

**Martinsville Board of Zoning Appeals**  
**Meeting Agenda**  
**Tuesday, March 25,**  
**2025**

THE CITY OF  
**Martinsville**  
INDIANA



**Call to Order**

**Roll Call**

**Election of  
Officers for Calendar Year 2025**

Vice-Chairman Position

**Presentation of Minutes from Last Meeting**

Documents:

JANUARY 28, 2025 BOARD OF ZONING APPEALS MEETING  
MINUTES.PDF

**New Business**

**A. Docket No. 25003 -Application & Finding of Facts, Variance for Land  
Use-1007 Blue Bluff Rd**

Documents:

DOCKETT NO. 25003 -APPLICATION AND FINDING OF FACTS,  
VARIANCE FOR LAND USE-1007 BLUE BLUFF RD.PDF

**B. Docket No. 25005 -Application and Finding of Facts-Variance  
Development Standards-1580 Josephine St**

Documents:

DOCKET NO. 25005 -APPLICATION AND FINDING OF FACTS-VARIANCE  
DEVELOPMENT STANDARDS-1580 JOSEPHINE ST.PDF

**Next Regular Meeting**

The next regularly scheduled meeting will be on Tuesday, April 22, 2025, at 6:00  
PM in the Council Chambers.

**Adjournment**

# 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.

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Anna Elliott, Chairman

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Marilyn Siderewicz, Secretary

\_\_\_\_\_  
Dessen Miller (Absent)

\_\_\_\_\_  
Tom Hacker

\_\_\_\_\_  
Julie Jennings

**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. 25003

Date of Filing: 2/24/2025

Applicant: US Mobariz Trucking LLC Phone: 317-296-2923

Address of Applicant: 1327 Cliff Ridge Ln, Indianapolis, Indiana 46217

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

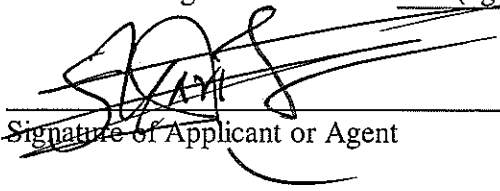
Specific request (such as: change in front building line from \_\_\_feet to \_\_\_feet or change in land use to allow for use as a \_\_\_\_\_ or a special exception for the purpose of \_\_\_\_\_). Also, include any commitments or restrictions that you believe are needed or desired. If additional space is need, commitments or restrictions can be attached as an exhibit to the application:  
Allow the retail sale of household appliances within the I-1 Light Industrial zoning category

Legal Description: (see attached)

Total Area Affected: 1.62 acres Address of Property: 1007 Blue Bluff Rd, Martinsville,

Indiana

Current Zoning Classification: I-1 (light industrial)

  
Signature of Applicant or Agent

A part of the Southeast quarter of the Northwest quarter of Section 33, Township 12 North, Range 1 East, Morgan County, Indiana, more particularly described as follows, to-wit:

From the northeast corner of the aforesaid quarter-quarter section, traverse on and along the east line of the quarter-quarter section (with an assumed bearing of South 00 degrees 00 minutes East), 535.22 feet to the POINT OF BEGINNING for this description; thence continue on said East line, 345.52 feet; thence traverse South 88 degrees 04 minutes West, 216.76 feet to the center of Blue Bluff Road; thence traverse on and along said center line North 05 degrees 38 minutes East, 366.96 feet; thence traverse South 86 degrees 05 minutes East, 181.06 feet back to the point of beginning. Containing in all 1.62 acres, more or less.

**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 US Mobariz Trucking LLC, requesting the following use, allowance of the retail sale of household appliances 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 property has been used for various business categories over the years and would be a less intensive use rather than what is allowed in an I-1 (light industrial) area.

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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 adjoining property to the North and East is zoned I-1 (light industrial), the adjoining property to the West is zoned I-3 (high industrial), and the property immediately South of the property is zoned R-2 (medium density residential). The proposed use is less intensive than the allowed industrial uses.

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3. The need for the variance arises from some condition peculiar to the property involved, namely:

The steep terrain and relatively small usable portion of property extremely limits the use for an industrial use.

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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 intensive use within the I-1 (light industrial) zoning would be the hardship in itself.

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5. The approval does not interfere substantially with the Comprehensive Plan adopted under the 500 series of this Chapter, namely because:

Whether the property is used for retail sales (business) or for industrial applications, both of these uses fall under commercial use. In this instance the granting of a variance better protects the comprehensive plan than seeking a rezoning of the property.

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6. Stipulations to run with the variance:

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**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

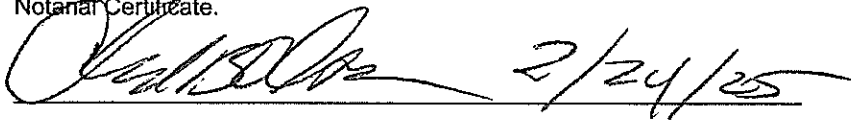
Current Zoning Classification: R2



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

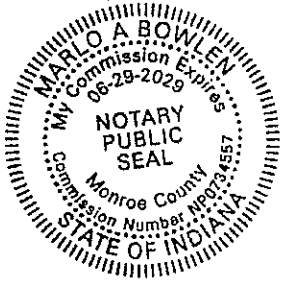
State of Indiana  
County of Monroe

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"

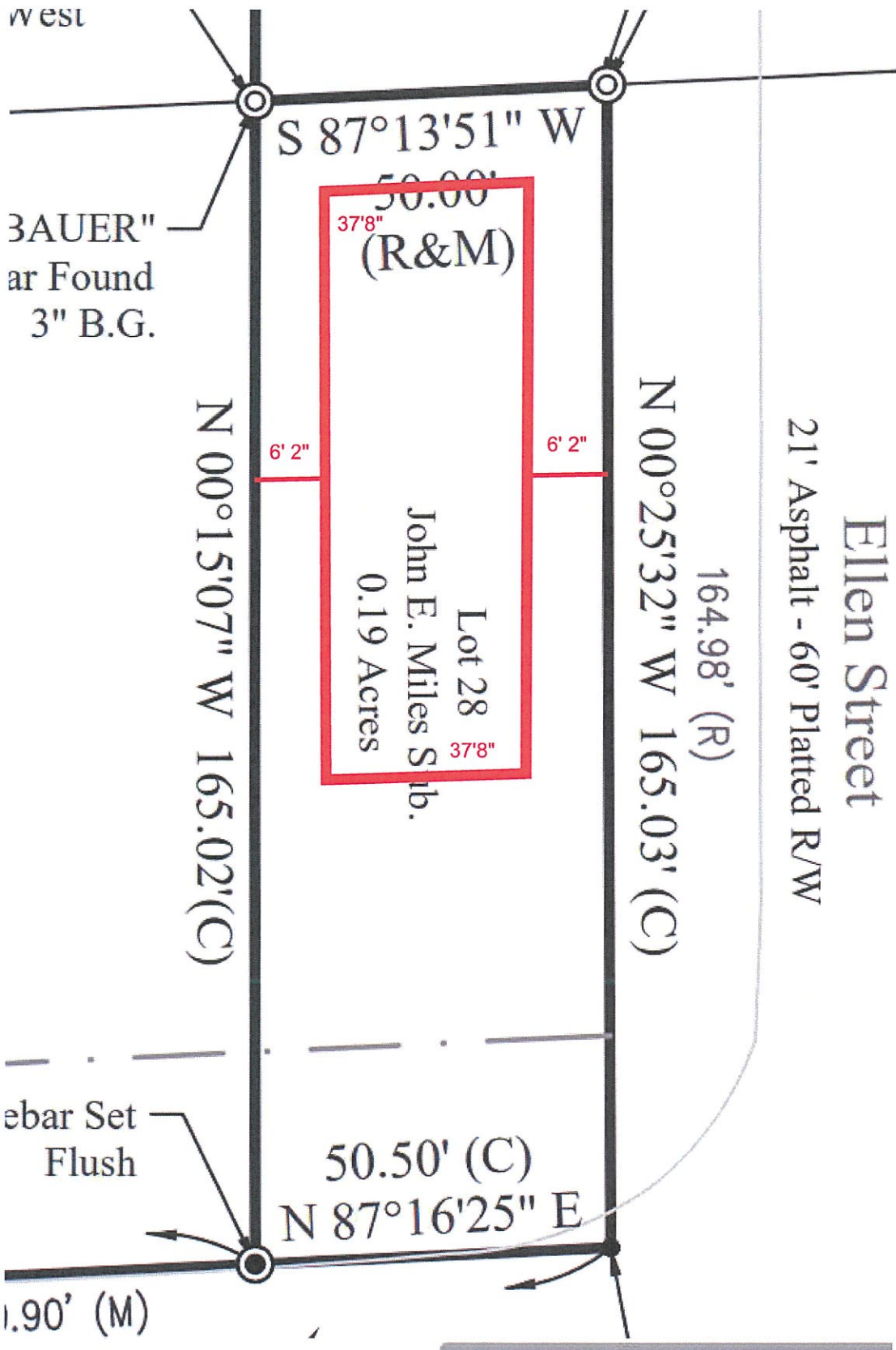
now make the following Finding of Fact pursuant to IC 36-7-4-918.5:

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



Ellen Street

21' Asphalt - 60' Platted R/W

164.98' (R)

N 00°25'32" W 165.03' (C)

S 87°13'51" W

50.00'

37'8"

(R&M)

6'2"

6'2"

Lot 28

John E. Miles Sub.

0.19 Acres

37'8"

N 00°15'07" W 165.02'(C)

50.50' (C)

N 87°16'25" E

bar Set  
Flush

1.90' (M)

BAUER"  
ar Found  
3" B.G.

West

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

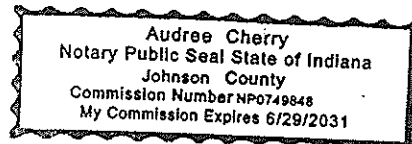
Subscribed and sworn before me, a Notary Public, this 20<sup>th</sup> day of February, 2025.

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