MINUTES OF THE PUBLIC MEETING
OF THE CITY OF ANGOLA BOARD OF ZONING APPEALS
HELD ON OCTOBER 28, 2024

The Board of Zoning Appeals held their regularly scheduled meeting on Monday, October 28, 2024 at 5:00 p.m., The minutes are recorded and prepared by the Department of Economic Development and Planning staff.

Chairman Brant Moore called the public meeting to order at 5:00 p.m. in the Angola Council Chambers at City Hall.

The following members were present: Brant Moore, Chris Thomas, and Susan Ralston. Absent members were Phil Roe and Mike Sutter. Also present at the meeting: Planner Brett Steele and Director Retha Hicks.

Member Ralston made a motion to approve minutes for the June 24, 2024 meeting. Member Thomas seconded the motion. All members present approved, none opposed.

Chairman Moore reviewed the meeting rules and procedures.

Chairman Moore moved to the next item on the agenda – New Business – 2024-BZA-10001 – Wayne Street Commons Special Exception and Development Standard Variances

Planner Steele presented the only case as 2024-BZA-10001 seeking development standards variances and special exception. The owner is 3M Investments, INC and applicant was DA Brown Engineering. The property is located 1030 S Wayne St with the current zoning of C2: Medium to Large General Commercial District. The applicant requested relief from Section 18.56.030 Special Exception; (A)Dwelling, Four-Family (Quadplex) and Development Standard Variances Section 18.56.040(E) Minimum Front Yard Setback and Section 18.160.510 Trash Receptacle Standards; (1) Front Yard. The hearing date was October 28, 2024, with Legal Notice of the Public Hearing appeared in The Herald Republican on October 18, 2024. Seventeen (17) property owners within 300 feet of the project were sent notice on October 17, 2024. The property is not within a floodplain.

Planner Steele continued that the petitioner has recently acquired a one-acre vacant parcel located along South Wayne Street in August 2024. The property currently features a single-family residence and an accessory structure that are in a state of disrepair. To address this, the petitioner obtained demolition permits in early August to remove these existing buildings.

Planner Steele noted that The petitioner intends to construct two quadplex structures on the site, providing additional high-density housing to the southern portion of the city. To facilitate the proposed development, the petitioner has requested a rezoning, through the plan commission, of the parcel from R2: Medium Density Single-Family Residential to R5: High Density Multiple-Family Residential. This rezoning would allow for the construction of the quadplex structures upon receiving proper approval from this board as a special exception. Common Council approved the zoning map amendment on October 21st, Ordinance #1765-2024. This decision was primarily driven by the development standards associated with the R5 district. By rezoning to R5, several potential development standard variance requests could be eliminated, compared to the R4: Multiple-Family Residential District where quadplexes are permitted by right.

Planner Steele mentioned the proposed development is located near existing high-density housing developments, Lakeland Apartments and Enterprise Pointe Apartments, in the southern part of the city.

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To make the most of the site's terrain and location along South Wayne Street, the petitioner is requesting relief from two development standards and approval of a special exception. By embracing the existing topography and maximizing the available space, the petitioner can create a more efficient and visually appealing development. The surrounding area includes a mix of residential and commercial uses, and the high-density nature of the proposed development aligns well with the nearby apartment complexes.

Planner Steele then reflected on the site plan and special exception. The applicant proposes to construct two multi-family structures, each containing four units (quadplexes). Each structure would be two stories with two units on the main floor and two on the second floor. A special exception use is requested because the desired zoning classification, Four-Family (quadplex), is not permitted use in the R5 district. The BZA is authorized to grant a special exception use only when it clearly complements the residential nature of the district. While the R5 district is intended for high-density housing (5+ units), it also recognizes the need for other multi-family dwellings.

Planner Steele then spoke to the variances requested for this project. First, Section 18.56.040(E); Minimum front yard setbacks of 30 feet for primary and accessory structures. The applicant requests relief from front yard setback along S Wayne St; setback of 30-ft to become 5-ft for placement of the developments parking lot. Buildings to be setback 78-ft from the right-a-way line. While the Unified Development Ordinance (UDO) permits parking lots to encroach into setbacks by a certain percentage, this flexibility does not apply to residential districts. To maintain consistency with the existing development pattern, the parking lot's setback will be aligned with the car dealership to the north. Secondly, Section 18.160.510; Trash Receptacle Standards(C)(1) – Setbacks; Front Yard. Trash receptacles shall not be located in a front yard. The petitioner request to be able to permit trash receptacle placement within the front yard. To optimize accessibility, safety, and density, the site plan strategically locates buildings and amenities. The rear yard, positioned away from the busy thoroughfare, provides ample common space for residents. This design prioritizes comfort and security. However, it requires placing the trash receptacle in the parking lot perimeter, which is located in the front yard.

Planner Steele showed two images to the board as the targeted locations sit today.

Planner Steele commented on the contextual zoning and land use stating the property is currently zoned R5. The immediate surrounding uses include to the north C2: Angola CDJR and Traditional Residential, to the South: C1 commercial, R4 Residential, and Pleasant View Church of Christ, to the east: C2: commercial automotive sales/repair and PD: Steuben County EDC, RISE, and Enterprise Pointe Apartments, and to the west: Traditional Residential, R5: Lakeland Apartments, and Institutional.

Planner Steele stated the Angola Comprehensive Plan speaks to several objectives in support of a project like this. Objective 1.5: Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots along with Objective 1.7: Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped, plus Objective 1.14: Continue redevelopment of existing under-utilized properties on S Wayne St.

As of the meeting date, there has been no public input as a result of the legal notices noted Planner Steele.

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Planner Steele finished by stating in conclusion staff is encouraged to see potential development on shovel-ready site within the community along S Wayne St. The proposed dwelling, four-family (quadplex) aligns with the district intent and special exception use complementing the areas mixed residential nature.

Planner Steele noted that staff recommends Conditional Approval on requested variance(s) that Development Plan approval for Dwelling, Four-Family (Quadplex) is granted by the Angola Plan Commission.

Planner Steele asked if there were any questions by board members for staff. Chairman Moore asked if the dumpster was strictly screened by vinyl fencing. Planner Steele noted that the material would be vinyl privacy fencing would be used.

Chairman Moore opened the public hearing advised all petitioners that there are only three board members present for the meeting, meaning each petition would need unanimous vote to pass or petitioner could table until a later meeting. James Kiracofe, Snow Lake, took to the stand advising he was fine to move forward with just the three present members. Mr. Kiracofe noted he is the builder and developer of this project. James Kiracofe wanted to clean up property that is in bad shape and was concerned the city let it get to that state. James Kiracofe noted that with its location being near Trine University he was going to target higher rent income for graduate students and professionals in the area.

With no comments from the public, Chairman Moore closed the public hearing. Planner Steele presented the Findings of Fact for Wayne Street Commons case 2024-BZA-1001.1, Special Exception Section 18.56.030(A) Dwelling, Four-Family (Quadplex).

1. The approval of the special exception will not be injurious to the public health, safety, morals and general welfare of the community because a dwelling, four-family (quadplex) will have adequate utilities and drainage. All members present agreed, none opposed.

2. The special exception will not alter the character of the district because the dwelling, four-family (quadplex) is consistent with surrounding properties and character of the area, given its proximity to exact same land use. All members present agreed, none opposed.

3. The special exception is consistent with the purpose of the zoning district and Angola Comprehensive plan because objectives 1.5, 1.7, and 1.14 is in support of this type of development. Additionally, the R5 District Intent states “Allow special exception use only when it clearly complements the residential nature of the district.” All members present agreed, none opposed.

4. The special exception is in harmony with the adjacent land uses because dwelling, four-family (quadplex) is an adjacent land use. Additionally, the architecture and finish materials will be similar to the surrounding structures. All members present agreed, none opposed.

5. The special exception will not substantially impact property value in the adverse manner because the properties will be developed in a manner consistent with adjacent properties. All members present agreed, none opposed.

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Chairman Moore asked for a motion. **Member Thomas made a motion to approve Special Exception Use - Section 18.56.030 (A); Dwelling, Four-Family (Quadplex with condition that development plan approval granted by the Angola Plan Commission for dwelling, four-family (quadplex). Member Ralston seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Wayne Street Commons, Development Standard Section 18.56.040(E) to permit minimum Front Yard setback to 5-ft: 2024-BZA-10001.2.

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the setback of 5-ft of the developments parking lot respects all designated right-a-ways and easements. Furthermore, the primary structures are setback at least an additional 48-feet from the 30-ft front setback line and access to the development has been aligned with Lange Lane. All members present agreed, none opposed.

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 because the existing residential dwelling is currently setback approximately 12-ft from the right-a-way along S Wayne St and mirrors the parking lot to the neighboring property to the north. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because the topography of the 1-acre parcel, the site plan strategically places the main buildings and parking area towards the eastern end. This arrangement is necessary to accommodate the site's natural contours. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Ralston made a motion to *approve* Development Standard for Wayne Street Commons, Development Standard Section 18.56.040(E) to permit minimum Front Yard setback to 5-ft with condition that development plan approval granted by the Angola Plan Commission for dwelling, four-family (quadplex). Member Thomas seconded the motion. All members present were in favor, none opposed.**

Planner Steele presented the Findings of Fact for Wayne Street Commons, Development Standard Section 18.160.510(C)(1) to permit Trash Receptacle in Front Yard: 2024-BZA-10001.3.

1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the proposed location is positioned beyond the 30-ft front yard setback at approximately 41-ft. Additionally, the trash receptacle will be screened with permitted material. All members present agreed, none opposed.

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 because the development will properly screen the trash receptacle for this property providing a more aesthetic environment. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because the topography of the location, the buildings are positioned in a way that requires the trash receptacle to be located within the parking area perimeter. This placement is essential for ensuring pedestrian and vehicular access around the property and its structures. All members present agreed, none opposed.

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Chairman Moore asked for a motion. **Member Thomas made a motion to *approve* Development Standard for Wayne Street Commons, Development Standard Section 18.160.510(C)(1) to permit Trash Receptacle in Front Yard with condition that development plan approval granted by the Angola Plan Commission for dwelling, four-family (quadplex). Member Ralston seconded the motion. All members present were in favor, none opposed.**

Chairman Moore moved to the next item on the agenda – New Business – 2024-BZA-10002 – MTI Center Development Standard Variance

Planner Steele presented the only case as 2024-BZA-10002 seeking development standards variance. The owner is Trine University and applicant was Commercial Sign, Inc. The property is located 1215 Thunder Dr with the current zoning of UV: University District. The applicant requested relief from Section 18.180.050 Sign Standards; University (B)(1) Wall Sign Maximum Sign Area. The hearing date was October 28, 2024, with Legal Notice of the Public Hearing appeared in The Herald Republican on October 18, 2024. Eight (8) property owners within 300 feet of the project were sent notice on October 17, 2024. The property is not within a floodplain.

Planner Steele mentioned that in December 2016, Trine University received development plan approval to construct a 46,000-square-foot sports complex facility known as the MTI Center. This facility houses a 3,000-seat basketball arena, locker rooms, offices, bowling alleys, a Zollner Golf Course, and various other amenities for the university community.

Planner Steele continued that Trine University now proposes to incorporate additional wall signage to the MTI Center. Currently, the east facade, above the main entrance, displays the facility's name. The petitioner seeks to add wall signage to the north facade, replicating the existing signage on the east facade but at a larger scale. While larger-scale wall signage is typically allowed in commercial and industrial zoning districts, the University (UV) district imposes more stringent restrictions. The UV district only permits much smaller wall signage, which would not be sufficient to achieve the desired visibility for the proposed signage on the north façade. The primary objective of this signage addition is to enhance the visibility and identifiability of the MTI Center from a distance.

Planner Steele reflected on the site plan that the MTI Center is situated on the western edge of the main campus, bordered by the university golf course on all sides except the east. The facility is accessible from the end of Thunder Drive and is visible from US Highway 20 (W. Maumee Street). The front facade of the MTI Center is at least 1,400 feet away from non-campus properties and approximately 600 feet from the New Fabiani Hall.

Planner Steele stated that currently, the MTI Center features a single wall sign on the east facade above the main entrance. The proposed signage would comply with the UV district's limit of one sign per side of the building, however, the proposed signage exceeds the maximum allowable square footage of 65 square feet. The north facade is approximately 212 feet wide by 160 feet tall and includes a significant number of faux windows.

Planner Steele provided to the board the Development Standard Variance desired for this project. Section 18.180.050(B)(1); Maximum Sign Area of 65 square feet and that the applicant requests relief to permit a 229-sf wall sign to the north façade.

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Planner Steele showed six images to the board as the targeted locations sit today of the façade where signage will be placed and view looking to the north, along with the current entrance to the facility.

Planner Steele commented on the contextual zoning and land use stating the property is currently zoned UV. The immediate surrounding uses include to the north University property and, C1/C2 commercial properties, and R1 residential, to the South: University property and agricultural land, to the east: University Property , Nature Park, and Traditional residential, and to the west: University property and Lake Residential around Fox Lake.

Planner Steele stated the Angola Comprehensive Plan speaks to several objectives in support of a project like this. Objective 2.4: Continue to support the initiatives of Trine University as a valued and critical community partner.

As of the meeting date, there has been no public input as a result of the legal notices noted Planner Steele.

Planner Steele finished by stating in conclusion the proposed signage expansion at the MTI Center would not deviate significantly from the scale and character of signage permitted on adjacent properties along the main corridor to the north. Moreover, given the strategic location of the MTI Center on the Trine University campus, the proposed signage would serve as a more prominent landmark. This increased visibility would be beneficial in guiding visitors, students, faculty, and the community towards the facility, enhancing its accessibility and overall impact.

Planner Steele asked if there were any questions by board members for staff. Member Moore asked if the sign was to be lit sign. Planner Steele confirmed it was to be a lit sign.

Chairman Moore opened the public hearing. Rod Olson, Trine University, took to the stand thanking the board for their time. Rod Olson noted that the east façade sign faces the inner campus, and the north sign will help visibility from Highway 20. Rod Olson noted it's been an exciting time last spring with a national champion and visitors from the community, reflecting the building would have been easier to find with proper signage.

Member Ralston asked if the sign would be lite 24/7 and how bright it would be. Rod Olson noted it would be similar to the east façade sign and that sign doesn't even light up the parking lot. Rod Olson noted that while the sign is much larger, it is further off the ground.

Director Hicks mentioned that there aren't any residential homes near the project to the north, the light trespass wouldn't interfere with those dwellings, other than being visitable.

Rod Olson mentioned it is basically a lighted outline of the letterings of the facility.

With no comments from the public, Chairman Moore closed the public hearing. Planner Steele presented the Findings of Fact for MIT Center Signage – North Facade, Development Standard Section 18.180.050 Sign Standards; University (B)(1) Wall Sign Maximum Sign Area to permit 229-sf: 2024-BZA-10002.

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1. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community because the intended use of the property remains unchanged, and the building is located .25 miles away from properties that face its facade. The application's sole purpose is to install larger signage, making the building more easily identifiable from a distance.. All members present agreed, none opposed.

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 because the proposed modification does not involve a change in the property's use or function, but rather aims to provide a more identifiable wayfinding sign for students, visitors, and individuals attending events at the MTI Center. Additionally, the wall sign will not flash, blink, or flutter lights with different intensity. All members present agreed, none opposed.

3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property because while smaller signage might suffice for internal campus navigation, the MTI Center, as a facility frequented by a large number of guests, requires more prominent signage for clear identification and guidance. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Ralston made a motion to *approve* Development Standard for MTI Center Signage – North Facade, Development Standard Section 18.180.050(B)(1) to permit Wall Sign Maximum Sign Area to 229-sf. Member Thomas seconded the motion. All members present were in favor, none opposed.**

Planner Steele noted there would be a November BZA meeting and a new 2025 meeting calendar should be presented.

With no other business Chairman Moore adjourned the October 28, 2024 meeting at 5:31 p.m.

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Brant Moore, Chairman Date

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Brett Steele, Secretary Date

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