

# McCordsville

ESTD  1988

## INDIANA

### McCordsville Board of Zoning Appeals Meeting Minutes March 6<sup>th</sup>, 2024

**Members Present:** Brianne Schneckenberger, Dan Vail, Grant Adams, Brian Hurley

**Members Absent:** Justin Meadows

Other members present: Ryan Crum, Beth Copeland legal counsel, Allyson Hamlin

#### **Approval of minutes**

Mr. Adams motioned, Mr. Hurley seconded, board voted 4/0.

#### **Old business**

N/a

#### **New Business**

*Michelle Brannon's request for a Special Exception for an in-home occupation at 5872 W CR 500N*

Mr. Crum presented the staff packet.

Michelle Brannon presented her packet for an in-home daycare. She also stated that she does not live in the home.

Mr. Crum stated the ordinance states that the home must be lived in, for the board to consider this a home occupation, therefore, to be considered for the special exception. The operator of the in-home daycare would have to live in the home.

Mr. Vail asked if the board could make any decisions tonight, since it doesn't meet the ordinance.

Mr. Crum stated that he believes they cannot.

Ms. Copeland asked the petitioner if she would be moving in.

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Ms. Brannon stated she would not be moving in, but she would be there 12-15 hours out of the day, she felt as though she would be living there.

Ms. Copeland stated that there is no exception since that would not be her primary residence.

Ms. Brannon stated this location is not her primary residence.

Ms. Copeland stated that by definition this would not meet the requirement of an in-home occupation, it has to be something that is done in the primary residence.

Ms. Brannon asked for a variance for that definition.

Ms. Copeland stated there cannot be an exception for the definition, you can get a variance on a use or development standard but not the definition.

Ms. Brannon stated she will get an attorney.

Ms. Copeland offered to speak with her legal counsel.

Ms. Brannon asked what the determination is.

Ms. Copeland stated it cannot be considered.

Mr. Crum stated that the variances were for development standards.

Ms. Copeland clarified the variances and special exceptions.

Ms. Brannon asked about medical practices that are in-home.

Mr. Crum stated about the chiropractor that is an in-home occupancy.

Mr. Adams asked what the next steps would be for the petitioner.

Ms. Brannon asked about how to get the property rezoned.

Mr. Crum stated she can go back to the Town Council and work through what they had requested.

Ms. Brannon stated she will be in touch via email about her next steps.

Mr. Adams motioned to adjourn the meeting, Mr. Hurley seconded, the meeting was adjourned.