:**

APC staff David Hittle presented a set of proposed changes to the Board of Zoning Appeals Rules of Procedure. The Rules are divided into five categories, with the first three involving the time involved between the submission of the application to the time of the public hearing.

One proposed change is the application submission date of no less than 30 days prior to the public hearing date, instead of the current 28 days. The reason for this proposed change is to account for the proposed change to the public notification timeframe. Instead of ten days prior to the hearing, the proposal is to change to 21 days for letters to be mailed and the public notice sign to be posted. This change is intended to provide more time for staff to review the case, for neighbors to ask questions, and for petitioners to interact with neighbors and APC staff.

An additional proposed change is to expand the notification range of property owners. Currently letters are mailed to all owners within one lot or 100' of the petitioner property. A common requirement used within the state is 660' or two lots. APC staff has found that the one lot or 100' requirement does not provide proper notification in some instances. The proposed change is to notify all owners within two lots or 200'.

A proposed change to Administrative Matters is to allow for an Executive Committee designee. If Determination of Variances is the only agenda item for the Executive Committee, this proposed change would prevent a public forum from taking place, but instead, administratively allow an Executive Committee designee, most likely the President, to indicate that variances for use requests are not for Variances of Use.

A proposed change to the public hearing involves the support and opposition letters. APC staff is proposing that letters will not be read aloud at the hearing, but instead will be included in the hearing packet that is mailed and published one week prior to the hearing. Letters submitted at least eight days prior to the public hearing would be published in the packet. Letters received after the packet day will be made available at the public hearing for Board member review. The language regarding who can and cannot speak at a public hearing will be removed to eliminate confusion.

Additionally, there is a proposed change to the voting process, regarding the long pause that occurs to complete the ballots. The proposal is to move to a roll call vote, aligning the vote with specific written findings of fact. An oral vote would lead to a quick determination of the case, allowing the public hearing to continue without long pauses. Then the Board would take time to complete the written findings for the official record. Eric Burns said the process could be done without a voice vote. A revised ballot layout was requested by the Board to view these proposed changes.

The durability of the posterboard signs was questioned if the proposed change requires a 21-day posting. The option to create plastic-based signs was discussed, similar to campaign signage. These signs would be created generically and would not include specific details of the hearing date, making them reusable. The sign would provide a phone number or web address to refer to for case details. The signs could be purchased by the petitioner with a deposit and then once the sign is returned to the APC office, the deposit would be reimbursed to the petitioner. Tom Murtaugh thought the Highway Department could possibly make the signs.

David Hittle withdrew the proposed changes regarding the topic of continuance of a case.

These proposed changes would also be recommended to the Area Plan Commission bylaws. There is value in having the bylaws read the same, to the extent that they can.

The Ordinance Committee would like to review the final revised forms along with the revised ballot at the January 4, 2023 meeting. These proposed changes will be presented to the Area Board of Zoning Appeals at the January 25, 2023 meeting.

### **III. PROPOSED ADDITIONS TO UZO REQUIREMENTS FOR AGRICULTURAL RENTAL HALLS**

Amanda Esposito discussed findings and feedback regarding the impact party barns have had on neighboring properties. These concerns relate to noise, traffic, and hours of operation.

A slide was shown illustrating the approximate distance of the nearest dwelling at six current event centers. Five of the six sites are closer than 1000' to the nearest dwelling, not associated with the rental hall. The proposed change is a setback of no less than 1000' from the nearest dwelling not affiliated with the use.

The rental hall petitioners currently commit to hours of operation and no amplified music allowed outdoors. The proposal is to have these commitments become part of the ordinance, and no longer listed separately as case commitments.

The commitment to the number of guests permitted is tied to their state review for capacity. The proposal is to be the lower count of either the state review findings or the petitioner's guest count on the application, but no more than 300 guests.

Additionally, there is a proposed requirement of a bufferyard between the parking area and adjacent properties, to shield headlights of vehicles on the property and to provide additional sound barrier.

The ratio of parking spaces for the property is also being revised. Currently we require one space per every four guests. The proposal is to revise this to one space per every 2.5 guests, plus one for every full-time employee.

Larry Leverenz moved to send the Proposed Additions to UZO Requirements for Agricultural Rental Halls to the Area Plan Commission with a recommendation of approval. Tom Murtaugh and Jackson Bogan seconded. Motion carried by unanimous voice vote.

#### **IV. CITIZEN COMMENT**

There were none.

#### **V. ADJOURNMENT**

Jackson Bogan moved to adjourn. The meeting adjourned at 5:40 p.m.

Respectfully Submitted,  
Kristina Lamb  
Recording Secretary

Reviewed By,

A handwritten signature in black ink, appearing to read "D. Hittle". The signature is written in a cursive style with a horizontal line underneath the letters.

David Hittle  
Executive Director