

Martinsville Board of Zoning Appeals

Meeting Agenda

Tuesday, April 22,
2025

6:00 PM - Council
Chambers

THE CITY OF
Martinsville
INDIANA



Call to Order

Roll Call

Election of Officers for Calender Year 2025

VICE-CHAIRMAN POSITION

Discussion of Minutes from January 28, 2025

Documents:

[JANUARY 28, 2025 BOARD OF ZONING APPEALS MEETING MINUTES.PDF](#)

Presentation of Minutes from Last Meeting

Documents:

[BZA MARCH 25, 2025 MEETING MINUTES.PDF](#)

Continued Business

- A. Docket No. BZA #25005: Development Standards Variance-Reduce Side Yard Set Back from 10' to 6'2": Address: 1580 Josephine St; Legal Description: Lot 28 John E Miles Subdivision: Owner: CBO LLC

Documents:

[DOCKET 25005-APPLICATION AND FINDING OF FACTS-VARIANCE DEVELOPMENT STANDARDS-1580 JOSEPHINE ST.PDF](#)

New Business

- A. Docket No. BZA #25008; Land Use Variance-Allow a pavilion to rent in a Light Industrial Zoning; Address: North Blue Bluff Rd; Legal Description: S33 T12 R1E PT SE NW 12.48 Acres: Owner: Jeffrey Allan & Jeanne Martin

Documents:

[DOCKET 25008-APPLICATION AND FINDING OF FACTS-LAND USE VARIANCE-N BLUE BLUFF RD.PDF](#)

Adjournment

Next Regular Meeting

The next regularly scheduled meeting will be on Wednesday, May 28, 2025, at 6:00 PM in the Council Chambers.

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 BOARD OF ZONING APPEALS

Tuesday, January 28, 2025

Chairman Anna Elliott called the meeting of the Martinsville Board of Zoning Appeals to order at 6:00 P.M., on Tuesday, January 28, 2025, in the Council Chambers of City Hall, Martinsville, IN.

RESIGNATIONS: Anna Elliott and Tom Hacker announced they would be resigning from the Board of Zoning Appeals effective at the close of this meeting, January 28, 2025.

ATTENDANCE:

Those members present were: Chairman Anna Elliott, Secretary Marilyn Siderewicz, Tom Hacker, and Julie Jennings.

ELECTION OF OFFICERS FOR CALENDAR YEAR 2025

CHAIRMAN: Anna Elliott made a motion to elect Dessen Miller as Chairman. The motion was seconded by Tom Hacker and passed unanimously.

VICE-CHAIRMAN: It was decided to wait on election of a Vice-Chairman until appointment of additional members to the Martinsville Board of Zoning Appeals.

SECRETARY: Tom Hacker made a motion to elect Maily Siderewicz as Secretary. The motion was seconded by Anna Elliott and passed unanimously.

MINUTES: October 22, 2024

Julie Jennings made a motion to approve the minutes of the October 22, 2024, meeting. This motion was seconded by Tom Hacker and passed unanimously.

CONTINUED BUSINESS:

DOCKET NO. BZA24028: Development Standards Variance – Request to reduce rear setback to 0 (zero); Address: 789 E. Pike St.; legal Description: Lot 3 & 4 Blk 16 Cunningham 2nd Addition; Owner: Denney Walls.

Ross Drapalich made the presentation of the request. Mr. Drapalich distributed drawings of the area in question. He stated that his client wished to vacate the two lots that he owns and then divide them into three lots. The lots are less than 10,000 sq. ft. He further said this would be consistent with the neighborhood.

These lots had never been brought to the Plan Commission or Board of Zoning Appeals because it was not a requirement at that time. This will be subject to the Plan Commission decision regarding the lot being less than 10,000 sq. ft.

The Findings of Fact were read and found to be acceptable.

REMONSTRATORS: None.

MOTION: Julie Jennings made a motion to approve the request for Development Standards Variance to reduce a rear setback to 0 (zero); Address 789 E. Pike St.; Legal Description: Lot 3 & 4 Blk 16 Cunningham 2nd Addition; Owner: Denny Walls with less than 10,000 sq. ft. and to build a home accordingly. The side setback of 6 ft. was approved. This was felt to be consistent with the neighborhood. The motion was seconded by Marilyn Siderewicz and passed unanimously.

NEXT SCHEDULED MEETING: TUESDAY, February 25, 2025, at 6:00 P.M.

ADJOURNMENT: There being no further business, the meeting adjourned with a motion by Tom Hacker and a second by Julie Jennings.

Anna Elliott, Chairman

Marilyn Siderewicz, Secretary

Dessen Miller (Absent)

Tom Hacker

Julie Jennings

MARTINSVILLE BOARD OF ZONING APPEALS

Tuesday, March 25, 2025

Chairman Dessen Miller called the meeting of the Martinsville Board of Zoning Appeals to order at 6:00 P.M., on Tuesday, March 25, 2025, in the Council Chambers of City Hall, Martinsville, IN.

ATTENDANCE:

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

MINUTES: January 28, 2025:

Julie Jennings made a motion to approve the minutes of the January 28, 2025 meeting. This motion was seconded by Marianne Schell and passed unanimously.

NEW BUSINESS:

DOCKET NO. BZA25003: Variance for Land Use: Request to Allow the Retail Sale of Household Appliances within the I-1 Light Industrial Zoning Category; Address: 1007 Blue Bluff Rd; Legal Description: S33 T12 R1E SE NW 1.62 ac; Owner: US Mobariz Trucking LLC

The owner of the property made the presentation explaining he wants to open a Retail Shop so he can sell used and new household appliances. Dale Coffey asked about parking. Bob Strader explained parking will be on the south end of the property. The decision was made about when the appliance will be delivered and the size of the truck. The owner explained he will deliver the appliances when the store is closed, and he will use a box truck to deliver the appliances.

The Findings of Fact were read and found to be acceptable.

REMONSTRATORS: None.

MOTION: Marianne Schell made the motion to approve the request for Variance for Land Use to allow Retail Sales of household appliances within I-1 Light Industrial Zoning; Address: 1007 Blue Bluff Rd; Legal Description: S33 T12 R1E SE NW 1.62 ac; Owner: US Mobariz Trucking LLC. The motion was seconded by Julie Jennings and approved unanimously.

DOCKET NO. BZA25005: Development Standard Variance-Requesting to Reduce Side Yard Set Back from 10' to 6'2"; Address: 1580 Josephine St; Legal Description: Lot 28 John E Miles Subdivision; Owner: CBO LLC

Robert Rollins made a presentation explaining why they need a reduced side yard setback for the Doubles they are wanting to build. Julie Jennings asked if the area single family homes, the area is zoned R2. There was discussion about how close the property will be to the road.

REMONSTRATORS: Franklin Littell was asking about parking and if they parked on the road, it would block cars from looking around the corner.

MOTION: Dessin Miller motioned to table the decision to change the Development Standard Variance to Reduce the Side Yard Setback from 10' to 6'2"; Address: 1580 Josephine St; Legal Description: Lot 28 John E Miles Subdivision; Owner: CBO LLC. The motion was seconded by Julie Jennings and approved unanimously.

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

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

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**

Docket No. 25005

Date of Filing: 2-25-25

Applicant: Robert Rollins

Address of Applicant: 3587 w Roberts Rd.

Trafalgar IN 46181

Phone: 317-289-8135

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:

Reduce Side Yard Set Back From 10' to 6'2."

Legal Description: Lot 28 John E. Miles Subdivision

Address of Property: 1580 Josephine St, Martinsville IN

46151

Total Area Affected: .21 Acre

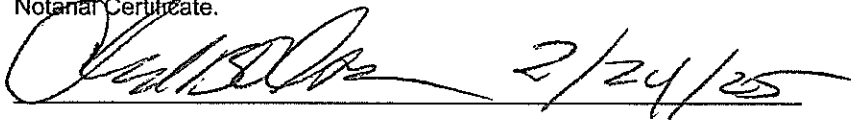
Current Zoning Classification: R2



Signature of Applicant or Agent

To whom it may concern,

I, Chad Olsson with CBO LLC, do hereby grant permission to the buyer Robert R Rollins to request a setback variance as needed to proceed with building plans on my property located at 1580 S Josephine Street in Martinsville, IN. See attached Notarial Certificate.

A handwritten signature in black ink, appearing to read 'Chad Olsson', is written over a horizontal line. To the right of the signature, the date '2/24/25' is handwritten in the same ink.

Chad Olsson CBO LLC

February 24, 2025

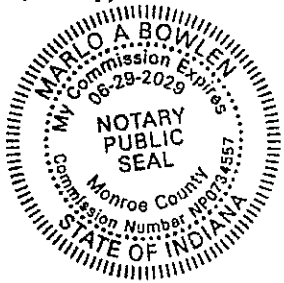
State of Indiana
County of Monroe

I, a Notary Public, in and for said County in said State, hereby certify that

Chad Olsson whose name as
Chad Olsson of the CBO, LLC, a
corporation, is signed to the foregoing instrument or conveyance and who is known to
me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such officer and with full authority, executed the same voluntarily
for and as the act of said corporation.

Given under my hand this the 24th day of February, 20 25.

(Seal, if any)



Marlo A. Bowlen - Notary Public
(Signature of notarial officer)
Title (and Rank)

My commission expires: 6/29/29

**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 Robert Rollins, requesting the following variance from development standards,
Reduce side yard set back from 10' to 6'2"

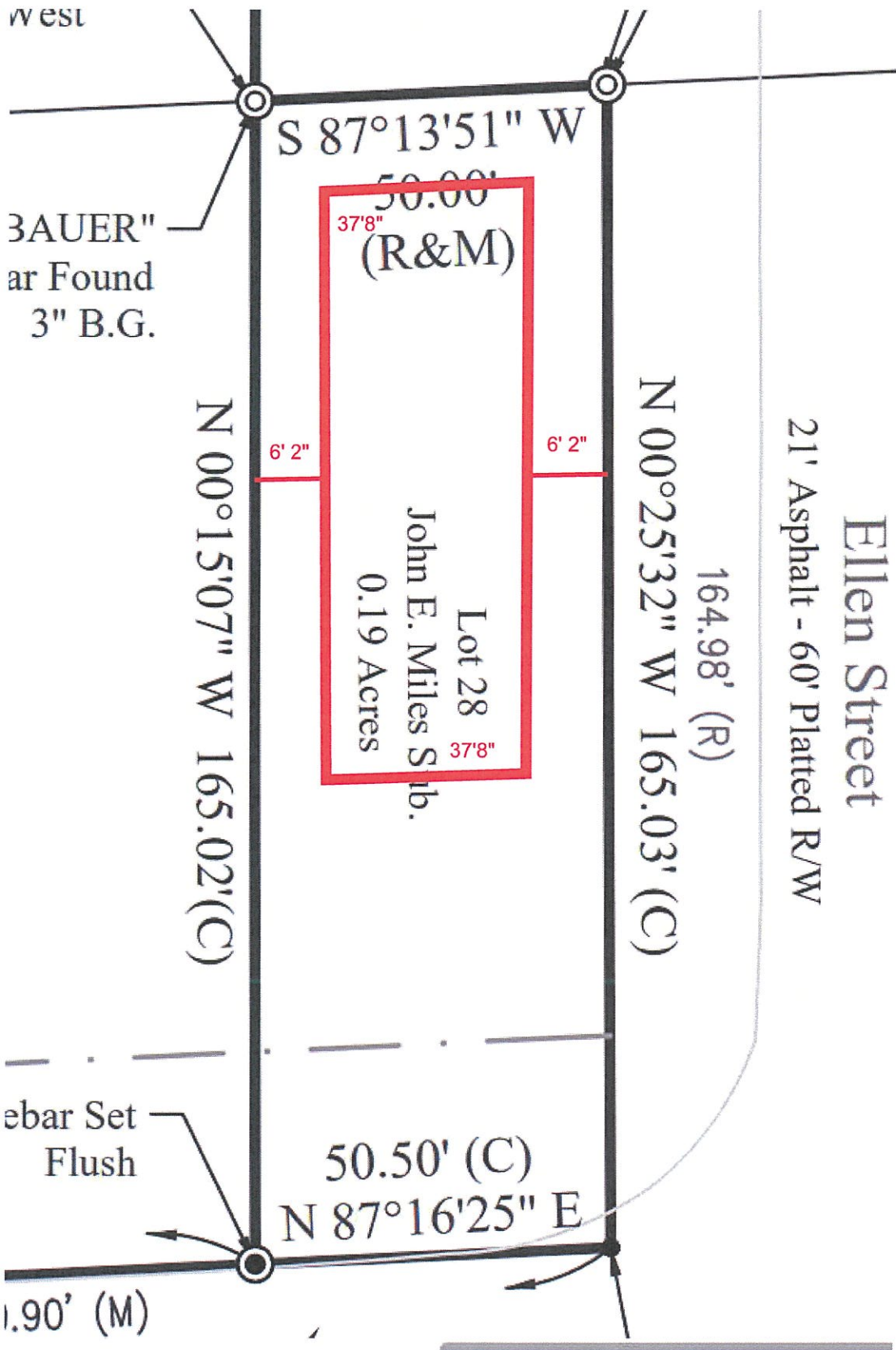
now make the following Finding of Fact pursuant to IC 36-7-4-918.5:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community for the following reasons:
We are asking for a reduced side yard set back to build a duplex. The duplex is 37' 8" wide and the width of the property is 50' so we are asking for the set back to be reduced 3' 10" on each side of the duplex.

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 building of the duplex will improve the look of the addition with a brick facade, 6:12 roof pitch, hipped roof, on a slab, and landscaping. This will improve the look of the addition, neighborhood, and surrounding houses.

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:
The duplex is too large to fit on the lot with the current 10' side yard set back. Please see the attached survey showing the duplex on the lot.

Stipulations to run with variance
None



AFFIDAVIT OF NOTICE FOR PUBLIC HEARING OF THE CITY OF MARTINSVILLE PLAN
COMMISSION OR BOARD OF ZONING APPEALS

State of Indiana)
) SS:
County of Morgan)

I or We Rob Rollins

Being the applicant or agent of the applicant having a petition before the City of Martinsville Plan Commission or Board of Zoning Appeals for consideration of the matter as given and described on the attached Notice of Public Hearing do hereby certify to the City of Martinsville Plan Commission or Board of Zoning Appeals, as the case may be, that the attached public hearing notice was sent by certified mail, return receipt requested, to each landowner(s) adjoining and within two parcels in depth or six hundred sixty (660) feet, whichever is less (streets, highways, railroads and rivers having been ignored), from the parcel of land that is the subject of this affidavit at the address as listed in the tax records of the Auditor of Morgan County. That each and every owner that is required to be notified has been notified and that the names and addresses of those parties so notified is attached hereto and is made a part of this affidavit. Further that notification to the required public agencies by certified mail or hand delivery has been made and that the names of the agencies so notified are also attached hereto and made a part of this affidavit.

Further that said notices of public hearing together with notification of the required public agencies were mailed on 2nd day of February, 20 25 being at least fifteen (15) days prior to the 25th day of March, 20 25 which date is the date of the public hearing concerning this petition.

Rob Rollins
Signature of applicant or agent

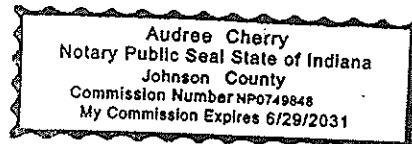
Subscribed and sworn before me, a Notary Public, this 20th day of February, 2025.

Audrey Cherry
Signature of Notary

Audrey Cherry
Printed Name of Notary

County of Johnson

My Commission Expires: 6/29/31



(APPLICANT, BE SURE TO ATTACH THE PUBLIC NOTICE AND LIST OF PERSON NOTIFIED).

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,

3-25-25

at 6:00 p.m. local time upon the application of Development Standard Variance
for a Reduce Side Yard Set back from 10' to 6'2"

on the property located at 1580 Josephine St, Martinsville IN
46151

being more particularly described as follows, to-wit:

Lot 28 John E Miles Subdivision

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: 2-17-2025

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

Docket No. 25008

Date of Filing: 4-2-2025

Applicant: Jeanne Martin & Jeff Martin

Address of Applicant: 2150 N. Wolf Den Ln.
Martinsville, IN 46151

Phone: 765-315-9272

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:

We would like to build a pavilion to rent out for small
weddings or gatherings. We would like to also add cabin
rentals in the future. The property is majestic & would make
an ideal destination - bringing people in from all over.

Legal Description: _____

Address of Property: N. Blue Bluff Rd.

Total Area Affected: entire parcel

Current Zoning Classification: Light industrial

Jeanne Martin
Signature of Applicant or Agent

RECEIVED

APR 03 2025

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 Jeff & Jeanne Martin, requesting the following use, allowing a pavilion to be built on the property for wedding rental within the I-1 (light industrial) zoning district.

_____, 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:
This land was once a shale quarry - since then it has become a neglected dump site. We see the beauty in its potential & would like to redeem it into a gathering site.
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:
Our intention for proposed use is not industrial, rather it is for a peaceful & beautiful gathering site.
3. The need for the variance arises from some condition peculiar to the property involved, namely:
most of the property is a body of water - limiting space for industrial use.
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 strict application of the zoning ordinance to not allow a less intense use of this property would be a hardship in itself. The property is an ideal location to attract people to Martinsville.
5. The approval does not interfere substantially with the Comprehensive Plan adopted under the 500 series of this Chapter, namely because:
Whether this property is used as a rental venue, or a light industrial use, both uses fall under commercial use. Granting a variance protects the encompassing plan verses seeking a lesser rezoning of the property.
6. Stipulations to run with the variance:

RECEIVED

APR 03 2025

CITY OF MARTINSVILLE, IN

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,

April 29th, 2025

at 6:00 p.m. local time upon the application of Jeff & Jeanne Martin
for a land use variance.

We would like to build a pavilion in a light industrial zoned property. We hope to build airbnb rental options in the future. Our dream in this location is to provide a high-end-majestic experience for micro weddings or small family reunions.

on the property located at 1. Blue Bluff Rd.

being more particularly described as follows, to-wit:

S 33 T 12 R 1 E P T S E N W 12.48 Acres

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.

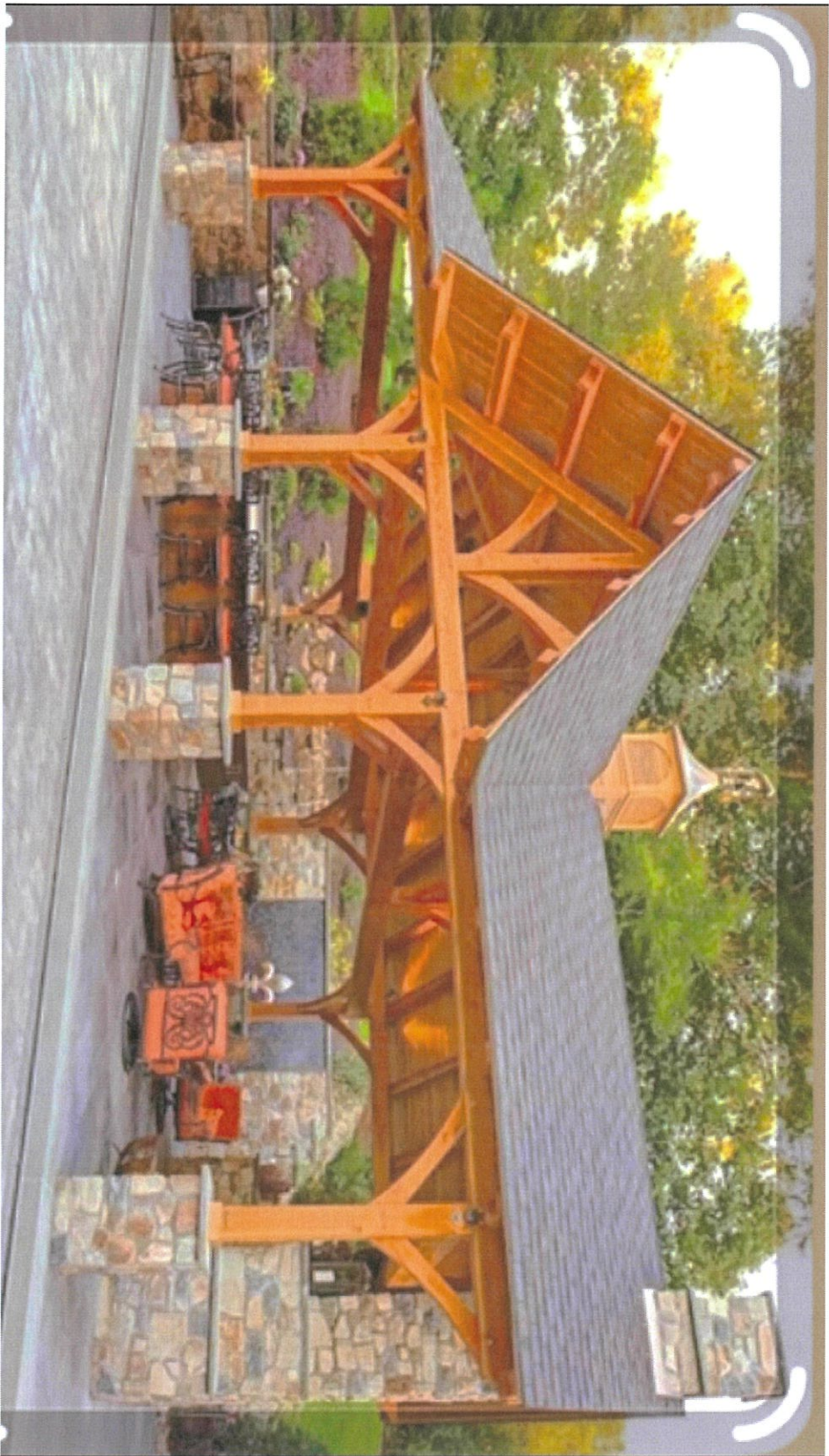
This notice has been prepared by: Jeanne Martin
Signature of Petitioner(s) or Agent

Dated: 4-2-25

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APR 03 2025

CITY OF MARTINSVILLE, IN



AFFIDAVIT OF NOTICE FOR PUBLIC HEARING OF THE CITY OF MARTINSVILLE PLAN
COMMISSION OR BOARD OF ZONING APPEALS

State of Indiana)
) SS:
County of Morgan)

I or We Jeff & Jeanne Martin

Being the applicant or agent of the applicant having a petition before the City of Martinsville Plan Commission or Board of Zoning Appeals for consideration of the matter as given and described on the attached Notice of Public Hearing do hereby certify to the City of Martinsville Plan Commission or Board of Zoning Appeals, as the case may be, that the attached public hearing notice was sent by certified mail, return receipt requested, to each landowner(s) adjoining and within two parcels in depth or six hundred sixty (660) feet, whichever is less (streets, highways, railroads and rivers having been ignored), from the parcel of land that is the subject of this affidavit at the address as listed in the tax records of the Auditor of Morgan County. That each and every owner that is required to be notified has been notified and that the names and addresses of those parties so notified is attached hereto and is made a part of this affidavit. Further that notification to the required public agencies by certified mail or hand delivery has been made and that the names of the agencies so notified are also attached hereto and made a part of this affidavit.

Further that said notices of public hearing together with notification of the required public agencies were mailed on 3rd day of April, 20 25 being at least fifteen (15) days prior to the 29th day of April, 20 25 which date is the date of the public hearing concerning this petition.

Jeanne Martin
Signature of applicant or agent

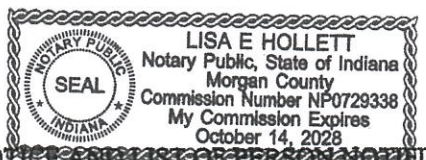
Subscribed and sworn before me, a Notary Public, this 3 day of April, 20 25.

Lisa E Hollett
Signature of Notary

Lisa E Hollett
Printed Name of Notary

County of Morgan

My Commission Expires: 10/14/28



(APPLICANT, BE SURE TO ATTACH THE PUBLIC NOTICE AND LIST OF PERSONS NOTIFIED).

RECEIVED
APR 03 2025
CITY OF MARTINSVILLE, IN