

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

**MINUTES OF A PUBLIC HEARING**

DATE.....October 27, 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**

Maureen McNamara  
Ryan O’Gara  
Jennifer Ewen  
Eric Burns, Atty.

The Area Board of Zoning Appeals of Tippecanoe County public hearing was held in-person on the 27<sup>th</sup> day of October 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.

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

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the September 22, 2021 BZA public hearing. Jen Dekker seconded.

Steve Clevenger asked if there were any comments or corrections. There were none. The minutes, as submitted, were approved by unanimous voice vote.

**II. NEW BUSINESS**

Ryan O’Gara stated the petitioners for the following cases have requested a continuance to the December 1<sup>st</sup> ABZA meeting:

**BZA-2062 JAMES M. TYLER AND JENNIFER L. NEVILLE,  
BZA-2063 RESONS, LLC., AND  
BZA-2064 MARK YOUR SPACE, MICHAEL SOBEL.**

Ryan O’Gara stated **BZA-2065** has been withdrawn by the petitioner, and **BZA-2066** is ready to be heard.

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

Steve Clevenger asked to hear the continuances.

Gary Schroeder moved to continue **BZA-2062 JAMES M. TYLER AND JENNIFER L. NEVILLE, BZA-2063 RESONS, LLC, AND BZA-2064 MARK YOUR SPACE, MICHAEL SOBEL** to the December 1, 2021 BZA meeting. Jen Dekker seconded, and the motion carried by unanimous voice vote.

Steve Clevenger noted **BZA-2062, BZA-2063, and BZA-2064** will be heard at the December 1, 2021 meeting, and **BZA-2065** has been withdrawn.

Steve Clevenger read the meeting procedures.

Gary Schroeder moved to hear and vote on **BZA-2066 BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY**. Jen Dekker seconded.

**BZA-2066 BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY:**

Petitioner is requesting a special exception to allow the expansion of the county's Community Corrections Work Release facility, operating 24 hours per day, seven days per week, at 2800 North Ninth Street Road, Fairfield, Longlois Reserve, 23-4.

APC staff Ryan O'Gara presented the zoning map, site plan, and aerial photos. He stated you can see the proximity to the river with a lot of floodplain zoning. We have a lot of I3 zoning in the immediate vicinity and some GB zoning, and there is a small spot that is zoned R1. The R1 zoning was done recently for someone that was interested in converting an old historic schoolhouse building from a commercial use back to residential. Existing uses are mostly non-residential in the immediate vicinity, and that pattern has been that way for some time. The floodplain has been certified in this area, so the acreage in the Flood Plain zone is not changing at all as a result of this petition. The project itself will only be within the I3 zone. North 9<sup>th</sup> Street Road in this location is a secondary arterial and all right-of-way is already in place for any future expansion. Required parking for this particular use is one space per ten inmates plus one space per employee on the largest shift. According to the petitioner, the largest shift will have 45 employees, and presently on the site there are 94 spaces, but only 62 would be required at this time. Given the jostling going around with the expansion, new parking spaces are being created with this site plan which will essentially add-on to what is being taken away, so there will continue to be 94 parking spaces. It will be conforming for parking. That was the reason for the withdrawal of the parking variance request. City utilities serve the site. It is a proposed two-story addition, approximately 110 ft. X 120 ft.; which will allow for the reconfiguration of the facility, and I can let the petitioner elaborate. Essentially, existing office space will relocate to the new addition freeing up other space for inmates. The lighting plan for the project shows lights along the perimeter of the site, as would be typical, near doorways, standard security lighting, and the parking area will have additional lighting.

Ryan O'Gara presented staff's findings of fact, and offered to answer any questions. Staff is recommending approval.

Steve Clevenger called for the petitioner or the petitioner's representative.

Tom Murtaugh, President of the Board of Commissioners, 20 N. 3<sup>rd</sup> Street, stated he concurs with everything that Ryan stated, and he appreciates the help and guidance from the staff. He expanded on

what the county is doing at this facility. This project does not add any additional beds for work release; what it does add is programming space for mental health and substance abuse components to the work release and the video surveillance programs. It also provides space for life skills around parenting, GED programs, and other types of things as well. These are individuals who have been in the judicial system, have typically been to jail for a period of time, then sentenced to serve the rest of their time through community corrections. These are individuals that we have seen have some challenges in life, and instead of doing the more expensive step of moving to expand the jail, we are looking to this alternative to, hopefully, provide these services that will get these individuals out of the system and provide them with some of the assistance they need to be productive citizens. We are very excited about this project. It will add about 22,000 square feet. It will be a two-story building with the sally port on the north end, and there will be some rehab of the existing building because intake will be moving to the new portion. We expect this to be wrapped-up in 2022. There is a solar array going-in on the western portion, and it will provide power for this facility.

Tom Murtaugh offered to answer any questions.

Steve Clevenger asked if anyone wished to speak in favor or in opposition of this petition. There was no response.

Steve Clevenger asked if the Board had any questions or comments. There were none.

Steve Clevenger called for the vote on a ballot.

Attorney Eric Burns collected the ballots and noted the Board voted by ballot 7-Yes to 0-No to grant the special exception of **BZA-2066 BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY.**

#### **IV. ADMINISTRATIVE MATTERS**

Ryan O’Gara announced longtime staff member, Don Lamb, will be retiring at the end of the year. His last day will be December 3<sup>rd</sup>, and we will be having a public party for him in the Tippecanoe Room at 2:00 PM on December 3<sup>rd</sup>. He just wanted to invite everyone. A more formal invitation will, most likely, be sent out.

#### **V. ADJOURNMENT**

Steve Clevenger stated 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.

Gary Schroeder moved for adjournment.

The meeting adjourned at 6:16 P.M.

Respectfully submitted,

Jennifer Ewen  
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 extending from the end.

David Hittle  
Executive Director