MINUTES OF THE PUBLIC MEETING
OF THE CITY OF ANGOLA BOARD OF ZONING APPEALS
HELD ON NOVEMBER 25, 2024

The Board of Zoning Appeals held their regularly scheduled meeting on Monday, November 25, 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, Director Retha Hicks, and City Attorney Kim Shoup.

Member Ralston made a motion to approve minutes for the October 28, 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-11001 – Fence and Wall Development Standard Variance

Planner Steele presented the only case as 2024-BZA-11001 seeking development standards variance. The owner is BTOG LLC, Brad Hoffer. The property is located at 1007 S Wayne St with the current zoning of C2: Medium to Large General Commercial District. The applicant requested relief from Section 18.160.180 Fence and Wall Standards for Institutional and Commercial pertaining to height. The hearing date was November 25, 2024, with Legal Notice of the Public Hearing appeared in The Herald Republican on November 15, 2024. Thirty-eight (38) property owners within 300 feet of the project were sent notice on November 14, 2024. The property is not within a floodplain.

Planner Steele mentioned that Angola Chrysler Dodge Jeep Ram car dealership is undergoing an expansion to its existing property by acquiring the adjacent parcel across the street. This expansion will allow for increased car lot sales and the addition of buildings dedicated to automobile repairs and detailing. These uses are permissible under the current zoning regulations.

Planner Steele noted that to accommodate the expansion, the petitioner has recently demolished an older building on the acquired parcel to create additional asphalt parking space. The site is also undergoing improvements to manage stormwater runoff and installation of an oil-water separator to connect to the sanitary sewer system.

In conjunction with these physical improvements, Planner Steele mentioned the petitioner has requested to construct an 8-ft tall fence along the property line. The proposed fence material is powder-coated chain link with a wind screen. While such fences are permitted in side and rear yards in this zoning district, they are typically limited to a maximum height of 6 feet.

Planner Steele then advised the board that the petitioner request relief from Section 18.160.180(C); Fence and Wall Standards – Institutional and Commercial; Fences and walls shall not exceed six feet in height to permit an eight foot tall fence.

Planner Steele advised the petitioner intends to construct an 8-ft tall fence along the northern property line, navigating around neighboring commercial properties and Enterprise Pointe Apartments. An existing 6-foot chain-link fence will be removed to facilitate property cleanup and new fence installation.

The fence will connect to an internal building designated for automobile detailing. Furthermore, the fence will link the main building to the detailing building and serve to conceal existing mechanical equipment situated on the north facade.

Planner Steele stated the petitioner's rationale for the 8-ft height is twofold. To Enhanced Security as a taller fence will provide increased security for the dealership's inventory. Secondly, Screening as the fence will screen mechanical equipment attached to the north facade of the existing building and provide a visual buffer between the commercial property and the nearby Enterprise Pointe Apartments.

Planner Steele showed two images to the board as the targeted locations sit today looking directly east and of the existing fence on the property with vegetation.

Planner Steele commented on the contextual zoning and land use stating the property is currently zoned C2. The immediate surrounding uses include to the north C2 zoned automobile businesses, Enterprise Pointe Apartments, and TR zoning, to the South: C2 zoned automobile businesses, R2 zoning of Timbercreek Subdivision, to the east: R2 residential district of Reddington Heights, and to the west: C2 zoned automobile businesses, Institutional district, and Traditional residential.

Planner Steele stated the Angola Comprehensive Plan speaks to several objectives in support of a project like this. Principle 1: Manage Community Form and Growth Objective *1.5*: Strongly encourage redevelopment of under-utilized, vacant, or abandoned structures and lots, Objective *1.7*: Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped, and lastly Objective *1.14*: Continue redevelopment of existing under-utilized properties on S Wayne Street.

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 that due to the natural terrain of the property, the additional height will enhance screening without negatively impacting the property's visual appeal. The fence will be installed in a permitted location and constructed with approved materials.

Planner Steele asked if there were any questions by board members for staff, there was none.

Chairman Moore opened the public hearing. Brad Hoffer, took to the stand mentioned he is the owner the property. Brad Hoffer noted that he had nothing additional to state from the report.

Chairman Moore asked Brad Hoffer what color the material would be used for screening on the fence. Brad Hoffer mentioned black.

Member Ralston asked if the vegetation would be cleared away from the existing fence. Brad Hoffer noted that it would be cleaned up.

With no further questions from the board to the petitioner, Chairman Moore closed that porition and opened the floor to others wishing to speak to the project.

John Behee, 1004 Springhill Dr, took to the stand. John Behee stated he property is directly east of the dealerships property. John Behee wanted to confirm the property was going to continue to be mowed

and cleaned up. Brad Hoffer confirmed that the property would continue to be mowed as the green space area is not going to be touched. John Behee continued by stated that he was present to cheer on the petitioner as they are existing to see new life brought to the property and it to be maintained as years past that hasn't been the case. John Behee mentioned in the past he has gone to the previous owners, and they would address the issue. John Behee noted that the previous owners had to create a problem before they would solve the problem. John Behee ended by stating he's been a neighbor for 50 years and excited to cheer them on.

With no comments from the public, Chairman Moore closed the public hearing. Planner Steele presented the Findings of Fact for Case 2024-BZA-11001 for Section 18.160.180 (C) Fence Height in Commercial to permit 8-ft.

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 is a permitted use. There are no known safety or public health issues, the additional height in fencing is strictly for security and screening to the apartment complex to the north. 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 additional security of their inventory and screening to adjacent property owners. Additionally, placement and materials are permitted. 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 a 6-ft tall fence, combined with the property's natural terrain, would not adequately screen the property and its activities. All members present agreed, none opposed.

Chairman Moore asked for a motion. **Member Thomas made a motion to *approve* Development Standard for 1007 S Wayne St– Fence Height, Development Standard Section 18.160.180(C) to permit a 8-foot tall fence. Member Ralston seconded the motion. All members present were in favor, none opposed.**

Chairman Moore asked if there were any other topics to discuss. Planner Steele noted that he has provided each board member a 2025 meeting calendar for them to reference.

Planner Steele continued that this meeting would be his last meeting as he is shifting into the engineering department as project coordinator. Planner Steele noted that Retha would be handling the meeting moving forward until a new planner is hired. Director Hicks thanked Planner Steele for his work for the BZA.

Planner Steele advised the board that there is one vacancy on the BZA commission as a member has stepped down today. Director Hicks emphasized that the member wanted to do so formally by being in person but could not and sends his regrets. Director Hicks noted she would be addressed that position.

Planner Steele closed mentioning that as of the start of the meeting, no submittals were received so there wouldn't be a December BZA meeting. A confirmation email will be sent in the coming days.

With no other business Chairman Moore adjourned the November 25, 2024 meeting at 5:16 p.m.

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Brant Moore, Chairman Date

_____ _____

Retha Hicks, Secretary Date