

Board of Zoning Appeals Meeting Minutes

Tuesday, September 6th, 2022

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

Call to Order

Bruce Pauley called the September 6th, 2022, Board of Zoning Appeals 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. Matt Reynolds, Planning Department, Ben Bontrager, Planning Department, Kelly Cook, Recording Secretary, Rob Schein, Dinsmore & Strohl LLC.

Absent Members: Chad Kyker

Minutes

Bruce Pauley entertained for a motion to approve the August 1st, 2022, meeting minutes. Laurie Gross made a motion to approve. Ron Edwards seconded the motion a vote of 3-0 was in favor motion approved.

Docket #22-59

Chad Boespflug for NineEight Investments, LLC. The property is located at 250 N. Enterprise Dr, Lebanon, Indiana, 46052.

The property is zoned Planned Business Industrial (PBI) and comprised of 3.6 acres. The applicant, NineEight Investments, LLC, presented the intent to construct a speculative multi-tenant industrial building on the subject property, The applicant has worked with staff to develop a site and building plan that meets the requirements of the UDO, however, there are several variances that are necessary based on their specific project needs.

Matt Reynolds gave an overview of the variances being requested.

Variance Request #1 – Parking Curb

Variance Request #2 - Parking Lot Interior Landscaping

Variance Request #3 – Parking Lot Perimeter Landscaping

Variance Request #4 – Sidewalk

Matt Reynolds read through all criteria and staff recommendations for each variance.

Bruce Pauley asks for questions from the board. There were no questions currently.

Applicant, Chad Boespflug, NineEight Investments, LLC. Spoke of the investment to the city with this project and would take any questions.

Bruce Pauley opened the hearing up for public comments.

Jeff Newman 195 North 200 West, Lebanon, IN 46052. Mr. Newman's property neighbors this proposed property. Has concern there is no buffer or landscaping being proposed for the backside of this project and drainage concerns.

Bruce Pauley closed the public portion of the hearing.

Ben Bontrager spoke of the drainage, stating all water is collected on the property site and drains to the east into a culvert.

Bruce Pauley entertained for a motion. Ron Edwards made a motion to approved Docket #22-59. Laurie Gross seconded the motion a vote of 3-0 was in favor motion approved.

Docket #22-60:

Superior Auto, Inc. The property is located at 1317 West South Street, Lebanon, IN 46052. The property is approximately 0.42 acres in size and currently zoned Planned Business Commercial (PBC) and within the Thoroughfare Overlay District.

Ben Bontrager gave an overview for the petitioner request for a conditional use.

Superior Auto Inc. is intending to relocate their currently operating used dealership facility located at 2437 North Lebanon Street, Lebanon, IN 46052 to a new location. The dealership has been operating at its current location for over 14 years and is well established in the City of Lebanon.

Ben Bontrager gave an overview of the new location site being proposed. Superior Auto is looking to relocate the business to a vacant building located at 1317 West South Street, Lebanon, IN 46052. This property sits on 2 parcels east of Ransdell Rd, has frontage on W South St. (IN – 32) and is approximately 1,400 feet East of the 1-65 interchange. The property is currently zoned Planned Business Commercial (PBC) and remains in the Thoroughfare Overlay as per the City of Lebanon’s Unified Development Ordinance. Used car sales businesses are a permitted use as per the subject’s property’s current zoning classification. However, with the establishment of the Thoroughfare Overlay District, Used Motor Vehicle Sales initially became a prohibited use, then was amended to a conditional use in 2009. Thus, being the request for the conditional use approval for the property.

Ben Bontrager read through the Conditional Use Evaluation.

Bruce Pauley asks for questions. There were no questions currently.

Real Estate Director for Superior Auto gave stated their current location property is being sold. They are looking to relocate to the 1317 West South Street and will need significant upgrades made to the property.

Bruce Pauley asks for questions.

Ron Edwards questioned if a truck hauler could make it in and out of this new location with no issues. It was stated they are looking for a close site to park and unload the cars to then drive them directly to the car lot.

Bruce Pauley opened and closed the public portion of the hearing.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #22-60 contingent of the following conditions:

1. That the applicant reserve and leave available 7 parking spaces for employees and customers. These spaces shall be marked as “Employee and Customer Parking Only” and shall not be used for storage or display of vehicles for sale.
2. That the applicant install a minimum of 4 trees and 10 shrubs along the north and west perimeters of the parking area adjacent to South Street.
3. Any dumpster placed on site shall include a dumpster enclosure meeting the requirements of the Unified Development Ordinance.

Ron Edwards seconded the motion a vote of 3-0 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 7:27pm. The Board of Zoning Appeals will be again on October 3rd, 2022, at 7:00pm.

Submitted by Recording Secretary

Kelly Cook

Chairman, Bruce Pauley

Secretary, Kelly Cook