

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

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 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.



Brandon Smith
 Owner, Veteran Contracting Services / Veterans Roofing
 9615 Highway 150,
 P.O. Box 33,
 Greenville, IN 47124

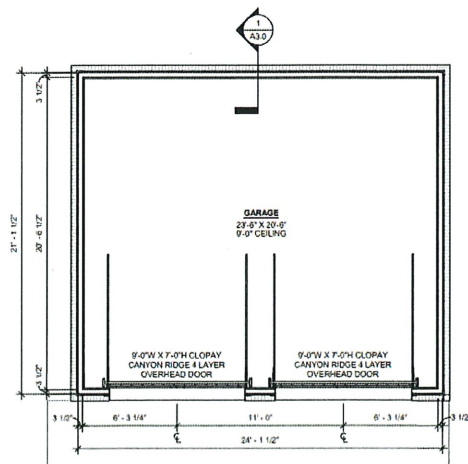
March 25, 2024

Brandon Smith, (Veteran Contracting Services, LLC), requests the approval of a variance on the property located at 3602 Alonzo Smith Rd, Georgetown, IN 47122 on behalf of the property owner, Carol Brigtwell.

This variance request consists of a detached garage being built to overlap the left side setback area of the property. Once the construction of the detached garage is completed, approximately 3 feet & six inches will remain from the side of the garage to the property line.

Detached garage features:

- Size: 21'-1.5" x 24'-1.5"
- Materials used on exterior: brick skirt, D5 siding, wood-look garage doors & GAF HDZ shingles.



FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
New Albany, Indiana 47150-4607
Website www.floydcounty.in.gov

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

March 22, 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:

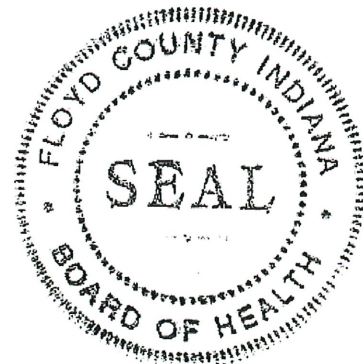
Carol Brightwell is applying for a variance for a detached garage for the property located at 3602 Alonzo Smith Rd (22-02-02-200-015.000-002), Georgetown, IN 47122. The proposed construction will be over the existing gray water (washer) soil absorption field. Carol has contracted with a septic installer to have a replacement field installed.

The Floyd County Health Department has no objections with the variance. However, the construction of the garage will not be permitted by the Floyd County Health Department until the replacement system installed, inspected & a final is issued. If you have any further questions, please contact me at 812-948-4726 ext. 387.

Respectfully,



Anthony Lieber
Environmentalist, FCHD
alieber@floydcounty.in.gov





Floyd County
Department of Building & Development Services
2524 Corydon Pike Suite 202
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:	Brandon Smith (Veteran Contracting Services, LLC)
Applicant Address:	1009 Freedom Court, Greenville, IN 47124
Applicant Phone:	812-406-5524
Applicant Email:	bsmith@theveterancontracting.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:	Carol Brightwell
Owner Address:	3602 Alonzo Smith Road, Georgetown, IN 47122
Owner Phone:	812-989-4897
Owner Email:	brightwellcarol@yahoo.com

Applicant's Representative:

Representative Name:	Shelley Olds
Representative Address:	3927 Bird Song Way, Jeffersonville, IN 47130
Representative Phone:	269-501-6157
Number: Representative Email:	solds@theveterancontracting.com

2. Site Information:

Parcel ID Number:	22-02-02-200-015.000-002
Total Acreage:	.654 Acres
Address of Property/Location:	3602 Alonzo Smith Road, Georgetown, IN 47122
Description of Property Current Use of Property:	Primary Residence
Current Zoning District:	RR

3. Variance Request:

Detail the variance request:

Request for a detached garage to be built overlapping the side easement of the property at 3602 Alonzo Smith Rd, Georgetown, IN 47122. The detached garage to be 21'-1.5"x24'-1.5". Six feet & 6 inches of the left side of the building to be built within the normal 10' setback area. This will leave approximately Three Feet & Six Inches between the side of the garage and the side property line.

4. Zoning Map Amendment Justification:

Indiana Code and the Floyd County Zoning Ordinance establish specific criteria that each must be met 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:

This detached garage will not be a hindrance to anyone on the property or surrounding properties at 3602 Alonzo Smith Road. The building will not be a danger to anyone and will only add property value to the property and community.

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 detached garage will still sit well within the property boundaries and will not affect the use of or access to the neighbors property.

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

The homeowners desire for this variance request to be granted is due to the nature of the garage and the practical use of the detached garage. The garage needs to be placed partially in the left setback area because the ability to pull a car in and out of the garage safely and efficiently would be nearly impossible if the detached garage is built too close to their existing home. Placing the detached garage slightly in the setback area allows for proper use of the new garage space and proper use of their existing structure as well.

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

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: Shelley Olds

Signature: *Shelley Olds*

EXPIRES _____

Date: 4/17/24

SUBSCRIBED AND SWORN BEFORE

ME THIS 17th DAY OF April, 2024.

OB



NOTARY PUBLIC COUNTY Clark

OF Clark MY COMMISSION

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

This building will not result in practical difficulties in the use of the property or adjacent properties.

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

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: Shelley Olds

Signature:

Shelley L. Olds

SUBSCRIBED AND SWORN BEFORE

ME THIS 28 DAY OF March, 2024.

NOTARY PUBLIC COUNTY

OF Clark MY COMMISSION

EXPIRES 9.21.2029

Date: March 28, 2024



Beth M. Lockett



Updated 8/2019

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), Carol Brightwell, do hereby certify that I am (we are) (Owners of subject property)
the owner(s) of the property legally described as 22-02-02-200-015-000-002, (Parcel ID Number)

And hereby certify that I (we) have given authorization to Brandon Smith & Shelley Olds,
(Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

Name of Owner(s): Carol Brightwell

Parcel I.D. No. 22-02-02-200-015-000-002

Signature: Carol Brightwell

Date: 3/28/2024

STATE OF IN

COUNTY OF Floyd

) SS: 315-50-4335

Subscribed and sworn to before me, a Notary Public within and for said County
and State, this 28 day of March, 2024.

MY COMMISSION EXPIRES:

08/31/2027

MY COUNTY OF RESIDENCE:

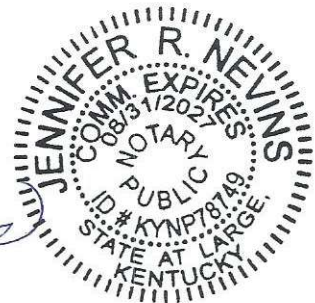
Oldham

Notary Public

Jennifer R. Nevins

Printed Signature

Jennifer R. Nevins



MAX

File No.: 87611
Office: Indiana Office

Floyd County Recorder
Linda L. Berger 2P
JKM Date 07/08/2008 Time 12:57:35
I 200827790 Page 1 of 2

Property Address:
3602 Alonzo Smith Road
Georgetown, Indiana 47122
Tax ID #: 22-02-02-200-015.000-002
002-04200-19

Tax Mailing Address:
3602 Alonzo Smith Road
Georgetown, Indiana 47122

THIS INDENTURE WITNESSETH, that Carol B. Brightwell and Mark H. Brightwell, wife and husband, (hereinafter collectively referred to as the "Grantors"), residents of 3602 Alonzo Smith Road, Georgetown, Indiana 47122, do hereby

CONVEY AND QUIT CLAIM

to Carol B. Brightwell (hereinafter referred to as the "Grantee"), a resident of 3602 Alonzo Smith Road, Georgetown, Indiana 47122, for and in consideration of the sum of One Dollar (\$1.00), certain real property (hereinafter referred to as the "Subject Property") situated in Floyd County, Indiana, described as follows:

A part of the Northeast Quarter of Section 22, Township 2 South, Range 5 East, Georgetown Township, Floyd County, Indiana, more particularly described as follows:

Commencing at a railroad spike marking the northwest corner of said Northeast Quarter of Section 22 and running thence South along the West line of the Northeast Quarter of Section 22, a distance of 725.0 feet to a spike; thence running East a distance of 30.0 feet to an iron pin in the Eastern right of way of Alonzo Smith Road, the true place of beginning of the tract herein described; thence continuing east a distance of 190.0 feet to an iron pin; thence running South 10 deg. 53' 18" East, a distance of 142.57 feet to an iron pin; thence running West a distance of 216.92 feet to an iron pin in the Eastern right of way of Alonzo Smith Road; thence running North with the Eastern right of way of Alonzo Smith Road, a distance of 140.00 feet to an iron pin, the true place of beginning, containing in all 0.654 acre.

Subject however, to a fifteen foot wide easement for public utilities across the entire eastern line of the above described tract.

Subject to any and all easements and/or restrictions of public record that may apply with respect to the Subject Property.

TO HAVE AND TO HOLD, the same to Grantee, her heirs and assigns, in fee simple, forever.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

JUL 08 2008

Teresa A. Plaiss
AUDITOR FLOYD CO. IND.

IN WITNESSETH WHEREOF, Grantors have executed this Deed as of the 3rd day of July, 2008.

GRANTORS

Carol B. Brightwell
Carol B. Brightwell

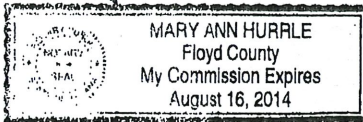
Mark H. Brightwell
Mark H. Brightwell

STATE OF INDIANA)
)
COUNTY OF FLOYD)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared one of the above named Grantors, Carol B. Brightwell, who acknowledged the execution of the foregoing Deed to be her voluntary act and deed.

In witness whereof, I have hereunto subscribed my name and notary seal this 3rd day of July, 2008.

My commission expires:

Mary Ann Hurrele
Notary Public


STATE OF INDIANA)
)
COUNTY OF FLOYD)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared one of the above named Grantors, Mark H. Brightwell, who acknowledged the execution of the foregoing Deed to be his voluntary act and deed.

In witness whereof, I have hereunto subscribed my name and notary seal this 5th day of July, 2008.

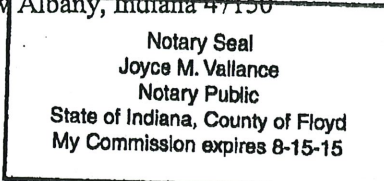
My commission expires:

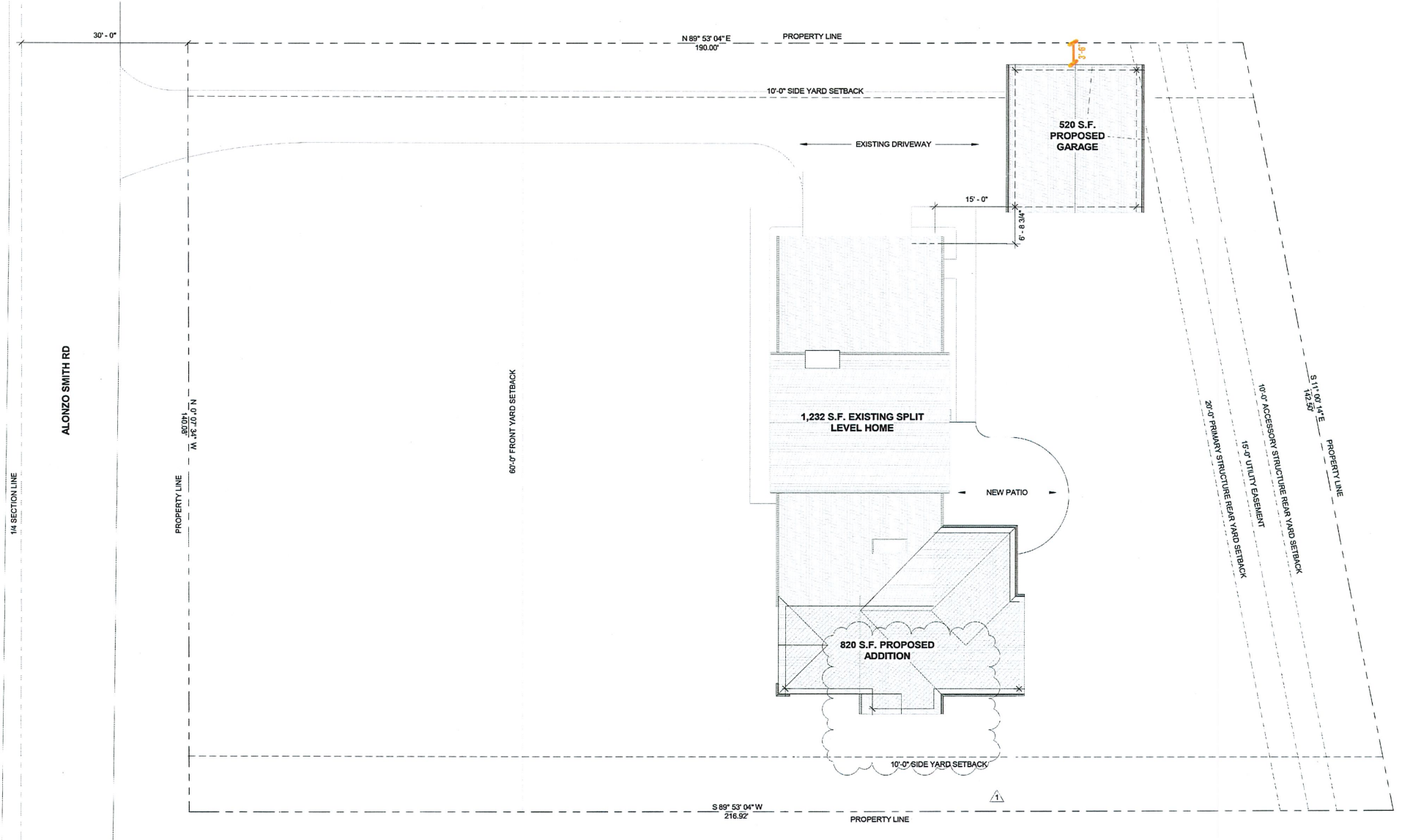
AUG 15, 2015

Joyce M. Vallance
Notary Public

I affirm, under the pains and penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Stephen L. Frank.

Prepared by: Pitt & Frank, P.S.C. Stephen L. Frank 3821 Charlestown Road New Albany, Indiana 47150
(812) 948-2720 mah





Shelley Olds

dotloop verified
03/28/24 12:07 PM
EDT
FTRT-QVT4-YUEJ-VDKE

FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
New Albany, Indiana 47150-4607
Website www.floydcounty.in.gov

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

March 22, 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:

Carol Brightwell is applying for a variance for a detached garage for the property located at 3602 Alonzo Smith Rd (22-02-02-200-015.000-002), Georgetown, IN 47122. The proposed construction will be over the existing gray water (washer) soil absorption field. Carol has contracted with a septic installer to have a replacement field installed.

The Floyd County Health Department has no objections with the variance. However, the construction of the garage will not be permitted by the Floyd County Health Department until the replacement system installed, inspected & a final is issued. If you have any further questions, please contact me at 812-948-4726 ext. 387.

Respectfully,



Anthony Lieber
Environmental, FCHD
alieber@floydcounty.in.gov



FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
New Albany, Indiana 47150-4607
Website: www.floydcounty.in.gov

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

SITE DENIAL

FOR CONSTRUCTION
OF
OUTBUILDINGS, ADDITIONS and/or
INSTALLATION OF SWIMMING POOLS
GEOHERMAL HEAT SYSTEM
UNDERGROUND UTILITY CONNECTION and/or
UNDERGROUND LAWN SPRINKLER SYSTEM

RECEIPT NO: 20301

Date Issued: 3/20/2024

ISSUED TO: Brandon Smith

PROPERTY OWNER: Carol Brightwell

ADDRESS: 3602
House Number

Alonzo Smith Rd
Street/Road

Georgetown
City/Town

Indiana
State

47122
Zip Code

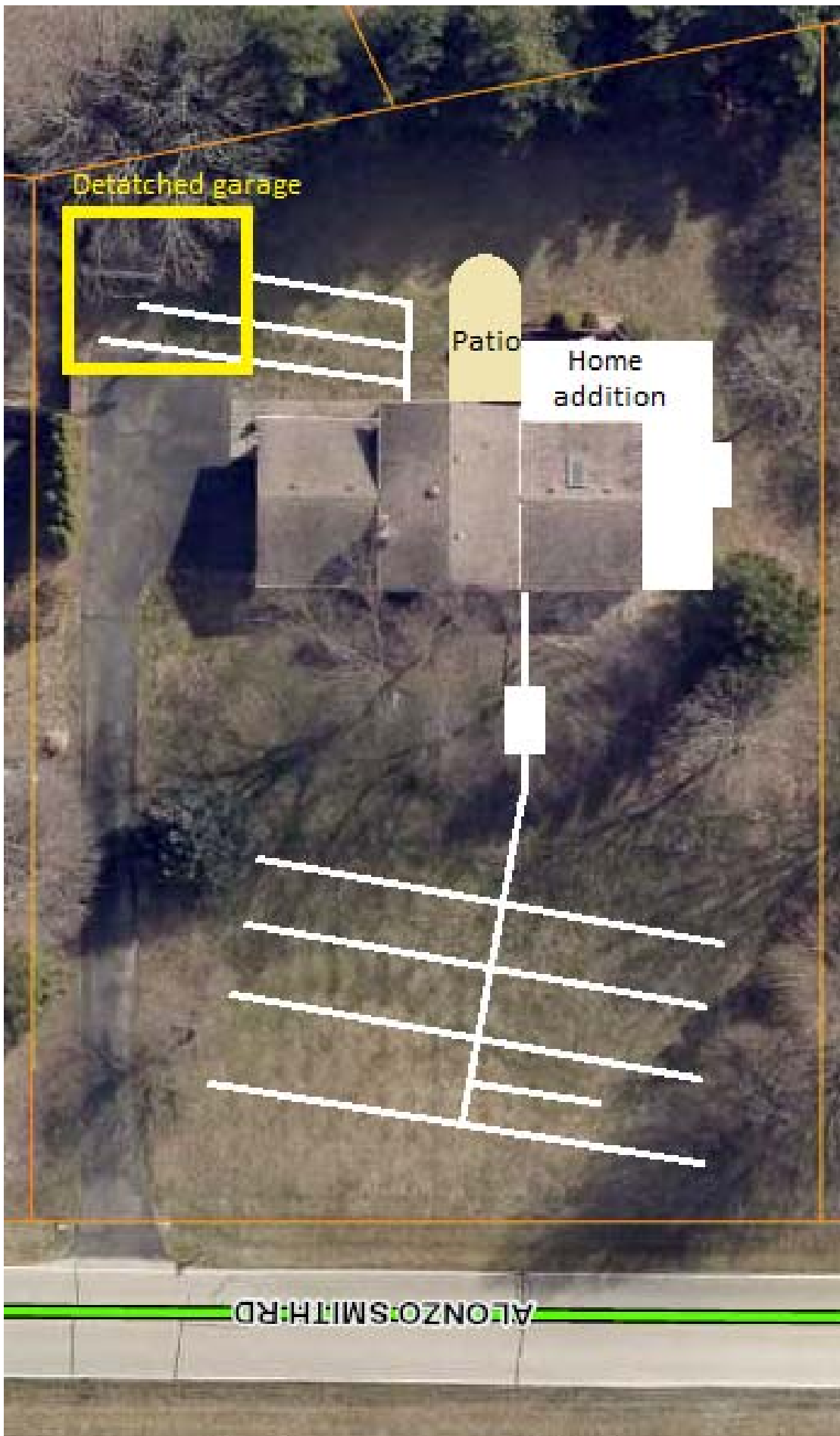
CONTRACTOR/INSTALLER:

SITE DENIAL FOR: 23' 6" x 20' 6" detached garage & driveway extension.

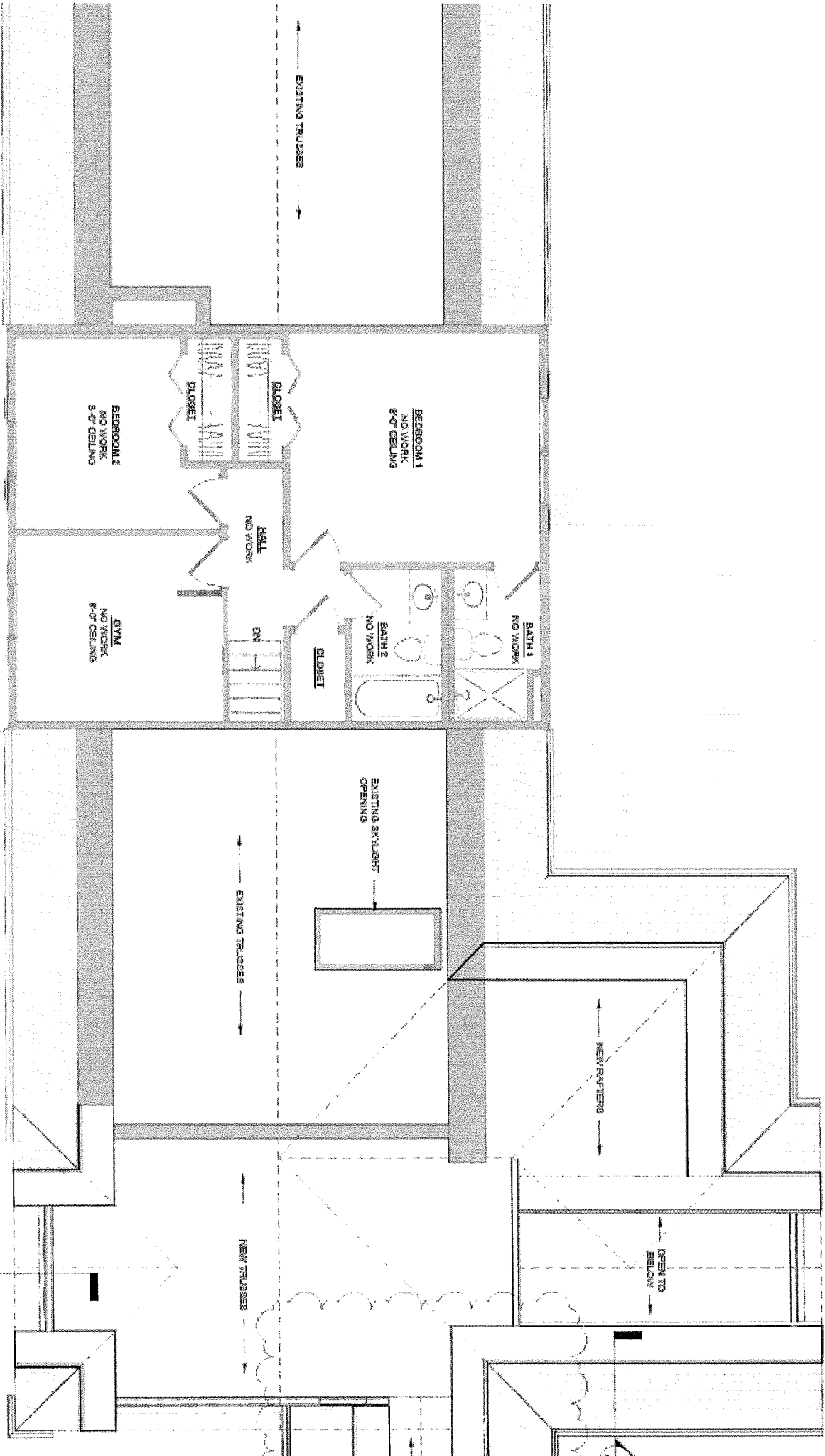
REASON FOR DENIAL: The proposed construction would be over and too close to the washer lines.



The Yardstick by which we measure our prosperity is the health and happiness of our people



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FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
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Telephone (812) 948-4726
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www.floydcountyhealth.org



Do you need a site approval?

Is there a septic system on the property where the structure is being built?

- YES – continue to next question
 NO – Stop you do not need a site approval

Are you adding a bedroom? YES – Stop you must talk to an environmentalist

- NO – continue to next question

Are you only remodeling the interior of the residence?

- YES – Stop you must talk to an environmentalist
 NO – continue to next question

Are you only covering an existing deck or porch?

- YES-Stop you must talk to an environmentalist
 NO- Please fill out the site approval application

PLEASE READ THE FOLLOWING STATEMENTS:

- **You must mark the location of the structure(s) you want to build.** If it is not marked when FCHD comes to your property you will have to pay for another site approval.
- If FCHD does not have a drawing of your septic system **you are responsible for locating the septic tank and the lateral lines.**
- Site approval inspections are generally completed within 5-7 business days from time of application submittal.
- If your septic system is failing the site approval **will be denied and further investigation will be required by FCHD.**
- When the site approval is complete, FCHD will issue a site approval permit to the owner/applicant. This permit can be emailed to the owner/applicant and the building department or a hard copy can be obtained from our office and be taken to the building department for their permit. For a complete list of requirements to get your building permit contact the building department (812-981-7611).

FLOYD COUNTY HEALTH DEPARTMENT



1917 Bono Road
New Albany, Indiana 47150-4607
Telephone (812) 948-4726
Fax (812) 948-2208
www.floydcountyhealth.org

APPLICATION FOR SITE APPROVAL PERMIT

For construction of out buildings, additions and/or installation of swimming pools, geothermal heat system, underground utility connection and/or underground lawn sprinkler system.

FEE FOR PERMIT- \$ 40.00 (due upon application—non refundable)

Receipt # 20301 Date Paid: 3/6/24 Clerk Initials: TS

Application Date: 3/6/2024

Person Applying for Permit: Brandon Smith Phone Number: 812-406-5524

Email Address (where permit can be sent): bsmith@theveterancontracting.com

List Type(s) of Construction (be specific and include dimensions—Note: this also includes underground electric): Home addition consisting of Master Bedroom, Master Closet, Master Bath, Sunroom & Laundry Room. Building of detached garage. (See attached floorplan)

****If addition, please list what type (Ex: bedroom, sunroom, office, etc)**

Date Construction will be marked off: 3/15/2024

Would you like to be present during inspection? Yes

Name of property owner: Carol Brightwell

Address of property: 3602 Alonzo Smith Road, Georgetown, IN 47122

Phone number(s): 812-989-4897

Year home was built: 1978 Original name of home owner: Richard Glover

Have there been any repairs made to the septic system? Yes

Year repairs were made: 1984 & 1986

Health Department Staff Comments: _____

Q