



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

January 17, 2024 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, January 17, 2024 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Ron Henricks, Shelle Wheeler, Allen Slight, Mac Petty, and Joyce Burnette. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; Kent Minnette, City Attorney of Taylor, Minnette, Schneider & Clutter; and Kathryn Fisher, Executive Assistant, Planning & Building Services.

Joyce Burnette called the meeting to order at 7:00 p.m. and the roll was called.

At this time Ms. Burnette called for the election of officers. Allen Slight moved to retain Joyce Burnette as President, Ron Henricks as Vice President, and Shelle Wheeler as Secretary. Ron Henricks seconded. Motion passed 5-0.

Meeting minutes from December 20, 2023 were presented for consideration. Allen Slight moved to approve the minutes as presented. Shelle Wheeler seconded. Motion passed 5-0.

With no items of old business, the Board moved forward with new business. Planning Director Megan Huckstep requested that the Board continue petition DSV 0131, submitted by Ben Hur LLC / AP Development LLC for a parking variance, to the February 21, 2024 meeting due to additional information being obtained after the staff report had been completed. Mac Petty moved to continue petition DSV 0131. Allen Slight seconded. Motion passed 5-0.

403 W Main Street Charles Conley Stamper DSV 0130

Ms. Huckstep reviewed the staff report presented to the Board concerning petition DSV 0130 submitted by Charles Conley Stamper who was requesting a development standard variance from the lot and yard requirements of the City Zoning Ordinance for a carport to be placed on an existing concrete slab with a 20 foot setback from Wilhoit Street in an R-1, residential zoning district located at 403 W Main Street. The findings of fact are as follows:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

2. *The need for the variance was not self-created.*

The need for the variance would not be considered self-created. The existing garage was removed due to deterioration. The property and the concrete driveway exist. The Petitioner wants to utilize the existing driveway while making improvements to the property. The Petitioner has also pointed out and it has been seen during by staff during



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

a drive-by inspection that there are other accessory structures in the same area that do not meet existing setbacks.

3. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

The use and value of the area should not be affected in a substantially adverse manner due to the front yard setback variance. The side and rear setback will be met which adjoin other residential neighbors.

4. *The strict application of the terms of this Chapter will result in practical difficulties in the use of the property.*

The strict application of the terms of this chapter will not prohibit development at this site, but will make it more difficult to develop in the manner that the petitioner has proposed.

Ms. Huckstep reported based upon the findings of fact, Staff would recommend approval of the development standard variance.

Mr. Stamper was present, but did not have any additional comments. There were no members of the public present for comment. Mac Petty moved to approve petition DSV 0130 as presented. Shelle Wheeler seconded. Motion passed 5-0.

807 Curtis Street Audrey George UV 0089

At this time Shelle Wheeler recused herself due to a potential conflict of interest and left the room. Ms. Huckstep reviewed the staff report presented to the Board concerning petition UV 0089 submitted by Audrey George who was requesting a use variance from the schedule of uses of the City Zoning Ordinance to operate a dog grooming business in an R-1, residential zoning district located at 807 Curtis Street. The findings of fact are as follows:

1. *Whether the approval will not be injurious to the public health, safety, morals, and general welfare of the community?*

The approval of this variance will not be injurious to the public health, safety, morals, or general welfare of the community.

2. *Whether the use and value of the area adjacent to the property included in the use variance will not be affected in a substantially adverse manner?*

The use and value of the area adjacent to the property included could be affected in a substantially adverse manner; however the accessory structure is existing and a business operated at the location for many years. Even though a business has not operated for the past 14 years' staff does not believe traffic would be any more than a residential property might have and it does not appear someone would know there was a grooming business operating from the exterior of the residential property unless there were an extreme amount of barking dogs and traffic.



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

3. *Whether the need for the use variance arises from some condition peculiar to the property involved?*

The need for the use variance does not arise from a condition peculiar to the property. The property is zoned R-1, residential. The Petitioner can continue to use their property as their residence. The accessory structure was existing on site from a previous business when they purchased the property. The Petitioner worked outside of the home, but would like to pursue her own business venture from her personal property.

4. *Whether the need for the variance was not self-created?*

The need for a use variance could be considered self-created. The Petitioner desires to operate the pet grooming business from their residential property. The accessory structure/office building was already existing on-site from a previous business. The Petitioner has worked outside of the home but desires to have her own business and utilize the property and space she has on her own property while also serving a need for the community.

5. *Whether the strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought?*

Staff does not believe that the strict application of the terms of the zoning ordinance would constitute an unnecessary hardship if applied to the property. The property can still be used as a single family residential dwelling; however the Petitioner would have an accessory structure on the property that may be hard to use for anything other than storage space without a variance from the Board.

6. *Whether the approval does not interfere substantially with the Comprehensive Plan?*

This area is identified as Residential Neighborhood on the Future Land Use Map in the Comprehensive Plan. This area includes a variety of residential building types with the intent to attract a younger workforce into the City. These areas have short or minimal setbacks, sidewalks, and garages or parking behind the rear of the residence or at the rear of the lot. Community facilities, religious institutions and educational facilities are permitted uses within this area, however screening against adjacent residential land uses to minimize potential land use conflicts should be strongly considered to strengthen the neighborhoods sense of character. There is a partial privacy fence existing around the east side and back of the property.

Ms. Huckstep reported based on the findings of fact Staff would recommend denial of the use variance. However, should the Board be inclined to approve the use variance, Staff would recommend the following conditions:



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

1. All grooming services are conducted solely within the accessory structure;
2. There is no outside storage;
3. Hours of operation are limited to 8:00 a.m. to 5:30 p.m.;
4. Any signage meets the Signage Standards and Regulations of the City Zoning Ordinance for a home occupation, which only allows one, two (2) square foot sign, or the Petitioner must obtain a variance from the Board for a sign;
5. Any new business must obtain a special exception or use variance from the Board.

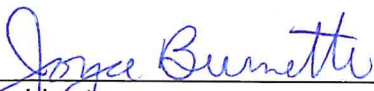
Audrey George came forward representing the petition. Ms. George stated there would only be a small sign located near the entrance of the building. She stated all business would be conducted indoors. Ms. George reiterated that the existing building could not be used as a garage in its current state, due to the layout of other existing structures on the property. She stated there would be no exterior storage and minimal deliveries. Ms. George reported that she would likely groom no more than 4 to 5 dogs in a given day. She clarified there would be no boarding on site. Ms. George noted that she is a certified groomer who attended grooming school.

There were no members of the public present for comment.

Allen Slight moved to approve the use variance with the recommended conditions. Ron Henricks seconded. Motion passed 4-0.

With no further business, it was noted that the next regularly scheduled meeting would be held February 21, 2024. The meeting adjourned at 7:25 p.m.

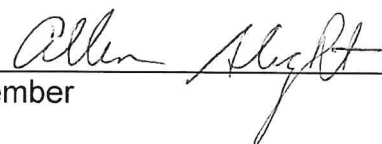
Minutes Approved: _____



President



Member



Member



Board of Zoning Appeals
City of Crawfordsville, Indiana

City Building
300 E. Pike Street, 2nd Floor
Crawfordsville, IN 47933

Shirley Wheeler

Member

Mac Petty

Member