Thursday, July 10, 2024, 7:00 p.m.

Richard J. Pasco Council Chambers, City Hall

10 S. State St, Greenfield, IN 46140

Board of Zoning Appeals (BZA) President, Mike Terry, called the meeting to order at 7:00 p.m.

Monica Evans, took Roll Call with the following members present:

Gary Warner

Paulette Richardson

Joe Lonnemann

Aaron Greenwalt

Nonmember staff present: Mike Terry, President

Donna Butler, Associate Planner

Monica Evans, Secretary

Rhonda Cook, Legal Counsel

A motion was made by J. Lonnemann to approve the May 2024 minutes, seconded by G. Warner. Motion carried 4-0.

**NEW BUSINESS:**

**VAR24-04: 115 N. School Street 8 of 9 LLC for Gadzooks Frozen Custard** is requesting approval of a variance of use to allow for a café in the RU Residential Urban District.

D. Butler read the staff report. She advised that the Petitioner is wanting to open a small frozen yogurt shop in a building that was previously used as a commercial building. It has been a restaurant, church, lodge and a computer repair business. There was a Variance of use approved back in 2011 for the computer repair shop.

The surrounding areas are zoned RU and within a block east and 1 property south it is a TN Traditional neighborhood. They will be open from 7am to 9pm 7 days a week. It will seat 36 and require 9 parking spaces. The Petitioner will also have a bike rack on the property.

The Petitioner has also provided staff with a landscaping plan and with the proposed plan it will create an opaque screen on the east side of the property. D. Butler showed the inside layout of the building and what the sign will look like. This use is also fitting for the Comprehensive Plan that is currently in process as commercial nodes within neighborhoods is listed.

Brian Woodruff, petitioner came forward and was sworn in. He advised that he is wanting to open a frozen custard shop. He is wanting a place for good quality custard, baked goods and coffee. The baked goods will be made onsite if all goes well.

They are also planning on being open year-round, unlike other ice cream/custard shops. They will also have a walk-up window and an outside sitting area.

Elizabeth Woodruff came forward and was sworn in. She stated that her husband has been talking about having a shop like this in the last 15 years. He has researched trying to learn everything he can about requirements and they have also hired an architect to assist with the layout.

Mr. John Whobrey, neighbor, came forward and was sworn in. He stated that he was not ok and he wanted to know if anyone was getting paid. He said he didn’t want to be there and can’t believe everything going on. He said the owner came over and introduced herself and believes she is the one who called the meeting. He said they put in a light pole and now he doesn’t have electric to his barn. He understands why and when his mom died, he took the meter off the barn. He said the Petitioner told him he was going to put up a 6-foot fence. He said he doesn’t mean to be so upset and he wants to be a good neighbor. He said if the petitioner would have just come to him and ask about things it would have been better. He said he just wants the power back on in his barn. He was advised that this board has nothing to do with the power. That he will need to call Power & Light to get the electric back on.

A motion was made to approve the Variance of use by G. Warner and seconded by J. Lonnemann. Motion carried 4-0.

A motion was made to adjourn by G. Warner and seconded by A. Greenwalt.