

MINUTES OF THE
JEFFERSONVILLE BOARD OF ZONING APPEALS
October 28, 2025

Call to Order

Board President Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, April 29, 2025, it is 6:09 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 David Stinson were present in the City Council Chambers. Member Dennis Hill was absent. Also present were Planning and Zoning Director Chad Reischl, Secretary Shane Shaughnessy and Planner Shelby Walsh. Planning & Zoning Attorney Les Merkley was present via Zoom.

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

Approval of Minutes

Approval of the minutes from September 30, 2025. Mr. Stenson made a motion to approve the September 30, 2025 minutes, seconded by Mr. Avery. Roll Call vote. Motion passed 3-0.

Approval of Findings of Fact

Approval of the Findings of Fact from September 30, 2025. Mr. Stenson made a motion to approve the September 30, 2025 findings of fact, seconded by Mr. Avery. Roll Call vote. Motion passed 3-0.

Approval of the Docket

Motion to approve the agenda made by Mr. Stenson, seconded by Mr. Avery. Roll call vote. Motion passed 3-0.

Oath

Mr. Reischl administered the oath. When you speak, please state your name and acknowledge you took the oath.

Old Business

None

New Business

BZA-25-33 Development Standards Variance

Peter Nudd filed a Development Standards Variance application for the property located at 3015 Utica Pike. The applicant requests a variance for a 60-foot front yard setback to build a front porch on the existing home. The property is zoned R2 (Single Family Residential – Medium Lot). The Docket Number is BZA-25-33. Doug Sellers, with Bowman Consulting, stated he took the oath and the following:

Kelly Ann Mullen and Peter Nudd of 3015 Utica Pike said they took the oath and that they are wanting to add a front porch to their house.

Mr. Reischl said that the house sits about 68 feet from the front property line and that the Utica Pike overlay district prescribes front setbacks of 75 feet or an average of the adjacent properties which would be approximately 68 feet. The proposed covered porch would be 60 feet from the property line which requires a variance to be approved. He said that Staff believes the purpose and intent of the Utica Pike overlay is to promote appropriate designs that are contextual with the Utica Pike area. Staff believes a front porch is in keeping with other properties in the area and that given the porch will be unenclosed, it should not be disruptive to the neighboring properties.

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 28th of October, 2025.

BZA-25-34 Development Standards Variance

Jacob Knigge filed a Use Variance application for the property located at 5030 Hamburg Pike. The proposed use is for a roofing contractor with metal fabrication and outdoor storage. The current zoning is NS (Institutional Uses). The Docket Number is BZA-25-34.

Jay McCain with Geoghegan Roofing said he took the oath. Mr. McCutcheon said that he was aware of a number of revisions that were made from the previous month's meeting that necessitated this additional hearing. Mr. Reischl said that they are asking for a Use Variance as, while a contractor's office is allowed in the C2 zone district, outdoor storage and metal fabrication. He said they have folding and cutting machines but will not be doing soldering or heavier manufacturing. He said Staff met with the owners of the property and the neighboring residential property owner. He said that based on this conversation, Staff recommends a number of conditions be placed on the Use Variance if it is approved:

1. That the Use Variance is contingent upon approval of the C2 zone district,
2. That no structures, parking areas, or storage areas be located within 100 feet of the eastern property line (where it fronts single-family residences),
3. That any outdoor storage is screened with opaque fencing and landscaping,

4. That a reasonable restriction be placed on the maximum height of any proposed structures, and
5. That no soldering or welding take place on the property.

He said that in the C2 zone district, there is a maximum height of 35 feet and that the Board should consider reducing this height limit to better fit in with the surrounding area.

Mr. McCutcheon asked if Mr. McCain was agreeable to the conditions Staff recommended. Mr. McCain said that the primary concern with the resident to the east was that nothing would be built within 100 feet of the property line. He said they will be putting up a fence and landscaping in that area to address that concern. He said the metal fabrication would be with a cutting and folding machines that don't create noxious odors and aren't noisy. He said with regard to the height, they would like to make sure they can meet their needs, especially since they're going to have to elevate the buildings out of the floodplain on the property.

Open public comment

Stan Richards of 2702 Amber Waves Drive said he took the oath and said he is also representing Jesse Ballew and adjacent resident Matt Owen. He said they're not necessarily opposed to the use, but would like to see that side of Hamburg Pike kept as close to residential as possible. He would ask that the Use Variance only apply to the applicant, that any outdoor storage be restricted and hidden, that there be a buffer to the property to the south, that the structures be made from brick rather than metal, that the height be restricted to 20-25 feet, and that there only be one building allowed rather than future additional buildings.

Ms. Jones entered the meeting at 6:22pm.

Closed public comment

Mr. McCain said that they don't currently have building plans yet as purchase of the property is contingent on approval of these zoning matters, but that they would be willing to cap the maximum height to 30 feet and doesn't feel like they would get close to that. He said that it's their intention to make their property as attractive as possible.

Mr. McCutcheon said that this business has been in business for a long period of time and seem to want to be neighbor-friendly. They will be having their corporate headquarters on the site and would want to make a good first impression to their clients. He said that he feels the 30 feet height restriction is appropriate. Mr. Stenson agreed and said that there are other buildings in the area that are taller than that. Mr. Merkley said that the conditions should be made in writing and recorded. Mr. Reischl said that if the Use Variance is voided if the use is not continually used for 6 months.

Move to findings with the conditions of:

1. That the Use Variance is contingent upon approval of the C2 zone district,
2. That no structures, parking areas, or storage areas be located within 100 feet of the eastern property line (where it fronts single-family residences),
3. That any outdoor storage is screened with opaque fencing and landscaping,
4. That the maximum structure height be 30 feet, and
5. That no soldering or welding take place on the property.

Ms. Jones said she will abstain from voting as she was not present for the entire presentation.

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 use 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 will not be adversely be affected.
3. The need for the use variance does result from conditions unusual or peculiar to the subject property itself.
4. The strict application of the terms of the Jeffersonville Zoning Ordinance would result in an unnecessary hardship in the use of the property.
5. The approval of the variance would not contradict the goals and objectives of the Comprehensive Plan.

Based on the findings described above, the Board does now approve this application. So ordered this 28th of October, 2025.

Report from Director's and Staff

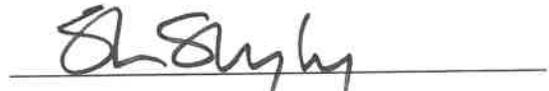
None

Adjournment

There being no further business to come before the Board of Zoning Appeals, the meeting was adjourned at 6:32 pm.



Mike McCutcheon, Chair



Secretary