



Board of Zoning Appeals City of Crawfordsville, Indiana

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

May 21, 2025 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, May 21, 2025 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Ron Henricks, Shelle Wheeler, Allen Slight, and Mac Petty. Member Joyce Burnette was not present. 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.

Ron Henricks called the meeting to order at 7:00 p.m. and the roll was called.

Meeting minutes from April 16, 2025 were presented for consideration. Shelle Wheeler moved to approve the minutes as presented. Mac Petty seconded. Motion passed 4-0.

700 Tuttle Avenue – Leonardo Espinosa Morales – UV 0100 & DSV 0144

Continuing with items of new business, Planning Director Megan Huckstep reviewed the staff report concerning petitions UV 0100 and DSV 0144 submitted by Leonardo Espinosa Morales who was requesting at use variance from the schedule of uses of the City Zoning Ordinance to allow a three unit multi-family dwelling and a development standard variance from the square footage requirements in an R-2, residential zoning district at 700 Tuttle Avenue. The findings of fact for the use variance are as follows:

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

The structure is already existing. The structure was converted from a garage to two living spaces already. If approved the building inspector will need to inspect to make sure it meets the required building codes and the apartments will need to be registered as rentals and will be part of an inspection program. Therefore, the approval should not be injurious to the public health, safety and 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 should not be affected in a substantially adverse manner. There is single and two-family duplexes existing in the area. The garage was already converted to living space and is occupied by tenants. The structure could always be converted back to a garage.



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 was constructed as a single family residential structure with a detached garage. The garage was converted into a duplex as an accessory use to the property without obtaining necessary approval and permits.

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

The need for the variance would be considered self-created. The existing garage was converted into accessory dwellings units without receiving the necessary approvals and permits.

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 believes that the strict application of the terms of the zoning ordinance would constitute an unnecessary hardship if applied to the property. The petitioners have already completed the work and have tenants living in the accessory dwelling units.

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

No, the use would not interfere substantially with the Comprehensive Plan. The Future Land Use Map identifies this area as residential neighborhoods.

The findings of fact for the development standard variance are as follows:

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

No, this approval should not be injurious to the public health, safety, morals, or 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 structure was converted without obtaining the necessary approvals and permits.

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 by approving this variance. There are single family and duplex uses in the neighborhood.



Board of Zoning Appeals City of Crawfordsville, Indiana

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

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

Again, staff believes that the strict application of the terms of this chapter in the zoning ordinance could constitute unnecessary hardship if applied to the property. The construction and conversion has already been done and the units are occupied. Even if it is a single family structure it would require a variance because it does not meet the floor area for a single family residential structure. Staff will reiterate that housing is a need in our community.

Ms. Huckstep stated based on the findings of fact, Staff would recommend denial of both the use variance and the development standard variance. However, if the Board would be inclined to approve either or both, Staff would recommend the following conditions:

1. The structure meets all residential building codes including but not limited to: electric, sewer and water utilities, as well as windows in bedrooms and exiting.
2. The residential rental units must be registered annually with the City, as required under the Rental Registration Program and inspections conducted when necessary.

Leonardo Espinosa Morales was present representing the petition. Panch Hoar was present to translate for the Petitioner.

There were no members of the public present for comment.

After some discussion amongst the Board, it was suggested that the Petitioner be allowed two units instead of three. Mr. Morales was agreeable. It was discussed that a variance may not be necessary, should the Petitioner decide to have two dwellings on the parcel instead of three. Shelle Wheeler moved to table the use variance and the development standard variance for additional information. Ron Henricks seconded. Motion passed 4-0.

506-510 E Market Street – Nancy Stone c/o John Mark Rose – UV 0101

Continuing with items of new business, Ms. Huckstep reviewed the staff report concerning petition UV 0101 submitted by John Mark Rose on behalf of Nancy Stone who was requesting a use variance from the schedule of uses of the City Zoning Ordinance for a Wellness Center in an R-3, residential zoning district at 506-510 E Market Street. The findings of fact are as follows:



Board of Zoning Appeals City of Crawfordsville, Indiana

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

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

The use variance should not be injurious to the public health, safety, morals, and general welfare of the community. This property has been used for professional offices as well as a dental office in the past.

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 in the use variance should not be affected in a substantially adverse manner, as long as there is no outside storage and the property remains as it has been used in the past.

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

This property has been used for professional offices as well as a dental office for many years and the property has been zoned R-3, residential. Staff could not locate a variance or special exception approval; therefore it appears the business uses may have preceded zoning or been grandfathered. Staff does not believe the variance arises from some condition peculiar to the property.

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

The need for the use variance would not necessarily be considered self-created. The property has been used for professional business office use. The property and the structure is set up for business already. The existing businesses have moved or closed; and the property is for sale, and a new professional office or medical office (wellness center) use would like to continue operations.

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 property is zoned R-3, residential. The existing building is set up for business office use. The strict application of the terms of the Zoning Ordinance could constitute an unnecessary hardship if applied to the property business the existing structure could need converted to one or more residential units to meet the requirements of the ordinance. The existing structure, even though used for business purposes, is aesthetically pleasing to the residential neighborhood and zoning district.

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



Board of Zoning Appeals City of Crawfordsville, Indiana

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

The Future Land Use map of the Comprehensive Plan shows this property as “residential neighborhood”. However, staff will note that the City is considering a new ordinance and with that there will be new zoning district classifications and a new zoning map to correspond with the new ordinance. General Business and Neighborhood Business are two districts that are proposed. Staff believes that this corridor could be changed to one of those new districts based on their location, uses and history.

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

1. No outside storage;
2. Business signage must not be any larger than what is currently on the property without approval by the Board of Zoning Appeals;
3. Obtain all necessary state and local permits for any construction and occupancy including a floor plan and any other relevant plans related to construction and signage.

John Mark Rose was present representing the petition. Mr. Rose explained that the Wellness Center would be Med Spa with a holistic approach. He stated they may use the entirety of the building or they may lease a portion of the building to a similar, mutually beneficial business. Mr. Rose stated the interior would be to make some interior changes, as well as exterior changes to lighting and paving, which he believed would improve the property.

There were no members of the public present for comment.

After discussion amongst the Board, Ron Henricks moved to approve the use variance. Mac Petty seconded. Motion passed 4-0.

E Wabash Avenue – Middlestone LLC – UV 0102

Continuing with items of new business, Ms. Huckstep reviewed the staff report concerning petition UV 0102 submitted by Middlestone LLC who was requesting a use variance from the schedule of uses for a residential dwelling in an I-2, industrial zoning district at E Wabash Avenue, commonly known as parcel no. 54-10-05-111-005.000-030. 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 use variance should not be injurious to the public health, safety, morals, and general welfare of the community. However, staff will emphasize that this area is



Board of Zoning Appeals City of Crawfordsville, Indiana

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

zoned industrial with a transfer station and recycling center located next to the property.

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 in the use variance should not be affected in a substantially adverse manner. If anything the property value of the Petitioner's property could be affected due to the location in an Industrial zoning district next to a transfer station and recycling center.

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

The need for the variance could be viewed as arising from some condition peculiar to the property since the existing lot size is smaller and more similar in size for a residential property. However there are uses in the industrial zoning district that would be permitted and could likely meet the ordinance requirements.

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

The need for the use variance would be considered self-created. The property is zoned industrial. The Petitioner is wanting to construct a new home on the vacant property that is not zoned appropriately.

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 property is has recently been listed for sale. The purchase is pending the Boards decision, so at this time, the strict application of the terms of the Ordinance would not necessarily constitute unnecessary hardship. The buyers could find property that is zoned appropriately. However the current owners could see a hardship if the property was not sold.

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

The Future Land Use map of the Comprehensive Plan shows this property as Future Industrial.

Ms. Huckstep stated based on the findings, Staff would recommend denial of the use variance. However, if the Board is inclined to approve the use variance staff would recommend that the proposed single family home meet the setbacks for an industrial zoning district as well as the requirements for a residential use abutting a non-residential or industrial use. This could also involve creating a buffer on the east and



Board of Zoning Appeals
City of Crawfordsville, Indiana

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

south property lines from the existing industrial use; which staff would recommend or a development standard variance be requested by the owner.

The potential buyers of the parcel, Jesse and Kasey Irelan were present along with Panch Hoar representing the petition.

Dan Walden was present to speak in concern of the petition. He stated that he owns much of the adjoining property and explained his plans for the property that he had also provided in a letter to the Board.

After discussion amongst the Board, the Petitioners, and the adjoining property owner, the Petitioner opted to withdraw the Petition.

With no further business, the meeting was adjourned.

Minutes Approved: June 18, 2025

Joyce Burnette

President

Scott Adams

Member

Allen Night

Member

Mac Felty

Member

Member