

Board of Zoning & Appeals Meeting Minutes

Monday, July 6th, 2021

To: Minutes to Meeting
From: Recording Secretary
Subject: Meeting Minutes

Call to Order

Bruce Pauley called the July 6th, 2021 Board of Zoning Appeal meeting to order at 7:00pm in the Lebanon Municipal Building.

Call Roll

Noted presence of a quorum. Members present included Bruce Pauley, Ron Edwards, Laurie Gross, Chad Kyker, Marc Vanaman, Ben Bontrager, Planning Department, Kelly Cook, Recording Secretary. Also, present Rob Schein, Krieg DeVault, LLC.

Approval of Minutes

Ron Edwards made a motion to approve the June 7th, 2021 meeting minutes. Chad Kyker seconded the motion a vote of 5-0 was in favor motion passed.

Old Business

New Business

Docket #21-35: Paul Van Kley Requesting Development Standards Variance to construct a detached garage to be located at 404 N Meridian Street, Lebanon, IN 46052.

The property is zoned “MF” Multi-Family.

- i. UDO Standard 7.10.A.4 – Front Setback
- ii. UDO Standard 7.10.A.4 – Side Setback

Ben Bontrager gave an overview of the variance being requested to allow the construction of the proposed detached garage. The garage can only be built in the proposed location because of the presence of underground utilities in the rear yard of the home.

Paul Van Kley 404 N. Meridian Street, Lebanon, IN 46052 gave an overview of the 24ft. X 25ft. garage structure to be built with access from Williams Street. Mr. Van Kley is requesting the 4 feet from the front and side property lines.

Bruce Pauley opens and closes the public portion of the hearing.

Bruce Pauley entertained for a motion. Ron Edwards made a motion to approve Docket #21-35. Chad Kyker seconded the motion a vote of 5-0 was in favor motion passed.

Docket #21-36: Texas Republic Signs requesting Development Standard Variance on behalf of Pilot Travel Centers to construct a new pole sign to be located at 520 S. State Road 39. The property is Zoned “PBI” Planned Business Industrial and in the Interstate, Thoroughfare Overlay Districts.

- i. UDO Standards 7.7.H – Pole Sign Height
- ii. UDO Standards 7.7.H – Maximum Sign Area

Ben Bontrager stated the applicant is seeking to remove and replace the legally existing non-conforming pole sign along Interstate 65. The new sign will be increased from 78 feet to 90 feet in height but decreased from 605 square feet to 534 square feet. The non-conforming pole sign at the Flying J entrance along State Road 39 will be taken down.

Variance Request #1 – Pole Sign Height and Size

UDO Section 7.7.H.2.b

Representative, Texas Republic spoke of the signage request, stating Pilot has changed their logo and are looking to increase the height of the new sign to be put in place. The increased sign height will allow for better visibility along Interstate 65 given the height of the adjacent interchange.

Bruce Pauley opens and closes the public portion of the hearing.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #21-36 subject to the following: The existing non-conforming pole sign along State Road 39 is removed prior to erection of the proposed new pole sign along Interstate 65. Ron Edwards seconded the motion a vote of 5-0 was in favor motion passed.

Docket #21-37: Texas Republic Signs for Pilot Flying J requesting Conditional Use approval to construct a new pole sign. The property is located at 520 S State Road 39, Lebanon, IN 46052.

The property is zoned Planned Business Industrial (PBI) and comprised of 14.11 acres.

The applicant is proposing to construct a pole sign for the Flying J Truck Stop that is 534.2 square feet and 90 feet tall. Freestanding Pole Signs are listed as a Conditional Use within the PBI zoning district under the following conditions:

1. Pole signs shall only be located within 1000 feet of an interstate interchange.

- The proposed pole sign is located approximately 350 feet from the existing interchange
- 2. Pole mounted signs shall not exceed 60 feet in height.
 - The proposed pole sign is 90 feet tall. The applicant will additionally be requesting a variance to allow for the increased height.
- 3. The maximum sign area shall not exceed 200 feet per side.
 - The proposed pole sign is 534.2 square feet per side. The applicant will additionally be requesting a variance to allow for the increased square footage.

Bruce Pauley opens & closes the public portion of the hearing.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #21-37. Mark Vanaman seconded the motion a vote of 5-0 was in favor motion passed.

Other Business

There was no other business conducted.

Adjourn

A motion was made and seconded to adjourn the meeting at 7:19pm. The Board of Zoning Appeals will meet next month on Monday, August 2nd, 2021 at 7:00pm.

Submitted by Recording Secretary

Kelly Cook

Chairman, Bruce S. Pauley

Secretary, Kelly Cook

