



Board of Zoning Appeals City of Crawfordsville, Indiana

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

August 21, 2024 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, August 21, 2024 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Ron Henricks, Allen Slight, Shelle Wheeler, Mac Petty, and Joyce Burnette. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; Tyler Nichols, 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 July 17 2024 were presented for consideration. Mac Petty moved to approve the minutes as presented. Ron Henricks seconded. Motion passed 5-0.

410 Wallace Avenue – Jesse Melvin – AAR 0005

There were no items of old business. Under items of new business, City Attorney, Tyler Nichols, reviewed the procedures for an administrative appeal under section 153.121 of the City Zoning Ordinance for AAR 0005 submitted by Jesse Melvin who was requesting an administrative appeal ruling concerning a home occupation in an R-2, residential zoning district at 410 Wallace Avenue.

The Petitioner, Jesse Melvin, came forward to present his case. He stated he considered the wood carvings that he does at 410 Wallace Avenue to be a hobby, which members of the public request and he then exchanges the carvings for donations. Mr. Melvin stated that he also does charity carvings as memorials. He stated he puts the money he receives toward his family. Mr. Melvin stated 950 people have signed a petition in support of him. He reported that he was unaware he was disturbing the peace in the surrounding neighborhood. Mr. Melvin listed several options to make the process of creating carvings quieter, including using electric chainsaws and moving indoors. He reported that he was asked to do live carvings at the 4-H Fair, where he sold his carvings for revenue.

Megan Huckstep, Director of Planning & Building Services represented Staff in response to the Petitioner's case. She reported that Staff had received numerous complaints from neighbors in regards to the activity at 410 Wallace Avenue. Ms. Huckstep stated that Staff initially believed it to be a hobby, but upon investigation learned that the activity was occurring daily, there were materials being stored outside continuously, and Staff was made aware of social media posts listing items for sale. She reported at that time Staff issued a letter notifying the Petitioner that he could come to the Board for a special exception to continue the business at his home, cease operation, or seek an administrative appeal. Ms. Huckstep reported speaking with the Petitioner and discussing his options in detail. She reported that the Petitioner explained to her much of what he expressed today and upon discussing his options he chose to appeal. Ms. Huckstep stated that she informed the Petitioner, should the administrative ruling be upheld he



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would then need to come to the Board for the special exception if he wished to continue operating at the location.

Ann Stanley, 415 E Jefferson Street, came forward in opposition of the petition. She reported the noise and the business operation had increased over time and were a disturbance to the peace of the neighborhood, making it so that she could not utilize her own property.

Betty Leslie came forward in favor of the petition. She reported that she does not live in the area, but she felt that the petitioner was doing a hobby and should be able to continue to do so.

Amber Sheets came forward in favor the petition. She reported a personal relationship with the Petitioner. Ms. Sheets reported that the Petitioner makes some money from the carvings, but felt that it was art. She felt that he should be able to continue to do the carvings at the location.

Mr. Melvin came forward to respond to comments. He apologized for creating the noise and stated he did not realize he was creating an issue for others.

At this time Board members asked questions of the Petitioner. Shelle Wheeler asked why he had not sought a special exception. Mr. Melvin reiterated that he did not consider the operation to be a business. Ron Henricks asked about the postings of items for sale and sold on social media, indicating an exchange of goods for money. Mr. Melvin stated he listed items in this manner so that members of the public would know that they were not available. Allen Slight asked if he had sought the special exception, what steps could be taken to mitigate the noise. Mr. Melvin repeated his earlier statements that he could use electric equipment and move indoors with ventilation.

After some additional clarification, the Board began deliberation. After some discussion, Shelle Wheeler moved to uphold Staff's ruling that the Petitioner is running a home occupation. Mac Petty seconded. Motion passed 5-0.

At this time member Joyce Burnette recused herself, as she is employed by the upcoming Petitioner.

Wabash College – SE 0066 & DSV 0138

Ms. Huckstep reviewed the staff report presented to the Board concerning petitions SE 0066 & DSV 0138 submitted by Adriann Rhoades c/o Wabash College who was requesting a special exception from the schedule of use of the City Zoning Ordinance to allow a temporary dining complex for more than six months and a development standard variance from the height regulations of the City Zoning Ordinance for a new campus center in an R-3, residential zoning district at Wabash College. The findings of fact are as follows:



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Special Exception to allow Mobile Dining Facilities:

- 1. The special exception is listed as such in the Official Schedule of Uses.**
N/A – This special exception is listed under the Temporary Uses and Structures Section of the Zoning Ordinance.
- 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.**
No, this special exception will not be dangerous, injurious, or noxious to any other property. Wabash College and the Engineers working on the project have worked with state and local officials to make sure that the necessary approvals and permits have been obtained. They will be responsible for necessary inspections and testing throughout the duration of the units being operational.
- 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 special exception will be sited and oriented to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties. Keep in mind this is not permanent; but will be on-site for longer than six months and must be appropriate for the public to access. The mobile structures will need to be removed from site once the College has obtained occupancy of the new Campus Center.
- 5. The special exception will produce a total visual impression and environment, which is consistent with the environment of the neighborhood.**
While approving the special exception may not produce a visual impression and environment that is consistent with the campus and the R-3, Residential, zoning district the special exception will have a limit that is temporary. Once the mobile structures are removed the property and the tennis courts will be reconstructed to be as good or better than it was before the mobile dining facility was constructed.
- 6. The special exception will organize vehicular access and parking to minimize traffic congestion in the neighborhood.**
The College is addressing parking. Plans are underway for a new parking lot to be submitted to the city for plan review and approval. The College is also working with the City and emergency services to address temporary and long-term on-street parking on Milligan Street.



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7. *The special exception will comply with all the requirements of Section 153.077 of the Zoning Ordinance.*

N/A

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

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

Development Standard Variance for Height of the New Campus Center:

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 considered self-created. A college campus is an allowable use in the R-3, Residential, zoning district. Multi-story buildings are common and existing on the campus. Many of the existing structures are historical, therefore to keep with the style, landscape and integrity of the existing buildings, the variance would not be considered self-created.

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 location of the new Campus Center is completely surrounded by property owned by the college. There are other buildings as tall or even taller on campus.

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 result in practical difficulties in the use of the property, but it would be anticipated that new Campus Center might be architecturally different than surrounding buildings and might make it difficult to meet the overall plans for the college campus.

Ms. Huckstep stated based on the findings of fact, Staff would recommend approval of both the special exception and the development standard variance. She noted that Staff would recommend approval of the special exception be granted for two years from the six month expiration date, which will be January 12, 2025 or for the duration of the construction project, with the condition that the mobile structures be disconnected and removed within 30 days of the Campus Center occupancy.

Adriann Rhoades came forward representing the Petition. Ms. Rhoades explained some of the process of the project thus far and where it would be headed moving forward.



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With no members of the public present for comment, the Board began deliberation. Allen Slight moved to approve the special exception and the development standard variance. Shelle Wheeler seconded. Motion passed 5-0.

At this time Joyce Burnette rejoined the meeting.

1320 S Elm Street – Heath S. Knuckles – SE 0067

Ms. Huckstep reviewed the staff report presented to the Board concerning petition SE 0067 submitted by Heath S. Knuckles who was requesting a special exception from the schedule of uses of the City Zoning Ordinance to allow a second single-family dwelling on a single parcel in at R-1, residential zoning district at 1320 S Elm Street. The findings of fact are as follows:

1. *The special exception is listed as such in the Official Schedule of Uses.*

Yes, a two-family dwelling is listed as a special exception in the Schedule of Uses.

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.*

A second dwelling should not be dangerous, injurious, or noxious to any other property or persons.

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.*

N/A. 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.*

Plans indicate that the addition of the apartment would be consistent with size and style of the existing garage. The second dwelling appears it would be sited and oriented to produce a harmonious relationship of buildings and grounds to the adjacent buildings and properties. The addition will be to the back of the garage at the back of the property. It will not be visible to the street view but will face the driveway where there is plenty of parking area for both residential homes. It appears the addition will be constructed, oriented and designed to stay consistent with the existing garage and residential structure that are already existing on the property.

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

The addition of the second dwelling will not necessarily be consistent with the environment of the neighborhood. Most properties in the area are consistently single-family residential structures. The addition appears it will be constructed in



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similar fashion to the home and existing garage on the property and it will be of quality design that will be consistent with the neighborhood.

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

While this is not indicated on the site plan, it does appear with the way the property is currently developed that there is adequate off-street parking to meet the requirements of two (2) parking spaces for each residential unit for a total of four (4) off street parking spaces.

7. The special exception will comply with all the requirements of Section 153.077 of the Zoning Ordinance.

N/A. This special exception is not for a home occupation.

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

No, the use of this property for more than one dwelling would not preserve the purpose of the ordinance. The property is currently used for single-family residential which preserves the zoning ordinance. While there are still storm water requirements, building permits and sewer taps to obtain for a residential apartment, it may be difficult to market the property in the future with the unique layout of the property. The future land use map in the Comprehensive Plan shows this area as residential neighborhoods.

Ms. Huckstep stated based on the findings of fact, Staff would recommend denial of the request, but if the Board was inclined to approve the request, Staff would recommend that the addition be the same color and style as the existing structure, the Petitioner obtain the required local permits for construction and register the unit as a rental in the future, should it become one.

Heath S. Knuckles came forward representing the petition. Mr. Knuckles clarified that there is no living quarters in the second story of the existing garage. He stated at this time he has no intent of renting the proposed second single-family dwelling.

Joe Moore, neighbor, came forward to speak in opposition of the petition. He had concerns of the property becoming a rental in the future.

Board members discussed written public comments that had submitted for their review.

Jessica Moore, neighbor, came forward neither in favor nor in opposition of the petition. She only had concerns of the dwelling becoming a rental in the future.

Nawal Busailah came forward representing the petition. She clarified that their only intent is to provide for their elderly family member who is already living at the existing dwelling. Ms.



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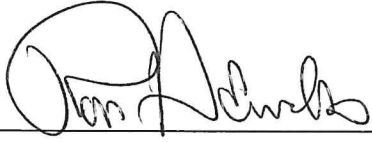
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Busailah stated they would not be seeking a second address and the utilities would not be separate from the existing dwelling.

After some deliberation amongst the Board, Ron Henricks moved to approve the special exception with Staff's recommended conditions. Mac Petty seconded. Motion passed 5-0.

With no further business, the meeting adjourned at 8:53 p.m.

Minutes Approved: _____

Acting- 

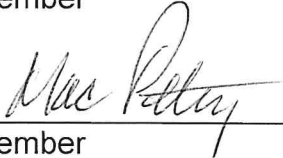
President



Member



Member



Member

Member