

**MINUTES**  
**CITY OF COLUMBUS BOARD OF ZONING APPEALS**  
**TUESDAY, NOVEMBER 18, 2025, 6:30 P.M.**  
**MEETING HALL, CITY HALL**  
**123 WASHINGTON STREET**  
**COLUMBUS, INDIANA**

**Members in Person:** Michael Kinder, Grant Hale, Hillary Maple, Charles "Chuck" Doup, Zack Ellison

**Members Absent:** None

**Staff Members Present:** Melissa Begley, Kyra Behrman, Desiree Aldrich, Andres Nieto, Janie Meek, and Austin Whitted (Deputy City Attorney)

Mr. Ellison opened the meeting with a brief explanation of the board and its responsibilities. Proof of adequate public notice for all cases on the agenda was confirmed.

Mr. Whitted administered an oath to all in attendance who would be speaking.

**OLD BUSINESS REQUIRING BOARD ACTION**

None

**NEW BUSINESS REQUIRING BOARD ACTION**

**CDS-2025-029: Richard & Mary Fogler** – A request by Richard & Mary Fogler for development standards variances from Zoning Ordinance Section 3.12(C) to create two new lots that will be smaller than the minimum 6,000 square foot lot size and Zoning Ordinance Section 7.1(Part 1)(A) to allow one of those new lots to provide 0 off-street parking spaces, 2 less than the required 2 parking spaces. The property is located at 111 South Gladstone Avenue, in the City of Columbus.

Ms. Behrman presented for the Planning Department.

Eric Meeks and Richard Fogler represented the applicant. Mr. Meeks stated that the homes were built in the 1940's. There are similar lots in the area that had 2 homes on the one lot and were subdivided so that each home would have its own lot. He believes this area allows for the smaller lot sizes and has support of ample goods and services for the increased density.

Mr. Ellison opened the meeting to public comment.

No one from the public requested to speak.

Mr. Ellison closed the meeting to public comment.

The first vote was for a variance from Zoning Ordinance Section 3.12(C) to create two new lots that will be smaller than the minimum 6,000 square foot lot size

**Motion:** Mr. Kinder made a motion to approve the request. He agreed with staff findings that all criteria have been met as outlined in the staff report. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

The second vote was for a variance from Zoning Ordinance Section 7.1(Part 1)(A) to allow one of those new lots to provide 0 off-street parking spaces, 2 less than the required 2 parking spaces.

**Motion:** Mr. Kinder made a motion to approve the request. He agreed with staff findings that all criteria have been met as outlined in the staff report. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

**CDS-2025-030: Kevin King** – A request by Kevin King for development standards variances from Zoning Ordinance Section 7.2(Part 3)(A)(2)(b) to allow driveway to have a 0-foot setback, 4 feet less than the required 4-foot side setback and Zoning Ordinance Section 7.3(Part 1)(C)(3)(b) to allow a driveway to be located on Lafayette Avenue, when alley access is available. The property is located at 2689 Lafayette Avenue, in the City of Columbus.

Ms. Aldrich presented for the Planning Department.

Kevin King represented himself. Mr. King provided a poster board presentation. Due to not using a microphone his oral presentation was not fully audible.

Mr. Whitted asked if staff had copies of the presentation. Mr. King passed out paper copies of his board presentation at that point.

Mr. Kinder asked if the current drives in this area had approved variances or were they legal non-conforming. Ms. Begley stated that they were a combination of approved variances, legal non-conforming, and outright illegal.

Ms. Maple asked if the applicant was willing to make the circular drive to be 50 feet in width from one entrance to the other. Mr. King stated that he could.

Mr. Ellison opened the meeting to public comment.

No one from the public requested to speak.

Mr. Ellison closed the meeting to public comment.

Mr. Kinder stated that he was concerned about the comments from the Engineering Department that there is adequate space from the alley and adding a driveway on Lafayette would eliminate on-street parking spaces, as well as having drive separation issues. He stated that he understands that alley parking isn't always the most convenient, as it can take time to maneuver into the space, but it is doable. He added that he has alley and on-street parking at his home, and it takes him several turns in his truck to get parked off his alley. Mr. Kinder stated that he is unable to find a practical difficulty for criteria #3.

Mr. Ellison asked if there was a setback requirement for fences on an alley. Ms. Begley stated that there is not.

Mr. Doup stated that he had trouble making the radius of the alley in his small SUV. He added that impeding on someone else's property is a practical difficulty for alley use.

**Motion:** Ms. Maple made a motion to approve the request. She agreed with the staff findings that criteria #1 and #2 have been met as outlined in the staff report. She stated that she finds criteria #3 has been met based on the applicant's testimony regarding the width of the alley and the closeness of the fence, making it a practical difficulty to drive in and out. She added a condition that there must be a 50-foot drive separation. Mr. Doup seconded the motion. The motion passed with a voice vote of 4 in favor and 1 opposed. Mr. Kinder voted no.

**CDS-2025-032: Larry Kleinhenz** – A request by Larry Kleinhenz for a development standards variance from Zoning Ordinance Section 6.1(A) to allow an accessory structure to be located on a property without a primary structure. The property is located at 9760 W. Old National Road, in the City of Columbus.

Mr. Nieto presented for the Planning Department.

Ms. Maple asked if there was a minimum road frontage requirement, and would the new lot meet that requirement. Mr. Nieto stated that we do and it does.

Larry Kleinhenz represented himself. Mr. Kleinhenz stated he was pleased with the staff's presentation. He only wanted to add that his son plans to build a home on the new lot; the requirement of a 20-acre remainder is what initiated this request. He added that the barn was previously a horse barn in need of some repair, but overall is in good condition. The plan is to use the barn to store items that are used to maintain the property.

Mr. Ellison asked if the applicant planned to build the new home on lot 2 that currently has the barn on it. Mr. Kleinhenz stated that is what they are planning. He added that the new home will be located directly behind the barn.

Mr. Ellison opened the meeting to public comment.

Dennis Ferry, 9870 West Old Nashville Road, participating in-person, stated he was concerned with where the proposed home would be in conjunction with the property line, and if the barn would be used as a milling business. He noticed that there is currently milling being done in this barn.

Mr. Ellison closed the meeting to public comment.

Mr. Kleinhenz stated that the home will be directly north of the barn and in line with the barn. Mr. Kleinhenz stated that the milling of the walnut trees on the property will be used in the interior of the new home. He may use the milling equipment from time to time in this barn, but it will be for him and his families personal use.

**Motion:** Mr. Doup made a motion to approve the request. He agreed with staff findings that all criteria have been met as outlined in the staff report. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

**CDS-2025-033: Indiana Precast**– A request by Indiana Precast for development standards variance from Zoning Ordinance Section 6.1(C)(3)(b) to allow an area of outdoor storage to be located 45 feet from the centerline of Jonesville Road, 50 feet less than the required 95-foot front setback. The property is located at 855 Jonesville Road, in the City of Columbus.

Ms. Begley presented for the Planning Department.

Kent Badgett represented the applicant. Mr. Badgett stated that he is hoping to get this request approved so that they can get their fence put up and eliminate the visual eyesore that has been created by their business. He added that they will get busy on putting up the fence immediately if the request is approved.

Mr. Kinder asked why this property looked so familiar. Ms. Begley stated that they have been before the Plan Commission and now require a variance to install the fence that was a condition of their rezoning approval. She added that they also had to replat the property.

Mr. Badgett added that they need the variance in order to fence all of their outdoor storage area.

Mr. Ellison opened the meeting to public comment.

No one from the public requested to speak.

Mr. Ellison closed the meeting to public comment.

**Motion:** Ms. Maple made a motion to approve the request. She agreed with staff findings that all criteria have been met as outlined in the staff report. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

## **FINDINGS OF FACT**

CCU-2025-027: Cookie Paradise

**Motion:** Mr. Kinder made a motion to approve the findings. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CDS-2025-023: Matt Munger

**Motion:** Mr. Doup made a motion to approve the findings. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CUV-2025-004: Chad Suverkrup

**Motion:** Mr. Kinder made a motion to approve the findings. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CDS-2025-026: David Gonzalez Medina

**Motion:** Ms. Maple made a motion to approve the findings. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CDS-2025-028: JR Promotions

**Motion:** Ms. Maple made a motion to approve the findings. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CCU-2025-028: BarCons

**Motion:** Mr. Kinder made a motion to approve the findings. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

CUV-2025-005: BarCons

**Motion:** Mr. Doup made a motion to approve the findings. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

## **APPROVAL OF MINUTES**

Minutes of the October 28, 2025 meeting were not available at this meeting.

## DISCUSSION

Ms. Begley gave context as to why alley access is preferable over a road front driveway. Looking at the area between 25<sup>th</sup> street to downtown and Central Avenue to the river, the context of those homes are very different than the homes in the rest of the communities. The rules and regulations are really to protect the character of this area. She stated that when the homes in this area were built, vehicles were smaller, and families had fewer vehicles than they do now. Homeowners want the same conveniences they get in a suburban setting, but in their urban community. The current guidelines were set up to help protect the urban community. She stated that there are some circumstances that may require approval of this type of variance, but she wanted the board to keep in mind that there was a thorough thought process behind the regulations.

Mr. Ellison stated that with vehicles being so much larger now, especially trucks, maybe we should review the regulations for possible revisions. He added that we would prefer that more vehicles be off the streets. He thanked the staff for all of their hard work and noted that it is good to have a Board of Zoning Appeals to review these cases as they come in.

## HEARING OFFICER REPORT

None

**ADJOURNMENT:** 7:35 p.m.

**Motion:** Mr. Doup made a motion to adjourn. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

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Zack Ellison, Chairperson

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Charles Doup, Secretary