

Martinsville Board of Zoning Appeals

Meeting Agenda

Tuesday, January 28,
2025

6:00 PM - Council
Chambers

THE CITY OF
Martinsville
INDIANA



Call to Order

Roll Call

For The Appointment of Officers

- o Chair
- o Vice-Chair
- o Secretary

Presentation of Minutes from Last Meeting

Documents:

[NOVEMBER 26, 2024 PLANNING COMMISSION MEETING MINUTES.PDF](#)

Continued Business

Documents:

[DOCKET NO. BZA24028 - DEVELOPMENT STANDARDS VARIANCE - 780 E. PIKE ST..PDF](#)

Next Regular Meeting

The next regularly scheduled meeting will be on Tuesday, February 25, 2025, at 6:00 PM in the Council Chambers

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, 995 Rogers Road, Martinsville, IN 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

**MARTINSVILLE PLAN COMMISSION
MEETING MINUTES
NOVEMBER 26, 2024**

Chairman Joe Disney called the meeting of the Martinsville Plan Commission to order at 7:00 PM on Tuesday, November 26, 2024, in the Council Chambers of City Hall, Martinsville, IN.

ROLL CALL: Those members present were:

Richard D. Bastin, Jr.
Steve Bodi
James Burkhart
Joe Disney, Chairman
Rick Durnal
Richard Heacock
Ann Miller
Troy Swan
Marilyn Siderewicz, Secretary

Those members absent were:

Kayleb Foerster and Jason Scott

Also present: Bob Strader, Building Inspector
Gary Oakes, City Planner
Dale Coffey, Attorney

PRESENTATION OF MINUTES: Dated September 24, 2024

MOTION: A motion was made by Steve Bodi and seconded by Ann Miller to approve the minutes of the September 24, 2024, meeting of the Plan Commission. This motion passed unanimously.

NEW BUSINESS:

1. Docket #PC24026: Planned Unit Development Request: Approval to construct an automatic car wash facility on the property; Address: 325 Grand Valley Blvd; Legal Description: Pt Lot 20 Grand Valley Center Amended Sec 6 - 2.195 acres: Owner: Martinsville Wash Investments, LLC

Eric Belton, Partner with Trent Walter, made the presentation to the Plan Commission. Mr. Belton stated they were proposing to develop an automatic car wash facility which would include a 110'x38' building, concrete drive, parking lot, and two commercial approaches. The facility would be manned by three employees, including 16 vacuum/parking spaces, and two pay stations to process vehicles. The project includes a dry detention basin, a new storm sewer system, and all new utility hookups (water, sanitary, electric, gas, etc.).

Drawings of the proposed project were distributed to the Commissioners.

REMONSTRATORS: None.

Attorney Dale Coffey reminded the Plan Commission that each lot in the PUD would have to come before the Plan Commission and explain its intent of use before approval would be given.

MOTION: Ann Miller made a motion to approve the construction of an automatic car wash facility on the property at 325 Grand Valley Blvd, a Planned Unit Development Request of the Martinsville Wash Investments, LLC. The motion was seconded by Rick Heacock and passed unanimously.

2. Proposed Sign Ordinance – Gary Oakes, City Planner

Mr. Gary Oakes said a committee had been formed about six years ago, and Mike Kirsch had been made chairman at that time.

Mayor Costin wanted a subcommittee formed. From the City Council, Ann Miller, Ben Mahan, John Badger, James Burkhart, and Rick Durnal had been appointed to form this subcommittee.

The City Council voted 3-3 on the proposed Sign Resolution. Therefore, this was sent back to the Plan Commission for changes and approval.

Mr. Oakes stated there were no major changes or issues.

Attorney Dale Coffey said the Plan Commission Subcommittee and the City Council Subcommittee should have a meeting together and report back with the results. This would not be a Public Hearing.

Mr. Brad Johnson, Ground Rules, Inc., would be available to answer questions.

3. Discussion regarding information given to Commissions on requests.

Mr. Steve Bodi raised the idea that members of the commission needed to receive more information regarding the requests prior to the meeting.

A lengthy discussion incurred. Members were reminded that the Chairman can table a request if there is not enough information available.

The next regular session meeting of the Martinsville Plan Commission will be on Tuesday, January 28, 2025, at 7:00 P.M.

ADJOURNMENT: There being no further business, the meeting was adjourned with a motion made by Ann Miller, seconded by Steve Bodi, and passed unanimously.

Richard Bastin

Marilyn Siderewicz, Secretary

Steve Bodi

James Burkhart

Kayleb Foerster (Absent)

Richard Heacock

Joe Disney, Chairman

Rick Durnal

Ann Miller

Troy Swan

Jason Scott (Absent)

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

Docket No. BZA 24028

Date of Filing: _____

Applicant: Denney Walls Phone: (765)342-2166

Address of Applicant: 740 E Morgan Street, Martinsville, Indiana

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

Request for Variance From: Land Use
Development Standards
Special Exception

Specific request (such as: change in front building line from ___ feet to ___ feet or change in land use to allow for use as a _____ or a special exception for the purpose of _____). Also, include any commitments or restrictions that you believe are needed or desired. If additional space is need, commitments or restrictions can be attached as an exhibit to the application:

Vacate 2 lots and subdivide the parcel into 3 lots, each having less than 10,000 square feet with reduced setbacks. REAR SET BACK - 0 -

Legal Description: Lots 3 and 4, Block 16, Cunningham's Second Addition to the City of Martinsville

Total Area Affected: 17,424 sq.ft. Address of Property: 789 E Pike St, Martinsville, Indiana

Current Zoning Classification: R2

Signature of Applicant or Agent

**MARTINSVILLE BOARD OF ZONING APPEALS
FINDINGS OF FACT
FOR VARIANCE FROM DEVELOPMENT STANDARDS**

Pursuant to IC 36-7-4-918.5 the Martinsville Board of Zoning Appeals having heard the variance filed by Denney Walls, requesting the following variance from development standards, subdivision of lots less than 10,000 sq.ft. in R2 and reduced setbacks, now make the following Finding of Fact pursuant to IC 36-7-4-918.5:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community for the following reasons:

The original platted lots with Cunningham's Second Subdivision are less than 10,000 sq. ft. and the current required setbacks deem the lots unbuildable. With a block of this property there are at least 8 half-lots which are consistent with what has been proposed.

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 reasons that:

The proposal is consistent with the characteristics of the neighborhood.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. However, the Zoning Ordinance may establish a stricter standard than the "practical Difficulties" standard prescribed by this subdivision. The actual practical difficulties found to exist here are as follows:

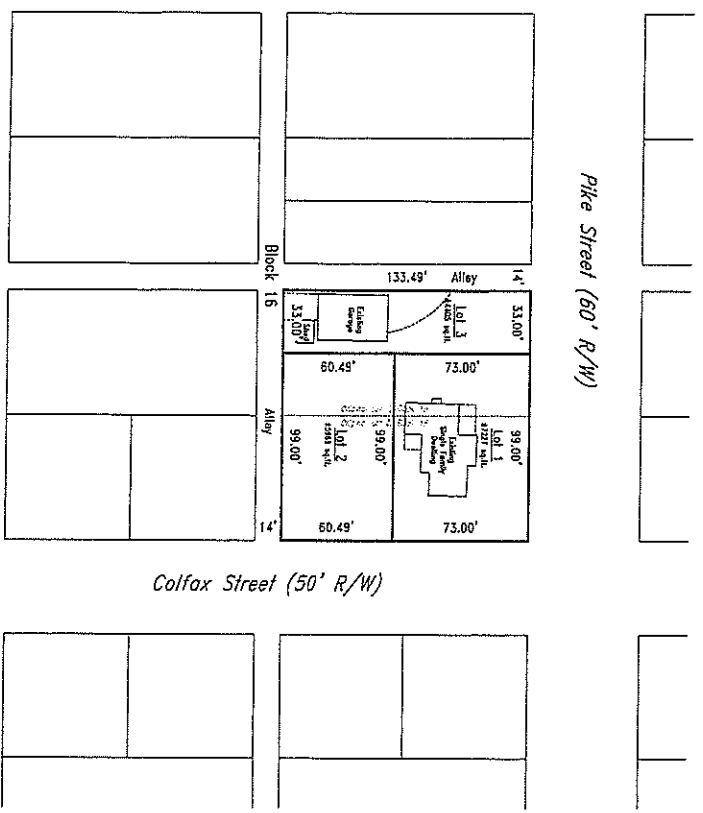
This subdivision was platted prior to 1974 and the adoption of the first planning and zoning ordinances within the city. The are provisions in the current zoning ordinance which allows for reduced setbacks consistent with neighboring properties, and this request is wanting to document the requested reductions.

Stipulations to run with variance

None

Walls Minor Plat No. 1

A vacation and replat of
 Lots 3 and 4 in Block 16
CUNNINGHAM'S SECOND ADDITION
 City of Martinsville, Indiana



Pike Street (60' R/W)

Colfax Street (50' R/W)

VACATION AND REPLAT OF WALLS MINOR PLAT NO. 1

The undersigned, being duly qualified and licensed as a Professional Land Surveyor in the State of Indiana, have been duly sworn and do hereby certify that the foregoing plat is a true and correct representation of the actual conditions and boundaries of the lots and parcels shown and described and that the same are in accordance with the original plat.

This subdivision shall be shown on WALLS MINOR PLAT NO. 1, a subdivision map of Block 16, as depicted on Lot Number One (1) through Three (3), and Lot Number Four (4) of the original plat of WALLS MINOR PLAT NO. 1, as shown on the attached original plat and subdivision map hereby submitted to the public.

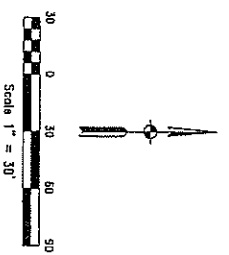
In witness whereof, the undersigned has set their hand and seal this _____ day of _____, 2011.

Surveyor's Seal: _____
 State of Indiana }
 County of Jackson } SS

Block 16, the undivided, a Henry Public is and for the said County and shall be shown on WALLS MINOR PLAT NO. 1, as depicted on the attached original plat of the original plat of WALLS MINOR PLAT NO. 1.

Where my hand and seal this _____ day of _____, 2011.

Henry Public Subdivisor: _____ Henry Public Plat No. _____
 My commission expires: _____ No. _____



DESCRIPTION OF WALLS MINOR PLAT NO. 1

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 My commission expires: _____ No. _____



Certified this 28th day of November, 2011.
 T. Alan Wright
 Professional Land Surveyor #25000011

THIS INSTRUMENT PREPARED BY CURTIS T. W. SURVEYOR OF THE STATE OF INDIANA, AND ALL ACTS AND DEEDS HEREIN CONTAINED ARE VALID AND LEGAL IN ALL RESPECTS AND SHALL BE ENFORCED AS SUCH BY THE COURTS OF THE STATE OF INDIANA.

Witness my hand and seal this _____ day of _____, 2011.

Surveyor's Signature: _____
 Surveyor's Signature: _____
 Commission (Renewal): _____ Secretary (Renewal): _____

NO. 1
 DATE: November 5, 2014
 DRAWN BY: _____
 CHECKED: _____

Drapalik Surveying & Engineering
 1117 W. Washington Street, P.O. Box 1018
 Martinsville, Indiana 46150-1018
 Phone: 765-932-8100
 Email: DrapalikSurveying@stgplanet.net

PROJECT: Walls Minor Plat No. 1
 SHEET TITLE: Final Plat

REVISIONS



SCALE: 1" = 30'
 DRAWN BY: _____
 CHECKED: _____