

**TOWN OF LAGRANGE BOARD OF ZONING APPEALS
JULY 21, 2020**

THE TOWN OF LAGRANGE BOARD OF ZONING APPEALS WILL MEET IN REGULAR SESSION ON **TUESDAY, JULY 21, 2020 AT 6:30P.M.** IN THE COUNTY OFFICE BUILDING.

CALL TO ORDER: John Schmidt called the meeting to order at 6:30 p.m.

ROLL CALL: Lynn Bowen, Amy Riser, Suellyn Mickem, John Schmidt.

ELECTION OF OFFICERS: Lynn Bowen made a motion to nominate John Schmidt as President, Suellyn Mickem seconded the motion. Motion passed. John Schmidt was elected as President. Suellyn Mickem made a motion to nominate Lynn Bowen as Vice President, Amy Riser seconded the motion. Motion passed. Lynn Bowen was elected as Vice President.

ADOPT AGENDA: Lynn Bowen made a motion to adopt the agenda, Suellyn Mickem seconded the motion. A vote was taken, motion carried and the agenda was adopted.

MINUTES OF PREVIOUS MEETING: None.

NEW BUSINESS:

DEVELOPMENTAL VARIANCE

(Public Hearing)

INTERRA CREDIT UNION~ By: Crystal Welsh, Abonmarche Consultants (20-V-32):

Bloomfield Twp., Sect. 19, T37N R10E, zoned B-2. Located at Northeast corner E. Central Ave. & S. Poplar St., LaGrange (parcel #'s 44-07-19-400-002.046-002, 44-07-19-400-002.047-002 & 44-07-19-400-003.063-002). Application is to request 75% lot coverage, instead of the allowed 50%. Also to allow for three stacking spaces from the teller window instead of the required four.

Robbie Miller introduced the petition and reviewed the site plan.

Crystal Welsh, 1009 S 9th Street, Goshen, was present on behalf of the petitioner and explained the reason for the variance.

John Schmidt asked if there was anyone in favor of the petition.

Brad Schrock, Interra Credit Facility Manager, was present in support of the project.

John Schmidt asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the site plan and intended locations for customer parking.

Robbie Miller informed the board the zoning was appropriate for the business, the petition was approved by the Plat committee, and the Town of LaGrange had also given approval.

A vote was taken:

Developmental Standard Variance

1. The Approval will not be injurious to the public health, safety and general welfare of the community.

The proposal is for the development of a vacant lot to construct a commercial building to operate a credit union. The proposed construction provides for sufficient ingress and

egress on the property and will not interfere with travel on the neighboring roadways. The proposal does not pose any risk to the public.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The proposed new commercial facility is consistent with the surrounding business use in the area and will make good use of what is otherwise a vacant undeveloped lot. The new construction may bring new business to the area and increase neighboring property values. No remonstrators appeared.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Given the size, width, and layout of the subject lot it would be difficult for any development on the property without the variance. Given the parking lot needs for a business of this nature, it would be impossible to meet the lot coverage requirements on the subject lot, thereby severely limiting the usefulness of the lot and preventing any development.

4. The variance granted is the minimum necessary and does not correct a hardship caused by an owner, previous or present, of the property.

The proposed construction is minimally intrusive and seeks to make good use of the property without unreasonably encroaching upon or interfering with the public and the surrounding area.

For all of the foregoing reasons, on this 21st day of July, 2020, the Town of LaGrange Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

(Public Hearing)

KELLER DEVELOPMENT, INC. ~ CLAIRE GARDENS, LP ~ By: Danelle Biberstine (20-V-38): Bloomfield Twp., Sect. 30, T37N R10E, zoned B-2. Located at 709 S. Detroit St., LaGrange. Application is for 35 parking spaces instead of the required 44; a 7' tall sign instead of the maximum height of 5'; 44' setback from Poplar St., 46' setback from Fenn St, 39' setback from Detroit St. (SR 9) and 37' setback from Bell St. instead of the required 55' and a building height of 37' instead of the maximum of 30'.

Robbie Miller introduced the petition and reviewed the site plan.

Danelle Biberstine, 4530 Merchant Road, Fort Wayne, was present on behalf of the petitioner and explained the reasons for the multiple variances.

John Schmidt asked if there was anyone in favor of the petition.

Ray Hoover, 205 S Mountain Street, was present in favor of the petition and expressed he felt more housing was a benefit to the community.

John Schmidt asked if anyone would like to remonstrate against the petition.

Michael Metzger, 719 Union Street, was present and expressed concerns questioning rules and regulations for Claire Gardens.

Danelle Biberstine explained to the board that Claire Gardens will be a 55 years and older living community, with 35 two bedroom units, and multiple amenities for the residents.

The public hearing was subsequently closed.

The board discussed the site plan and parking arrangements.

A vote was taken:

Developmental Standard Variance

1. The Approval will not be injurious to the public health, safety and general welfare of the community.
The proposal will not be injurious to the public health and safety as Petitioner is proposing to construct a senior housing development to provide needed housing to the County's senior citizen population. The proposed setbacks requested to complete the project are minimal and will allow for safe ingress and egress of the property and not interfere with the traffic flow on neighboring roadways.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
The proposed senior housing development will not interfere with neighboring landowners and the surrounding area. The proposal seeks to make better use of the existing property and the new construction may improve neighboring property values by cleaning up the subject lot. One remonstrator appeared with concerns of the development becoming low income housing and bringing crime to the area.
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.
The strict application would result in practical difficulties as Petitioner would not be able to construct the senior housing development as proposed, thereby leaving the property in its current condition and unused. Based on the size and layout of the property it would be difficult to construct such a development without the requested variances.
4. The variance granted is the minimum necessary and does not correct a hardship caused by an owner, previous or present, of the property.
The proposed construction is minimally intrusive and seeks to make the best possible use of the land available at the subject lot, while still maintaining sufficient setbacks to not intrude on neighboring landowners.

For all of the foregoing reasons, on this 21st day of July, 2020, the Town of LaGrange Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

OTHER BUSINESS: None.

ADJOURNMENT: Lynn Bowen made a motion to adjourn, Johns Schmidt seconded the motion. A vote was taken, motion carried. The meeting was adjourned at 7:08 p.m.

LAGRANGE COUNTY, INDIANA ANTI-DISCRIMINATION NOTICE STATEMENT

The County of LaGrange does not illegally discriminate because of race, color, national origin, sex, religion, disability, or age with regards to admission, participation, or treatment in its facilities, programs, activities, or services, as required by Title III and Title VI of the American Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and their related statutes, regulations, and directives. The County has established an Anti-Discrimination Compliance Division to ensure compliance with these laws. If you would like more information concerning the provisions of these laws and about the rights provided thereby, or if you have a suggestion on how the County can better meet the needs of persons protected thereby, please contact the Division at 300 E. Factory St., LaGrange, IN 46761 or by telephone at (260)499-6352.