

TOWN OF LAGRANGE BOARD OF ZONING APPEALS
DECEMBER 15, 2020

THE TOWN OF LAGRANGE BOARD OF ZONING APPEALS MET IN REGULAR
SESSION ON **TUESDAY, DECEMBER 15, 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: John Schmidt, Lynn Bowen, and Suellyn Mickem. In attendance Robbie Miller, Dustin Glick & Brittney Johnston.

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

MINUTES OF PREVIOUS MEETING: Lynn Bowen made a motion to approve minutes from November 2019 and July 2020. Suellyn Mickem seconded the motion. A vote was taken, motion carried.

NEW BUSINESS:

DEVELOPMENTAL VARIANCE

(Public Hearing)

TOCH, LLC ~ By: Anthony Riegling (20-V-71): Bloomfield Twp., Sect. 30, T37N R10E, zoned B-2. Located at 814 S. Detroit St., LaGrange. Application is to request a 5' setback from the West property line and to have 19 parking spaces instead of the required 24.

Robbie Miller introduced the petition and reviewed the site plan.

Josh Rosenogle, Leatherman Construction, 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. No others appeared in favor of the petition. Mr. Schmidt asked if anyone would like to remonstrate against the petition.

Julia Eagleson, 109 South Street, expressed concerns pertaining to if any delivery vehicles would park on South street for deliveries and if patrons of the business would park on South street.

Josh Rosenogle rebutted the statement explaining deliveries would be dealt with within the parking lot and always near the building allowing them to be less hazardous for the employees and delivery personnel. Mr. Rosenogle also covered her concerns with parking, stating there was no intent to direct parking onto South street, however street parking is allowed on South street.

The public hearing was subsequently closed.

The board discussed the site plan.

John Schmidt expressed multiple concerns with the gas meter located in the right-of-way, and the patrons possibly parking on South street and walking towards the business entrance without steps or a ramp.

Josh Rosenogle explained the meter had intentions of being protected, the owner of the existing gas vent would be in charge of those concerns, and the Town of LaGrange was not concerned with the access on foot from South street.

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 provides for sufficient ingress and egress on the property and will not interfere with travel on the neighboring roadways. The setback encroachment abuts an undeveloped alley and does not interfere with the public or 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 use is consistent with the current zoning and the proposed variances do not interfere with or intrude on neighboring landowners use and enjoyment of their properties. The surrounding area is also primarily zoned B-2. One person appeared with concerns over parking on the adjacent South Street and cited concerns regarding time of deliveries to the property.

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 and layout of the subject lot and the existing structures located thereon, it would be difficult for any development on the property without the variances requested. Given the size of the existing lot, it would be extremely difficult to meet the parking space requirement on the subject lot, thereby severely limiting the usefulness of the lot and preventing any future 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 15th day of December, 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, Suelllyn Mickem seconded the motion. A vote was taken, motion carried. The meeting was adjourned at 6:51 p.m.

LAGRANGE COUNTY, INDIANA

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