



Board of Zoning Appeals City of Crawfordsville, Indiana

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

April 16, 2025 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, April 16, 2025 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Joyce Burnette, Ron Henricks, Allen Slight, Shelle Wheeler, and Mac Petty. 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 March 19, 2025 were presented for consideration. Mac Petty moved to approve the minutes as presented. Ron Henricks seconded. Motion passed 5-0.

N of 507 Lafayette Avenue – Habitat for Humanity – UV 0098

Continuing with items of new business, Planning Director Megan Huckstep reviewed the staff report concerning petition UV 0098 submitted by Habitat for Humanity c/o Greg Lanam who was requesting a use variance from the schedule of uses of the City Zoning Ordinance to allow a single-family dwelling in an I-1, industrial zoning district at the parcel north of 507 Lafayette Avenue. 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 will not be injurious to the public health, safety, morals and general welfare of the community. The dwelling will have to be constructed to the residential building code and inspected throughout the construction process before an occupancy certificate will be issued.

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 should not be affected in a substantially adverse manner. The property has sat vacant for many years. This would be an improvement to the area. There is also a residential structure existing next door and several residential homes on the street behind this property. Therefore, staff will review this area as part of the new zoning map with the proposed new UDO.



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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.

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

The need for the variance was not self-created. The non-for-profit was gifted the property and is trying to make use of the property they were given and provide a new home to a new family.

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?*

The strict application of the terms of the Zoning Ordinance will constitute a hardship if applied to the property because the home will not be able to be constructed. The organization will need to acquire additional property.

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

The future land use map identifies this area as future industrial. Staff will note that the City is currently reviewing a draft of a Unified Development Ordinance that will be presented to the Plan Commission and the City Council for adoption. As part of that UDO a new zoning map will be included. Therefore, staff will review the zoning of this area as part of that proposed zoning map.

Ms. Huckstep stated based on the findings, Staff would recommend approval of the use variance with the following conditions:

1. The single family home be approved as presented for Habitat for Humanity. If it is not constructed, any new owner or developer would have to request a use variance.
2. The single family dwelling be constructed on the property in the I-1 zoning district as presented according to the residential setbacks. This would include an 8 foot side yard setback, which would exceed the required 5 foot setback for residential zoning districts but would not meet the required 10 foot setback for industrial zoning districts.



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Greg Lanam was present to represent the petition. There were no members of the public present for comment.

After discussion amongst the Board, Shelle Wheeler moved to approve the special exception. Mac Petty seconded. Motion passed 5-0.

301 E College Street – Fabiola Jimenez – UV 0099

Continuing with items of new business, Planning Director Megan Huckstep reviewed the staff report concerning petition UV 0099 submitted by Fabiola Jimenez who was requesting a use variance from the schedule of uses of the City Zoning Ordinance to allow an appliance store in an R-3, residential zoning district at 301 E College 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?*

No, 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?*

This is difficult to determine. At one time this space housed a restaurant, which did create a rush of traffic and many of the visitors were only present during the lunch hour. When the property was vacant or serving as a residential rental unit, it likely affected the use and value of the area more negatively. Our office received multiple complaints while the unit was being used for residential, as the space was not designed to adequately house many residents and pets. The gallery space provided benefits of being a quiet, daytime occupant without the amount of traffic that previous retail/restaurant spaces created. Staff is not aware of any complaints during this time. There is not adequate parking on this site currently. Staff received a complaint that a business was operating from a residence. After conducting research, it was found to be the petitioner's residence where many appliances were found in the yard and on the porch. A notice was sent and they were cleaned up. However, there is concern how the residential neighborhood will be affected with numerous deliveries throughout the day in addition to the potential for outside storage.

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

The property is zoned for residential, however this unit has consisted of a commercial kitchen, restroom, and large open space. Plans provided show



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that there would be a showroom, a work area and a storage area. As noted before, if approved, fire safety regulations would be required. Therefore, the building and fire inspectors would have to do inspections prior to occupancy of the business to make sure the tenant space is compliant.

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

The need for this variance would not necessarily be considered self-created. The petitioner doesn't have a simple solution, whether the property is residential or commercial. The property was used for business purposes for many years, probably before zoning was adopted in our community. Other than leaving this unit vacant, the petitioner did not have an obvious solution. Unless, the use continued to remain a restaurant or the art gallery continuously they would not have had to come back before the Board, but because the use has changed, it requires Board action.

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?*

Yes. The remaining units in this property have been used for residential for many years, however the conversion of this unit to meet the zoning code may result in a hardship to comply with the fire code. If the variance is not granted, and the property can't be used for residential OR commercial, there will not be many opportunities to rent the space.

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

The Comprehensive Plan shows this parcel as residential.

Ms. Huckstep stated based on the findings of fact, Staff would not recommend approval of the use variance. However, this is a very unique situation with no ideal solution because of the conflicting codes. Based on the situation, if the Board is willing to consider approval of the retail appliance business staff would recommend the following conditions:

1. Absolutely no outside storage.
2. Loading and unloading of appliances be conducted in the back of the building only.
3. Signage be limited to two (2) square feet (2 SF) – (or as negotiated by the Board).
4. Hours of Operation be limited to:



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10:00 a.m. to 6:00 p.m. Monday – Friday and;
10:00 a.m. to 1:00 p.m. Saturday

Fabiola Jimenez and Mr. and Mrs. Nordenbrock were present to represent the petition. There were no members of the public present for comment.

After some discussion amongst the Board, Shelle Wheeler moved to approve the use variance with Staff's recommended conditions, but limiting the signage to four (4) square feet rather than two (2). Ron Henricks seconded. Motion passed 5-0.

Under items of miscellaneous business, Ms. Huckstep reported that the Unified Development Ordinance continues to move forward.

With no further business, the meeting was adjourned at 7:38 p.m.

Minutes Approved: ✓ May 21, 2025

President

[Signature]
Member

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Member

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Member

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Member