

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

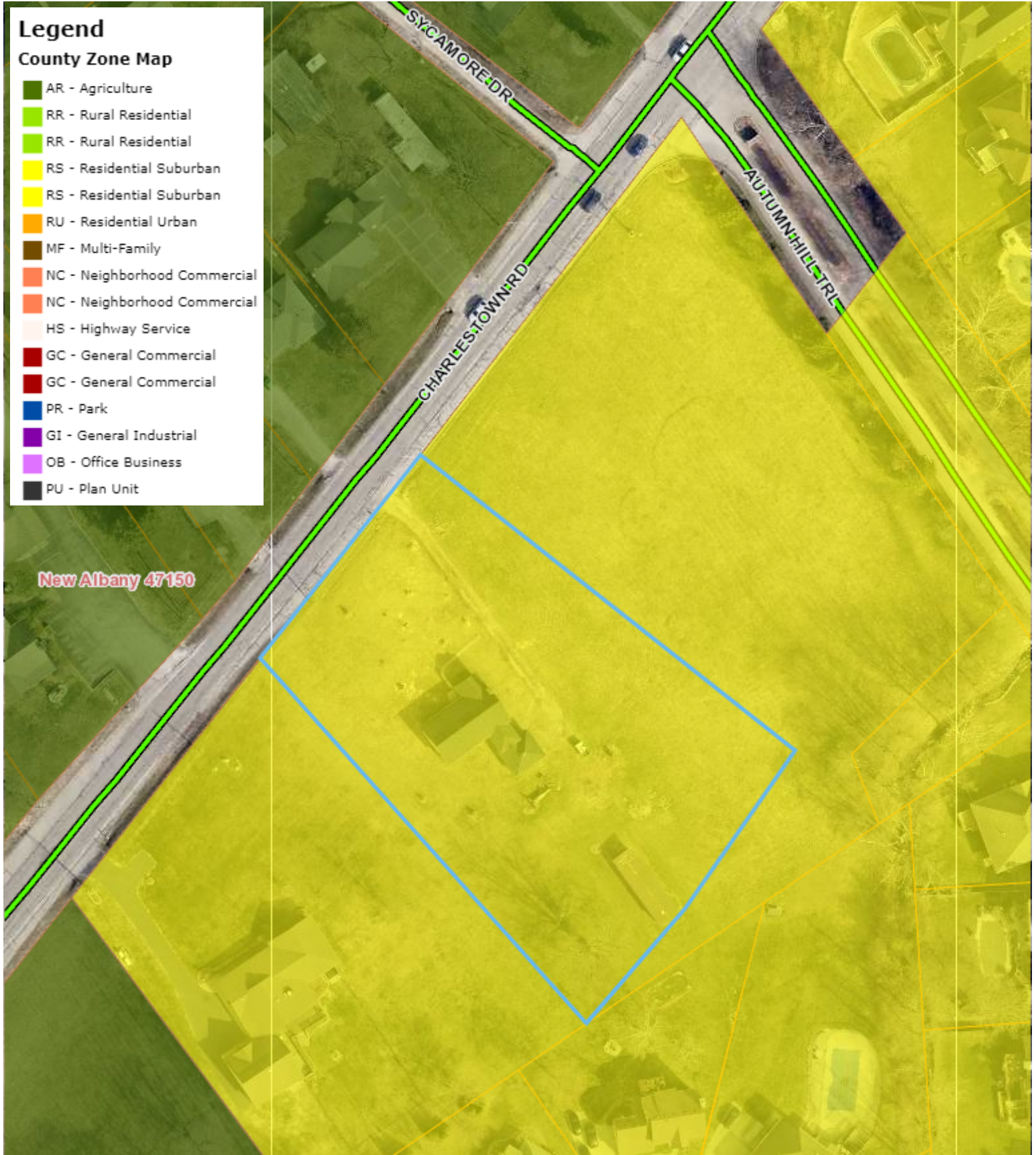
Monday- Friday 8AM to 4PM

812.981.7611

Building@floydcounty.in.gov

Online: Floyd County Government Website www.floydcounty.in.gov

4932 Charlestown Road, New Albany, IN 47150



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 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

August 21, 2024

To Whom It May Concern,

My property located at 4932 Charlestown Road is under contract and the future owners wish to modify the exception to zoning for it. The current exception is “real estate office” and the request is for “office” or “professional office.” There will no changes to the current site plan or footprint of the building. The new owners will be installing the landscaping necessary for compliance with this change. Please find attached all paperwork required for this request.

The future business will not negatively impact nearby property values or be a detriment to traffic flow. The future business will enhance surrounding areas by offering a valuable service and is consistent with other properties in the area and with the county plan and mixed use corridor of Charlestown Road.

Thank you for your consideration and feel free to reach out with any questions or concerns.

Danny Short

Sell It With Short LLC

4932 Charlestown Road

812-987-5638



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

Special Exception (Variance of Use)

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.

Special Exception: A variance of use from a base zoning district's permitted or conditional uses.

1. General Information:

Applicant:	Alone Aesthetics and Wellness
Applicant Address:	5557 Limestone Creek Dr. Charlestown, IN 47111
Applicant Phone:	(502) 418-1670
Applicant Email:	Jason.Tumulty@yattoo.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:	Sell It With Short, LLC
Owner Address:	2853 Plantation Court Sellersburg, IN 47174
Owner Phone:	812-987-5638
Owner Email:	danielshort22@gmail.com

Applicant's Representative:

Representative Name:	Jason Tumulty
Representative Address:	5557 Limestone Creek Dr. Charlestown IN 47111
Representative Phone:	(502) 418-1670
Representative Email:	Jason.Tumulty@yattoo.com

2. Site Information:

Parcel ID Number:	220508600044000007
Address of Property/Location:	4932 Charlestown Rd. New Albany, IN 47150
Current Use of Property:	Vacant
Current Zoning District:	

3. Special Exception Request:

Detail the special exception request:

Change exception from "real estate office" to "Office."

4. Special Exception Justification:

Indiana Code and the Floyd County Zoning Ordinance establishes specific criteria that each must be met in order for a Special Exception (Use Variance) to be approved. Describe how the request meets each of the following criteria:

1. The special exception will not be injurious to the public health, safety, morals, and general welfare of the community:

The new exception designation will not be injurious and will ultimately enhance the public health.

2. The use and value of area adjacent to the property will not be adversely affected in a substantially adverse manner:

The new exception designation will not affect nearby property values. There are similar types of property in the immediate area.

3. The need for the special exception (variance of use) arises from some condition peculiar to the property involved:

The property is a former single family residence.

4. The strict application of the terms of the Floyd County Zoning Ordinance would result in an unnecessary hardship in the use of the property:

An exception has previously been approved. This is a modification request.

5. Approval of the Special Exception will not contradict the goals and objectives of the Floyd County Comprehensive Plan:

Charlestown Road is a mixed use corridor and this exception will not contradict the comprehensive plan.

5. Required Documents:

- \$500.00 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 request.
- Floor plan, including specific dimensions for any buildings on the property subject to the conditional use.
- Cover letter summarizing the request.
- For proposals using septic systems, a letter from the Floyd County Health Department shall be provided verifying that any proposed development makes appropriate use of the septic system.
- For proposals using sanitary sewer systems, a letter from the service provider shall be included verifying that any proposed new development will be served.

6. Signature:

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

Name: Daniel Short

Signature: Daniel Short

Date: 8-21-24

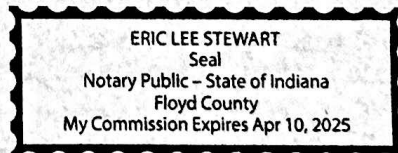
SUBSCRIBED AND SWORN BEFORE ME

THIS 21st DAY OF AUGUST, 2024.

[Signature]

NOTARY PUBLIC COUNTY OF FLOYD

MY COMMISSION EXPIRES APRIL 10, 2025





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), Daniel Short Sell It With Short LLC, do hereby certify that I am (we are)
 (Owners of subject property)

the owner(s) of the property legally described as 86 ILL. GNT.; 1, AC.,
 (Parcel ID Number)

And hereby certify that I (we) have given authorization to Allure Aesthetics and Wellness - Jason Tumulty
 (Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
Daniel Short	22-05-08-600-044.000-007	Daniel Short	8/21/2024

STATE OF INDIANA)
) SS:
 COUNTY OF FLOYD)

Subscribed and sworn to before me, a Notary Public within and for said County and State,

this 21 day of August, 2024.

MY COMMISSION EXPIRES:

12.29.2025

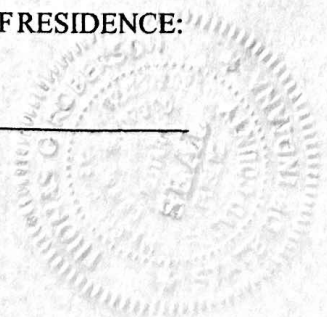
Notary Public

MY COUNTY OF RESIDENCE:

FLOYD

Thomas G Roberson

Printed Signature



Thomas G Roberson
 Notary Public - Official Seal
 State of Indiana
 Commission Number 707910
 My Commission Expires Dec. 29, 2025