

MINUTES OF THE  
**JEFFERSONVILLE BOARD OF ZONING APPEALS**  
May 26, 2026

**Call to Order**

Board President Mike McCutcheon calls to order the Board of Zoning Appeals meeting. It is Tuesday, May 26, 2026, it is 6:00pm 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 not present. Also present were 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 Plan Commission on this date can be found in the office of Planning & Zoning.)**

**Approval of Minutes**

Approval of the minutes from April 28, 2026. Ms. Jones made a motion to approve the April 28, 2026 minutes, seconded by Mr. Avery. Roll Call vote. Motion passed 4-0.

**Approval of Findings of Fact**

Approval of the Findings of Fact from April 28, 2026. Ms. Jones made a motion to approve the April 28, 2026 findings of fact, seconded by Mr. Avery. Roll Call vote. Motion passed 4-0.

**Approval of the Docket**

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

**Oath**

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

**Old Business**

None

**New Business**

**BZA-26-21 Development Standards Variance**

The Kleingers Group filed a Development Standards Variance application for the property located at the corner of Port Road and Centennial Boulevard. The applicant requests a variance for the parking location of a proposed industrial development. The current zoning is I1 (Business Park / Light Industrial). The Docket Number is BZA-26-21.

Adam Neimeyer with Outrigger Industrial affirmed the oath and said the property is zoned for industrial use and that they are going to be building 3 light industrial uses and are asking for a variance to place all of the parking in front of the building to increase its curb appeal. He said that the storefronts of the buildings will be facing Port Road and that they will be placing landscaping along Port Road and will maintain as much of the existing trees as possible. Nema Mahmoodi with the Kleingers Group affirmed the oath and said that the layout of the site creates issues with where loading docks can go and have laid out the site to maximize landscape buffers and said they will be adding additional landscaping to the property.

Mr. Reischl said that staff feels the request is appropriate given the shape of the properties and the requirements to maintain landscaping. He said he doesn't think this variance will cause any nuisances.

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 unanimously. So ordered this 26<sup>th</sup> of May, 2026.

### **BZA-26-22 Development Standards Variance**

Millennium Builders, LLC filed a Development Standards Variance application for the properties of 714 and 720 Ohio Avenue. They are seeking variances for side setbacks to develop 5 new single-family homes in a duplex and triplex building. The current zoning is R4 (Single Family Residential – Old City). The Docket Number is BZA-26-22.

Erik Merten with Primavera and Associates affirmed the oath and stated they are requesting a 6 inch reduction in the setback for the side yard on the north side of the properties. They are proposing to build 5 attached, for-sale single family housing units. He said that the revised setback will allow for a proper separation between buildings and a more orderly site design. The encroachment is next to City-owned property that contains a parking lot and will not negatively impact surrounding properties. He said the strict application of the requirements would create a hardship as the minor adjustment is related to creating infill housing. He said the original encroachment area was between the two buildings but the Planning Director requested the variance be moved to the northern property line to ensure the development would meet building code regulations and create a more orderly development.

Open public comment

Fred Collins of 702 Ohio Avenue affirmed the oath stated that he believes his taxes will increase because of this new development and feels that there will be issues related to parking. He said the Depot came into his area and raised his taxes and may force him out of his home. He said that there have been issues with crime, drug use, and drainage in the area. He said the plan to buy sewer credits would mean that they are not going to improve the issues related to sewer in the area.

Tim Netherton of 708 Ohio Avenue affirmed the oath and said that when the Depot was created, the alley was cut into to extend the fence into the alley which has created issues with traffic. He said that he is not in favor of the project because it adds too much density to too small of an area.

Closed public comment

Mr. Merten said that they have reached out to Andy Crouch and have his tentative approval of the plan but will reach back out to him regarding the feedback they received at this meeting. He said the Plan Commission approved the plat and that the lot sizes meet the R4 standards. He said that he will coordinate to Len Ashack regarding the sewers. He said the only thing they are asking for with the variance is a 6 inch reduction on the north side of the property abutting City-owned property.

Ms. Jones asked what the lot width of the middle unit of the triplex which Mr. Merten said it was 18.5 feet which Ms. Jones was enough room for two cars. Ms. Jones asked if the intent is to sell the units which Mr. Merten confirmed. Ms. Jones said that she is a fan of infill development and getting different styles of housing in these areas. Mr. McCutcheon said that the Board does not make their decision based on flooding or drainage issues, those are done by other boards.

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 unanimously. So ordered this 26<sup>th</sup> of May, 2026.

### **BZA-26-23 Use Variance**

Dennis Sherrod filed a Use Variance application for the property at 1818 E. Park Place. The applicant is requesting to establish a banquet hall/event space on the property. The current zoning to R1 (Single Family Residential – Large Lot). The Docket Number is BZA-26-23.

Dennis Sherrod affirmed the oath and said he purchased the gymnasium next to the Park Place Lodge located at 1820 E. Park Place which is a large-scale short-term rental building that he owns 50% of. The gymnasium was in rough shape and he is planning on renovating the building to make a wedding center or event hall.

Mr. Reischl said that this property is very odd as it is zoned for residential use but has been combined with a property that is zoned NS. In the NS zone, a banquet hall would be allowed. He said that the owner has taken steps to clean up the site and that staff does not have an issue with the Use Variance.

Open public comment

No comment

Closed public comment

Ms. Jones asked if they are going to be making improvements to the parking lot or putting up fences which Mr. Sherrod said they have put up a fence already and will be repairing the parking lot. She said that reusing an existing building for this use makes sense.

Move to findings

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for the 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 unanimously. So ordered this 26<sup>th</sup> of May, 2026.

### **BZA-26-24 Special Exception**

Katherine Epperson filed a Special Exception application for the property at 209 W. Market Street. The applicant is requesting to establish an accessory dwelling unit on the property. The current zoning is R4 (Single Family Residential – Old City). The Docket Number is BZA-26-24.

Katherine Epperson of 1200 Brown Forman Way affirmed the oath and stated that she bought the property with the hope of turning the historic home into a short term rental and restoring the home to its historic character. She said that there is a garage in the rear that someone had started to turn into an apartment and are wanting to turn that into an Accessory Dwelling Unit for her and her husband to live in while they rent the main house.

Mr. Reischl said that there are two hearing that are connected – one for an Accessory Dwelling Unit and one to establish a Short-Term Rental on the property. He said that once she moves into the garage apartment, the Special Exception for the Short-Term Rental would no longer be necessary as the property would be owner-occupied at that moment.

Open public comment

No comment

Closed public comment

Mr. Reischl said they will start with the findings for the Accessory Dwelling Unit and then move to the findings for the Short-Term Rental.

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 unanimously. So ordered this 26<sup>th</sup> of May, 2026.

#### **BZA-26-25 Special Exception**

Katherine Epperson filed a Special Exception application for the property at 209 W. Market Street. The applicant is requesting to establish a short-term rental on the property. The current zoning to R4 (Single Family Residential – Old City). The Docket Number is BZA-26-25.

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 unanimously. So ordered this 26<sup>th</sup> of May, 2026.

#### **BZA-26-26 Development Standards Variance**

Charles Roman filed a Development Standards Variance application for the property located at 53 Forest Drive. The applicant is seeking a variance to exceed the maximum lot coverage to

build a detached garage. The current zoning is R2 (Single Family Residential – Medium Lot). The Docket Number is BZA-26-26.

Charles Roman of 53 Forest Drive affirmed the oath and stated that he wants to build a garage to store his vehicles and motorcycles. He said he's spoke to his neighbors and they didn't have an issue and had received Oak Park's approval. Mr. Reischl said they are seeking a variance from maximum lot coverage of an additional 1,080 sq.ft. He said that the property is overly-large for this area and that there is plenty of room on the lot for the garage and that the total coverage would only be 41% of the lot. He said that a couple of years ago they made a change to how the coverage is calculated and that under the previous code, he would have been allowed to cover up to 45%.

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 unanimously. So ordered this 26<sup>th</sup> of May, 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 6:47 pm.



Mike McCutcheon, Chair



Secretary