



Board of Zoning Appeals City of Crawfordsville, Indiana

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

December 17, 2025 at 7:00 PM Meeting Minutes

The City of Crawfordsville Board of Zoning Appeals met as scheduled on Wednesday, December 17, 2025 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Joyce Burnette, Ron Henricks, Shelle Wheeler, Malcolm Petty, and Allen Slight. Others in attendance were: Megan Huckstep, Director of Planning & Building Services; City Attorney Kent Minnette of Taylor, Minnette, Schneider and 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.

October 15, 2025 meeting minutes were presented for consideration. Malcolm Petty noted a typo in the spelling of his name. Ron Henricks moved to approve the minutes as amended. Malcolm Petty seconded. Motion passed 5-0.

1301 Darlington Avenue – Tacos La Guera c/o Elizabeth Fuentes – UV 0105

Continuing with items of new business, Planning Director Megan Huckstep reviewed the staff report for petition UV 0105 submitted by Tacos La Guera c/o Elizabeth Fuentes who was requesting a use variance from the schedule of uses of the City Zoning Ordinance to allow a food truck to operate for more than sixty (60) days in a B-3, business zoning district at 1301 Darlington 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?*
No, the approval of this variance should not be injurious to the public health, safety, morals, or general welfare of the community as long as the use meets all regulations established by the Health Department.
- 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 will not likely be significantly affected. There are other businesses in this corridor of the city. With this trailer being mobile, it could be easily moved from the property, thus removing any potential concerns.
- 3. Whether the need for the use variance arises from some condition peculiar to the property involved?*



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No, the property is zoned for business. A restaurant is a permitted use in the business zoning district; however the use of a mobile or temporary structure requires the need for the variance request. A permanent structure could be built on the property or there are vacant buildings that could be used for a permanent restaurant.

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

The need for this variance could be considered self-created. Mobile uses are currently only permitted as a roadside stand for a period of 60 days and permitted only on properties zoned business. If the Petitioner would like to remain permanently at this location a permanent structure could be built for a restaurant if it met other requirements of the ordinances such as drainage, parking requirements, and setbacks to name a few. There are also existing buildings that could be used for restaurants as well. The Petitioner leases the property space and that lease has been extended pending the Boards 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?*

No. This site is currently being used for a self-service ice and water machine that was permanently set up on the property. Permits could be obtained to construct or set up a permanent stick-built structure on this site for a business as long as it met the zoning regulations, building code and storm water ordinances. The strict application of the ordinance may be a hardship for the petitioner, only because the mobile trailer was purchased and used prior to receiving approval to set up and operate permanently.

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

The Comprehensive Plan shows this parcel as residential neighborhoods. While the city encourages food trucks and mobile merchant stands, we want to preserve the character of our city as well as support all of our businesses including brick and mortar businesses who are existing.

Ms. Huckstep stated based on the findings Staff would recommend denial of the use variance. However, if the Board was inclined to approve the variance, Staff would recommend it be limited to a specified number of days within a calendar year and that there be no outside storage, including when the mobile food truck is not operating it would be moved or relocated off-site. Staff would also recommend that the Board act on the type and size of any signage.



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Elizabeth Fuentes was present with translator Francis Hoar to represent the petition. Mr. Hoar noted that the business had been operating under the Board's previous temporary approval for over a year with no complaints. He stated there is plenty of parking, multiple other trucks in town that operate permanently, and they utilize a private dumpster and/or disposal.

There were no members of the public present for comment.

The Board engaged in deliberation. After thorough review and discussion, Shelle Wheeler moved to approve the use variance with the following conditions:

1. No outside storage;
2. Proper disposal of grease and trash;
3. Limited to size of that already existing;
4. Hours of operation to be within 11:00 a.m. to 10:00 p.m.;
5. Signage to be affixed to truck *OR* a maximum of one free-standing sign, to be a multi-tenant sign if multiple business on the same property wish to display free-standing signage;
6. Meet all other state and local regulations;
7. The variance will expire with any change of ownership

Joyce Burnette seconded. Motion passed 5-0.

Under miscellaneous items of business, Ms. Huckstep reminded the Board of the upcoming presentation and public meeting concerning the Unified Development Ordinance on January 15 at 5:00 p.m. and encouraged their attendance. She noted that following that meeting, the Plan Commission would then hold a public meeting concerning the UDO on January 20th.

With no further business, the meeting adjourned at 7:50 p.m.

Minutes Approved: Jan 21, 2026

Joyce Burnette
President

[Signature]
Member



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Allen Wright

Member

Shelley Wheeler

Member

Woo Park

Member