

Martinsville Board of Zoning Appeals

Meeting Agenda

Wednesday, July 22,
2025

6:00 PM - Council
Chambers

THE CITY OF
Martinsville
INDIANA



Call to Order

Roll Call

Presentation of Minutes from Last Meeting

Documents:

[JUNE 24, 2025, BOARD OF ZONING APPEALS MEETING MINUTES.PDF](#)

New Business

- A. BZA Docket No. 25023-Varaince of Use - 260 S Mulberry St -
Gabriel Britton

Documents:

[BZA DOCKET NO. 25023-VARAINCE OF USE - 260 S MULBERRY ST -
GABRIEL BRITTON.PDF](#)

Next Regular Meeting

The next regularly scheduled meeting will be on Wednesday, August 26, 2025,
at 6:00 PM in the Council Chambers (Room 202), City Hall, 59 S. Jefferson St,
Martinsville, IN.

Adjournment

Any individual who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a public meeting, program, service, or activity of the City of Martinsville, IN contact Ben Merida, ADA Coordinator, 56 North Main Street, Martinsville, IN 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

MARTINSVILLE BOARD OF ZONING APPEALS

Tuesday, June 24, 2025

Chairman Dessen Miller called the meeting of the Martinsville Board of Zoning Appeals to order at 6:00 P.M., on Tuesday, June 24, 2025, in the Council Chambers of City Hall, Martinsville, IN.

ATTENDANCE:

Those members present were Chairman Dessen Miller, Vice Chairman Marianne Schell, Julie Jennings, Attorney Dale Coffey, Bob Strader, Lisa Hollett and Gary Oakes.

Secretary Marilyn Siderwicz was absent.

MINUTES: May 28,2025

Julie Jennings made a motion to approve the minutes of the April 22,2025 meeting. This motion was seconded by Marianne Schell and passed unanimously. 3-0

NEW BUSINESS:

1. Docket BZA #25015; Land Use Variance-Allow a shed to be moved to their property to run a Dog Grooming Business in a R-1 Zoning; Address: 989 E Columbus St; Legal Description: Blk 12 B N Poston 1st E ½ NE: Owner: Wesley & Kylee Bolin

The property owners asked the board to approve a land use variance to allow them to run a dog grooming business out of a shed on their property. Julie Jennings ask about appointment time for the clients, Kylee Bolin said they are about 2 hours a part depending on what is being done. Marianne Shell asked if the dog was dropped off or does the owner of the dog stayed, Kylee said it just depends on what grooming task she is doing. Julie Jennings asked if there is going to be any boarding of dogs, Kylee said no. The property owner said they have already run water, electricity and plumbing to shed. Wesley Bolin said he has a 2-filter system on water to catch hair and to filter the water before it goes to the city septic system on their property.

The Findings of Fact were read and found not to be acceptable.

REMONSTRATORS: None.

MOTION:

Julie Jennings made the motion to disapprove the requested Docket BZA #25015; Land Use Variance-Allow a shed to be moved to their property to run a Dog Grooming Business in a R-1 Zoning; Address: 989 E Columbus St; Legal Description: Blk 12 B N Poston 1st E ½ NE: Owner: Wesley & Kylee Bolin, Marianne Schell second the motion and disapprove unanimously. 0-3

NEXT SCHEDULED MEETING: Tuesday, July 22,2025, at 6:00 P.M.

ADJOURNMENT: There being no further business, the meeting adjourned with a motion by Julie Jennings and seconded by Marianne Schell.

Dessen Miller, Chairman

Marilyn Siderwicz, Secretary (Absent)

Julie Jennings

Marianne Shell

APPLICATION TO THE MARTINSVILLE BOARD OF ZONING
APPEALS FOR VARIANCE IN LAND USE, DEVELOPMENT
STANDARDS, SPECIAL EXCEPTION, OR FLOOD PROTECTION
STANDARDS, WITHIN THE PLANNING JURISDICTION OF THE CITY
OF MARTINSVILLE

BZA-#
Docket No. 25023

Date of Filing: 7-2-2025

Applicant: Gabriel S. Britton

Address of Applicant: 260 S. Mulberry St. Martinsville, IN 46151

Phone: 812-345-6161

Is Applicant the Landowner or owner's attorney? (Yes) (No) circle one. If no, written authorization of landowner is required before proceeding.

Request for: Land Use Variance Development Standards Variance
 Special Exception Appeals

Specify request (i.e.: change in front of building line from ?? feet to ?? feet; change in land use to allow for use as a ?????; a special exception for the purpose of ?????). Also, include any written commitments or restrictions that you believe are needed or desired. If additional space is needed, commitments or restrictions can be attached as an exhibit to this application:

Land Use Variance from Residential to use as an Attorney Office.

Legal Description: The North half of the Southeast Quarter of Out Lot Number Forty-Three (43)

Address of Property: 260 S. Mulberry St. Martinsville, IN 46151

Total Area Affected: .21ac

Current Zoning Classification: R1



Signature of Applicant or Agent

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CITY OF MARTINSVILLE, IN

Morgan County, IN

260 S MULBERRY ST, MARTINSVILLE, IN 46151
55-13-04-138-010.000-021



Parcel Information

Parcel Number: 55-13-04-138-010.000-021
Alt Parcel Number: 55-13-04-138-010.000-021
Property Address: 260 S MULBERRY ST
MARTINSVILLE, IN 46151
Neighborhood: ORIGINAL PLAT OF MARTINSVILLE
Property Class: 1 Family Dwell - Platted Lot
Owner Name: BRITTON GABRIEL
Owner Address: 430 HESS RD
MARTINSVILLE, IN 46151
Legal Description: OUTLOT 43 ORIG PLAT N 1/2 SE

Taxing District

Township: WASHINGTON TOWNSHIP
Corporation: M.S.D. MARTINSVILLE

Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
9	0.205	



Jackson St (W) (Martinsville)

Columbus St (W) (Martinsville)

R2-MEDIUM DENSITY RESIDENTIAL

Mulberry St (S) (Martinsville)

Main St (S) (Martinsville)

Marlon St (S) (Martinsville)

Walnut St (W) (Martinsville)

I1-LIGHT INDUSTRIAL

Indiana St (W) (Martinsville)

I2-GENERAL INDUSTRIAL

R1-LOW DENSITY RESIDENTIAL

B2-RETAIL BUSINESS

CITY OF MARTINSVILLE BOARD OF ZONING APPEALS

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the City of Martinsville Board of Zoning Appeals, at City Hall, 59 South Jefferson Street, Martinsville, Indiana 46151 on Tuesday, July 22, 2025

at 6:00 p.m. local time upon the application of Gabriel S. Britton
for a Land Use Variance from Residential to use as an Attorney Office.

on the property located at 260 S. Mulberry St. Martinsville, IN 46151

being more particularly described as follows, to-wit:

The North half of the Southeast Quarter of Out Lot Number Forty-Three
(43) in the Original Plat of the City of Martinsville, as per plat thereof recorded in
Deed Record J, Page 446 and in Deed Record A, Page 10 in the Office of the Recorder
of Morgan County, Indiana.

The complete application and file for this application is available for public inspection fifteen (15) days prior to hearing date, during regular working hours, at the Planning and Building Department, 110 West Morgan Street, Martinsville, Indiana 46151.

Interested persons appearing in favor of or in opposition to the application will be heard thereon by the Board.

This notice has been prepared by: 
Signature of Petitioner(s) or Agent

Dated: 7-2-2025

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CITY OF MARTINSVILLE, IN

MARTINSVILLE BOARD OF ZONING APPEALS
FINDINGS OF FACT
FOR VARIANCE OF USE

Pursuant to IC 36-7-4-918.4, the Martinsville Board of Zoning Appeals having heard the variance filed by Gabriel S. Britton, requesting the following use, Land Use Variance from Residential to use as an Attorney Office.

_____, now makes the following Finding of Fact pursuant to IC 36-7-4-918.4:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community due to the following reasons:
The office that will be moving approximatly 300 yards from it's current location has been in operation for 13 years and has not been injurous to the health, safety, morals, or general welfare of the commmunity.
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; for the following reasons:
The establishment of the special exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.
3. The need for the variance arises from some condition peculiar to the property involved, namely:
The Proximity to the Morgan County Judicial Campus makes the property and ideal location for an attorney's office.
4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought: namely:
The Morgan County Courts are relocating to 180 S. Main St.,
Martinsville, IN 46151
5. The approval does not interfere substantially with the Comprehensive Plan adopted under the 500 series of this Chapter, namely because:
Because the applicant has provided sufficient evidence demonstrating that the proposed use or development aligns with the overarching goals and provisions of the comprehensive plan, supporting objectives such as housing diversity, compatible land use, and the overall welfare of the community, without negatively impacting adjacent properties or public health and safety.
6. Stipulations to run with the variance:

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