MINUTES
CITY OF COLUMBUS BOARD OF ZONING APPEALS
TUESDAY, FEBRUARY 24, 2026, 6:30 P.M.
COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA

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

Members Absent: None

Staff Members Present: Melissa Begley, Desiree Aldrich, Kyra Behrman, 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 (Deputy City Attorney) administered an oath to all in attendance who would be speaking.

OLD BUSINESS REQUIRING BOARD ACTION

None

NEW BUSINESS REQUIRING BOARD ACTION

BZA-25-4: Brandon Neilsen – A request by Brandon Neilsen for conditional use approval to allow a shared housing facility for up to 17 individuals in the RE (Residential: Established) zoning district per Zoning Ordinance Section 3.12(B). The property is located at 803 Pearl Street, in the City of Columbus.

Ms. Aldrich presented for the Planning Department.

Mr. Kinder asked whether the 8-or-fewer occupant requirement was per unit. Ms. Aldrich stated that they are looking at this property as a whole instead of 3 individual units. Mr. Kinder asked whether, across the 3 units, they would be required to have 5 or fewer occupants to not be considered a shared housing facility. Ms. Aldrich stated that was correct. Mr. Kinder asked why this site wouldn't be considered a multi-family apartment building. Ms. Begley stated that they are not all complete units, so they do not qualify as multi-family. Mr. Kinder asked if the applicant would have 5 or fewer occupants per unit, and would they have to apply for a variance. Ms. Begley stated that they would because they are looking at the overall use of the property. There was much more discussion amongst staff and the board regarding the distinction between multi-family units, shared housing facilities, recovery homes of 8 or fewer residents, and parking requirements.
Mr. Kinder asked if the office of Technical Code Enforcement regulated room size per occupant. Ms. Begley stated that their office would review and discuss occupancy regulations and required fire suppression. She added that regardless of what the board's decision may be, the applicant would have to abide by the Code Enforcement regulations.

Brandon Neilsen represented himself. Mr. Neilsen stated that each of the 3 units in the house is complete, each one has its own kitchen, bathroom, and laundry room. He did add that because of the room sizes, Code Enforcement advised him that he would not be allowed more than 14 total residents on this property across the 3 units. He stated that he was told the requirement was 50 square feet per person per room. Mr. Neilsen stated that based on the floor plans of the units and the requirements by

Code Enforcement, he could have 7 residents on the top floor unit, 6 residents on the bottom floor unit, and 1 facility manager in the smallest unit, for a total of 14 residents in the house.

Mr. Ellison asked how many residents require variance approval for a shared housing facility. Ms. Aldrich stated that more than 5 residents would require a variance approval.

Mr. Doup asked if it was a reasonable expectation for 1 person to monitor 13 individuals in a recovery program. Mr. Neilsen stated that it was an industry standard, as their stay is contingent on their compliance with all requirements for their recovery. Mr. Neilsen stated that if they do not comply, then they are no longer allowed at the residence. Mr. Neilsen added that this would not be a treatment facility. It is strictly a home for them while they complete the requirements of their recovery.

Mr. Ellison asked what was required for parking at this site. Ms. Begley stated that there is no parking requirement for shared housing facilities, but for multi-family, it is 1.5 spaces per dwelling unit. Mr. Kinder asked if on-street parking was allowed on both sides of the street. Ms. Aldrich stated that Pearl Street allows on-street parking on both sides of the street.

Mr. Whitted asked how the applicant planned to handle visitor parking and prevent overnight stays of non-residents. Mr. Neilsen stated that the majority of the residents would not have a driver's license nor be able to afford a car. He added that out of the 8 residents living there now, only 2 have a car and a license. Mr. Whitted asked if they provided some type of internal parking permit for the residents of this facility. Mr. Neilsen stated that they do not currently have one, but they would not be opposed to starting one if the board required it.

Ms. Maple asked if the home was currently being used without proper approval. Mr. Neilsen stated that it is currently operating with 8 residents.

Mr. Ellison opened the meeting to public comments and acknowledged the 11 letters received prior to the meeting, opposing approval of this request.

Jeff Rocker, 432 Washington Street, participating in person, stated he was representing a handful of interested neighbors who oppose approval of this request. They do not believe that this intense type of facility should be located in a residential established zoning district. He added that, at the very least, the density should be decreased, and the site should be brought into compliance with a multi-family facility.

Lisa Conner, Joli Rentals, 4310 North Riverside Drive, participating in person, stated she opposes any use in a residential neighborhood that is more than 2 persons per bedroom. She is also concerned with the safety of children in the neighborhood, as there is a nearby school and daycare.

Karen Russell, 621 8th Street, and owns 615 8th Street, participating in person, stated she is concerned with the intensity of use for this property and the parking issues it will cause for the neighbors, including the church. She opposes approval of the request.

Kerri Sinibaldi, 524 10th Street, participating in person, stated she is concerned with safety and density. She was confused about who should be the actual applicant for the request. The property owner, the Gemini Business, the recovery group, or Mr. Neilsen. She opposes approval.

Susan Kell, 813 Franklin Street, participating in person, stated she was concerned with parking congestion, the unit density of a sober living house, and the safety of the neighborhood. She opposes approval of the request.

Nathaniel Gootee, 724 8th Street, participating in person, also wrote 1 of the letters, stated he was concerned with the accountability of the program. The property owner, Travis Mouser, and Mr. Neilsen,

executive member of Gemini, should have known what would be required to operate such a facility prior to starting it, yet this home has been running as a sober living facility for quite some time without any approval. He does not have faith that they could successfully handle a facility of 14 residents without causing major disruption to the neighborhood. He added that they only filed this request after Code Enforcement was notified of numerous neighbor complaints about what was taking place on this site. He asked how they could be trusted to comply with anything going forward. He was concerned that any approval for the shared housing facility would be attached to the property. He opposes approval of this request.

Martha Arnett, 1004 Franklin Street, participating in person, stated she was concerned with people parking in the church parking lot. She opposes approval of this request unless the use of the church parking lot is fully prohibited.

Joe Conner, 4310 N Riverside Drive, participating in person, stated he is concerned that Mr. Neilsen would be running the home as an individual and not as part of the Gemini program. He believes there would be a lack of accountability for the qualification requirements of those in the recovery program. He opposes approval of this request.

Josh Aciukewicz, with Lunar Properties LLC, the owner of several properties surrounding 803 Pearl Street, participating in person, also wrote 1 of the letters, stated the importance of having a qualified program monitoring system in place for any sober living home. He stated that it is a full-time job to successfully monitor someone who is in recovery, and if there are no solid guidelines in place, that monitoring will fall back on the surrounding property owners, which would not be fair. He opposes approval of this request.

Nick Rosenberg, 3881 Terrace Woods Drive, with Bullet Property Management, participating in person, stated that in his rental property experience, the rule has always been no more than 2 persons per bedroom. He does not believe that this rule should be waived for a recovery home or any other type of residents, unless it is a commercial facility with higher safety requirements and appropriate buffering regulations. He opposes approval of this request.

Robert Shannon, 719 8th Street, participating in person, stated he has witnessed the residents of this home yelling from the balcony at women who are walking on the sidewalk. He has witnessed the residents blocking the sidewalk in front of the home, preventing people from passing on the sidewalk. This past Thanksgiving, there was a call to the home for a possible drug overdose, and the police had been there for over 15 minutes before the manager even came outside his unit to see what was going on. He does not believe there is sufficient supervision of the regulations for these residents and opposes approval of this request.

Lisa Conner, 4310 North Riverside Drive, participating in person, stated that she has records showing that in the past 3 months, there have been 85 police runs to 803 Pearl Street, the calls range from theft, domestic violence, to overdoses. She stated that the police told her that there were actually double the number of calls, but these 85 are the only ones that have written reports to go with them. She stated that the property owner is not known for monitoring or taking very good care of his properties. She reiterated that she opposes approval of this request.

Mr. Ellison closed the meeting to public comment.

Mr. Neilsen stated that this is not a treatment center. The residents have to be a minimum of 30 days sober to live in the home. They are free to come and go as they please. They do not have a curfew to adhere to. What they are required to have are weekly drug screens and a review of their requirements for their sobriety, and making sure they are meeting those. Mr. Neilsen stated that the Indiana Affiliation of Recovery Residences Standards and a Code of Ethics are used for recovery houses. Mr. Neilsen stated

that the house is open to anyone who wants to come and walk through to see how open the units are and just how much space they have for the residents. There are no therapy, treatment, or procedures performed at the house, only the supervision screenings that are done weekly.

Mr. Ellison stated that there were several items mentioned by the public that are not within the purview of the board to address. It is within the board's purview to assess whether this type of use will adversely affect property values and the safety of the surrounding neighborhood. He added that an approval for a conditional use stays with the property and not just the original applicant.

Mr. Kinder asked what part of the safety and well-being of the neighborhood falls under the board's purview. Mr. Whitted stated that the board should concentrate on land use and not occupancy type.
Mr. Kinder asked if the number of occupants could be considered. Mr. Whitted stated that it may be relevant to the use of this particular piece of land.
Mr. Doup asked if the board was reviewing the housing type. Mr. Whitted stated that the board can review the number of occupants, square footage of property, in terms of the public safety and general welfare of the site, and its impact on the surrounding properties, including parking.

Mr. Kinder asked if the board had any purview over dumpster requirements. Ms. Begley stated that there is no requirement for a dumpster, but if there were one, it would be required to be in an enclosure.
Mr. Kinder asked if the board could require a dumpster as a condition of approval. Mr. Whitted stated that it would be within the board's purview to add that condition as part of approval.

There was much discussion amongst staff, the applicant, and the board regarding how shared housing was determined as a whole for this site instead of per unit. It was determined that, because it was being presented as a sober living residence, it would be treated as 1 unit, not 3 separate units. There was additional discussion about parking requirements and recommendations.

Motion: Mr. Doup made a motion to deny the request, agreeing with all of the staff findings, including that criteria #3 has not been met. Ms. Maple seconded the motion. The motion passed with a voice vote of 4 in favor and 1 opposed. Mr. Hale opposed.

BZA-25-10 & BZA-26-2: Rollins Property Development – A request by Rollins Property Development for development standard variances from 1) Zoning Ordinance Section 3.14(C) to allow a structure to have a 30.5 foot front setback, 24.5 feet less than the required 55 foot minimum setback from the centerline of 10th Street, 2) Zoning Ordinance Section 8.2(E) to allow a parking area to encroach 7.25 feet into the 20 foot Type B landscape buffer and 3) Zoning Ordinance Section 7.2(Part 4)(B)(1) to allow a parking area to have a 35.5 foot front setback, 19.5 feet less than the required 55 foot setback from the centerline of 10th Street. The property is located at the southeast corner of 10th Street and Werner Avenue, in the City of Columbus.

Ms. Behrman presented for the Planning Department.

Mr. Ellison asked how the setback of this site compares to the apartments to the east. Ms. Behrman stated that the apartment complex to the east met the 55-foot required front setback.

Mr. Doup asked if all the lots would need to be combined if approved. Ms. Behrman stated that it would be a condition of approval to combine those lots. Ms. Begley stated that it was not unusual for a developer to wait and see if the variances are approved before spending the money to replat the property into 1 lot.

Alan Barton and Robert Rollins represented the applicant. Mr. Barton added that their lot has a constraint of the front and south setbacks that the Ashford apartments did not have.

Mr. Whitted asked about the parking requirements outlined in the staff report. Mr. Barton stated that they do not have any issues with those requirements.

Mr. Ellison opened the meeting to public comment.

Tom Dell, 1063 Hummingbird Lane, participating in person, stated that the city always encourages infill, and this site has been vacant for quite some time. He supports approval of these variances.

Mr. Ellison closed the meeting to public comment.

Motion: Mr. Kinder made a motion to approve Variance #1 to allow a structure to have a 30.5-foot front setback, agreeing with staff findings that all criteria have been met. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Motion: Mr. Doup made a motion to approve Variance #2 to allow a parking area to encroach 7.25 feet into the 20-foot Type B landscape buffer, agreeing with staff findings that all criteria have been met, and with the condition that the parking be no closer to 10th Street than the 10th Street front wall of the apartment building. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Motion: Mr. Kinder made a motion to approve Variance #3 to allow a parking area to have a 35.5-foot front setback, agreeing with staff findings that all criteria have been met and including the conditions listed in the staff report. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

BZA-25-13: Burt's Pest Control – A request by Burt's Pest Control for development standards variances from Zoning Ordinance Section 3.24(C) to allow a side setback to be 11.26 feet, 8.74 feet less than the required 20 foot side setback and Zoning Ordinance Section 3.24(C) to allow a rear setback to be 12.91 feet, 7.09 feet less than the required 20 foot rear setback. The property is located at 805 Depot Street, in the City of Columbus.

Ms. Begley presented for the Planning Department.

Mr. Doup asked if the main reason for the variances was due to the odd shape of the site. Ms. Begley stated that was what the staff had determined.

Mr. Kinder asked about the staff report stating that criterion #3 had not been met. Ms. Begley stated that it was a typographical error, as you can see from the explanation, criteria #3 has been met, meaning all criteria have been met.

Tim Thomas and Doug Foster represented the applicant.

Mr. Ellison opened the meeting to public comment.

No one from the public attending in person requested to speak.

Mr. Ellison closed the meeting to public comment.

Motion: Mr. Kinder made a motion to approve variance request #1 to allow a side setback to be 11.26 feet, agreeing with staff findings that all criteria have been met. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Motion: Ms. Maple made a motion to approve variance request #2 to allow a rear setback to be 12.91 feet, agreeing with staff findings that all criteria have been met. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

BZA-25-14: Mona Jalal – A request by Mona Jalal for a development standards variance from Zoning Ordinance Section 9.3(C)(2) to allow a fence to be 6 feet tall in a front yard, 2.5 feet taller than the maximum 3.5 feet. The property is located at 2068 Abbey Lane, in the City of Columbus.

Ms. Begley presented for the Planning Department.

Mona Jalal and Tim Kendall represented the applicant. Ms. Jalal stated that, on the recommendation of the professional fence company, the fence should not be physically attached to the house for better life and more stability in inclement weather. They suggested the 8 feet would be the best option for her property. She added that it would be aligned with the majority of the other homes with fences along this road.

Mr. Ellison asked if the reason for the 8-foot offset was to make the fence more structurally sound. Mr. Kendall stated that it was the recommendation of the professional fencing company (Indy Finest) to have that full 90-degree bend for structural integrity.

Mr. Whitted asked what their practical difficulty was, which is not self-imposed. Mr. Kendall stated that the fence integrity and the right of privacy in their own backyard, with the lot having what is considered two front yards, are the two main practical difficulties. Ms. Jalal added that they are in line with what the rest of the neighborhood has installed on their properties already.

Mr. Ellison opened the meeting to public comment.

Tom Dell, 1063 Hummingbird Lane, participating in person, stated that he agrees that the practical difficulty is having what the ordinance defines as two front yards. He supports approval of the request.

Mr. Ellison closed the meeting to public comment.

Motion: Mr. Kinder made a motion to deny the request, agreeing with the staff findings that criteria #3 had not been met. He states that the needs of a dog are self-imposed by the owner, as well as the additional space required for such a large animal. Ms. Maple seconded the motion. The motion failed with a voice vote of 2 in favor and 3 opposed. Mr. Ellison, Mr. Doup, and Mr. Hale opposed.

Motion: Mr. Ellison made a motion to approve the request, agreeing with the staff findings that criteria #1 and #2 have been met. Mr. Ellison stated that he believes criteria #3 has been met in that the additional 8 feet offset is needed to obtain the long-term strength and integrity of the fence, and having two front yards also imposes practical difficulty. Mr. Doup seconded the motion. The motion passed with a voice vote of 3 in favor and 2 opposed. Mr. Kinder and Ms. Maple opposed.

BZA-26-7: Carl Miller – A request by Carl Miller for a development standards variance from Zoning Ordinance Section 3.20(C) to allow 2 dwellings to be located on a single lot, 1 more than permitted. The property is located at 3114 & 3110 10th Street & 1144 North Marr Road, in the City of Columbus.

Ms. Begley presented for the Planning Department.

Mr. Kinder asked if the applicant would be required to replat the site if this variance were approved. Ms. Begley stated that the plan is to replat the site, and that is what prompted this request.

Ryan Brand with Breeden Commercial represented the applicant.

Mr. Ellison asked about the purpose of combining the lots. Mr. Brand stated that they have buyers for the two larger lots and need to consolidate the properties with houses into 1 lot for a commercial developer. All of the lots are already zoned commercial.

Mr. Ellison opened the meeting to public comment.

Tom Dell, 1063 Hummingbird Lane, participating in person, stated he supports approval of the request supporting future development of these commercial properties.

Mr. Ellison closed the meeting to public comment.

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

BZA-26-9: Hot Diggity Dog – A request by Lisa Korf for conditional use approval to allow the expansion of a home-based business (a kennel) in the AP (Agriculture: Preferred) zoning district, per Zoning Ordinance Section 6.6(Part 1). The property is located at 6170 West 450 South, in Ohio Township.

Ms. Aldrich presented for the Planning Department.

Mr. Kinder asked if the board was only amending the items for the expansion of the previous use approval. Ms. Begley stated it would just be for the expansion request, as the home-based business with restrictions was already approved, and those still apply to the property. Ms. Aldrich stated that the applicant is requesting to add another kennel to have 8 additional dogs, for a total of 16, to have 1 employee besides herself, and to fence the yard.

Lisa Korf represented the applicant. She stated that the only thing she had to add was that the new kennel would have a 4-foot by 8-foot outdoor run component with a roof for the dogs to get fresh air.

Mr. Ellison opened the meeting to public comment.

No one from the public attending in person requested to speak.

It was noted that 2 letters were received in support of approval for this request.

Mr. Whitted noted that there were 2 letters received from the public that supported approval of the request.

Mr. Ellison closed the meeting to public comment.

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

ELECTION OF 2026 OFFICERS

Mr. Ellison stated that the slate of agreeable candidates is Zack Ellison, President, Michael Kinder, Vice-President, and Charles Doup, Secretary. Mr. Ellison asked if any of the other members would like to assume one of the positions. Ms. Maple and Mr. Hale stated that they did not.

Motion: Mr. Ellison made a motion to keep the same slate of officers as in 2025. Zack Ellison, President, Michael Kinder, Vice-President, and Charles Doup, Secretary. Mr. Kinder seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Approval of Board of Zoning Appeals Calendar

Motion: Mr. Ellison made a motion to approve the 2026 Board of Zoning Appeals Calendar. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Mr. Whitted thanked the board members for getting their Conflict-of-Interest forms turned in by February 1st.

FINDINGS OF FACT

CDS-2025-029: Richard & Mary Fogler

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-2025-030: Kevin King

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-2025-032: Larry Kleinhenz

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.

CDS-2025-033: Indiana Precast

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.

APPROVAL OF MINUTES

Minutes of the October 28, 2025 meeting.
Minutes of the November 18, 2025 meeting.

Motion: Mr. Doup made a motion to approve the minutes of the October 28, 2025 meeting. Ms. Maple seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

Motion: Mr. Kinder made a motion to approve the minutes of the November 18, 2025 meeting. Mr. Doup seconded the motion. The motion passed with a voice vote of 5 in favor and 0 opposed.

DISCUSSION

The Board members and staff briefly discussed possible guideline changes for shared housing classifications.

Mr. Whitted reminded everyone that the applicants do have 30 days to request an appeal for any BZA decision, so be mindful of that and do not discuss any of the outcomes until after the appeal time has passed.

HEARING OFFICER REPORT

None

ADJOURNMENT: 9:13 p.m.

Motion: Mr. Kinder made a motion to adjourn. Mr. Doup 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