

LEBANON BOARD OF ZONING APPEALS MEETING
MONDAY, APRIL 7, 2008

TO: ALL COMMISSION MEMBERS
FROM: RECORDING SECRETARY
SUBJECT: MINUTES TO MEETING

Chairman Robert Duff called the meeting to order. All members were present. Minutes from the March meeting were approved.

The first item on the agenda was Chuck Hunt Auction Services requesting a Use Variance to permit outside storage of small commercial trailers. This property is located at 845 Indianapolis Avenue. This property is Zoned ID- Industrial District. This property is located in the Thoroughfare Overlay District. This agenda item was forwarded with a favorable recommendation from the Plan Commission with the stipulation that there be acceptable screening around the trailer storage area located to the north east corner of the lot. Mr. Hunt was present for the meeting. Mr. Hunt stated that he has owned the property since 1984 and has operated many different businesses at this location. Mr. Hunt is moving from the country where he currently stores these trailers into the City. Mr. Hunt will have 3 enclosed trailers and 2 open trailers. Mr. Hunt is proposing to install an 8-foot privacy fence to screen the trailers from the view of Indianapolis Avenue and Spencer Avenue. Mr. Hunt stated he thought his tallest trailer was about 7 ½ -feet tall, so the trailers would not be taller than the fence. The dumpster that is currently on the property would be moved to this area as well behind the fence. Bruce Pauley made a motion to grant the Variance request for a total of 5 trailers, with the location of the fence provided on the site plan and with the stipulation that before Mr. Hunt installs the fence the material be approved by Charlie Campbell. Rob Bevington seconded the motion. Motion granted.

The second item on the agenda was Home National Bank with Variance requests for postponing installation of sidewalks, 25' buffer setback encroachment for parking/drive-thru area, 2 lots not meeting the minimum lot size requirements of 1.5-acres, and landscape requirement of the type C buffer requirement between lot 1 & 2. This property is proposed to be located at the northwest corner of N. State Road 39 and County road 250 North. This property is Zoned PBC-Planned Business Commercial. This property is in the Thoroughfare Overlay District. Kent Frandsen, attorney for Home National Bank was present for the meeting along with Gary Ladd, engineer for the project. Mr. Frandsen stated that the proposed site is for Home National Bank to building a branch. This project has been before TAC committee 4 times. The entire lot is a total of 2.2- acre parcel. The bank is requesting to split the property into lot 1 with 1.15-acres, and lot 2 .79- acres. The City requires lots to be 1.5-acres minimum. Mr. Frandsen stated that this requirement has changes considerably from the 6,000 sq. ft. requirement that was previously the standard. Only lot 1 is proposed to be built on at this time lot 2 does not have plans, in the future the bank would like to sell the lot to recoup some of the costs of the infrastructure. The bank would like to consider not installing the sidewalks around the site until

future development to the north occurs or INDOT restructures the intersection and adds pedestrian crossing. The initial meeting with INDOT the representatives stated that they did not want to see sidewalks installed for safety issues, people trying to cross the intersection without proper signals available. The 25' buffer requirement between the bank lot and the lot to the west is due to the fact that this property is Zoned PBC but has a residential use. The residential use requires the larger buffer requirement. The drive thru land and the parking lot will encroach this area by 10-feet only in one area and not on the entire buffer yard. Pete Fritz contracted Planning staff with the city explained that the applicant had been before TAC several times with plans and the applicant had responded well to the changes and recommendations the committee had. Mr. Fritz stated that as a planner one of the main aspects to any project is sidewalks it is important that communities get the new development to install them when the construction is in place and not wait because they could be forgotten about and it could be harder for the city to enforce the installation after the project is completed. To have the developer commit to installing them now is the best practice for the community. In regards to the minimum lot size staff could agree with the variance request to reduce the lot size since the intent of the ordinance is being met by the applicant. There is also a 5-foot landscape buffer requirement that is not being met between lot 1 and lot 2 the applicant is showing this area being paved and proposed to use a shared parking lot in the future with lot 2, so they are proposing not having this buffer yard. Kent Frandsen asked the BZA to only consider the variance request for lot 1 and not lot 2 at this time since there was no proposal for construction on lot 2 and this property would have to come back before the board for any approvals. Pete Fritz stated that in granting lot 1 lot size the board was approving lot 2 size as well, lot 2 would be an illegal non-conforming lot and is against our UDO Ordinance. George Piper made a motion to approve the lot size reduction for lot 1. Jim McVey seconded the motion. Motion granted. Kent Frandsen stated that the applicant wished to withdraw the variance to postpone the sidewalk installation the applicant will install sidewalks with the project. The variance request to allow an encroachment in the 25-foot setback on the west side of the property a 10-foot section in the buffer yard. George Piper made a motion to approve to variance request. Rob Bevington seconded the motion. Motion granted. George Piper made a motion to approve the variance request for 5-foot buffer yard requirement between lot 1 and lot 2. Bruce Pauley seconded the motion. Motion granted.

The third item on the agenda was for the Board of Zoning Appeals to review and adopt Rules of Procedures. Darren Chadd, city attorney drew the procedures for the board to review and approval. The Rules of Procedures are part of the UDO that were adopted and state that the board shall adopt rules of procedures. Bob Duff stated that he would like time to review and have them come back to the next meeting on May 5.

The fourth item on the agenda was a courtesy presentation for reviewing updated procedures and applications for Variances and Conditional Use packets. Darren Chadd, city attorney and Kristi Spencer have been working on updating the packets to comply with the UDO and make the packets more user friendly. This is just for your knowledge of what the packets look like and what the requirements are.

Meeting Adjourned.

Submitted By Recording Secretary
Kristi Spencer

Chairman, Robert Duff

Secretary, Rob Bevington