MINUTES OF THE PUBLIC HEARING OF
THE CITY OF ANGOLA BOARD OF ZONING APPEALS
HELD ON JULY 28, 2025

The Board of Zoning Appeals held their regularly scheduled meeting on Monday, July 28, 2025 at 5:00 p.m., The minutes are recorded and prepared by the Department of Economic Development and Planning staff.

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. Member Martin was absent. Also present at the meeting: Director Retha Hicks and City Attorney Kim Shoup. Quorum was confirmed.

Chairman P. Roe asked for a motion to approve minutes for the April 28, 2025 meeting. Member D. Roe made the motion and Vice-Chairman Thomas seconded. All members present approved, none opposed.

Without old business, Chairman P. Roe moved to the first new case on the agenda: **2025-BZA-07001 - The Vine Fence.**

Application Type:	Development Standard Variance
Owner:	Angola United Methodist Church
Applicant:	Jay Stevens, Angola United Methodist Church
Location:	220 W Maumee St
Request:	Section 18.160.180 Fence Standards; (B) Location
Current Zoning and Overlay Districts:	DC: Downtown Commercial
Applicable Code Provisions:	Title 18: Unified Development Ordinance Indiana Code: Board of Zoning Appeals 36-7-4 Series
Hearing Date:	July 28, 2025
Required Notice:	Legal Notice of the Public Hearing appeared in The Herald Republican on July 18, 2025. Thirty-six (36) property owners within 300-feet of the project were sent notice on July 17, 2025.
Floodplain Status:	Not within a floodplain

Director Hicks summarized the case: Angola United Methodist Church is soon to become the host home of The Vine Early Learning. They are requesting a Development Standards Variance for their proposed fence location. To maintain state licensing, and for the safety of the children, the childcare center must have a fenced in play area.

Director Hicks used images to show the green space that the church is requesting to fence in. She made note that with the green space being on a corner lot, it is all considered front yard, and development standards prohibit fences in front yards.

Director Hicks referenced Section 18.160.180 Fence Standards; (B) Location. (1) Front Yards. Fences and walls shall not be permitted in front yards. The applicant is requesting a 5-foot chain link fence in front yard.

Director Hicks then showed images of the site from the street level.
Director Hicks spoke on the contextual zoning and land use. The property is zoned DC: Downtown Commercial and surrounding land uses include:

- North – IS: Institutional – Angola Public Safety Building
- East – DC: Downtown Commercial
- South – DC: Downtown Commercial
- West – NC: Neighborhood Commercial

No public input has been received.

Director Hicks concluded: Staff recommends approval for the requested variance. The children do need a safe environment to be outside and the proposed areas for fencing are the only green space areas on the property.

Director Hicks explained that The Vine childcare is relocating to the church. She also explained that the proposed fence has been moved since the original application at the request of Staff. Moving the fence further back from the road will help prevent any line-of-sight issues for motorists.

Without questions from the Board, Chairman P. Roe invited Jay Stevens, the petitioner, to speak on behalf of the project. Mr. Stevens explained that the fence will be 6ft from the sidewalk along West St and 4ft from the sidewalk along Gilmore, allowing adequate distance from the utility easements. Mr. Stevens went on to explain that the State of Indiana requires 50sqft of outside space per child. They have split the fence into three sections due to the State requirement that each class is to have its own outside space, they cannot mix classes during recess time. The Vine will utilize eight rooms in the church as classrooms.

Mr. Stevens gave some background information about The Vine. They accept children of ages six months to six years. They are currently located in Sonlight Church, but the church needs the rooms for other purposes, and they have asked them to relocate. Mr. Stevens explained that the United Methodist saw this as a great opportunity to serve the community. The church has an educational wing that was built many years ago and has been vacant for some time. The educational wing is a perfect fit for The Vine.

Member Ralston commented that daycares are a necessity in our community and is glad to hear that The Vine will be able to continue operations. Mr. Stevens explained that The Vine had been looking for a new home since Fall of 2024, and at one point, due to exhausted efforts, had made a vote and decided to close the childcare center. That is when the United Methodist church heard about it and offered their building.

Chairman P. Roe asked what material the fence would be made of. Mr. Stevens showed the Board a quote and example image they have received of a vinyl coated chain link fence. He explained that originally, they thought a privacy fence would be best, but after more discussion, they determined chain link would allow for a more pleasant environment for the children, as well as being less intrusive for the neighborhood.

Director Hicks asked if the fence was still to be 5ft in height and Mr. Stevens confirmed.

Member Ralston made the comment that the fence was also a necessity as the green space is directly across from the City Public Safety building. Mr. Stevens reiterated that the State has strict licensing standards for childcare centers. He also mentioned that the State provides a grant and voucher program for families that may not be able to afford childcare otherwise.

Mr. Stevens explained that he has spent the last three months immersing himself in State Code. As an Engineer of 40 years, he has not had any experience with building a childcare facility. As a precaution, he hired an outside consultant to ensure that he was not missing anything. Mr. Stevens also explained that the State will have to permit the remodel of the church, as well as having the State fire marshal inspect and deem the space suitable. In preparation, the church has had representatives from the State licensing walk through the space and make suggestions. Mr. Stevens concluded that they have done their due diligence in making this project happen.

Without further questions from the Board, Chairman P. Roe opened the floor to the public. Without any public input, Chairman P. Roe asked Director Hicks to present the **Findings of Fact for 2025-BZA-07001**:

1. The approval of the variance WILL/WILL NOT be injurious to the public health, safety, morals and general welfare of the community.
(APPROVAL/WILL NOT) The approval of the variance **will not** be injurious to the public health, safety, morals and general welfare of the community as the fence location allows plenty of space for line-of-sight at the intersection.

2. The use and value of the area adjacent to the property included in the variance WILL/WILL NOT be affected in a substantially adverse manner.
(APPROVAL/WILL NOT) 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 approval does not change the use of the property.

3. The strict application of the terms of the ordinance WILL/WILL NOT result in practical difficulties in the use of the property.
(APPROVAL/WILL) The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property as state licensing requires a fenced-in play area for all childcare facilities.

All present members agreed on the affirmative findings.

Chairman P. Roe asked for a motion to approve the Development Standard Variance request in 2025-BZA-07001. Vice-Chairman Thomas made the motion, and Member D. Roe seconded. All present members were in favor, none opposed.

Case 2025-BZA-07002 was removed from the agenda per the petitioner.

Chairman P. Roe then moved on to the next case: **2025-BZA-07003 – Groves Driveway**. Director Hicks presented:

Application Type:	Development Standard Variance
Owner:	Pigeon Lake Holdings LLC, Shane and Beth Groves
Applicant:	Pigeon Lake Holdings LLC, Shane and Beth Groves
Location:	520 S 100 E (ETJ)
Request:	Section 18.160.120 Driveway Standards; (C) Materials
Current Zoning and Overlay Districts:	C1: Small to Medium General Commercial District (pending rezone)
Applicable Code Provisions:	Title 18: Unified Development Ordinance Indiana Code: Board of Zoning Appeals 36-7-4 Series

Hearing Date:	July 28, 2025
Required Notice:	Legal Notice of the Public Hearing appeared in The Herald Republican on July 18, 2025. Six (6) property owners within 300-feet of the project were sent notice on July 17, 2025.
Floodplain Status:	Not within a floodplain

Director Hicks summarized the project: Shane and Beth Groves, Pigeon Lake Holdings LLC, are the owners of 101 Lakes Liquidations. They are looking to expand their store and add essential warehouse space. Part of their expansion plan includes a receiving dock, requiring a large driveway and turnaround space to allow for semis to safely maneuver. The applicant is requesting a development standard variance to allow porous (gravel) material. They are concerned that adding more hard surface will increase the existing drainage issues to the surrounding properties.

Director Hicks referenced Section 18.160.120 Driveway Standards; (C) Materials. Driveways shall consist of asphalt, concrete, or other non-porous material approved by the Zoning Administrator. The applicant is requesting to install a driveway composed of gravel material.

Director Hicks used an aerial image of the project site and the site plan to explain the request to the Board. She then shared images from the street view.

Director Hicks then spoke on the contextual zoning and land use. The property is currently pending a rezone. The third and final reading will be on Monday, August 18, 2025, at the Common Council meeting. Upon approval, the property will be zoned C1: Small to Medium General Commercial District to match the front lot already zoned C1. Surrounding land uses include:

- North – AG: Agricultural
- East – R1: Residential
- South – C1: 101 Lakes Liquidation
- West – R1: Residential

No public input has been received.

Director Hicks concluded that we are excited about the growth of 101 Lakes Liquidation. The staff is in favor of the requested variance for the use of gravel as a driveway material. This property is within the extra-territorial jurisdiction and the surrounding properties have historically had drainage issues. We believe the allowance of a gravel driveway will help reduce the potential for a negative impact. Steuben County Highway Dept. will need to approve the proposed driveway approach width.

Chairman P. Roe asked the Board if there were any questions. Without any questions, Chairman P. Roe invited Beth Groves, the petitioner, to speak on behalf of the project. She reiterated that the surrounding crop fields tend to hold water in certain areas, and they are concerned that by adding hard surface, the drainage issues would be increased. The plan is to use crushed asphalt which is the same material as the front parking lot. That material gives the appearance of asphalt, but remains porous for drainage purposes.

Director Hicks asked if the surveyor and architect had spoken to Steuben County Highway about the drive approach yet. At the time of the meeting, they have not yet.

Director Hicks then used the Steuben County GIS system to show the property. Director Hicks asked Mrs. Groves to explain the changes that have been made to the plans since the staff report was written. Mrs. Groves explained that there will no longer be a loading dock. They only anticipate about two deliveries per week. There will not be a lot of traffic on the proposed drive. They have also shortened the turnaround space by about 20ft. She then gave the Board an updated site plan.

Director Hicks mentioned to the Board that several years ago the drainage issue in that area had been a large topic of discussion. This is why the Staff is recommending approval of the porous material.

Without further questions for the petitioner, Chairman P. Roe opened the public portion of the hearing. Brad Hickman, a nearby property owner, told the Board that he came to better understand the project and the traffic impact. He was concerned about how the semi-trucks would affect the traffic, specifically the school traffic. Director Hicks asked Mrs. Groves to share the updated site plan with Mr. Hickman. Mrs. Groves explained that they currently receive semi-truck deliveries, but without the appropriate driveway for them, they park on the side of 100 E to unload. By installing the proposed driveway, the impact on traffic will be lessened.

Mr. Hickman asked if there were measures in place to keep the gravel out of the road. Mrs. Groves explained that there will be a grassy area between the turnaround and the road. Mrs. Groves reiterated that this driveway will be for semi-trucks only, and there will not be any customer parking. Mr. Hickman mentioned that his concern with gravel would be if someone had to hit their brakes to avoid an accident, any gravel on the road could cause the vehicle to slide and inhibit their ability to stop.

Director Hicks asked Mr. Hickman to explain what his biggest concern was whether it was the semi-truck traffic or increased customer traffic. Mr. Hickman explained that it was the overall project. He is glad to hear about business expansion in the area. By trade, he is a process engineer, and he looks at flow to ensure that things are not constrained or cause negative impact. He spoke about how bad traffic gets at that intersection during the school year and the numerous accidents that he has witnessed. Mr. Hickman said that he believes the project will not cause any issues and that they are taking the traffic concerns into account with the design.

Director Hicks asked Mrs. Groves if it was possible to schedule their deliveries for times that would not interfere with the school traffic. Mrs. Groves stated that they only accept deliveries between 10am and 2pm. Occasionally, they may be later than 2pm as delivery schedules cannot have an exact timeframe on them.

Mr. Hickman then commented on the drainage in the surrounding area. He stated that it is a very low water table, so he agrees that the porous material will be best, and he appreciates the Groves' being proactive. Director Hicks commented that typically the City does not allow gravel driveways, however, with the project being in the Extra-territorial Jurisdiction (ETJ), and without storm drains in the area, Staff thought that it made sense for this project to move forward with the variance request.

Mr. Hickman then asked if the City had a plan for what they wanted that area to be in the future, if the property was ever to be sold, whether it was to remain commercial or be turned into something else. He mentioned that he believes there is room for a lot of growth on the Eastern side of town. Director Hicks explained that at this time, the City does not have any plans to annex further on the East side of City limits. She stated that the City loves growth, but that there is not any strategic plan in that area at the time.

Without further questions, Chairman P. Roe closed the public portion of the meeting and asked Director Hicks to present the **Findings of Fact for 2025-BZA-07003:**

1. The approval of the variance WILL/WILL NOT be injurious to the public health, safety, morals and general welfare of the community.
(APPROVAL/WILL NOT) The approval of the variance **will not** be injurious to the public health, safety, morals and general welfare of the community as the property is inside the extra territorial jurisdiction.

2. The use and value of the area adjacent to the property included in the variance WILL/WILL NOT be affected in a substantially adverse manner.
(APPROVAL/WILL NOT) 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 gravel material will allow for better storm water drainage.

3. The strict application of the terms of the ordinance WILL/WILL NOT result in practical difficulties in the use of the property.
(APPROVAL/WILL) The strict application of the terms of the ordinance **will** result in practical difficulties in the use of the property as the added impervious area required by our standards could have a negative effect in storm water drainage.

All present members agreed with the affirmative findings.

Chairman P. Roe asked for a motion to approve the Development Standard Variance request in 2025-BZA-07003. Member Ralston made the motion, Vice-Chairman Thomas seconded. All present members were in favor, none opposed.

Without further business, Chairman P. Roe asked for a motion to adjourn the meeting. **Member D. Roe moved to adjourn the meeting. Member Ralston seconded.**

Chairman Roe adjourned the July 28, 2025 meeting at 5:36 p.m.

_____ _____
Phil Roe, Chairman Date

_____ _____
Retha Hicks, Secretary Date