



Board of Zoning Appeals City of Crawfordsville, Indiana

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

December 20, 2023 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, December 20, 2023 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Joyce Burnette, Ron Henricks, Shelle Wheeler, Allen Slight, and Mac Petty. Others in attendance were: Megan Huckstep, Director of Planning & Community Development; 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.

Meeting minutes from November 15, 2023 were presented for consideration. Ron Henricks made a motion 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.

1517 S Grant Avenue Roger Azar SE 0061

Planning Director Megan Huckstep reviewed the staff report presented to the Board concerning petition SE 0061 submitted by Roger Azar of DES Engineering on behalf of Michael Langevin of 3B2G Properties LLC, who was requesting a special exception from the schedule of uses of the City Zoning Ordinance to allow duplex units in a B-2, business zoning district located at 1517 S Grant Avenue. The findings of fact are as follows:

- 1. Whether the special exception is listed as such in the Official Schedule of Uses?**
Yes, the duplex dwellings are a special exception in a B-2, business zoning district.
- 2. Whether 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 issues are anticipated. There are mixed uses adjoining and adjacent to the property. There are permitted uses in the B-2 zoning district that could potentially be considered more dangerous, injurious, or noxious than the proposed use that is a special exception. The proposed use will involve less traffic than a potential business use which has been an expressed concern during past petition hearings.
- 3. Whether the special exception is a manufacturing or industrial/processing facility that will comply with all of the performance standards of Section 153.023?**
Not applicable.
- 4. Whether 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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The site plan has been presented, but did not include measurements. The proposed plan would be subject to a development plan review by the Technical Advisory Committee and adhere to the zoning ordinance regulations, as well as the storm water requirements. It appears that there will be lights and trees that will remain along the north property line that adjoin the trail leading to Crawfordsville High School. Staff would encourage the trees on the north property line to remain or be replaced to keep a harmonious appearance while also encouraging a fence or landscaping buffer on the south property line as well.

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

Staff does not feel the special exception will produce a total visual impression and environment consistent with the environment of the neighborhood. The existing building on the property, as well as the building to the south and the Social Security building to the north are more residential in nature. Property to the north has been platted for residential, therefore the proposed duplex units, if constructed aesthetically similar to the surrounding buildings, will produce an environment and visual impression consistent with the neighborhood. Sidewalks are existing in this area and easily accessible to the trail borders the property to provide access to Crawfordsville High School, while also connecting to our local Sugar Creek Trail system.

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

Staff has no concerns regarding traffic and vehicular access for this request. There are a limited number units and this will not generate a large amount of traffic. The Petitioner has identified two parking spaces per residential unit on their proposed concept plan. The development is using existing access from the state road, however INDOT approval and permits would be necessary due to the addition and the change in use.

7. Whether the special exception is for a home occupation?

Not applicable.

8. Whether the special exception will preserve the purposes of this chapter?

The property is zoned B-2, business. Residential duplex units are a special exception according to the schedule of uses in the zoning ordinance. This property will be a multi-use property with retail office space as well as the residential duplex units. The future land use map in the comprehensive plan shows this area as corridor commercial, which focuses on attracting development towards major transportation corridors, which US 231 definitely is our most traveled thoroughfare through the entire City. This area provides a variety of services and employment opportunities. Our community needs good affordable housing. There is additional single-family and multi-family development coming in the near future to the south of this proposed location. These proposed duplexes would provide a need in our community and proposed design and improvements to the multi-use property to connect to our existing infrastructure.



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Ms. Huckstep stated based on the findings of fact, Staff would recommend approval of the residential duplex units with the following conditions:

1. The trees on the north side of the property remain, and/or additional trees are added to provide a harmonious environment to the neighborhood;
2. A fence or landscaping buffer is added to the south side of the property;
3. The east face of the residential duplexes should be designed to be sensitive to the architecture of the surrounding buildings that are residential in nature;
4. The development plan must meet all state and local requirements.

Roger Azar came forward representing the Petitioner. Mr. Azar indicated that he had conferred with the City Engineer, Troy Swan, on issues of drainage and it had been determined there would be no drainage requirements due to the project being residential in nature. He stated they would leave the trees to the north. However, Mr. Azar was unsure if trees would fit to the south with the parking as proposed. He stated a fence would be a possibility. Mr. Azar stated the design would be in character with the existing surrounding buildings.

There were no members of the public present to speak either in favor or in opposition of the proposal. It was noted that there were three written public comments submitted and reviewed by the Board.

After some discussion amongst the Board, Shelle Wheeler moved to approve the special exception with the Staff recommendations. Allen Slight seconded. Motion passed 5-0.

611 Garden Street Second Baptist Church UV 0088

Ms. Huckstep reviewed the staff report presented to the Board concerning petition UV 0088 submitted by Second Baptist Church who was requesting a use variance from the schedule of uses of the City Zoning Ordinance to allow a church in an existing building located in a C-1, conservation zoning district located at 611 Garden 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 should not be injurious to the public health, safety, morals, or general welfare of the community. The property is surrounded by single and two-family residential properties as well as some business and industrial uses. Staff does not feel a neighborhood church would be injurious to the neighborhood or the 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?



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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. The uses surrounding the property are all residential besides a few businesses and the waste water treatment plant. A neighborhood church is a permitted use in all three current residential and business zoning districts. The future land use map shows this area as residential neighborhood, where a neighborhood church under our current ordinance districts would be a permitted use.

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

The need for the use variance does arise from a condition peculiar to the property. The property is zoned C-1, conservation. The property was used as a church for many years until it sat vacant and the existing owner received a variance to operate an office and dance studio. The existing structure would not typically be used for residential purposes and the existing parking areas and signage have made the property more attractive for business uses or reverting back to a church which it formerly was used for many years ago. If the church had continued its use and the property had not been vacant for more than one year, or changed uses, the church use could have continued as a nonconforming use.

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

The need for a use variance would not be considered self-created because most uses in the conservation zoning district would require a special exception or a use variance.

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 site will not be used or redeveloped without some type of special exception or use variance, aside from agricultural uses, parks, fairgrounds, nature preserves, orchards or other similar uses that are permitted in the conservation zoning district. This property would have to be vacant or demolished to comply with the strict application of the current ordinances. This will likely be one area we need to look at when amending the zoning map later this year.

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

This area is identified as residential neighborhood but borders future industrial. The future land use map does not show this area as conservation. We do have a plan in place to combine our zoning ordinance and subdivision control ordinances into a unified development ordinance later this year and as part of that there will be a map amendment as well.



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Ms. Huckstep stated based upon the findings of fact, Staff recommends approval of the use variance for the church with the condition that the sign not be any larger than what exists in front of the building, which includes a 4'x4' sign on posts.

Dell Wilson came forward representing the Petitioner. Mrs. Wilson provided a brief overview of service times. She also indicated installing a buffer so that church members will not encroach on neighboring properties when parking.

Mac Petty moved to approve the use variance with the Staff recommendation. Shelle Wheeler seconded. Motion passed 5-0.

Under items of miscellaneous business, Ms. Huckstep reported that a contract had been approved to continue the UDO. She stated the Board may have some involvement as that process continues on. With no further business, it was noted the next regularly scheduled meeting would be held on January 17, 2024. The meeting adjourned at 7:50 p.m.

Minutes Approved: _____



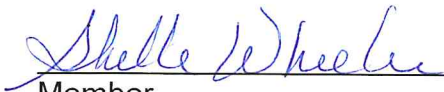
President



Member



Member



Member



Member