

AREA BOARD OF ZONING APPEALS OF TIPPECANOE COUNTY
LAFAYETTE DIVISION

June 15, 2020

The City of Lafayette Board of Zoning Appeals met in regular session on Monday, June 15, 2020 at 4:00 PM. Members present were: Jackson Bogan, Jake Gray, Dave Williams, and Dick Murray.

The meeting was called to order by Jackson Bogan. Mr. Williams moved to approve the minutes of the previous meeting as distributed; second by Mr. Gray. The motion passed by unanimous voice vote.

NEW BUSINESS

2020-9 BRIAN HENRY (TECUMSEH DENTAL PROPERTIES, LLC) Variance to reduce the side yard setback (Teal Rd.) to 45' instead of the required 60'. Property located at 1709 TEAL RD.

Mr. Williams moved to hear and approve the petition; second by Mr. Gray. Sarah Wyatt, agent for the petitioner, presented the petition.

Ms. Wyatt stated that Tecumseh Dental purchased the residence to the west of the dental practice. Their plan is to demolish this house and construct a modest addition to the dental office. Along with this addition, they would be adding off-street parking spaces. The existing structure has a 45' setback which is what they would like to maintain.

The property has existed as a professional office building for approximately 40 years and it has been a dental office since 1984. The current owners would like to continue this use moving forward.

The Board voted by ballot:

- 1) 4 yes 0 no. Petition GRANTED.

2020-10 EVAN PERRAULT Multiple requests for property located at 702 OWEN ST.:

- 1) Variance to reduce the side rear yard setback to 2' instead of the required 5' 10'.
- 2) ~~Variance to reduce the rear yard setback to 5' instead of the required 10'.~~

Mr. Williams moved to hear and approve the petition; second by Mr. Gray. The petitioner, Evan Perrault, presented the petition.

Mr. Perrault stated that he was hoping to demolish the existing garage and construct a new garage that is slightly larger. He let the board know he had spoken to Matthew Shively who noticed the side and rear yard designations were switched on the petition. In this case, he was asking for the same setback location only the 2' is from the rear yard setback, not the side yard setback. The proposed 5' side yard setback already meets the requirements of the zoning ordinance.

Mr. Bogan asked if there would be an issue with the notices because of this slight change. Mr. Shively stated it wouldn't change the request since the proposed structure is still on the exact same footprint. Mr. Shively clarified that the requested 2' setback would be from the rear yard, not the side yard.

Mr. Bogan reiterated the suggested amendment to the petition which changed the 2' setback request to the rear instead of the side. This amendment also made the originally requested 5' setback exempt from the need for a variance. Mr. Williams moved to approve the amendment which was seconded by Mr. Murray.

The Board voted by ballot:

- 1) 4 yes 0 no. Petition GRANTED.

2020-11 JACQUELINE E. CLARK Multiple requests for property located at 2424 MEADOW DR.:

- 1) Variance to reduce the side yard setback to 0' instead of the required 5'.
- 2) Variance to reduce the rear yard setback to 0' instead of the required 10'.

Mr. Williams moved to hear and approve the petition; second by Mr. Gray. Erich Justice, contractor for the petitioner, presented the petition. The petitioner, Jacqueline Clark, was also present.

Mr. Justice stated that he staked out the proposed garage to 15" from the rear lot line and 1' from the side lot line. They would like to keep it at least 1' from the side because it is the only way the proposed garage would be functional with the existing driveway.

Mr. Bogan asked for clarification on what the new requests were. Mr. Justice stated that they did originally want to go for the 0' setbacks on the rear and side lot lines but after some brief discussions with Mr. Shively, they tried to make it work with greater setbacks. Mr. Justice said they would like to amend their petition to request a 1' side setback and a 15" rear yard setback. Mr. Bogan repeated these requested amendments. Mr. Williams moved to approve the amendments which was seconded by Mr. Gray.

Mr. Williams stated he had reservations about the 0' requests and was going to suggest 2' setbacks from the rear and side lot lines. He is content with the proposed changes, though. Mr. Bogan agreed.

The Board voted by ballot:

- 1) 4 yes 0 no. Petition GRANTED.
- 2) 4 yes 0 no. Petition GRANTED.

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, July 20, 2020 at 4:00 PM. There being no further business to come before the Board at this time, the meeting was adjourned at 4:15 PM.

Chairman

Secretary