

# NOTICE OF PUBLIC HEARING

## Description of Proposed Docket:

The applicant \_\_\_\_\_ is seeking a:

- Development Standards Variance
- Conditional Use
- Special Exception
- Administrative Appeal

From the **Floyd County Board of Zoning Appeals.**

**Street Address (see enclosed map):**

**Description of Project:**

This is a notice that a public hearing regarding the proposed docket item will be on \_\_\_\_\_ located in **Suite 104 at the Pineview Government Center, 2524 Corydon Pike New Albany, IN 47150.**

**Please note that information about the proposed docket item can be found at the following:**

Floyd County Building and Development Services

2524 Corydon Pike Suite 202

New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

[Building@floydcounty.in.gov](mailto:Building@floydcounty.in.gov)

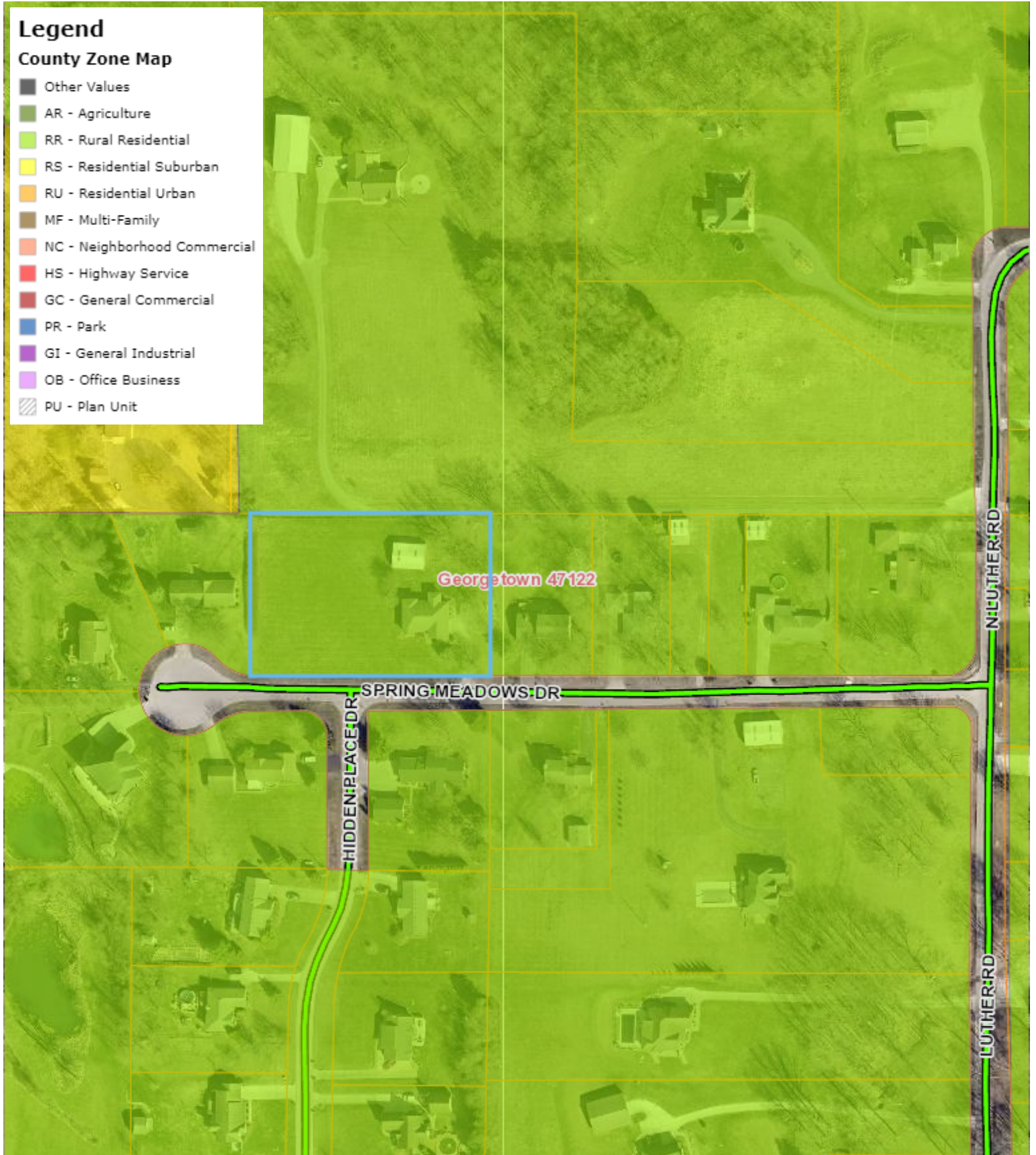
Online: Floyd County Government Website [www.floydcounty.in.gov](http://www.floydcounty.in.gov)

# 5830 Spring Meadows Drive

## Legend

### County Zone Map

- Other Values
- AR - Agriculture
- RR - Rural Residential
- RS - Residential Suburban
- RU - Residential Urban
- MF - Multi-Family
- NC - Neighborhood Commercial
- HS - Highway Service
- GC - General Commercial
- PR - Park
- GI - General Industrial
- OB - Office Business
- PU - Plan Unit



## **Floyd County Board of Zoning Appeals**

### **Frequently Asked Questions**

#### **1. How can I find out more about this docket?**

You can either visit to the Floyd County Building and Development Services Office and review the file between the hours of 8AM to 4PM Monday through Friday or you can review the proposed application on-line at [www.floydcounty.in.gov](http://www.floydcounty.in.gov) under the Plan Commission page

#### **2. How does this process work?**

Depending on the docket, there are several different processes. The Board of Zoning Appeals will take public comments on each proposal and values public comment in their decision-making process. The Board of Zoning Appeals is required to follow state statute when considering each application. Below is a brief description of application that may come before the board. Please note the check marked application on the notification form to the corresponding process listed below:

- **Development Standards Variance** – The applicant is seeking to vary from the County’s development standards in the County’s Zoning Ordinance. Per Indiana State statute, the Board of Zoning Appeals holds a public hearing. From the applicant, it determines if the applicant has met the standard that will allow for the requested variance of County rules. The Board of Zoning Appeals has the ability to approve, disapprove or may place reasonable conditions on the request per the ordinance standards.
- **Conditional Use**– The applicant is seeking to conduct a use on the property not otherwise permitted by right. By the County Zoning Ordinance, the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve, or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.
- **Special Exception** – The applicant is seeking to conduct a use that is not permitted by right in the certain zoning district. Similar to the conditional use, ordinance, and the proposed use must be reviewed and determined by the Board of Zoning Appeals if how the applicant is proposing the use to be conducted will affect the adjoining property owners. The Board of Zoning Appeals has the ability to approve or disapprove. The Board can also place reasonable conditions on the request per the ordinance standards.

## **Board of Zoning Appeals & Plan Commission Order of Meetings:**

- Meeting is called to order, roll call, and approval of minutes
- Director presents docket item and staff report
- Petitioner will be given a total of ten (10) minutes to present application request
- Board members will ask petitioner questions
- Public comments are opened:
  - Favorable comments are allowed a combined total of ten (10) minutes
  - Opposition comments are allowed a combined total of ten (10) minutes
- Public comments are closed and will remain closed
- Petitioner will be given a total of five (5) minutes to respond to public comments
- Board discusses the case and makes a ruling



# PRIMAVERA & ASSOCIATES

ENGINEERING & LAND SURVEYING

July 25, 2024

Jason M. Copperwaite,  
PE, PS, FAA-UAS  
President

Floyd County Plan Commission  
2524 Corydon Pike, Suite 203  
New Albany, IN 47150

David A. Sanders,  
PE  
Vice President

Re: 5830 Spring Meadows Drive  
Georgetown, IN  
Development Standards Variance Request

William McDonough,  
EIT  
Project Manager

Ladies and Gentlemen,

J. Michael Rich,  
PE, CPESC,  
Project Manager

My client, Jeremy Loftus, is requesting a development standard variance to allow the creation of two lots from the existing lot each of which will not meet the minimum lot area requirement of 37,000 square feet at the above address. Once the variance is granted, the lot will be split as indicated in the application and on the attached drawing. The two lots created will be comparable in size to surrounding lots and the proposed house will be of comparable value to surrounding homes. The owner of the existing home is a 92 year old widow on a fixed income and wants to reduce her costs of mowing and maintaining the property. The proposal almost meets the object for in-fill development to provide additional housing with little impact to existing infrastructure.

Daniel Hartman,  
PE  
Project Manager

Please call with any questions.

Chase Blakeman,  
FAA-UAS  
Project Manager

Sincerely,

Jason M. Copperwaite, P.E., P.S., FAA-UAS

Travis Andres,  
PE  
Principal Geotechnical  
Engineer

Paul Foster,  
Project Draftsman

JMC/ms

Paul Primavera,  
PE, PS  
President Emeritus

T:\2024\24948\Application\24948 Cover Letter.docx



Floyd County  
 Department of Building & Development Services  
 2524 Corydon Pike Suite 203  
 New Albany, IN 47150  
 Phone: (812) 981-7611  
 Fax: (812) 948-4744  
 Building@floydcounty.in.gov

## Development Standards Variance Application

**Please Note:**

*This Application is a document of public record. Any information disclosed on this application is available for review by the public. Incomplete applications will not be accepted. A pre-submission meeting with Building and Development Staff is strongly encouraged. Please contact the office at 812-981-7611 to schedule a meeting.*

**Variance:** A modification of the specific requirements of this ordinance granted by the Board in accordance with the terms of this ordinance for the purpose or assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

**1. General Information:**

Applicant:	Jeremy Loftus
Applicant Address:	2393 N. Luther Road, Georgetown, IN 47122
Applicant Phone:	502-939-1456
Applicant Email:	loftus16@aol.com

**Applicant's Interest in Property:**

Owner  Option Holder  Purchase Agreement  Legal Representative  Other

**Owner(s) of Property: (complete this section if owner is different than applicant)**

Owner Name:	Sinkhorn Planning Trust
Owner Address:	5830 Spring Meadows Road, Georgetown, IN 47122
Owner Phone:	
Owner Email:	Spring Meadow Drive according to plat

**Applicant's Representative:**

Representative Name:	Jason Copperwaite - Paul Primavera & Associates
Representative Address:	301 E. Chestnut Street, Corydon, IN 47112
Representative Phone:	812-738-4124
Representative Email:	jcopperwaite@ppa-eng.com

**2. Site Information:**

Parcel ID Number:	22-02-03-600-209.000-002
Total Acreage:	1.377 (per deed)
Address of Property/Location:	5830 Spring Meadows Drive, Georgetown, IN 47122
Current Use of Property:	A Single-family Residence
Current Zoning District:	Rural Residential (RR)

**3. Variance Request:**

Detail the variance request:

To allow the creation of two lots from the existing lot each of which will not meet the minimum lot area requirement of 37,000 square feet. Once the variance is granted, the lot will be split as indicated on the attached drawing.

**4. Zoning Map Amendment Justification:**

Indiana Code and the Floyd County Zoning Ordinance establish specific criteria that each must be meet in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria:

*1. Approval of the variance will not be injurious to the public health, safety, morals, and general welfare of the community:*

The two lots created will be comparable in size to surrounding lots. The proposed house will be of comparable value to surrounding homes.

*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:*

The two lots created will be comparable in size to surrounding lots. The proposed house will be of comparable value to surrounding homes.

*3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property:*

The two lots created will be comparable in size to surrounding lots. The proposed house will be of comparable value to surrounding homes. The owner of the existing home is a 92 year old widow on a fixed income and wants to reduce her costs of mowing and maintaining the property. The proposal also meets the objective for in-fill development to provide additional housing with little impact to existing infrastructure.

4. This variance (DOES / DOES NOT) involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

**5. Required Documents:**

- \$300.00 Filing Fee
- Deed for subject property
- Affidavit of Ownership (if applicable)
- Site plan drawn to scale, signed, and dated which clearly shows the entire layout of the property and all features relevant to the variance request.
- Letter from Floyd County Health Department indicating this variance will not negatively affect the operation of a septic system, if applicable
- Cover letter summarizing variance request.

**6. Signature:**

The undersigned states that the above information is true and correct.

Name: JEREMY LOFTOS

Signature: [Handwritten Signature]

Date: 7/5/2024

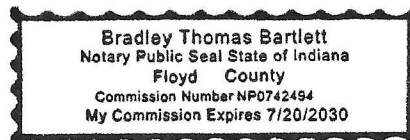
SUBSCRIBED AND SWORN BEFORE ME

THIS 5<sup>th</sup> DAY OF July, 2024.

Bradley Thomas Bartlett

NOTARY PUBLIC COUNTY OF Floyd

MY COMMISSION EXPIRES 7-20-2030







Floyd County Plan Commission  
 Floyd County Board of Zoning Appeals

### AFFIDAVIT OF OWNERSHIP

If the owner(s) of the subject property are giving authorization for someone else to apply for this request, this attached attachment is to be completed and submitted at the time of the application.

I (We), Sinkhorn Planning Trust, do hereby certify that I am (we are)  
 (Owners of subject property)

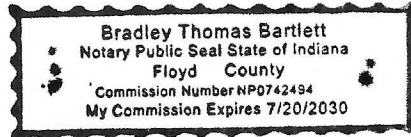
the owner(s) of the property legally described as 22-02-600-209.000-002,  
 (Parcel ID Number)

And hereby certify that I (we) have given authorization to Jeremy Loftus,  
 (Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
<u>THECLA SINKHORN</u>	<u>22-02-600-209.000-002</u>	<u>Sheela M. Sinkhorn</u>	<u>7-5-24</u>

STATE OF Indiana )  
 ) SS:  
 COUNTY OF Floyd )



Subscribed and sworn to before me, a Notary Public within and for said County and State,  
 this 5<sup>th</sup> day of July, 2024.

MY COMMISSION EXPIRES:  
7-20-2030

Bradley Thomas Bartlett  
 Notary Public

MY COUNTY OF RESIDENCE:  
Floyd

Bradley Thomas Bartlett  
 Printed Signature

FLOYD COUNTY ASSESSOR

SEP 24 2015



\* 2 0 1 5 1 3 2 3 8 2 \*

FLOYD CO. IN RECORDER - LOIS ENDRIS

09/24/2015 11:58:31AM

201513238 Pages:2

Transaction # 64774

**Send tax bill to:**

c/o Edward W. Sinkhorn &  
Thecla M. Sinkhorn, Trustees  
5830 Spring Meadow Rd.  
Georgetown, IN 47122

**Parcel No. 22-02-03-600-209.000-002**

**Tax ID No. 002-05601-69**

**QUITCLAIM DEED**

**THIS INDENTURE WITNESSETH** that **Edward W. Sinkhorn**, and **Thecla M. Sinkhorn**, husband and wife, Grantors, of Clark County, Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged,

**CONVEYS and QUITCLAIMS**

unto the **Sinkhorn Planning Trust**, dated September 17, 2015, c/o **Edward W. Sinkhorn**, and **Thecla M. Sinkhorn**, Trustees, 5830 Spring Meadow Rd., Georgetown, IN 47122, in fee simple, all of the Grantor's rights, title and interest in and to the real estate in **Floyd County**, Indiana, described as follows:

Being a part of a 3.50 acre part of land heretofore conveyed to Edmund R. Knable and Ophelia Ann Knable, husband and wife, by deed recorded in Deed Record 173, page 332 of the Floyd County, Indiana Records, which is a part of the Northwest quarter of the Northwest Quarter of Section No. 36, Township 2 South, Range 5 East, situated in Georgetown Township, Floyd County, Indiana, and more fully described as follows:

Commencing at a 5" X 8" limestone at the northwest corner of Section No. 36, Township 2 South, Range 5 East, thence north 89° 47' 08" east along the north line of the northwest quarter of said Section No. 36 for 660.0 feet to the northeast corner of said 3.50 acre tract, the True Place of Beginning of the tract to be herein described: thence south 0° 02' 52" east 200.71 feet to a point; thence south 89° 47' 08" west 300 feet to a point; thence north 0° 02' 52" west 200.71 feet to a point in the north line of said quarter section; thence north 89° 47' 08" east with said quarter section line 300.00 feet to the place of beginning and containing 1.377 acres, more or less.

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer

SEP 24 2015

AUDITOR FLOYD CO. IND.

Subject to any and all easements and/or restrictions of public record.

No title exam has been performed prior to preparing this deed.

IN WITNESS WHEREOF, the Grantor has executed this deed on this 17<sup>th</sup> day of September, 2015.

[Signature]  
Edward W. Sinkhorn

[Signature]  
Thecla M. Sinkhorn

STATE OF INDIANA        ]  
  ]        SS.  
COUNTY OF FLOYD        ]

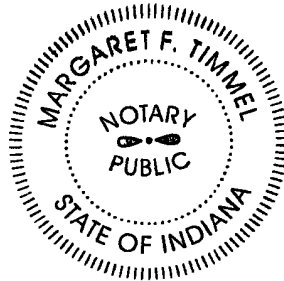
Before me, a Notary Public in and for the State and County aforesaid, personally appeared **Edward W. Sinkhorn**, and **Thecla M. Sinkhorn**, husband and wife, and acknowledged the execution of the foregoing deed.

WITNESS my hand and Notarial Seal this 17<sup>th</sup> day of September, 2015.

[Signature]  
Margaret F. Timmel, Notary Public  
County of Residence: Floyd

My Commission Expires: 10-16-2021

Prepared by:  
TIMMEL LAW, LLC  
Margaret F. Timmel  
Attorney No. 24546-22  
2676 Charlestown Rd., Ste 2  
New Albany, IN 47150  
Telephone: (812)590-2771  
Fax: (812)590-3634  
peggy@timmellaw.com



I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

[Signature]  
Margaret F. Timmel



Floyd County Government  
Floyd County, Indiana



**FLOYD COUNTY PLAN COMMISSION**

**Linda Barksdale, *Executive Plan Director***

Pine View Government Center • 2524 Corydon Pike, Suite 203 • New Albany, IN 47150  
Phone: (812) 948-5441 • Fax: (812) 941-4571 • [lbarksdale@floydcounty.in.gov](mailto:lbarksdale@floydcounty.in.gov)

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November 20, 2013

Edward W. and Thelca M. Sinkhorn  
5820 Spring Meadow Road  
Georgetown, IN 47122

RE: Docket FC-10-13-29

Mr. and Mrs. Sinkhorn,

On November 13, 2013 the Floyd County Board of Zoning Appeals **Granted** your request for the Development Standard Variance with the following conditions:

1. All required building permits shall be obtained.
2. Site plan being submitted for building permit application shall conform to information in deed.
3. Obtain any necessary permit(s) from the Floyd County Health Department regarding the proposed residence.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Linda Barksdale  
Executive Plan Director

LSB/psb

cc: Jason Copperwaite via email

# FLOYD COUNTY HEALTH DEPARTMENT

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1917 Bono Road  
New Albany, Indiana 47150-4607  
Website [www.floydcounty.in.gov](http://www.floydcounty.in.gov)

Telephone (812) 948-4726  
Fax (812) 948-2208

June 21, 2024

Floyd County Department of Building & Development Services  
Pine View Government Center  
2524 Corydon Pike Suite 202  
New Albany IN 47150

To whom it may concern:

Thecla Sinkhorn is applying for a variance at the property located at 5830 Spring Meadows Dr (Parcel # 22-02-03-600-209.000-002), Georgetown, IN 47122. Soil testing and a site survey have been done to verify that the proposed parcel separation will allow for both properties to be connected to an onsite sewage system and meet all of the proper separation distances.

Therefore, the Floyd County Health Department has no objections with the variance. If you have any further questions, please contact me at 812-948-4726 ext. 387.

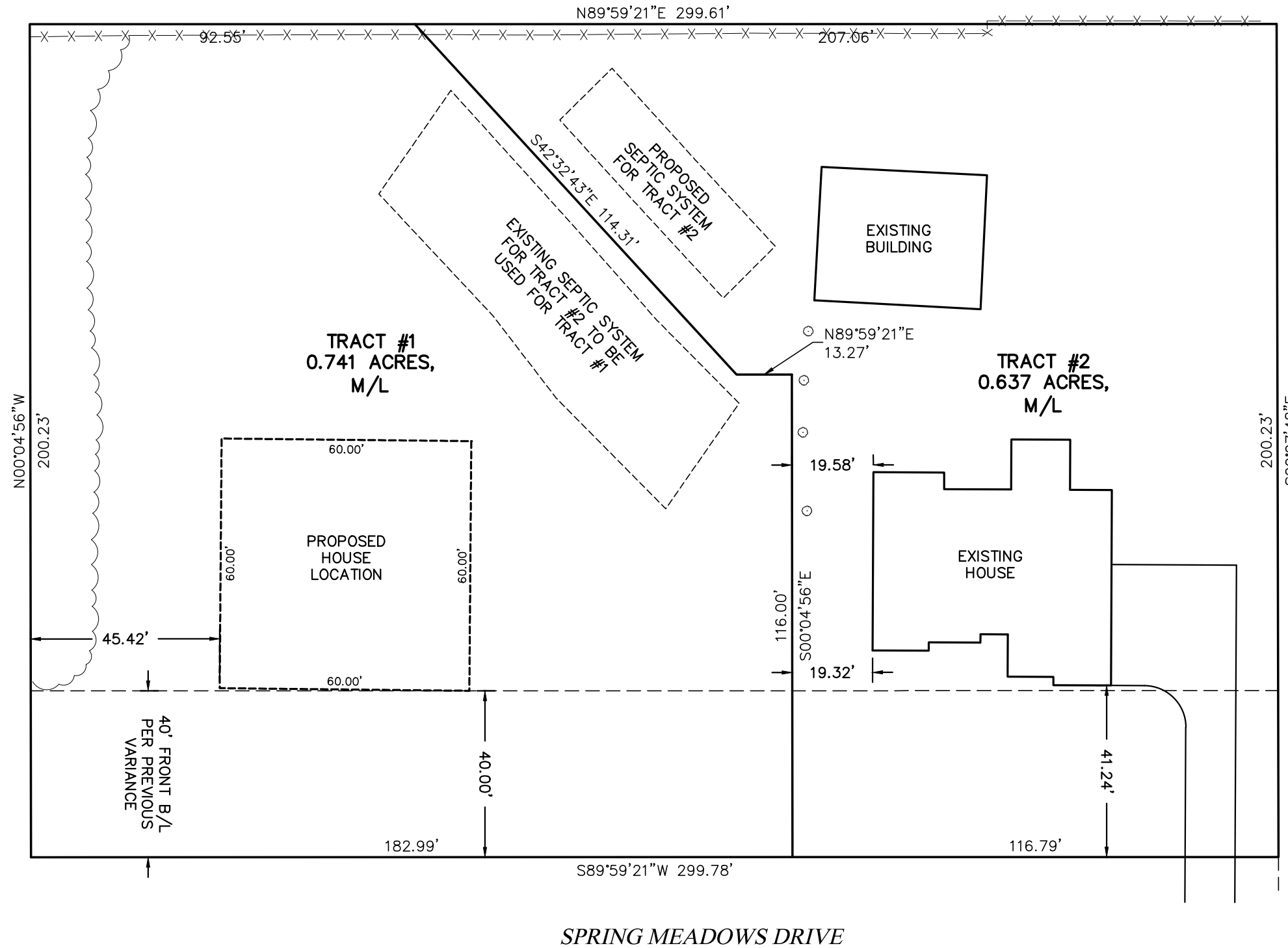
Respectfully,



Anthony Lieber  
Environmentalist, FCHD  
[alieber@floydcounty.in.gov](mailto:alieber@floydcounty.in.gov)



THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT. IT IS A GRAPHICAL DEPICTION OF A LIMITED FIELD SURVEY SKETCH TO SUPPORT A VARIANCE APPLICATION. IF A VARIANCE IS APPROVED, A BOUNDARY SURVEY AND/OR PLAT WILL BE FINALIZED AND PUBLISHED.



Revision	Date	By
4:		
3:		
2:		
1:		

**VARIANCE**  
 JEREMY LOFTUS  
 5830 SPRING MEADOW DRIVE  
 GEORGETOWN, IN 47122  
 LOT SPLIT SKETCH

301 E. CHESTNUT ST.  
 CORYDON, IN 47112  
 TEL: (812) 738-4124  
 FAX: (812) 738-6740

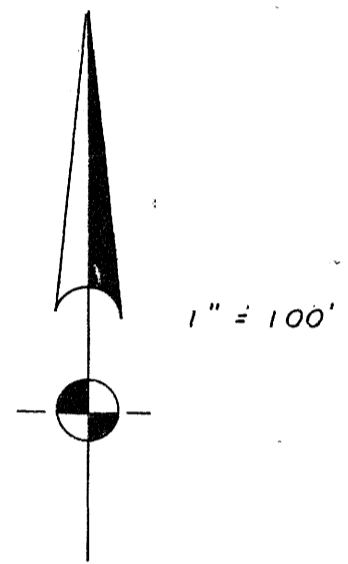
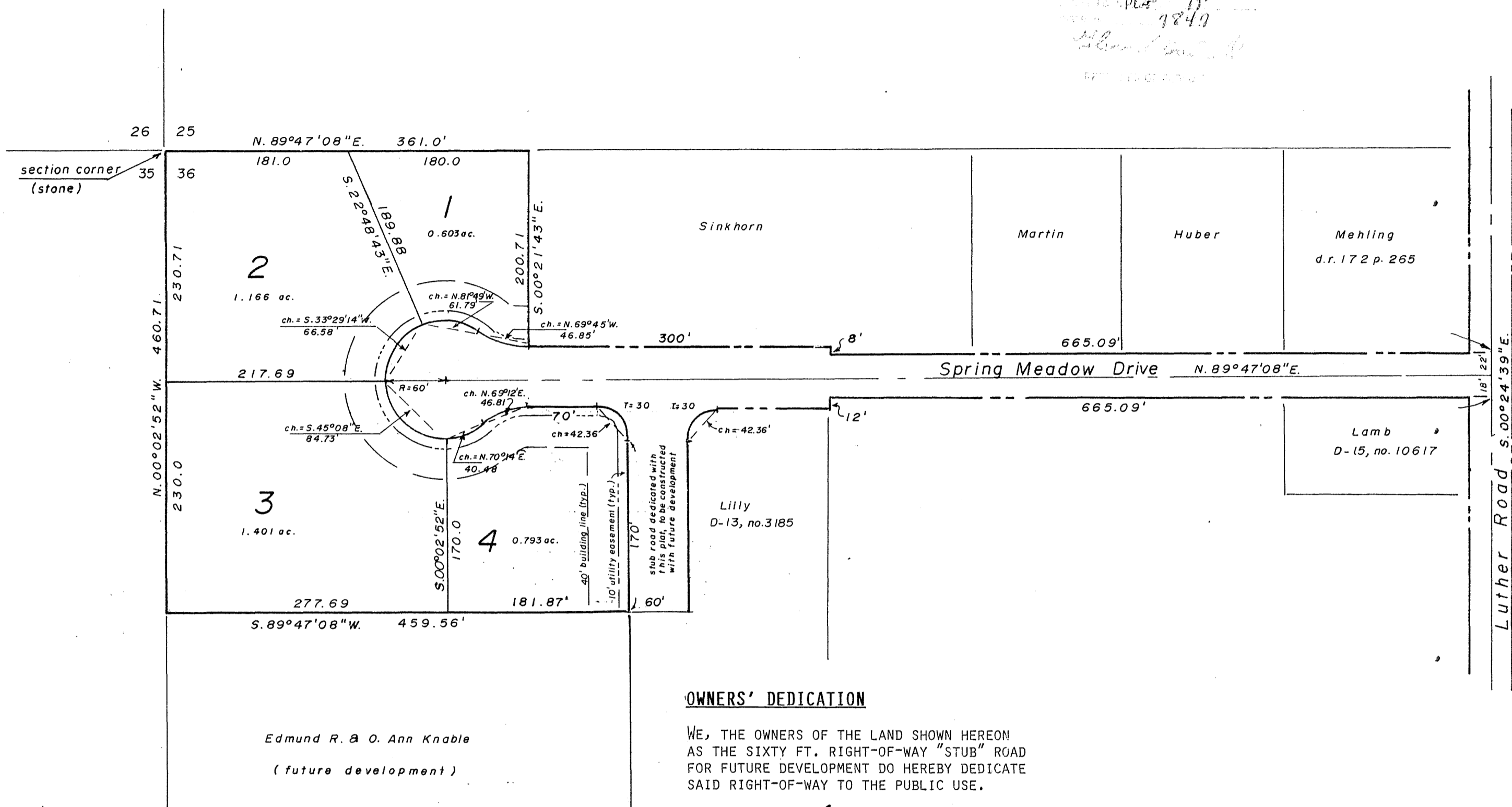
PAUL PRIMAVERA & ASSOCIATES

Date: 07/02/2024  
 Drafted By: JMC  
 Checked By: DAS  
 Directory:  
 T:\2024\24948\  
 File: 24948TOPO.DWG  
 Job No.: 24-24948  
 Drawing No.  
 1 OF 1

# PLAT 994 SPRING MEADOWS

→ 847

2:00 P.M.  
Sept 25, 1990  
Plat 994



APPROVED:  
FLOYD COUNTY PLAN COMMISSION  
*Patrick M. Houghlin*  
*Beverly J. Smith*  
ATTEST, BEVERLY SMITH, EXEC. DIRECTOR  
DATE September 17th, 1990

APPROVED:  
FLOYD COUNTY BOARD OF COMMISSIONERS  
*Edmund R. Knable*  
MEMBER  
*Charles F. Ziff*  
MEMBER  
*Carl Pearson Jr.*  
MEMBER  
*Beth A. Sharp*  
ATTEST: BETH SHARP, FLOYD CO. AUDITOR

### OWNERS' DEDICATION

WE, THE OWNERS OF THE LAND SHOWN HEREON AS THE SIXTY FT. RIGHT-OF-WAY "STUB" ROAD FOR FUTURE DEVELOPMENT DO HEREBY DEDICATE SAID RIGHT-OF-WAY TO THE PUBLIC USE.

*Jeffrey E. Lilly*  
JEFFREY E. LILLY  
*Diane M. Lilly*  
DIANE M. LILLY

### ACKNOWLEDGEMENT

State of Indiana  
County of Floyd SS  
Before me, a Notary Public, in and for said county and state, did personally appear the above-named owners this 19th day of September, 1990, and did acknowledge the execution of the foregoing affidavit.

*[Signature]*  
Notary Public  
*Max C. Mason, Jr.* of Harrison Co. Ind.  
printed name  
My commission expires 1/13/94

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer  
SEP 20 1990  
*Beth A. Sharp*  
AUDITOR FLOYD CO. IND.

### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SPRING MEADOWS, PLAT NUMBER 994, AND THE SURVEY SHOWN HEREON WERE MADE UNDER MY SUPERVISION AND THAT THE MEASUREMENTS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Thomas J. Boofter*  
THOMAS J. BOOFTER, L.S. NO. S-0133

T. J. BOOFTER ASSOCIATES, CIVIL ENGINEERS AND LAND SURVEYORS  
207 WEST SPRING STREET, NEW ALBANY, INDIANA 47150



### DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GEORGETOWN TOWNSHIP, FLOYD COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A STONE MARKING THE NORTHWEST CORNER OF SAID SECTION 36 AND RUNNING THENCE N.89°47'08"E. ALONG THE NORTH LINE OF SECTION 36 FOR A DISTANCE OF 361.0 FEET TO AN IRON PIN;  
THENCE RUNNING S.00°21'43"E. FOR A DISTANCE OF 200.71 FEET TO AN IRON PIN;  
THENCE RUNNING N.89°47'08"E. FOR A DISTANCE OF 300.0 FEET TO AN IRON PIN;  
THENCE RUNNING S.00°02'52"E. FOR A DISTANCE OF 8.0 FEET TO AN IRON PIN;  
THENCE RUNNING N.89°47'08"E. FOR A DISTANCE OF 665.09 FEET TO A SPIKE IN THE CENTER OF LUTHER ROAD;  
THENCE RUNNING S.00°24'39"E. ALONG THE CENTERLINE OF LUTHER ROAD FOR A DISTANCE OF 40.0 FEET TO A SPIKE;  
THENCE RUNNING S.89°47'08"W. FOR A DISTANCE OF 665.09 FEET TO AN IRON PIN;  
THENCE RUNNING S.00°21'43"E. FOR A DISTANCE OF 12.0 FEET TO AN IRON PIN;  
THENCE RUNNING S.89°47'08"W. FOR A DISTANCE OF 200.0 FEET TO AN IRON PIN;  
THENCE RUNNING S.00°02'52"E. FOR A DISTANCE OF 200.0 FEET TO AN IRON PIN;  
THENCE RUNNING S.89°47'08"W. FOR A DISTANCE OF 459.56 FEET TO AN IRON PIN IN THE WEST LINE OF SECTION 36;  
THENCE RUNNING N.00°02'52"W. ALONG SAID SECTION LINE FOR A DISTANCE OF 460.71 FEET TO THE PLACE OF BEGINNING, CONTAINING IN ALL 5.29 ACRES.

### OWNERS' DEDICATION

WE, THE OWNERS OF THE ABOVE DESCRIBED LAND, DO HEREBY ACKNOWLEDGE THIS TO BE THE PLAT OF SPRING MEADOWS AND DO HEREBY DEDICATE TO THE PUBLIC USE THE EASEMENTS AND RIGHTS-OF-WAY AS SHOWN HEREON.

*Edmund R. Knable*  
EDMUND R. KNABLE  
*O. Ann Knable*  
O. ANN KNABLE

### ACKNOWLEDGEMENT

STATE OF INDIANA §  
COUNTY OF FLOYD  
BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, DID PERSONALLY APPEAR THE ABOVE NAMED OWNERS THIS 19th DAY OF September, 1990, AND DID ACKNOWLEDGE THE EXECUTION OF THE FOREGOING AFFIDAVIT.

*[Signature]*, NOTARY PUBLIC  
PRINTED NAME Max C. Mason, Jr.  
COUNTY OF RESIDENCE Harrison  
MY COMMISSION EXPIRES 1/13/94

RESTRICTIONS AND PROTECTIVE COVENANTS FOR SPRING MEADOWS ARE RECORDED IN MISC. RECORD DRAWER NO. 17, INSTRUMENT NUMBER 1947.