The City of Lafayette Board of Zoning Appeals met in regular session on Monday, October 21, 2019 at 4:00 PM. Members present were: Tracy Walder, Dave Williams, David Lahr, and Jake Gray.

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

OLD BUSINESS

2019-26 Petition filed by GAETA CONSTRUCTION, LLC for multiple requests for property located at 113 S. EARL AVE.

1) Variance to reduce the front yard setback to 10' instead of the required 40'.
2) Variance to reduce the side yard setback to 14' instead of the required 30'.

This petition was continued from the September 16, 2019 meeting.

Mr. Williams moved to hear and approve the petition, second by Mr. Gray. Joe Bumbleburg, agent for the petitioner, presented the petition. The petitioner, Marino Gaeta, was also present.

Mr. Bumbleburg asked if Dave Griffee would update the board on the code enforcement actions that have taken place on the property since the previous meeting. Mr. Griffee stated that Cecil Johnson, a code enforcement officer, had already been working with the property owner on adjacent sites about prior complaints. Since the previous meeting, the site in question was added to the inspections. In an October 16 email, Mr. Johnson stated that he had inspected the property and the property had improved. Multiple tires and dismantled vehicles were removed from the property and there were a couple minor issues that he would recheck in the near future. Mr. Griffee stated that the feedback he is receiving from code enforcement is that the cleanup process is going well.

Mr. Bumbleburg indicated that Mr. Johnson had mentioned that he would be rechecking the property in a few weeks and Mr. Griffee confirmed that was the case. Mr. Bumbleburg believes that the code enforcement issue at hand is the most pressing matter and that he would not hesitate to ask for an additional continuance on the matter. Mr. Griffee stated he would not object to another continuance so that they can make sure all of the issues are resolved.

Mr. Williams made a motion to continue the petition until November 18, 2019, seconded by Mr. Gray. The petition was continued until the next meeting.

Mr. Williams asked if they should still take public comment and everyone agreed that they should. Steven Schreckengast applauded the efforts thus far of code enforcement and asked about the need of a site plan. Mr. Griffee said that when the petitioner gets to the point where they are filing for a building permit, they will be required to provide a site plan. Mr. Schreckengast asked if that site plan would be required before the board voted on the variance and Mr. Griffee said it would not be required. The petitioner has submitted a very general site plan which follows the requirements of the ordinance.
Jen Dekker stated that it would not be possible to reconstruct this building where it is without the contractor having to use the adjoining property to the north. She wondered if an agreement or easement needs to be in place before the variance is approved. Mr. Griffee stated that this agreement or easement would not be required for the variance. This is a matter that would only be worked out between the private landowners.

Mr. Schreckengast repeated his belief that a site plan is important and suggested that the board should have to base their decision off of a more accurate plan. Mr. Bumbleburg stated that his client would provide only what the ordinance requires. Ms. Walder stated that the need for more accurate site plans and building plans are not within the board's purview.

2019-27 Petition filed by Cee Jay Enterprises, LLC for variance to allow a total sign area of 187 SF instead of the allowed 40 SF. Property located at 140 FRONTAGE RD. SUITE A.

This petition was continued from the September 16, 2019 meeting.

Mr. Williams moved to hear and approve the petition, second by Mr. Gray. Kevin Riley, agent for the petitioner, presented the petition. The petitioner, Jerry Strok, was also present.

Mr. Riley stated that he was present the previous month for the proposed signage and that the petitioner has agreed to remove the proposed sign above the window on the south side of the building. They understand the concern that too much was being requested so their proposed signage has been reduced. Mr. Strok stated that they had already planned to remove the proposed sign on the south side of the building from the variance request but that didn't translate over to the original submittal.

The Board voted by ballot:

1) 4 yes 0 no. Petition GRANTED.

The next meeting of the Lafayette Board of Zoning Appeals will be on Monday, November 18, 2019 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.