

Floyd County Board of Zoning Appeals

Minutes

The regular meeting of the Floyd County Board of Zoning Appeals was held on April 13th, 2026 at 5pm at the following address:

**Pineview Government Center Assembly Room 104
2524 Corydon Pike
New Albany, IN 47150**

ROLL CALL

Present: Guy Heitkemper, Mark Lawrence, Bill White, Vic Unruh, Larry Bibelhauser

Absent: None

Other: Nick Creevy (Program Director), Franklin Walden (County Planner)

MINUTES

Minutes from the March 9th, 2026 Meeting

Motion: Approve with no corrections

Moved by: Victor Unruh

Seconded by: Guy Heitkemper

Motion passed 5-0.

OLD BUSINESS:

Special meeting on march 26

NEW BUSINESS:

Agenda Item 1 - FC-03-26-14: Sidewalks - Applicant withdrew variance for no sidewalks to be added to the property.

Agenda Item 2 - FC-03-26-13: Minimum Size - Applicant is seeking a development standards variance from Section 4.44 of the Floyd County Zoning Ordinance to allow a commercial structure to have less than the minimum 2,000 square foot requirement in the General Commercial zoning district.

- Staff started by giving their report, the accuracy of the report was confirmed by Mr. Lanning. The applicant stated that the report provided an accurate summation of the project and opted to begin taking questions from the board.
- Victor Unruh asked if they were going to use a retention basin to the left of the site owned by Kroger and if there was an agreement in place to use the site. It was clarified by Nick Creevy that the site did not require the use of a retention basin because of the sites small size.
- No members of the public came forward for or against the variance

Agenda Item 3 – FC-03-26-15: Transparency - Applicant is seeking a development standards variance from Section 8.06.E.1 of the Floyd County Zoning Ordinance to allow a commercial structure in the Highlander Point overlay district to have less than the minimum of 30% of the front façade on the ground floor as transparent, consisting of windows or door openings. (Agenda items 2 and 3 were heard together)

Larry presented a ballot for FC-03-26-13.

Motion: Approve with no conditions

Moved by: Larry Bibelhauser

Seconded by: Mark Lawrence

Motion passed 5-0

Larry presented a ballot for FC-03-26-15

Motion: Approve with no conditions

Moved by: Larry Bibelhauser

Seconded by: Guy Heitkemper

Motion passed 5-0

Agenda Item 4 – FC-03-26-19: Lot Area – The petitioner is seeking a development standards variance from section 4.44 General Commercial (GC) Development and Performance Standards to allow lots to be less than the required minimum lot area of 43,560 square feet.

Agenda Item 5 – FC-03-26-20: Lot Width/Frontage - The petitioner is seeking a development standards variance from section 4.44 General Commercial (GC) Development and Performance Standards to allow lots to be less than the required minimum lot width and frontage of 200 feet (1 acre). (Agenda items 4 and 5 are presented together)

- The Staff gives their report and is followed by clarification from Jason Copperwaite. The applicant seeking to create a six lot subdivision with “diverse lot sizes”. The reason stated is that post covid businesses may not require the one lot minimum to function. These smaller lot sizes will meet market needs of these smaller businesses, the applicant lists several of these businesses.
- The applicant is dedicating 56 feet of the property for a road ride away on the east side.
- The applicant claims “the width of the lot and the general changes in market conditions is our hardship.”
- The applicant requests that the requirement for a shared parking lot between the lots be dropped to properly locate driveways instead. He states that there is no problem working with the county engineer to achieve this.
- The applicant begins taking questions, Mark Lawrence asks where an exit lane would be located. The applicant claims that an intersection will be built into the site across 150 that will include signal. Nick Creevy Clarifies that the intersection is a federal project and that INDOT standards will be applied to all turning motions on the sides of the intersection.

- Larry Bibelhauser asks for clarification on the detention basin situation. The applicant states that the common area on the north end of the north side of the plat is set aside as a detention basin that will be maintained by a lot owners association.
- Michelle Atkins 1615 E Luther comes forward to state that the lot on the north side of the project is not vacant (as listed in the staff report) but is instead owned by her. This is clarified by Frank Walden that he was using the definition of the assessor's office, as in the lot has no building on it.
- Bob Steiner Chip Away CT asks the board if there will be any protection or berm that will be applied for the properties near the construction of the new intersection
- Melanie Davis 4820 Smith Road requests clarification on is the property will be on sewer or septic. Nick Creevy clarifies that the property will be on sewer.

Larry presents a ballot for FC-03-26-19

Motion: Approve with no conditions

Moved by: Larry Bibelhauser

Seconded by: Guy Heitkemper

Motion passed 5-0

Larry presents a ballot for FC-03-26-20

Motion: Approve with condition

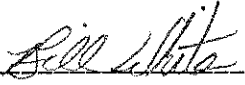
Moved by: Larry Bibelhauser

Seconded by: Guy Heitkemper

Motion passed 5-0

The applicant will work with the county engineer and staff for entrance locations and future developments

Adopted this 11 day of May 2026.


Chairperson


Attest

