MINUTES OF THE PUBLIC HEARING OF
THE CITY OF ANGOLA BOARD OF ZONING APPEALS
HELD ON MARCH 24, 2025

The Board of Zoning Appeals held their regularly scheduled meeting on Monday, March 24, 2025 at 5:00 p.m., The minutes are recorded and prepared by the Department of Economic Development and Planning staff.

Vice-Chairman Phil Roe called the public meeting to order at 5:00 p.m. in the Angola Council Chambers at City Hall.

The following members were present: Phil Roe, Chris Thomas, Susan Ralston, and David Roe. Absent members were Brant Moore. Also present at the meeting: Planner Grace Essman and Director Retha Hicks. City Attorney Kim Shoup was absent. Quorum was confirmed.

Member Thomas made a motion to approve minutes for the November 25, 2024 meeting. Member Ralston seconded the motion. All members present approved, none opposed.

Vice-Chairman P. Roe reviewed the meeting rules and procedures.

Vice-Chairman P. Roe moved to the next item on the agenda – New Business – 2025-BZA-03001 – Ground Sign Development Standard Variances.

Director Retha Hicks presented case 2025-BZA-03001 – development standards variances. The owner is Pleasant View Church of Christ, Dan Pulver. The property is located at 200 W Fox Lake Rd with the current zoning of IS: Institutional. The applicant requested relief from Section 18.180.010 General Sign Standards; (H) Sign Illumination and Section 18.180.050 Institutional Standards; (B;2) Ground Sign - Height. The Legal Notice of the Public Hearing appeared in The Herald Republican on March 14, 2025. Thirty-one (31) property owners within 300 feet of the project were sent notice on March 13, 2025. The property is not within a floodplain.

Director Hicks mentioned that Pleasant View Church of Christ wishes to update their existing ground sign. Currently, the monument style sign is a manual changeable copy, and internally lit. They are proposing a new electronic message center (EMC) in the same location as the existing sign. Although illumination isn't allowed withing 300 feet of residential, the church will have the ability to automatically schedule and dim the proposed EMC as daylight diminishes, per the illumination sign standards. The auto dimming should help to avoid any invasive light transmission upon the nearby residential units.

Director Hicks then mentioned that the church is also proposing an increase in height. The Institutional District allows for a 6-foot maximum sign height. The existing sign height is legal non-conforming at 8-foot. They are asking, with the new architectural feature, to be just under 10-foot in height. The hope is that this sign will help with advertising the many community events that they host and promote more interest to their church.

Director Hicks then presented the Board with the sign standards:

Sign Illumination: 300 feet from any residential unit
Request: 125 feet to the nearest residential unit

Maximum Height: Allowed: 6-foot maximum height
Request: To increase height to 10-foot, a 4-foot variance

Section 18.180.010 General Sign Standards; (H) Sign Illumination: Any sign that is permitted to be internally or externally illuminated, or a sign which utilizes electronic changeable copy, shall be subject to the light trespass and glare regulations within the lighting standards. Also, when electronic changeable copy is permitted, it shall have a failsafe means to monitor ambient light and automatically dim the electronic message and sign face proportionately as the daylight is lost (e.g., during storms or nightfall) and maintain that dimmed status until daylight returns. The maximum light from electronic changeable copy source during daylight hours in direct sunlight shall be 4,500 nits. The maximum light from electronic changeable copy source during night time hours shall be 500 nits. All lighted signs shall be at least 300 feet from any existing residential dwelling unit.

Section 18.180.050 Institutional Standards; (B;2) Ground Sign – Height above Ground: 6 feet maximum.

Director Hicks presented two images of the existing sign and pointed out that it is not very visible from South Wayne St. Director Hicks also noted that to the North are the new quadplexes that are being built.

Director Hicks commented on the contextual zoning and land use stating the property is currently zoned IS. The immediate surrounding uses include to the North – C2: Angola Chrysler Dodge Jeep Ram and R5 Residential: new quadplexes; East – C2: Commercial Automotive sales/repair and PD: Steuben County EDC, RISE, and Enterprise Pointe Apartments; South – C1 Commercial and R4 Residential; West – Traditional Residential and R5 Residential: Lakeland Apartments.
Director Hicks stated the Angola Comprehensive Plan speaks to several objectives in support of a project like this. Principle 1 – Manage Community Form and Growth: Provide adequate public service, protect property values, and improve quality of life. Principle 2 – Inspire Community Image: Improve community character, promote the city's best assets, and celebrate success.

As of the meeting date, there has been no public input as a result of the legal notices. Director Hicks mentioned that Planner Essman had received a phone call on March 21, 2025 from a neighbor of the church with questions regarding the location of the sign. The neighbor stated that the church had occasionally placed temporary signs promoting events that had caused line of sight issues and was concerned that if the new sign was closer to the road, it too would cause issues. When Planner Essman informed the neighbor that the sign would remain in the existing location, the neighbor stated that they did not have any concerns.
Director Hicks concluded that staff is excited to see Pleasant View Church of Christ update their signage. An electronic message center has many advantages over traditional manual copy and is a convenient way for the church to promote themselves and their events to the community.

Director Hicks recommended the approval of the EMC signage, although did suggest that due to the close proximity of the new residential units, that the sign be scheduled to dim down below the recommended 500 nits or turned off by late evening. Director Hicks pointed out that the quadplexes have many windows facing the sign. There is also a house to the east of the sign, but that is a parsonage owned by the church and is not a concern.

Director Hicks did not have a recommendation on the requested height variance.

Vice-Chairman P. Roe asked if there were any questions by board members for staff, there was none.

Vice-Chairman P. Roe opened the public hearing. Diana Chambers, from Commercial Signs, took to the stand and mentioned that Dan Pulver from the church was also present. Diana Chambers stated that the church is aware of the new quadplexes and are willing to be compliant. She then mentioned that the software in the sign does have the ability to schedule the illumination levels as well as the automatic dimming to comply with the standards. As for the height, Diana Chambers mentioned that the peak on the sign was to accommodate the new, fresh logo of the church.

Vice-Chairman P. Roe asked if there were any questions from the Board to the petitioner. With no further questions, Vice-Chairman P. Roe closed that portion of the hearing and opened the floor to others wishing to speak to the project.

With no comments from the public, Vice-Chairman P. Roe closed the public hearing. Director Hicks presented the **Findings of Fact for Case 2025-BZA-03001 for Section 18.180.010 General Sign Standards; (H) Sign Illumination:**

1. The approval of the variance **will not** be injurious to the public health, safety, morals and general welfare of the community. The proposed electronic message center sign has the ability to dim as required by the illumination standards and can ensure there are no negative effects of light trespass.

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 due to the location of the sign being in a predominately commercially zoned area and the sign will continue to face North/South at the corner of South Wayne St and Fox Lake Rd. With the church not being visible from the main thoroughfare, it must compete with surrounding businesses and signage to be seen by those passing by.

3. The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property as the church is set approximately 380 feet from the main thoroughfare and not visible. The purpose of the proposed sign is to allow more visibility and increase traffic to the church. In addition, they are proposing the upgrade to stay relevant with today's technology.

All members of the Board agreed on the affirmative findings.

Before asking for a motion, Director Hicks reminded the Board that they are able to approve with conditions if they would like to include the conditions that the illumination be turned off or turned down below standards after nightfall. Director Hicks did not have a recommendation on whether or not the Board should include conditions.

Vice-Chairman P. Roe asked for a motion. **Member D. Roe made a motion to *approve without conditions* Development Standard Variance for 200 W Fox Lake Rd – Section 18.180.010 General Sign Standards; (H) Sign Illumination to permit an Electronic Message Center (EMC). Member Thomas seconded the motion. All members present were in favor, none opposed.**

Director Hicks then presented the **Findings of Fact for Case 2025-BZA-03001 for Section 18.180.050 Institutional Standards; (B;2) Ground Sign – Height above Ground**:

1. The approval of the variances **will not** be injurious to the public health, safety, morals and general welfare of the community as the increase in height does not create any line of sight or

other safety issues. The other businesses along this stretch of South Wayne St are zoned C2, allowing ground signs to be 8ft.

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 due to the commercial businesses with signage throughout this corridor.

3. The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property. The church would like to update and redesign their signage to stand out more and be visible to those passing by. They have to compete with the signage surrounding them from local businesses in the area.

All members of the Board agreed on the affirmative findings.

Vice-Chairman P. Roe asked for a motion. **Member Ralston made a motion to *approve* Development Standard Variance for 200 W Fox Lake Rd – 2025-BZA-03001 for Section 18.180.050 Institutional Standards; (B;2) Ground Sign – Height above Ground for a height of approximately 10-ft. Member D. Roe seconded the motion. All members present were in favor, none opposed.**

Director Hicks then asked the Board to review case 2025-BZA-03003 – Development Standard Variance next, as the petitioner for the second case was not in attendance. There were no objections.

Director Hicks presented case 2025-BZA-03003. The owner is K2 Retail Construction & Development, who will be constructing TJ Maxx. The property is located at 207 Lemmen Dr with the current zoning of C2: Medium to Large General Commercial. The applicant requested relief from Section 18.180.070 General Commercial Sign Standards; (B;1) Wall Signs – Maximum Sign Area. The Legal Notice of the Public Hearing appeared in The Herald Republican on March 14, 2025. Nine (9) property owners within 300 feet of the project were sent notice on March 13, 2025. The property is not within a floodplain.

Director Hicks gave a background of the planned development stating that in November 2024, TJ Maxx presented plans to construct a +/- 22,033 square foot retail facility to the Angola Plan Commission. Those plans have been reviewed and approved. Now, the company is applying for their sign permits, excluding the ground sign, that was previously permitted. While the proposed cumulative sign square footage meets development standards outlined in Section 18.180.070, the proposed wall sign on the south façade exceeds the allowed 200 sq ft. The proposed wall signage on the east and west facades has been approved but not permitted. The south façade will be the front of the building and will face the Meijer parking lot. The proposed sign will be approximately 440 ft from North Wayne St. The main objective of TJ Maxx's request is to increase the visibility of their signage from North Wayne St.

Director Hicks then stated that TJ Maxx is to be built on the north edge of the Meijer parking lot (Lemmen Dr), between Meijer Dr and Boyer Way on a ± 1.83 acre lot. The proposed sign will be facing the Meijer parking lot that covers approximately 5 acres. Director Hicks used an aerial image to show the location of the previously permitted ground sign in reference to the building site.

Director Hicks referenced Section 18.180.070 General Commercial Sign Standards; (B;1) Wall Signs: Maximum Sign Area of 200 sq ft on front façade and stated that the applicant is requesting a permit to allow a 246.7 sq ft sign on their south façade, above their main entrance.

Director Hicks used images to show the Board the proposed sign and the South Elevation of the building. Images were also used to show the build site from North Wayne St and from across the Meijer parking lot.

Director Hicks then spoke on the contextual zoning and surrounding land use. The property is zoned C2: Medium to Large General Commercial. Surrounding land uses include: North – C2: Applebee's and 3Rivers Credit Union, and R1: Low Density Single-Family Residential; East – C2: Meijer; South – C2: Meijer, C1: Starbucks, and IS: Graveyard; West – C1: Tobacco Shop, IS: Utilities, and I2: Vestil Manufacturing.

Director Hicks then referenced the City of Angola Comprehensive Plan Update and how it designates this area as General Commercial in the Future Land Use Map. The Comprehensive Plan Principle 1: Manage Community Form and Growth, Objective 1.7 Encourage infill development to direct commercial and residential growth inside the corporate limits when under-utilized sites are redeveloped. Principle 2: Inspire Community Image – Promote the City's Best Assets.

There was not any public input received at the time of the meeting.

Director Hicks concluded that staff agrees with the need for better visibility and feels that the increased size is proportionate to the south building façade. The proposed sign would create better visibility from North Wayne St (a main thoroughfare) and for visitors from across the Meijer parking lot.

Vice-Chairman P. Roe asked if the Board had any questions on the staff report, without any questions, the public portion of the hearing was opened.

Ryan Miller, Jones Sign Company, came to the stand and confirmed that the purpose of their request was to increase visibility of the store frontage due to the lack of frontage on public roadway. Director Hicks informed the Board that there will be additional signage on the East and West facades, however they did not require variances and were not pertinent to the case.

Vice-Chaiman P. Roe asked if the Board had questions for the petitioner. There were no additional questions from the board. There were not any audience members present for comment.

Director Hicks then presented the **Findings of Fact for Case 2025-BZA-03003 - Section 18.180.070 General Commercial Sign Standards: (B;1) Wall Signs – Maximum Sign Area**:

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 surrounded with like-zoned properties. The purpose of the variance is to allow consumers to better identify the business from a distance.

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 variance does not involve a change in the property's use or function. The sign will be internally illuminated and will never flash or flutter. The neighboring properties will not be affected by the variance.

3. The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property due to the lack of frontage on North Wayne St. The main concern of the

applicant is visibility. Not only is the proposed sign to be located 440-ft from North Wayne St, but it will also be facing approximately 5 acres of parking.

All members of the Board agreed on the affirmative findings.

Vice-Chairman P. Roe asked for a motion. **Member Thomas made a motion to *approve* Development Standard Variance for 207 Lemmen Dr – 2025-BZA-03003 for Section 18.180.070 General Commercial Sign Standards: (B;1) Wall Signs – Maximum Sign Area for a wall sign with 246.7-sf. Member D. Roe seconded the motion. All members present were in favor, none opposed.**

Director Hicks then informed the Board that Ken Wilson, JICI Inc, the petitioner for case 2025-BZA-03002 – Development Standard Variance, sent correspondence that he was not able to attend due to a death in the family. Ken Wilson was very apologetic for his absence.

Director Hicks announced that she was going to step out to make a phone call to City Attorney Kim Shoup to confirm that the Board could review the case without the petitioner present. Before excusing herself, Director Hicks formally introduced Planner Grace Essman to the Board, also informing that previous Planner Brett Steele was still with the City of Angola, just in the engineering department as Project Coordinator. Director Hicks then announced Member David Roe and explained that he was taking Former Member Mike Sutter's position on the Board as Mike was unable to continue his position due to personal reasons.

Director Hicks then recommended that the Board continue with Elections for Chairman, Vice-Chairman, and Secretary for 2025 in her brief absence. Director Hicks then announced that Chairman Brant Moore had recently retired from his teaching position and sold his house. With Chairman Moore's life changes, he will be stepping down from his position on the Board and the May 2025 meeting will be his last.

Director Hicks then stepped out of the room placing the call to City Attorney Kim Shoup, and the Board moved forward with Elections.

Member Ralston nominated Vice-Chairman Phil Roe for Chairman, and Member Thomas seconded. All members in attendance were in favor. **Vice-Chairman P. Roe accepted the role of Chairman.**

Chairman P. Roe then nominated Member Susan Ralston for Vice-Chairman, however Member Ralston politely declined due to her current position of Chairman on City of Angola's Plan Commission. Chairman Roe then asked if there were any other nominations for Vice-Chairman. Member Ralston nominated Member Chris Thomas, Chairman P. Roe seconded. All members in attendance were in favor. **Member Chris Thomas accepted the role of Vice-Chairman.**

Vice-Chairman Thomas nominated Director Retha Hicks as Secretary, Member D. Roe seconded. All members in attendance were in favor. Upon her return to the room, **Director Retha Hicks accepted the role of Secretary.**

Director Hicks informed the Board that City Attorney Kim Shoup advised that the case could be heard, but if there were any questions from the Board or from the audience that could not be answered by staff, the case would have to be tabled until the next meeting.

Director Hicks then presented case 2025-BZA-03002 – Development Standard Variance. The owner is Trine University and the applicant is JICI, Ken Wilson. The property is located at 210 University Ave with the current zoning of UV: University. The applicant is requesting relief from Section 18.72.040 Development Standards: (F) Minimum Side Yard Setback. The Legal Notice of the Public Hearing appeared in The Herald Republican on March 14, 2025. Fourteen (14) property owners within 300 feet of the project were sent notice on March 13, 2025. The property is not within a floodplain.

Director Hicks stated that Trine University is requesting a 2-foot relief from the side yard setback for a building addition to Best Hall. They have applied to appear before Plan Commission on April 14th for Development Plan Approval to add a +/- 30,255 sf addition to Best Hall located at 210 University Ave. Work on Best Hall began in 1960. An addition was done in 2016, another one in 2022, and now the proposed addition in 2025. Trine is requesting a side yard setback of 8-ft instead of the standard 10-ft. The side yard that they are requesting is adjacent to the railroad and will encroach into the railroad right of way. They do have a written letter of non-objection from the Indiana Railroad Company.

Director Hicks used the site plan of the addition to show the encroachment into the railroad right of way.

Director Hicks then referenced Section 18.72.040 Development Standards; (F) Minimum Side Yard Setback: Minimum Setback of 10 feet for primary and accessory structures.

Director Hicks then showed images of the proposed building site from several different angles.

Director Hicks informed the board of the contextual zoning and surrounding land use. The property is zoned UV: University. Surrounding land uses include North – UV: Trine University and C1: The Rice Bowl, Marathon, and Best American Car Wash; East – UV: Trine University; South – UV: Trine University and TR: Traditional Residential; West – Railroad and UV: Trine University.

Director Hicks referenced The City of Angola Comprehensive Plan Update and how it designates this area as General Commercial in the Future Land Use Map. Principle 1: Manage Community Form and Growth; objective 1.7: Encourage infill development to direct commercial and residential growth inside the corporate limits. Principal 2: Inspire Community Image; objective 2.4: Continue to support the initiatives of Trine University as a valued and critical community partner.

No public input has been received as of the meeting date.

Director Hicks then concluded that since the railroad has no objection to the encroachment, staff recommends the approval of the requested variance. The expansion of Trine University's Student Design Center is encouraging for the growth of Trine University as a whole. This new addition will aid in Trine's continued effort to attract top talent to the university and make it a leader in the field of design.

Chairman P. Roe asked if there were any questions from the Board, there were none.

Chairman P. Roe opened the public hearing, but no one took to the stand and that portion of the hearing was closed.

Director Hicks advised that the overall plans for this build will appear before the Plan Commission on April 14, 2025 and that this request is solely for the side yard setback variance.

Chairman P. Roe asked again if there were any questions from the Board, but none were asked.

Director Hicks then presented the **Findings of Fact for Case 2025-BZA-03002 – Section 18.72.040 Development Standards; (F) Minimum Side Yard Setback:**

1. The approval of the variances **will not** be injurious to the public health, safety, morals and general welfare of the community as the side yard encroachment only affects the railroad and they have no objection.

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 as the applicant has a letter of non-objection from Indiana Northeastern Railroad Co. and all surrounding property is also owned by Trine University.

3. The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property as the Pellegrino Student Design Center will be constructed to provide the maximum square footage possible. The Design Center will house several new labs for student's use, allowing students adequate space and amenities to further their education.

All members of the Board agreed on the affirmative findings.

Member Ralston asked Director Hicks if the letter from the railroad company had been included in the file. Director Hicks informed Member Ralston that the letter was uploaded into the public file. Director Hicks advised that the letter will be attached to the meeting minutes, as well.

Chairman P. Roe asked if there were any additional questions, but there were no further questions.

Chairman P. Roe then asked for a motion. **Vice-Chairman Thomas made a motion to *approve* Development Standard Variance for 210 University Ave – 2025-BZA-03002 – Section 18.72.040 Development Standards; (F) Minimum Side Yard Setback for a side yard setback of 8ft from the railroad right of way. Member D. Roe seconded the motion. All members present were in favor, none opposed.**

Chairman P. Roe asked if there was any additional new business. Director Hicks recapped that introductions were made for Planner Essman and new Member D. Roe and that elections had been held. Director Hicks then noted that there was not anything additional to discuss.

Chairman P. Roe asked for a motion to adjourn the meeting. **Member Ralston moved to adjourn the meeting. Member D. Roe seconded.**

Chairman Roe adjourned the March 24, 2025 meeting at 5:43 p.m.

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Phil Roe, Chairman Date

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Retha Hicks, Secretary Date