

MINUTES OF THE  
**JEFFERSONVILLE BOARD OF ZONING APPEALS**  
August 27, 2024

**Call to Order**

Chairman Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, August 27, 2024, it is 6:30 pm in the City Council Chambers, Jeffersonville City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana. The meeting was held in person and streamed live on the City's website and City's Facebook page.

**Roll Call**

Chairman Mike McCutcheon was present. Other members present were Duard Avery, Dennis Hill, Kelli Jones, and David Stinson. Also present were Planning & Zoning Attorney Mr. Merkley, Planning and Zoning Director Chad Reischl, Planner Shane Shaughnessy, and Secretary Zachary Giuffre.

**(Secretary's Note: All drawings, letters, photos, etc. presented before the Board of Zoning Appeals on this date can be found in the office of Planning & Zoning.)**

**Approval of Minutes**

Approval of the minutes from July 30, 2024. Mr. Hill made a motion to approve the July 30, 2024 minutes, seconded by Mr. Stinson. Roll call vote. Motion passed 4-0 (Jones abstained).

**Approval of Findings of Fact**

Approval of the Findings of Fact. Mr. Stinson made a motion to adopt the Findings of Fact for the July 30, 2024 docket items, seconded by Mr. Hill. Roll call vote. Motion passed 4-0 (Jones abstained).

**Approval of the Docket**

Approval of the Docket. Ms. Jones made a motion to approve the docket, seconded by Mr. Stinson. Roll call vote. Motion passed 5-0.

**Oath**

Les Merkley administered the oath. When you speak, please state your name and acknowledge you took the oath.

**Old Business**

None

**New Business**

**BZA-24-41 Development Standards Variance**

Presbyterian Church USA filed a Development Standards Variance for the property located at 200 E. 12th Street. The applicant requests a variance from the standards for maximum structure height, maximum main floor area, fencing, and façade design. The property is zoned CO (Commercial – Office Only). The docket number is BZA-24-41.

Scott Hannah, with Heritage Engineering, stated he took the oath and the following:

- The Presbyterian Foundation is an asset to the community.
- Some of the variances are due to the challenges of replacing the existing building with a new building.
- The city has force mains that constrain the lot. We need to stay off of the easement.
- We would like to get 39ft for the primary structure and a little more square footage for the main floor area.
- This new site design will modernize the property.
- I have Danny and Bennie with the Presbyterian Foundation.

Chad Reischl stated that the maximum main floor area and maximum structure are heights are due to the fact that this is zoned Commercial: Office. This property should have been rezoned C1, C2, or another zone district that better fits into the downtown regime. For the façade and fencing...the façade design standards emphasize coming together with the historic character of the area; however, there is no historic character around this property. It would be hard to meet any of our fence standards. We might as well give a variance for 40ft and round up to 16,000 square feet for the maximum main floor area.

Open public comment

No comment

Closed public comment

Ms. Jones stated I want to know about the fence standards variance, but it does not say what that is.

Chad Reischl stated they are asking for a 6ft aluminum rail fence that is in the front yard in certain sections.

Mr. Avery stated the existing the building you are taking down...that will be left open... Then you will be building at the south end? I am not against expanding this. You are keeping the pressure on the neighbors.

Move to findings

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for variance described above, and all opposition from parties claiming to be adversely affected thereby, does now enter the following findings:

1. The variance of the development standards will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
3. The strict application of the terms of the Zoning Ordinance will result in a practical difficulty. This situation shall not be self-imposed, nor be based on a perceived reduction of or restriction of economic gain

Based on the findings described above, the Board does now approve this application. So ordered this 27th of August, 2024.

**Reports from Director and Staff**

None

**Adjournment**

There being no further business to come before the Board of Zoning Appeals, the meeting was adjourned at 6:43pm.

A handwritten signature in blue ink, appearing to read "Mike McCutcheon", written over a horizontal line.

Mike McCutcheon, Chair

A handwritten signature in blue ink, appearing to read "Zachary Giuffre", written over a horizontal line.

Submitted by: Zachary Giuffre, Secretary