



STAFF REPORT

Floyd County Board of Zoning Appeals

Docket Number: FC-07-26-34

Petitioner: Catherine Bell

Location: 1213 Oakes Road (aka 6614 SR 64), Georgetown, IN 47122

Request: Special Exception – Remove prior condition

Zoning District: Highway Service (HS)

Date: 09/14/2026

Overview:

Applicant is requesting an amendment to Special Exception FC-02-17-13, which contained a condition that the subject site not be used for any use other than residential. The previous Special Exception, submitted by Eddie Sprigler, involved converting the commercial structure over to a residential structure after a Code Review and Analysis which was completed by Renaissance Design Build (see attached).

This applicant has expressed the intent to convert the existing gym back into a commercial recreational use, which is normally allowed by right in the Highway Services zoning district, but which is currently restricted by the standing condition. The site contains 1.26 acres and is located on Oakes Way north of State Road 64 and is to the east of the Knob Hill apartments and south of the Knob Hill subdivision.

1. **The special exception (WILL NOT / WILL) be injurious to the public health, safety, morals, and general welfare of the community because:**
The property is currently zoned for Highway Services, this is returning the property to its intended use.
2. **The use and value of the area adjacent to the property subject to the special exception (WILL NOT / WILL) be affected in a substantially adverse manner because:**
The property is currently zoned for Highway Services, this is returning the property to its intended use.
3. **The need for the special exception (DOES / DOES NOT) arise from some condition peculiar to the property involved because:**
A condition from a prior special exception that is no longer desired to be exercised is present on the property.
4. **The strict application of the terms of the Floyd County Zoning Ordinance (WILL / WILL NOT) result in an unnecessary hardship in the use of the property because:**
This special exception is requesting a return to the Floyd County Zoning Ordinance.
5. **The approval of the special exception (WILL NOT / WILL) contradict the goals and objectives of the Floyd County Comprehensive Plan because:**
This will return the property back to the intended uses for the main Commercial Corridor along State Road 64 as detailed on page 44 of the comprehensive plan.



STAFF REPORT

Floyd County Board of Zoning Appeals

6. The special exception (**WILL NOT** / WILL) adversely affect neighboring property because:
Adjacent properties are also zoned for highway services and the structure already exists.

Staff Comments:

Where the prospective buyers express no intent to use the site for residential uses and instead are returning this site to the intents of the zoning ordinance and comprehensive plan, and finding that all justifications have been met, and where a Code Review and Analysis will be required before the building can be used for commercial occupancy for state requirements, staff recommends approval to repeal Special Exception FC-02-17-13.



Source: Google Street View. View of existing site from Oakes Road

Floyd County Board of Zoning Appeals
Floyd County, Indiana

RE: Special Exception Request – High Five Sports Academy

8/26/26

Dear Members of the Floyd County Board of Zoning Appeals:

We respectfully submit this request for a Special Exception to allow the subject property to be operated as High Five Sports Academy, a family-focused sports, recreation, fitness, and community facility.

Our vision for High Five Sports Academy is to create a safe and welcoming place where children and families can be active together, participate in sports and recreation, build relationships, and become more connected to their community. The facility will provide opportunities for youth sports training, leagues, clinics, camps, fitness, family recreation, birthday parties, community events, and other recreational programming.

Importantly, this request would allow us to utilize a property that is already uniquely suited for recreational use. The property contains an existing full-size basketball gymnasium that can support athletic and recreational activities. Rather than allowing these purpose-built improvements to remain underutilized or requiring them to be substantially converted for another purpose, our proposal would return the property to an active recreational use while investing in its continued improvement and maintenance.

We believe the proposed use will be an asset to Floyd County. High Five Sports Academy will be professionally operated and maintained with an emphasis on safety, responsible property management, appropriate supervision, and respect for surrounding property owners. The family-oriented nature of the facility is not expected to adversely affect the use or value of neighboring properties.

The proposal also aligns closely with the goals of the Floyd County Comprehensive Plan, particularly its emphasis on recreational opportunities, active living, community development, and quality of life. Our project represents a private investment in recreational infrastructure that will expand opportunities for children, adults, and families without requiring the County to construct or operate the facility.

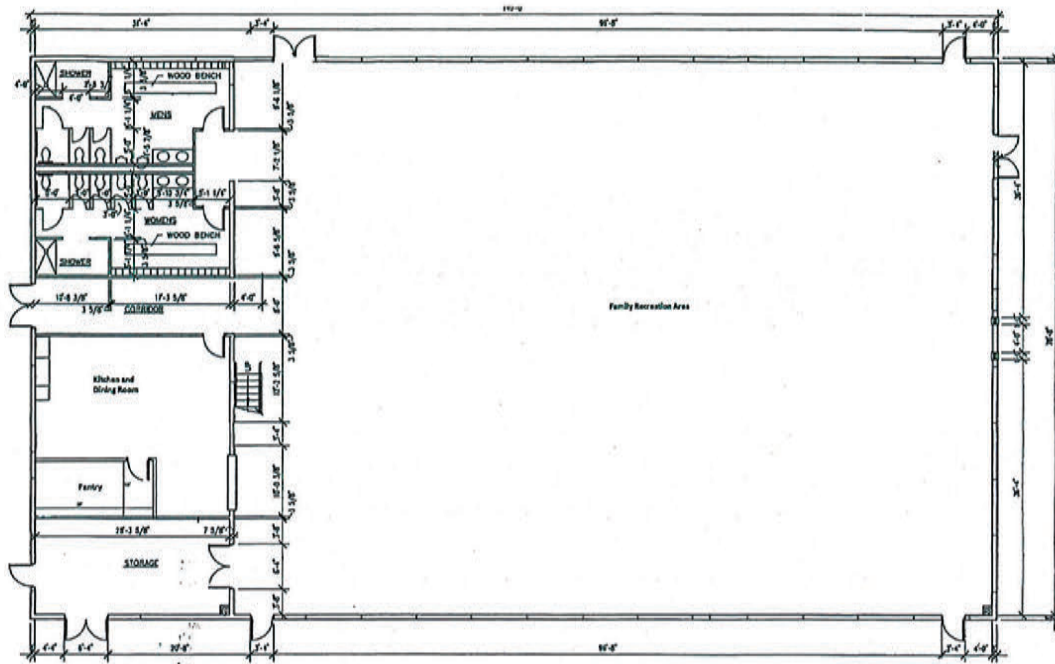
High Five Sports Academy is intended to be more than a basketball gym. Our goal is to create a place where families can spend time together, children can develop confidence and character through sports, and people of different ages and abilities can enjoy opportunities to be active. We hope to build a facility that becomes a positive and lasting resource for Floyd County and the surrounding community.

For these reasons, we respectfully request approval of the Special Exception. We believe the proposed use satisfies the applicable criteria under the Floyd County Zoning Ordinance and represents a reasonable, compatible, and beneficial use of a property already particularly suited for recreation.

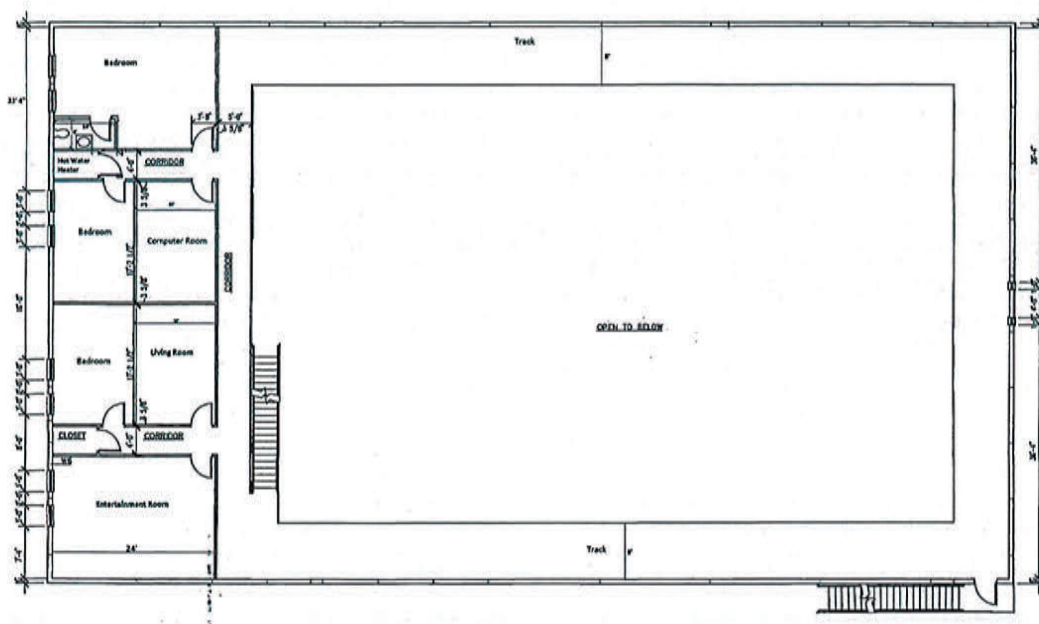
Thank you for your time and consideration of our request. We appreciate the opportunity to invest in Floyd County and look forward to becoming an active and positive part of the community.

Respectfully,

Catherine Bell
High Five Sports Academy



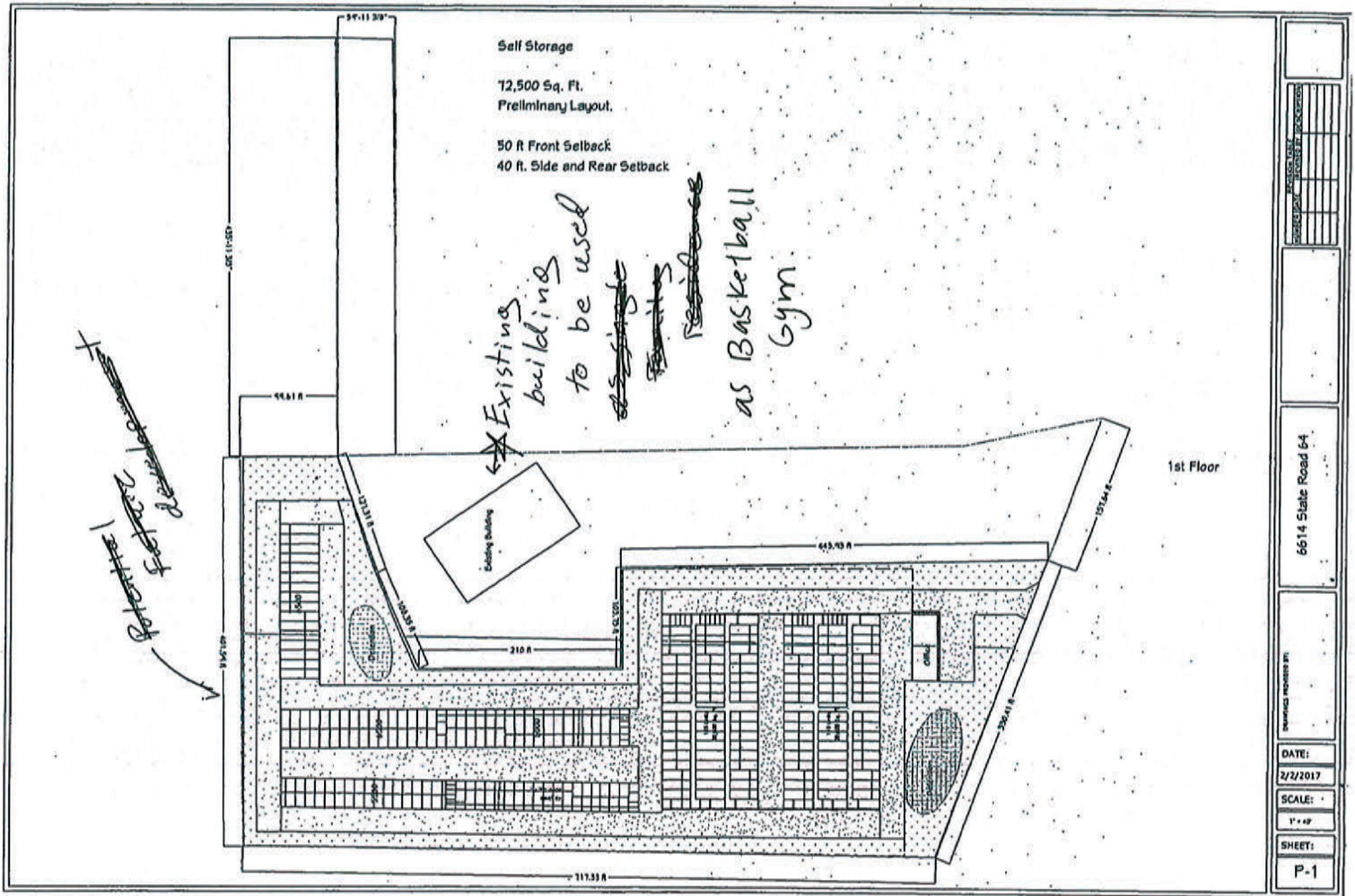
FIRST FLOOR PLAN



SECOND FLOOR PLAN



Carroll Ball
8/27/26



Calhoun Bell
8/27/26



February 2, 2017

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

Letter of Existing Service – Crossroads Church

Dear Sirs and/or Madams:

I have been asked to verify that the Town of Georgetown already provides sanitary sewer service to the Crossroads Church located at 6614 State Rd 64. The only building on the property that we serve is the building at the rear that is on a gravity system. The front building is on a septic system.

Sincerely,

Jamie Schillmiller
Utility Supervisor

A handwritten signature in cursive script that reads "Jamie Schillmiller".

Address change:

6614 SR 64 → 1213. Oakes Rd.



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:	Catherine Bell
Applicant Address:	[REDACTED]
Applicant Phone:	[REDACTED]
Applicant Email:	[REDACTED]

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:	Edward Sprigler
Owner Address:	1213 Oakes Way, Georgetown Indiana 47122
Owner Phone:	[REDACTED]
Owner Email:	[REDACTED]

Applicant's Representative:

Representative Name:	Catherine Bell
Representative Address:	[REDACTED]
Representative Phone:	[REDACTED]
Representative Email:	[REDACTED]

2. Site Information:

Parcel ID Number:	22-02-03-500-040-001-002
Address of Property/Location:	1213 Oakes Rd. Georgetown, Indiana 47122
Current Use of Property:	Residential
Current Zoning District:	Residential

3. Special Exception Request:

Detail the special exception request:

We are requesting a special Exception to allow the existing property and facility to be used as a family-oriented sports and recreation community facility. We will provide opportunities for kids and families to participate in youth clinics, camps, birthday parties, and community events, with a focus on the sport of basketball.

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:

Our proposed use will actively contribute to the health and general welfare of families and children in the community as a family-focused sports and recreation facility.

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

Our proposed use will compliment the surrounding area. We intend to operate the facility responsibly, maintain the property to a high standard, and be respectful of neighboring property owners.

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

The current property contains structures specifically designed and constructed for our exact intention of use of the space for example - the Basketball court / gym / walking track.

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:

The property was previously developed for recreational / gymnasium purposes and the requested special exception would return the property to a use consistent with its existing purpose-built improvements.

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

The proposed use directly supports several of the County's stated goals related to recreation, active living, community development, and quality of life. The facility will provide organized youth sports programming, clinics, leagues, family and community events consistent with a focus on these goals.

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: Catherine Bell

Signature: Catherine Bell

Date: 8/27/26

SUBSCRIBED AND SWORN BEFORE ME

THIS 27 DAY OF August, 20226.

James Tyler McIntyre

NOTARY PUBLIC COUNTY OF T Jefferson

MY COMMISSION EXPIRES 9/12/2029



JAMES TYLER MCINTYRE
NOTARY PUBLIC, STATE OF KY
COMMISSION EXPIRES: SEPTEMBER 12, 2029
KYNP104838





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), Edward A Sprigler, do hereby certify that I am (we are)
(Owners of subject property)

the owner(s) of the property legally described as 22-02-03-500-040-001-002,
(Parcel ID Number)

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

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
Edward A Sprigler	22-02-03-500-040-001-002	Edward A Sprigler	8/26/26

STATE OF IN)
) SS:
COUNTY OF Floyd)

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

this 26 day of August, 2026.

MY COMMISSION EXPIRES:

August 30, 2030

MY COUNTY OF RESIDENCE:

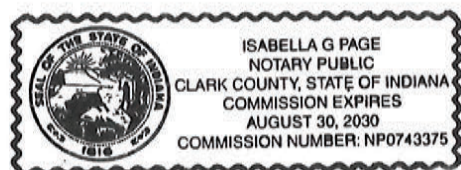
Floyd

Isabella G. Page

Notary Public

Isabella G. Page

Printed Signature



W. Edward Skees
The Skees Law Office

415 W. First Street
New Albany, IN 47150
(812) 944-9990
(812) 944-8033 (fax)

March 3, 2017

Floyd County Plan Commission
c/o Megan Johnson
Pine View Government Center
2524 Corydon Pike, Suite 203
New Albany, IN 47150

Re: Sprigler pre-application for Special Exception

Dear Ms. Johnson and members of the Floyd County Plan Commission;

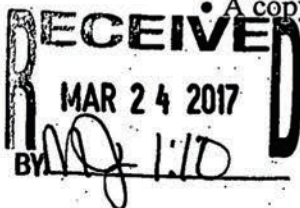
This is in response to your letter of February 10, 2017, the February 20, 2017 memo of Don Lopp and the February 9, 2017 memo of Justin Tackett.

Briefly, Edward Sprigler's Application for Special Exception covers only his desire to use the existing gym/fellowship hall as a personal residence. Edward Sprigler is not requesting any other special exception at this time. Any references to a potential mini-storage facility were in error and not intended to be part of this application.

Further, as requested by Don Lopp, Mr. Sprigler is willing to make a voluntary commitment that the existing gym/fellowship hall structure at issue in this application will remain single family detached and serve no other purpose than single family use. In addition, in response to Don Lopp's request that Mr. Sprigler demonstrate that the gym can be modified to single family residence through state including any state building permits or variance identified, we have included three copies of an opinion letter from Mr. Sprigler's project engineer, Nathan Grimes (Tab D). Mr. Grimes' letter demonstrates that the gym can be modified to single family residence with only minor modifications. Mr. Sprigler is committed to make those modifications immediately upon approval of his application.

In direct response to your letter of February 10, 2017, I have enclosed three copies of:

- The first page of the application (Tab A).
- A copy of the affidavit of ownership page showing the notary seal (Tab B).



- A site plan showing which part of the parcel will be effected (without any reference to future storage facilities (See drawings).
- An interior view of the gym/fellowship hall demonstrating the proposed residential use and the remainder of the building (See drawings).
- This cover letter describing (below) why there is a desire to use the gym for a residence, what exact portion is to be used and what the remainder of the building will be used for.
- Letter from sanitary sewer and/or Floyd County Health Department showing there is adequate waste disposal (Tab C).

Edward and Emily Sprigler intend to use the entire existing gym/fellowship hall building as a personal residence. In addition, they intend to use the highlighted portion of the property surrounding the existing building as the yard/outdoor play area for their personal residence.

The Spriglers have the opportunity to purchase the property at issue at an affordable price. They are requesting this Special Exception so that their family can take advantage of this wonderful opportunity. If approved, the Spriglers will be able to spend more time together as family and less time apart, driving in separate cars to separate facilities.

Edward and Emily Sprigler are the parents of 5 children; Caleb 23, Blair 15, Ace 14, Faith 11 and Dane 9. The family enjoys spending time together, entertaining their extended families and visiting with friends. Edward and Emily love to entertain and cook. The Spriglers would benefit from this opportunity because their large family is active and social. The Spriglers have spent years looking for an affordable large personal residence with room for entertaining, sports and recreation.

All five children are extremely active in sports and school activities. The children currently spend a large amount of time after school playing sports, exercising and practicing. Because the children attend three different schools, and gym time is limited at the schools, the Spriglers spend nearly every afternoon and weekend driving separately to various practice facilities.

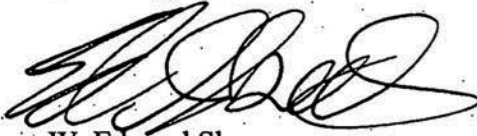
The gym provides all the resources the Spriglers' large family needs. The kitchen is fully equipped to cook for large groups. This will allow the Spriglers to entertain their family, extended family and friends with ease. The actual gym portion of the building provides the space the children need to perform their individual practice and fitness activities at home, rather than spread out across the community in separate facilities. In addition, the gym building allows the children to have friends and teammates over to practice and workout together. Because this gym building will also be the family's home, Edward and Emily will be able to supervise and spend more time with their children.

Letter to Johnson, p. 3

As shown in Nathan Grimes' letter, the modifications required are minimal. The property is already divided into bedrooms, bathrooms, a kitchen, dining area and storage. The Spriglers will merely need to change certain windows and install appropriate smoke alarms. The Spriglers are committed to make these improvements immediately upon approval of their Application.

Thank you for your time and consideration. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Edward Skees', written in a cursive style.

W. Edward Skees



RENAISSANCE DESIGN BUILD, INC.

INDIANA OFFICES
117 S Indiana Avenue
Sellersburg, IN 47172
Tel: 812-246-5897
Fax: 812-248-4320

rdbi@sbcglobal.net

KENTUCKY OFFICES
1012 S. Fourth Street
Louisville, KY 40203
Tel: 502-424-8373
Fax: 502-587-0931

www.renaissancedesignbuild.com



Code Review & Analysis

For

Eddie Sprigler

6614 State Road 64

Georgetown, IN 47122

Job No. 2017-073

We reviewed building plans for the church fellowship hall by CSO/Architects, Inc., project #96220 and, also revised 1st & 2nd floor plan sheet A201 showing existing conditions. The purpose of this code review was to provide any required information to convert the existing fellowship hall to a single-family residence. Based on our review the following 2 code items should be completed to convert the building to a single-family residence. These are based on current Indiana Residential Code (IRC) Standards.

- At least one existing window in each 2nd floor bedroom shall be removed and replaced with an operable casement window to meet R310(IRC) emergency escape and reserve opening requirements.
- Hard wired smoke alarms shall be installed in each bedroom ceiling near the door and, also in each corridor between bedrooms according, to R313(IRC).

It is our understanding this is the only information needed at this time regarding this matter. If you have any questions, please call us.



Nathan R. Grimes

Floyd County Board of Zoning Appeals

Meeting Minutes

The regular meeting of the Floyd County Board of Zoning Appeals will be held on Monday, April 10, 2017 at 6:00 p.m. in Assembly Room 104 of the Pine View Government Center, located at 2524 Corydon Pike, New Albany, IN to consider the following:

ROLL CALL:

Present: Larry Bibelhauser, Jeff Eastridge, Guy Heitkemper, Bill White.

Absent: Cathy Smock.

Also Present: Keith Mull, Attorney; Linda Barksdale, Executive Plan Director; Kelley Lang, Building Commissioner; Megan Johnson, First Deputy; Laura Harper, Second Deputy; Sherry Frazee, Recording Secretary.

ANNOUNCEMENTS:

 Mr. Heitkemper announced waiting on Mrs. Barksdale and Counsel to arrive. After roll call, Mr. Heitkemper announced a Quorum not a full Board present, if anyone wanted to table their request to be heard by a full board they may do so.

MINUTES:

 March 13, 2017 – **Motion:** with correction Page 3 **Motion: Action: Approve, Moved by Cathy Smock, Seconded by Jeff Eastridge. Vote: Motion passed (summary: Yes = 3, No = 1, Abstain = 1). Yes: Bill White, Cathy Smock, Jeff Eastridge. No: Larry Bibelhauser. Abstain: Guy Heitkemper; to Motion: Action: Approve, Moved by Cathy Smock, Seconded by Jeff Eastridge. Vote: Motion passed (summary: Yes = 4, No = 1). Yes: Bill White, Cathy Smock, Jeff Eastridge, Guy Heitkemper. No: Larry Bibelhauser.**

Action: Approve, Moved by Bill White, Seconded by Jeff Eastridge. Motion passed unanimously.

NEW BUSINESS:

 **Docket FC-02-17-06: Request for a Development Standard Variance by Sign Craft to place a wall sign larger than 50 sq. feet located at 4646 Duffy Road, on 0.85 +/- acres in a General Commercial (GC) zone. Lafayette Township, Section 30, Township 2South, Range 6East.**

Both FC-02-17-06 & FC-02-17-07 were heard together.

☞ Kristen Kohl represented the applicant, he spoke in favor and answered questions directed by the Board.

☞ Ms. Kohl reviewed both requests at the same time, Goodwill stores will be doing this; no standard size of sign; existing signs cabinets will not be changed; she reviewed the sizes of each sign.

☞ Mr. Heitkemper asked if there was anyone else in favor. No one came forward. He then asked if there was anyone in opposition.

☞ Mr. Eastridge asked for clarification of what signs are being requested, the directional sign will not be included.

☞ Mr. Heitkemper closed public comment.

☞ Mr. Heitkemper asked for the Staff Report. *Mrs. Barksdale* read the Staff Report as follows:

Staff Review: The applicant is requesting to have a wall sign 60% greater than 50 square feet.

1. Approval of the variance **will not** be injurious to the public health, safety, moral, and general welfare of the community because: These will be signs displayed on a commercial building.
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 because: The surrounding properties are commercial and part of Williamsburg Station.
3. The strict application of the terms of the zoning ordinance **will** result in practical difficulties in the use of the property because: The area where this wall sign is proposed to be placed is a large empty space, if sign is required to be the 50 square feet then there would be a large empty space still on the wall and it would be difficult to read from the road.
4. This variance **does not** involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

Staff Recommendation: Staff believes this variance could be granted with the following condition(s):

1. All required permits are obtained.

☞ **Motion: Action:** Approve, Moved by Jeff Eastridge, Seconded by Bill White.

Vote: Motion passed (summary: Yes = 3, No = 1, Abstain = 0).

Yes: Bill White, Guy Heitkemper, Jeff Eastridge.

No: Larry Bibelhauser.

Docket FC-02-17-07: Request for a **Development Standard Variance** by **Sign Craft** to allow more than 200 sq. foot total area located at 4646 Duffy Road, on 0.85 +/- acres in a General Commercial (GC) zone. Lafayette Township, Section 30, Township 2South, Range 6East. Both FC-02-17-06 & FC-02-17-07 were heard together.

Kristen Kohl represented the applicant, he spoke in favor and answered questions directed by the Board.

Ms. Kohl reviewed both requests at the same time, Goodwill stores will be doing this; no standard size of sign; existing signs cabinets will not be changed; she reviewed the sizes of each sign.

Mr. Heitkemper asked if there was anyone else in favor. No one came forward. He then asked if there was anyone in opposition.

Mr. Heitkemper closed public comment.

 Mr. Heitkemper asked for the Staff Report. *Mrs. Barksdale* read the Staff Report as follows:

Staff Review: This request is for an allowance of total sign area greater than the 200 square feet granted in the FCZO. Without the preceding docket size configured the total sign area will be 99 square feet.

1. Approval of the variance **will not** be injurious to the public health, safety, moral, and general welfare of the community because: These will be signs displayed on a commercial building.
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 because: Surrounding properties are commercial and where the signs will be facing will be the commercial property.
3. The strict application of the terms of the zoning ordinance **will** result in practical difficulties in the use of the property because: The applicant would not be able to construct and display the signs of their proposed size.
4. This variance **does not** involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

Staff Recommendation: Staff believes this variance could be granted with the following condition(s):

1. All required permits are obtained.

 **Motion:** Staff report in lieu of ballot amend #3 to will, **Action:** Approve, **Moved by** Jeff Eastridge, **Seconded by** Bill White.

Vote: Motion passed (summary: Yes = 3, No = 1, Abstain = 0).

Yes: Bill White, Guy Heitkemper, Jeff Eastridge.

No: Larry Bibelhauser.

 **Docket FC-03-17-11:** Request for a **Special Exception** by **Seth Ernstberger** to construct additional separate living quarters connected by a breezeway located at 4220 Smith Road, on 33 +/- acres in a Rural Residential (RR) zone. Lafayette Township, Section 6, Township 2 South, Range 6 East.

 Seth Ernstberger in favor and answered questions directed by the Board.

Mr. Ernstberger reviewed the request, this is a 33 acres tract, they are growing out of space they are currently living in with having 5 boys, want to include a basement for this addition; option for in-law suites; addition to barn with more bedrooms living space; connect by enclosed breezeway; separate utilities including septic field; wood & stone on the exterior

 Mr. Heitkemper asked if there was anyone else in favor. No one came forward.

He then asked if there was anyone in opposition.

 Randall Woolright voiced concerns regarding traffic, entrance in and out of there.

 Mr. Ernstberger stated they do have road frontage on Scottsville Road and they do plan to move their entrance there, but right now it is cost prohibitive, they have placed several caution signs along the driveway to hopefully help drivers be made aware of the narrow lane.

Mr. Heitkemper closed public comment.

 Mr. Heitkemper asked for the Staff Report. *Mrs. Barksdale* read the Staff Report as follows:

Staff Review:

1. The special exception **will not** be injurious to the public health, safety, moral, and general welfare of the community because: The applicant's property is large and sits far from the road and neighbors.
2. The use and value of area adjacent to the property subject to the special exception **will not** be affected in a substantially adverse manner because: The additional living quarters will add to the value of the home and the neighbors won't be close to it.
3. The need for the special exception **does** arise from some condition peculiar to the property involved because: The applicant is needing second utility services which will be used for the new construction.

4. The strict application of the terms of the Floyd County Zoning Ordinance **will** result in an unnecessary hardship in the use of the property because: The ordinance only allows for one residence/living quarters and utility hook ups.
5. The approval of the special exception **will not** contradict the goals and objectives of the Floyd County Comprehensive Plan because: *This will be used for family as an extension of their home.*
6. The special exception **will not** adversely affect neighboring property because: This property is over 30 acres of land and sits far enough from the road and neighbors that it will not be seen.

Staff Recommendation: Staff believes this variance could be granted with the following condition(s):

1. All required building permits are obtained.

  **Motion:** staff report in lieu of ballot, **Action:** Approve, **Moved by** Bill White, **Seconded by** Jeff Eastridge. Motion passed unanimously.

 **Docket FC-03-17-12:** Request for a **Conditional Use** by **Pike Legal** to construct a telecommunications tower located at 6705 Chapel Hill Road, on 65 +/- acres in an Agricultural Residential (AR) zone. Greenville Township, Section 26, Township 1 South, Range 5 East.

 David Pike represented the applicant, he spoke in favor and answered questions directed by the Board. Gordon Snyder; Matt Smith & Elaine Jacobi also present.

Mr. Pike reviewed the request, thanked Linda & Megan; power point presentation; multiple co-locations; no strobe lighting on top; shorter than 31 of the existing towers that this board has approved.

 Mr. Eastridge asked why 911 calls are being routed to Jefferson County.

 Gordon Snyder

 Mr. Heitkemper asked if there was anyone else in favor.

 Elaine Jacobi, spoke in favor, has land line but has terrible service; she stated the area needs this service.

 He then asked if there was anyone in opposition.

 Denise & Ted Emms, spoke in opposition. Read statement into record. Requested to be

moved away from their property; land devaluation; asked what the transmission radius of the tower; submitted three signatures

David Pike responded to the questions raised, 1 single vehicle in and out once a week for maintenance; could have placed it closer to this property; application filed March 22, 2017; second shortest tower in the county if approved; wattage meets FCC requirements

Mr. Eastridge asked if any other locations been looked at.

Mr. Pike stated they modeled specific commercial locations; this is much closer to the center of the search area.

Matt Smith property owner closest to the structure, voiced concerns regarding the close proximity to his property, property values.

Dana Pace, spoke in opposition. She read a statement into the record.

Kevin Scott McCoy, spoke in opposition. He voiced concerns regarding this being an eye sore.

Mr. Heitkemper closed public comment.

Mr. Heitkemper asked for the Staff Report. *Mrs. Barksdale* read the Staff Report as follows:

Staff Review: The applicant is requesting to place a 155 foot monopole tower with a 5 foot lightning arrestor for a total structure height of 160 feet located within a 10,000 square foot lease area.

1. The conditional use **will not** be injurious to the public health, safety, moral, and general welfare of the community because: The proposed facility and structure would add to the community by better assisting in the communication with emergency department.

2. The use and value of area adjacent to the property **will not** be adversely affected because: The surrounding land appears to be open land, and there has not been any studies showing a structure like this would affect property valuations.

3. The need for the conditional use **does not** result from any conditions, unusual or peculiar to the subject property itself because The Floyd County Zoning Ordinance requires a Conditional Use approval.

4. The strict application of the terms of the Floyd County Zoning Ordinance **will** result in an unnecessary hardship in the use of the property because: The applicant would be required to pursue a location that may be an inferior placement to resolve the gap of service area.



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

6-9-17

9:50

April 11, 2017

W. Edward Skees
The Skees Law Office
415 W. 1st Street
New Albany, IN 47150

RE: Edward Sprigler
Docket FC-02-17-13

Mr. Skees,

On Monday, April 10, 2017 the Floyd County Board of Zoning Appeals *granted* your request for a Special Exception with the following condition(s):

- Eddie Sprigler came into office to submit Bldg. Permit Application; reviewed items below, + need to have the following included w/ bldg. permit app:
- Bldg plans to be stamped by Designer Professional (architect or engineer licensed in State of IN)
 - New Deed for 2.08 +/- acre tract in Eddie Sprigler's name to be recorded
 - Affidavit (#4) to be drawn up, signed, recorded.

-KAL

1. This Special Exception request is for the gymnasium only and not for the church on the property.
2. Obtain building permit for areas of structure requiring modifications, as outlined in Code Review and Analysis by Renaissance Design Build.
3. Shall not be used as a dwelling until Certificate of Occupancy is issued by Floyd County Building Commissioner.
4. Applicant must commit to this tract being strictly used as a single family residence.
5. Record a separate deed for the 2.08 +/- acres prior to building permit.
6. This approval only applies to the 2.08 +/- acres associated with the gym.
7. Obtaining title to the property is required prior to issuing the building permit.

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

Sincerely,

Megan Johnson
Megan Johnson
First Deputy

Recorded Deed in your name will satisfy this requirement

D.P. to review
Proposed plans
+ Stamp plans

Affidavit to
be drawn up by
Attorney; Sign
+ record.



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

April 11, 2017

W. Edward Skees
The Skees Law Office
415 W. 1st Street
New Albany, IN 47150

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Docket FC-02-17-13

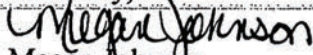
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Sincerely,


Megan Johnson
First Deputy