

Fortville Board of Zoning Appeals (BZA)
Meeting Minutes
Thursday 3/28/2024

OPENING OF MEETING

Meeting was called to order at 6:30 pm by Amandia Jeschke, Board President.

PLEDGE OF ALLEGIANCE

ROLL CALL

BZA Members Present: Earl Bolander Jr., Amandia Jeschke, Nathan Sturdevant, Rick Jacobs

BZA Members Absent: Dan Justus

Town Staff Present: Alex Intermill- Town Attorney (via Zoom), Adam Zaklikowski- Planning and Building Director, Elizabeth McCreight – Recording Secretary

APPROVAL OF 2.29.2024 MINUTES

Motion to approve – Earl Bolander Jr. 2nd – Nathan Sturdevant. Motion carried 4-0.

APPROVAL OF AGENDA

Adam Zaklikowski recommended a continuation for Case No. SE-01-2024 & VAR-03-2024- 712 W Broadway St.

Motion to approve with continuation – Nathan Sturdevant. 2nd – Rick Jacobs. Motion carried 4-0.

NEW BUSINESS

Case No. SE-01-2024-534 N Merrill St – Accessory Dwelling Unit: To consider a petition from Tom Bennett and Jerome Ferrell requesting approval of a Special Exception to allow an 850 SF accessory dwelling unit above an existing detached garage at 534 N Merrill Street.

STAFF PRESENTATION

Adam Zaklikowski gives staff presentation including plan overview.

- **Location:** 534 N Merrill St
- **Petitioners / Owners:** Tom Bennett and Jerome Ferrell
- **Zoning:** Residential: 2.5 (R2.5)
- **Use of property:** Single-family residential estate
- **Size:** Total property size – 4.2 acres
- **Request:** The owners would like to have an 850 SF accessory dwelling unit (ADU) above an existing detached garage for family guests and friends.
 - ◆ An ADU can be allowed in the R2.5 zoning district but only via Special Exception.
 - ◆ Zoning Ordinance allows them above a detached garage but in “no case may any accessory dwelling exceed 850 square feet.”

- **Maps & Images:** Aerial/parcel maps of property, structures, town zoning, and proposed floor plan.
- **Community Response**

- ◆ All public hearing notice requirements have been met (sign posting, newspaper publication in Greenfield Reporter, mailing to nearby property owners).
- ◆ No known remonstrance.
- Staff Analysis / Suggested Findings / Approval Criteria:
 - 1) *The Special Exception is listed in the Zoning Ordinance.*
 - 2) *The Special Exception can be served with adequate utilities, access roads, drainage, or other necessary facilities.*
 - 3) *The Special Exception shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons and shall comply with the development standards of the Zoning Ordinance.*
 - 4) *The Special Exception is sorted, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.*
 - *Large estate property*
 - 5) *The Special Exception produces a total visual impression and environment which is consistent with the environment of the neighborhood.*
 - 6) *The Special Exception organizes vehicular access and parking to minimize traffic congestion in the neighborhood.*
 - 7) *The Special Exception preserves the purpose of the zoning ordinance.*
- Staff Recommendation
 - ◆ Approve

BZA Questions for Staff:

N. Sturdevant clarified square footage. A. Zaklikowski confirmed- Proposed floor plan is less than 850 square feet. Town ordinance allows 850 square feet. A. Jeschke asked for usage clarification. A. Zaklikowski confirmed - Proposed use is for family/friends when visiting, not proposed as rental.

Petitioner Comments:

Jerome Ferrell – no concerns but thanked everyone for the opportunity and their time.

BZA Questions for Petitioner:

A. Jeschke asked if there would be any changes to the exterior of the structure. J. Ferrell – No change to the exterior, only changes will be to the interior.

Public Comments/Remonstrance:

Ginny Poole – 531 N Merrill – no issues.

Government Officials Comments/Remonstrance: None

BZA Motion:

N. Sturdevant motioned to approve. 2nd – R. Jacobs. Motion carried 4-0.

ADJOURNMENT

Motion to adjourn at 6:45 pm – E. Bolander Jr. 2nd – R. Jacobs. Motion carried 4-0.



Amandia Jeschke, BZA President



Elizabeth McCreight, Recording Secretary