



Board of Zoning Appeals City of Crawfordsville, Indiana

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

May 15, 2024 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, May 15, 2024 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Ron Henricks, Mac Petty, and Joyce Burnette. Members Shelle Wheeler and Allen Slight were not present. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; Kent Minnette, City Attorney of Taylor, Minnette, Schneider & Clutter; and Katie Fisher, Executive Assistant, Planning & Building Services.

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

Meeting minutes from April 17, 2024 were presented for consideration. Mac Petty moved to approve the minutes as presented. Ron Henricks seconded. Motion passed 3-0.

503 E College St – Mad Hunter Properties – SE 0064

There were no items of old business. Under items of new business, Planning Director, Megan Huckstep reviewed the staff report presented to the Board concerning petition SE 0064 submitted by Mad Hunter Properties who was requesting a special exception from the schedule of uses of the City Zoning Ordinance to allow a multi-family dwelling in an R-2, residential zoning district at 503 E College Street. The findings of fact are as follows:

- 1. *The special exception is listed as such in the Official Schedule of Uses.***
Yes, a multi-family dwelling is listed as a special exception in an R-2, residential zoning district.
- 2. *The special exception will not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.***
This special exception should not be dangerous, injurious, or noxious to other properties. The structure is already being used as a triplex; however an additional unit will be added inside what is currently an attached garage. The additional living space could potentially eliminate any storage space or parking space that was being used inside the garage.
- 3. *If the special exception is for a manufacturing or industrial/processing facility, the petition will comply with all of the performance standards of Section 153.023 of this Ordinance.***
This special exception is not for a manufacturing or industrial/processing facility.
- 4. *The special exception will be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.***



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Since plans were not submitted it is unclear whether the remodel changes will be sited, oriented and landscaped to produce a harmonious relationship with the neighborhood.

5. *The special exception will produce a total visual impression and environment which is consistent with the environment of the neighborhood.*

Again, plans were not submitted with the petition application, but a residential dwelling or multi-family dwelling should produce a total visual impression, which is consistent with the surrounding neighborhood.

6. *The special exception will organize vehicular access and parking to minimize traffic congestion in the neighborhood.*

A site plan was noted provided. The petitioner will need to identify 2 parking spaces per unit or 8 total off street parking spaces or obtain a parking variance from the Board.

7. *The special exception will comply with all the requirements of Section 153.030 of the Zoning Ordinance.*

N/A. This special exception is for a multi-family residential dwelling not a home occupation.

8. *The special exception will preserve the purpose of the Zoning Ordinance.*

The Comprehensive Plan identifies this area as a Residential Neighborhood. Residential neighborhoods should possess a variety of residential building types in order to create a healthy housing stock that meets a variety of price ranges for prospective homeowners and provides family housing units for renters. It does indicate that multi-family residential units should be well screened from adjacent land uses to minimize potential land use conflicts.

Ms. Huckstep stated based on the findings of fact, Staff would recommend denial or tabling of the special exception. However, if the Board is inclined to approve the special exception, Staff recommends the following conditions:

1. The unit must be a minimum of 500 square feet;
2. Any construction must meet all state and local building and fire codes;
3. There must be a minimum of 8 off-street parking spaces identified on the property.

Aaron Wall came forward representing the petition. He stated the dwelling would be approximately 700 square feet. Mr. Wall distributed a drawing of proposed parking spaces. He clarified that the space is currently an attached garage used for storage.

With no members of the public present for comment, Ron Henricks moved to approve the special exception the Staff's recommended conditions. Mac Petty seconded. Motion passed 3-0.

207 Woodlawn PI – Mark Slovacek – DSV 0134 & DSV 0135



Board of Zoning Appeals City of Crawfordsville, Indiana

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

Ms. Huckstep reviewed the staff report presented to the Board concerning petitions DSV 0134 and DSV 0135 submitted by Mark Slovacek who was requesting a development standard variance from the lot and yard requirements of the City Zoning Ordinance to allow a single-family residential dwelling to be constructed on a 6,600 square foot parcel, as well as a development standard variance from the floor area requirements of the City Zoning Ordinance to construct a 704 square foot single-family residential dwelling in an R-2, residential zoning district at 207 Woodlawn Place. The findings of fact are as follows:

DSV 0134 – Variance from the minimum lot size

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

No, 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 could be self-created. The property is currently one large lot and the owner/Petitioner wishes to split the lot to create two lots. The new lot will meet the minimum lot width according to the proposal but will not meet the minimum lot square footage. It appears that this was once platted as two lots, known as lots 2 & 3 Busenbarks Heirs Addition but they were combined in 2018 to make one lot. Had the lots not been combined it would already have been a subdivided and approved lot, so it would have been considered legal, non-conforming.

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 adjacent to the property should not be affected in a substantially adverse manner. The lot was previously created but combined and the adjacent properties have similar lot sizes.

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

It would be difficult to create two lots that met the current lot and yard requirements. It appears that both properties would meet the minimum lot width, but would not meet the minimum square footage requirement. The property could be continued to be used as it currently is as a single-family residential structure, however the Petitioner and owner desire to add a second single-family dwelling on a single parcel of land.

DSV 0135 – Variance the minimum floor area for a single-family dwelling

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



Board of Zoning Appeals City of Crawfordsville, Indiana

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

No, 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 could be considered self-created. The Petitioner desires to construct a one bedroom, single-family dwelling with 704 square feet of livable space or a total of 1,088 square feet if you include the attached garage. The required minimum floor area or occupied space for a residential structure is 950 square feet, except for one and two bedroom apartments it is 500 square feet per unit. The Petitioner desires to construct a small, one-bedroom home with an attached garage, while still meeting the minimum setback requirements.

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 adjacent to the property should not be affected in a substantially adverse manner by approving the variance. The approval would be for a single-family stick built residential structure. The total square footage of the livable or occupied space including the garage would be 1,088. If constructed correctly to meet building codes, this space could always be converted to livable space in the future if warranted.

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

No. The property is zoned R-2, residential and could be used for a single-family residence. As proposed the site plan allows for off street parking and the structure is able to meet the setbacks. Should the minimum floor area of livable or occupied space need to be met, it could require additional variances for setbacks.

Ms. Huckstep stated based on the findings of fact, Staff recommends approval of the development standard variance for the lot size. However, Staff would recommend denial of the variance from the minimum floor area for a single-family dwelling. However, if the Board is inclined to consider approval, Staff would recommend the following conditions:

1. The structure meet current residential building codes;
2. The address be clearly visible on the front of the home from Woodlawn Place;
3. There be an access door facing Woodlawn Place.

Mr. Slovacek came forward. He stated he could accommodate the conditions. With no members of the public present for comment, Mac Petty moved to approve the development standard variance from the lot and yard requirements. Ron Henricks seconded. Motion passed 3-0. Ron Henricks moved to approve the development standard variance from the floor area requirements with Staff's recommended conditions. Mac Petty seconded. Motion passed 3-0.



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
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Crawfordsville, IN 47933

709 Prospect St – Jeff Williams – SE 0065

Ms. Huckstep reviewed the staff report presented to the Board concerning petition SE 0065 submitted by Jeff Williams who was requesting a special exception from the schedule of uses of the City Zoning Ordinance to operate a lawn care business as a home occupation in an R-1, residential zoning district at 709 Prospect Street. The findings of fact are as follows:

- 1. The special exception is listed as such in the Official Schedule of Uses.**
Yes, a home occupation is listed as a special exception in an R-1, residential zoning district.
- 2. The special exception will not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.**
This special exception could be dangerous, injurious, or noxious to other properties. The home occupation will be conducted in the residential structure in addition to two additional storage buildings that will be added to the property. While no environmental issues are anticipated, fertilizer and herbicide chemicals will be stored on-site.
- 3. If the special exception is for a manufacturing or industrial/processing facility, the petition will comply with all of the performance standards of Section 153.023 of this Ordinance.**
This special exception is not for a manufacturing or industrial/processing facility.
- 4. The special exception will be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.**
Yes, the home occupation will take place wholly within the personal residence and two storage buildings that will be added to the site. The storage buildings could be used for personal storage if not for a business in the future. The site is already fenced.
- 5. The special exception will produce a total visual impression and environment which is consistent with the environment of the neighborhood.**
Two storage buildings are intended to be added to the property for the business operations; however these could be used for personal storage use if the business was not operating. No more than a 2 sq. ft. sign will be permitted on the property, unless the Board considers and allows for a larger sign.
- 6. The special exception will organize vehicular access and parking to minimize traffic congestion in the neighborhood.**
Off-street parking is shown on the presented site plan for the Petitioner, who would be the only employee. There should be no additional traffic since all business operations would be done off-site.
- 7. The special exception will comply with all the requirements of Section 153.030 of the Zoning Ordinance.**



Board of Zoning Appeals City of Crawfordsville, Indiana

City Building
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Yes, this special exception will comply with the Home Occupation requirements of Section 153.030. There will be only one employee, the owner/petitioner. The operations of the business will be conducted off site, but there will be an office in the home and storage inside two accessory structures outside of the residence. These structures could also be used as personal storage. They will need to comply with the zoning ordinance or seek additional variances. Signage was identified on the site plan and are presented as being larger than the allowable two square feet sign for a home occupation according to the ordinance; therefore the Board will need to consider this as part of the petition request.

8. *The special exception will preserve the purpose of the Zoning Ordinance.*

The Comprehensive Plan identifies this area as a Residential Neighborhood. While the special exception would only be good for the current petitioner and business use, it could be seen as not preserving the character of the neighborhood and the future land use map.

Ms. Huckstep explained based on the findings of fact, Staff would recommend denial of the special exception. However, if the Board is inclined to approve the special exception, Staff recommends the following conditions:

1. Not outside storage;
2. All vehicles are parked off-street;
3. The storage buildings meet all local and state building and fire codes;
4. The sign abide by the allowable 2 square feet for a home occupation according to the current zoning ordinance or a large size the Board feels is sufficient.

Jeff Williams came forward. Mr. Williams stated this would be a startup, with the hope of growing larger and moving his business outside of City limits. He explained that he would install a small concrete pad with a metal container bolted to it and surrounded by a sand barrier for safe storage.

Jennifer Lowe, 803 Prospect Street, came forward to speak in opposition of the petition. Ms. Lowe's concerns included parking concerns on the narrow roadway, storage of hazardous materials in a residential neighborhood with children, outdoor storage, and diminished property value.

Mr. Williams stated he would be implementing off-street parking on his property. He reported that he is licensed by the State, follows Federal guidelines, and has 25 years of experience.

Following discussion amongst the Board, Mac Petty moved to approve the special exception with Staff's recommended conditions. Ron Henricks seconded. Motion passed 3-0.



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With no further business, it was noted that the next regularly scheduled meeting would be held June 18, 2024. The meeting adjourned at 8:00 p.m.

Minutes Approved: _____

Josie Burnette

President

Ron Johnson

Member

Allen Shiff

Member

Shelle Wheeler

Member

Mac Petty

Member