

MINUTES OF THE
JEFFERSONVILLE BOARD OF ZONING APPEALS
June 24, 2025

Call to Order

Board President Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, June 24, 2025, it is 6:50 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

Board President Mike McCutcheon and board members Duard Avery, Kelli Jones, and Dennis Hill were present in the City Council Chambers. Member David Stinson was absent. Also present were Planning & Zoning Attorney Les Merkley, Planning and Zoning Director Chad Reischl, Secretary Shane Shaughnessy and Planner Shelby Walsh.

(Secretary's Note: All plat maps, public letters, photos, etc. presented before the Planning Commission on this date can be found in the office of Planning & Zoning.)

Approval of Minutes

Approval of the minutes from May 27, 2025. Mr. Hill made a motion to approve the May 27, 2025 minutes, seconded by Ms. Jones. Roll Call vote. Motion passed 4-0.

Approval of Findings of Fact

Approval of the Findings of Fact from May 27, 2025. Ms. Jones made a motion to approve the May 27, 2025 findings of fact, seconded by Mr. Hill. Roll Call vote. Motion passed 4-0.

Approval of the Docket

Motion to approve the agenda made by Ms. Jones, seconded by Mr. Hill. Roll call vote. Motion passed 4-0.

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-25-23 Development Standards Variance

Jordan Rajchel filed a Development Standards Variance application for the property located at 3515 Evergreen Circle. The applicant requests variances from the setback standards for a single-family home. The property is zoned R2 (Single Family Residential – Medium Lot). The Docket Number is BZA-25-23.

Jordan Rajchel stated he took the oath and that his client had bought the property with the understanding that the front setback was 25 feet but was informed that the setback in established subdivisions was the average of adjacent properties setbacks which basically makes this property unbuildable and is asking for a variance to allow a 25 foot front setback. He said that worked with Mr. Reischl who said this is a classic case of a hardship.

Mr. Reischl stated that this is an odd case in that he does not know how or when this parcel was created but that it had been platted for some time. He said that this is a classic case of hardship and that if the UDO's standards were upheld, it would make the property unusable. He said that in this neighborhood it might be a little unusual to have a 25 foot setback but because of the distances between the houses, is unlikely to be an issue.

Open public comment

No comment

Closed public comment

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 24th of June, 2025.

BZA-25-24 Development Standards Variance

Sarah Harris filed a Development Standards Variance application for the property located on a vacant parcel of approximately 12.9 acres at the 3500 Block of Ellingsworth Dairy Drive. The applicant requests variances due to the quantity of accessory structures, the quantity of vehicular entrances. The property is zoned PD (Planned Development). The Docket Number is BZA-25-24.

At 6:57pm, Ms. Jones said that the applicant was her client and recused herself and left Council Chambers.

Eric Penland said that he took the oath and that he is with the applicant, Blue Dog Capital Partners. He said the applicant is requesting to have a development plan approved for 245 multi-family dwelling units on 12.2 acres. He said the only access is onto Ellingsworth Dairy Drive and is adjacent to the Jeff on 10th. The density would be 20.1 units per acre. The required parking is 318 spaces and they are providing 395 spaces. He showed some renderings and photos of other similar developments that Blue Dog had worked on previously. He said they were seeking two variances. The first is for accessory structures as the Jefferson Ridge PD only

allows 3 accessory structures and they are adding 6 parking garages as well as amenities. The second variance is to allow one entrance for 245 dwelling units as this site only has one frontage road in Ellingsworth Dairy Drive. He said that there is extensive access to 10th Street with access to three traffic lights and that access is very good to this site. He said that there had been other development plans submitted for this site – in 2020, the Jeff on 10th submitted for phase two of their development with 195 units and only one access and later came back with a 200 unit complex with only one entrance with a possible secondary access to be added which they could not work out with the property owner. He said that they had reached out to the property owner about a second access and that they had not been successful in making an agreement. He said that the access has been purposefully made wide enough to allow emergency access.

Mr. Reischl said that staff doesn't have a huge issue with either variance. He said the UDO allows 3 accessory structures plus one additional structure per primary structure which means they would be allowed 7 structures and that while they are asking for 12 structures, 6 of them are garages and 2 are sport courts and amenities and that these actually go above the City's amenity standards. In terms of the access, he said that a 200 unit apartment had been previously approved on the site and that this new developer is making better use of the site in terms of adding some more units and that they were ultimately stuck with just the one entrance but said that it would likely be fine.

Open public comment

Brady Hill of Birdsong Way said that variances require hardship on the part of the applicant and that the only hardship was that the applicant didn't want to pay the money to add another access. He said that this complex and the Jeff on 10th would all be funneled into one intersection and could cause traffic backups and safety issues. He said that because there is no pedestrian access to Jefferson Ridge Drive, a person would have to walk all the way through the complex to access any businesses in the area.

Closed public comment

Mr. Penland said that once you get to the Ellingsworth Dairy and Jefferson Ridge intersection, you can turn any way to get access to 10th Street which would help to disperse traffic.

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for variances 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 24th of June, 2025.

BZA-25-25 Development Standards Variance

Griffin Libs filed a Development Standards Variance application for the property located at 3519 Veterans Parkway at Eastside Christian Church. The applicant requests variances for the quantity of parking spaces and the width of the entrance. The property is zoned NS (Institutional Uses). The Docket Number is BZA-25-25.

Dave Hastings said that he took the oath and said that he is the lead pastor for Eastside Christian Church. He said that during COVID, attendance had dropped significantly but since then they have seen significant growth and because of this, they are experiencing issues with running out of parking spaces. He said that exiting the property is similarly difficult because of the number of vehicles exiting only one entrance. He said that they had done some things to alleviate these issues including creating separate services at different times, hiring police officers and recruiting volunteers to direct traffic, and shuttling people from other locations. Even with all of these measures, more parking is needed. They are asking for variances to add 125 additional parking spaces and additional entrance width to add an additional right turn lane off of the existing entrance. Mr. Reischl said that parking maximums are based on recommended maximums and are not one-size-fits all and that the church has put together a plan that needs variances but makes sense for their need.

Open public comment

No comment

Closed public comment

Ms. Jones asked how many their sanctuary seats which Mr. Hastings said that 788 people can be seated there and that there are additional areas in the church that also provide seating and activities at the same time. He said that it's about 1350 seats in total.

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 24th of June, 2025.

BZA-25-26 Special Exception

Fernando Galicia filed a Special Exception for the property located at 3600 Sun Rise Circle. The applicant requests to establish an accessory dwelling unit on the property. The property is zoned R2 (Single Family Residential – Medium Lot). The docket number is BZA-25-26.

Fernando Galicia of 3600 Sun Rise Circle said he took the oath and he wants to convert his garage into a small living space with one bed, one bath, and one kitchen. He said that he would be the one doing the work.

Mr. Reischl said that hearings for Accessory Dwelling Units are fairly common. This one will be converting an attached garage into a unit that is 360 square feet. Staff does not have concerns about this.

Open public comment

No comment

Closed public comment

Ms. Jones asked where the person who is living in the unit park their car. Mr. Galicia said that the driveway would be used for parking but that the unit is primarily for his mother when she visits and that she doesn't drive.

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 special exception will not be injurious to the public health, safety, moral, and general welfare of the community; and
2. The requirements and development standards for the requested use prescribed by this Ordinance will be met; and
3. Granting the special exception will not subvert the general purposes of the Zoning Ordinance and will not permanently injure other property and uses in the same district; and
4. The proposed use will be consistent with the character of the district therein, the spirit and intent of the Zoning Ordinance, and the Jeffersonville Comprehensive Plan.

Based on the findings described above, the Board does now approve this application. So ordered this 24th of June, 2025.

Report from Director's and Staff

None

Adjournment

There being no further business to come before the Board of Zoning Appeals, the meeting was adjourned at 7:26 pm.


Mike McCutcheon, Chair


Secretary