

MINUTES OF THE
JEFFERSONVILLE BOARD OF ZONING APPEALS
March 31, 2026

Call to Order

Board President Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, March 31, 2026, 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

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, Secretary Shane Shaughnessy and Planner Shelby Walsh.

(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 February 24, 2026. Mr. Hill made a motion to approve the February 24, 2026 minutes, seconded by Ms. Jones. Roll Call vote. Motion passed 4-0.

Approval of Findings of Fact

Approval of the Findings of Fact from February 24, 2026. Ms. Jones said that two of the findings were lacking the conditions of approval that were passed last meeting. Mr. Shaughnessy said he would make those corrections. Ms. Jones made a motion to approve the February 24, 2026 findings of fact with the corrections, 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-26-11 Special Exception

Jason Pierce filed a Special Exception application for the property located at 409 E. Market Street. The applicant requests to establish an Accessory Dwelling Unit on the property. The current zoning is R4 (Single Family Residential – Old City). The Docket Number is BZA-26-11.

Jason Pierce affirmed the oath and stated that he is looking to build a unit on the alleyside of the property with parking off of the alley. Mr. Shaughnessy said that generally staff is in approval of accessory dwelling units, though typically they are owner-occupied properties adding an additional unit for a family member, whereas in this case, the primary house is being rented and the ADU is also planned to be rented. He said that they had some letters of opposition from 3 neighboring property owners that were forwarded to the BZA.

Open public comment

Lindon Dodd of 411 E. Market Street affirmed the oath and stated he has lived at his house for 10 years and had never seen the applicant. He said that there had been maintenance issues at the property and that the neighbors have never been able to get in contact with the owner when these issues arose.

Kyle Wohrle of 212 Walnut Street affirmed the oath and said he's opposed to the application because the property has had maintenance issues over the years he's lived there. He said that the tenants over the years have been a nuisance and have had the police and fire called on them. He said that there is already one rental unit on the property that isn't maintained and this would add another.

Kevin Sperzel of 324 E. Market affirmed the oath and said he owns the adjoining property and has had similar issues as had been stated and that they have had issues with the tenants and that the owner has not been able to be reached when issues occur. He said there are also parking concerns and that parking should be required on site.

Closed public comment

Mr. Pierce said that he knows that the last tenant was an issue and that it didn't work out. He said that his previous tenant hadn't cause issues. He said that he was unaware that people had been trying to get a hold of him and had not received phone calls or letters.

Ms. Jones asked if the applicant would be okay with a condition that required off street parking be created which the applicant said he was fine with. Mr. Shaughnessy clarified that the UDO requires at least one off-street parking space be created with the ADU. Ms. Jones asked if they are meeting setbacks which Mr. Shaughnessy said that they would have to meet setbacks or seek a variance but that staff has not received specific plans that show where the unit would be located. Ms. Jones asked what the applicant's home address was to help alleviate concerns of the neighbor which Mr. Pierce said it was 9629 S. Stillwater Lane, Bloomington, Indiana. Mr. Pierce said that he has not received any violations from the City. Mr. McCutcheon said that it's important to be a good neighbor and that the applicant should reach out to the neighbors to make sure they have his contact information if issues arise. Ms. Jones said that it's important to have different types of dwelling units, but that the properties should be maintained to make sure they contribute positively to the neighborhood.

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 deny this application, 3-1 with Mr. McCutcheon, Mr. Avery, and Mr. Hill against. So ordered this 31st of March, 2026.

BZA-26-12 Use Variance

Cory Strahan filed a Use Variance application for the property located at 128 E. Maple Street. The applicant requests to establish a U-Haul rental business on the property. The current zoning is CD (Commercial - Downtown). The Docket Number is BZA-26-12.

Rajan Ojha affirmed the oath and stated they wanted to continue to the use of the U-Haul rental at the Old Towne Grocery. Mr. Shaughnessy stated that they had noticed that a couple of U-Haul trucks had been parked at the grocery and that they reached out to a U-Haul representative to tell them they needed to obtain a Use Variance if they wished to continue to use the property for the rental. He said there were some questions about the ownership of the property and who is running the U-Haul rental. Mr. Ojha stated that the property was sold to a new owner who is now leasing the property to U-Haul. Mr. Shaughnessy said it was his understanding that the previous owner was in the process of selling it to the new owner but that there was some disputes about payment for the property. Mr. Ojha said the previous and new owner were in court regarding this, but that wasn't something he knew about. Mr. Merkley said it was his understanding that the previous owner was selling the property on contract to a new owner and that the new owner was leasing to the Olde Towne grocery and U-Haul rental.

Mr. Shaughnessy stated that staff thought that while the use would be small scale, it would be another auto-centric use in the downtown that might be a step in the wrong direction. While the use may not negatively impact the surroundings, it also may not be something that adds value to the downtown. Staff has made some recommendations to minimize the use's impact if the variance is approved.

Open public comment

Peggy Hardaway affirmed the oath and stated that she owns a property at 316 Wall Street and that there should be some control over how many trucks are allowed on the property and that the trucks should be only allowed on the lot, not parked on the street. She said that it could be a good use for people who need the trucks as long as it's done in a controlled manner.

Closed public comment

Mr. McCutcheon said that the applicant is only looking to have 2 trucks on the lot and that it's difficult to find moving trucks in the area. Mr. Avery said that there was an auto repair business on the alley behind the grocery and said that it is important to keep the grocery open and that the trucks are sitting back toward the alley and aren't in the way of parking for the grocery. Ms. Jones said keeping the grocery open is important for this neighborhood and that while this is an auto-centric use, it's one that serves the neighborhood and is different than something like a used car lot. Ms. Jones said that staff recommended that the use have the conditions that all rental trucks would be located toward the rear of the lot in a designated area, that no more than 2 trucks are allowed on the property at a time, and that the use variance is voided if the primary use of the property ends which Mr. Ojha said he is agreeable to.

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 with the following conditions:

1. That all rental vehicles be located toward the rear of the property in a designated area and the rental trucks be parked in a uniform manner
2. That the number of rental vehicles be limited to 2 at any given time
3. That the Use Variance becomes voided should the primary use on the property end.

So ordered this 31st of March, 2026.

BZA-26-13 Development Standards Variance

Jon Camilotto filed a Development Standards Variance application for the property located at 1005 Presidential Place. The applicant requests a variance for a wooden deck in the front yard larger than 40 square feet. The zoning is R2 (Single Family Residential – Medium Lot). The Docket Number is BZA-26-13.

Jon Camilotto of 1005 Presidential Place affirmed the oath and said he wants to put a small deck on the front of the house to be able to sit outside. Mr. Shaughnessy said that staff doesn't have a huge issue with this and that the reason this needs a variance is for setbacks and having an uncovered deck in front of the house. He explained that the regulation on uncovered decks came from issues with these decks deteriorating and harming property values but that it's in the applicant's best interest to upkeep the deck. Mr. Camilotto said that he has invested a lot in the property and that he wants to maintain the deck.

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 31st of March, 2026.

BZA-26-14 Development Standards Variance

Jeff Libbs filed a Development Standards Variance application on behalf of JAGCO Properties, LLC for the property located at 4775 Keystone Blvd. The applicant requests a variance for the building setback. The current zoning is I1 (Business Park/Light Industrial). The Docket Number is BZA-26-14.

Robert Reiley III with Renaissance Design affirmed the oath and stated they are requesting a variance for setbacks for a new building on the property. He said that there is an existing gas pump on the property and that the setback variance would allow for property truck maneuverability.

Mr. Shaughnessy said that the applicants had received a similar variance for another building on that side of the property and that the building would be abutting land owned by the State of Indiana and thus wouldn't negatively affect the neighboring property.

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 31st of March, 2026.

BZA-26-15 Special Exception

Bryan Templin filed a Special Exception application for the property located at 924 E. Chestnut Street. The applicant requests to establish a Short-Term Rental on the property. The current zoning is R4 (Single Family Residential – Old City). The Docket Number is BZA-26-15.

Bryan Templin affirmed the oath and stated he purchased the property and is looking to rent the property for short-term rentals. He said he is committed to being a good neighbor and will enforce strict occupancy limits and noise controls. He said they are going to be putting in fencing and off-street parking. Mr. Shaughnessy said that because it's a short-term rental, there are a limited number of reasons to deny the application. He asked the applicant to clarify that the off-street parking will be paved, not gravel which the applicant confirmed. He said that a letter of opposition from Kim and Curt Swinson was forwarded to the Commission.

Open public comment

No comment

Closed public comment

Ms. Jones asked if they will have a local property management company to avoid issues from arising which Mr. Templin said that they will have one locally with maintenance and cleaning staff and that he has other rentals in Louisville. Ms. Jones asked that he provide his contact information to the neighbors and Mr. Shaughnessy said that they will have to register with the City which will contain his contact information.

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 31st of March, 2026.

BZA-26-16 Development Standards Variance

Insite Real Estate Investment Properties, LLC filed a Development Standards Variance application for an approximately 1-acre section of the property located at 3520 Jefferson Ridge Drive. The applicant requests a variance for the location of the dumpster in front of the building. The zoning is PD (Jefferson Ridge Planned Development). The Docket Number is BZA-26-16.

Ms. Jones stated that her company was the designer for the infrastructure in the Jefferson Ridge Planned Development but that this property has been bought by another entity and that she not involved in this application.

Andrew Johnson with Insite Real Estate said that they are under contract to purchase the property and are building a 10,000sf child care building. They are requesting a variance to place a dumpster in front of the building to separate it from the play area behind the building and because there is no access road behind the building. He said that the dumpster will be screened

with fencing and landscaping. Mr. Shaughnessy said that while they prefer to have dumpsters behind the building, the applicant has put it in an inconspicuous place and will be screening it properly so it shouldn't be an issue.

Open public comment

No comment

Closed public comment

Ms. Jones asked what the dumpster enclosure would be made of which Mr. Johnson said it would be a wood fence.

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 31st of March, 2026

Report from Director's and Staff

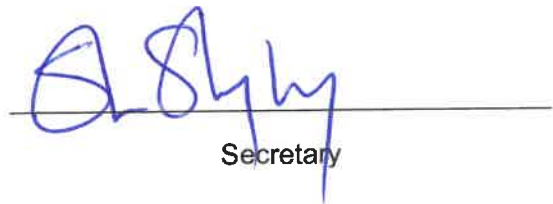
None

Adjournment

There being no further business to come before the Board of Zoning Appeals, the meeting was adjourned at 7:23 pm.



Mike McCutcheon, Chair



Secretary