

# 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

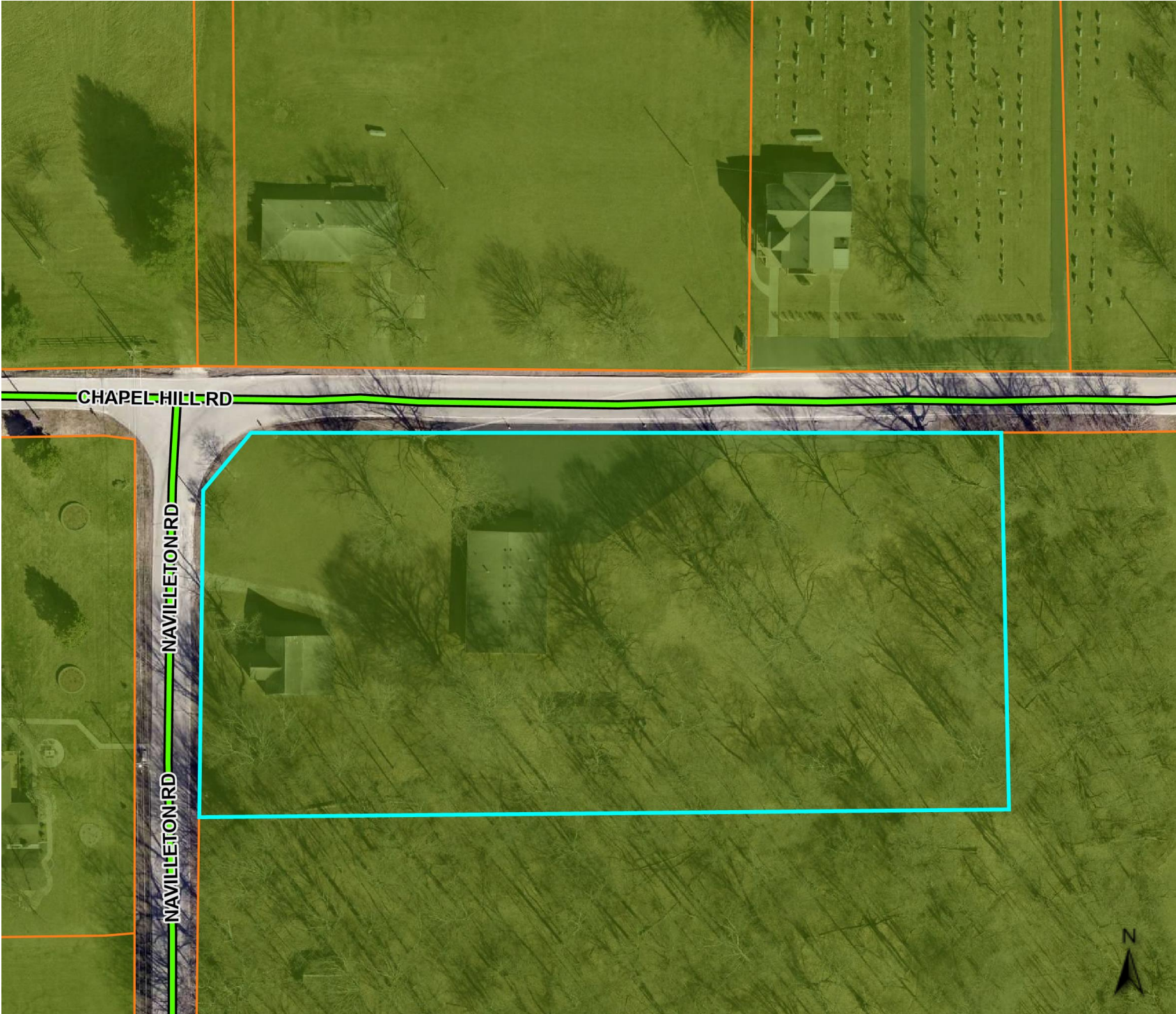
New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

[Building@floydcounty.in.gov](mailto:Building@floydcounty.in.gov)

Online: Floyd County Government Website [www.floydcounty.in.gov](http://www.floydcounty.in.gov)



- Parcels
- County Zone Map
- AR - Agriculture
  - RR - Rural Residential
  - PD-RR - Planned Development
  - RS - Residential Suburban
  - PD-RS - Planned Development
  - RU - Residential Urban
  - MF - Multi-Family
  - NC - Neighborhood Commercial
  - PD-NC - Planned Development
  - HS - Highway Service
  - GC - General Commercial
  - PD-GC - Planned Development
  - PR - Park
  - GI - General Industrial
  - OB - Office Business
  - PU - Plan Unit
  - Other Values

## **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](http://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.

## **Board of Zoning Appeals & Plan Commission Order of Meetings:**

- Meeting is called to order, roll call, and approval of minutes
- Director presents docket item and staff report
- Petitioner will be given a total of ten (10) minutes to present application request
- Board members will ask petitioner questions
- Public comments are opened:
  - Favorable comments are allowed a combined total of ten (10) minutes
  - Opposition comments are allowed a combined total of ten (10) minutes
- Public comments are closed and will remain closed
- Petitioner will be given a total of five (5) minutes to respond to public comments
- Board discusses the case and makes a ruling

March 24, 2025



INDIANA LANDMARKS

*Southern Regional Office*

911 State Street, New Albany, IN 47150

(812) 284-4534 / (800) 450-4534 / [indianalandmarks.org](http://indianalandmarks.org)

Floyd County Department of Building & Development Services  
2524 Corydon Pike, Suite 203  
New Albany, IN 47150

RE: Variance of Required A-R Lot Size for Historic Chapel Hill School House

To Whom it May Concern:

Chapel Hill Christian Church is seeking a variance from the required lot size in an A-R Zoning District to allow subdivision of a 122' X 104' lot from an existing 2.5 acre parcel (22-03-02-600-025.000-004) located at 8448 Navilleton Road for the purpose of conveying the newly created lot to Stan and Linda Schooler for the purpose of restoring the historic Chapel Hill School. The Church is unable to maintain the building and had contemplated demolition. A plan for preservation of the church, however, has been voted on and is favored by the congregation.

With the assistance of Indiana Landmarks, a plan has been developed to convey a lot with the schoolhouse to the Schoolers who have committed to restore the building and utilize it for occasional tours. The building would not be used for residential purposes, nor would it incorporate bathroom facilities. An agreement would be made with the Chapel Hill Christian Church to utilize the adjacent fellowship hall building for bathroom facilities as well as off-street parking. Preservation covenants would be attached to the deed to ensure long term maintenance of the local landmark. The vision for the property is similar to the set-up currently in place for the Navilleton School connected with St. Mary's Navilleton Church.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Sekula".

Greg Sekula, AICP

Southern Regional Director

Indiana Landmarks



Floyd County  
Department of Building & Development Services  
2524 Corydon Pike Suite 203  
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 of 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:	Stan and Linda Schooler
Applicant Address:	7380 Jersey Park Rd., Floyds knobs, IN 47119
Applicant Phone:	502-376-9611
Applicant Email:	lcssheep@aol.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:	Chapel Hill Christian Church Attn: Donald Scott
Owner Address:	6940 Chapel Hill Road
Owner Phone:	812-945-5639
Owner Email:	brownies2570@aol.com

### Applicant's Representative:

Representative Name:	Greg Sekula/ Indiana Landmarks
Representative Address:	911 State Street, New Albany, IN 47150
Representative Phone:	502-216-8998
Representative Email:	gsekula@indianalandmarks.org

**2. Site Information:**

Parcel ID Number:	
Total Acreage:	
Address of Property/Location:	
Current Use of Property:	
Current Zoning District:	

**3. Variance Request:**

Detail the variance request:

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**4. Zoning Map Amendment Justification:**

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

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*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:*

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

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

**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: Donald L. Scott

Signature: Donald L. Scott

Date: 02-28-2025

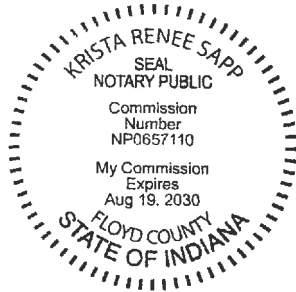
SUBSCRIBED AND SWORN BEFORE ME

THIS 28<sup>th</sup> DAY OF February, 2025.

Krista Renee Sapp

NOTARY PUBLIC COUNTY OF Floyd

MY COMMISSION EXPIRES August 19, 2030





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), Chapel Hill Christian Church / c/o Donald Scott, do hereby certify that I am (we are)  
 (Owners of subject property)

the owner(s) of the property legally described as 22-03-02-600-025.000-004,  
 (Parcel ID Number)

And hereby certify that I (we) have given authorization to Stan & Linda Schuder / Indiana Handmirks  
 (Applicant/Petitioner/Representative) c/o Gregory Schuk

To apply for the included application on this subject property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
<u>Chapel Hill Christian Church / c/o Donald Scott</u>	<u>22-03-02-600-025.000-004</u>	<u>Donald L. Scott</u>	<u>02-28-2025</u>

STATE OF Indiana )  
 ) SS:  
 COUNTY OF Floyd )

Subscribed and sworn to before me, a Notary Public within and for said County and State,

this 28th day of February, 2025.

MY COMMISSION EXPIRES:

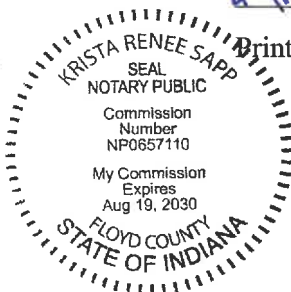
August 19, 2030

Krista Renee Sapp  
 Notary Public

MY COUNTY OF RESIDENCE:

Floyd

Krista Renee Sapp  
 Printed Signature



CONVEY AND WARRANT to John P. Naville and Mary A. Naville, husband and wife, of Floyd County, in the State of Indiana, for and in consideration of One Dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, the following described Real Estate in Floyd County in the State of Indiana, to-wit:

Part of the west half of the southwest quarter of section twenty six (26) township one (1) south of range five (5) east of the northwest corner of said tract; running thence south with the east line of the school lot located on the northwest corner of said tract sixteen rods to the southeast corner of said school lot; thence east at right angles twenty (20) rods to a point; thence north at right angles sixteen rods to the north line of the tract first above described; thence at right angles west with the said north line of said tract twenty rods to the place of beginning, containing two acres.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands and seal this 14th day of Nov. 1935.

ELIAS J. BELL (SEAL)

J. C. MC CUTCHAN (SEAL)

GEORGE D. SCOTT (SEAL)

STATE OF INDIANA FLOYD COUNTY, SS:

Before me, the undersigned, Recorder in and for said County and State, this 14th day of November A. D. 1935. personally appeared the within named Elias J. Bell, J. C. Mc Cutchan and George D. Scott, Trustees of Chapel Hill Christian Church, Grantors in the above conveyance, and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

(SEAL) My commission expires December 31, 1936.

MADISON M. SCOTT  
Recorder Floyd Co. Ind.

Filed and Recorded 9:35 O'Clock A. M. Nov. 16, 1935. Deed Record 96 Page 409.

*Madison M. Scott*  
Recorder Floyd County

# 2769

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WARRANTY DEED

THIS INDENTURE WITNESSETH, That John P. Naville and Mary A. Naville, husband and wife, of Floyd County, in the State of Indiana Convey and Warrant to Elias J. Bell, J. C. Mc Cutchan and George D. Scott, Trustee of Chapel Hill Christian Church, and their successors in office, of Floyd County, in the State of Indiana, for and in consideration of One Dollar and other good and valuable considerations the receipt whereof is hereby acknowledged, the following described Real Estate in Floyd County in the State of Indiana, to-wit:

*J. C. Mc Cutchan*  
MAR 25 1936

Part of the west half of the southwest quarter of section twenty-six (26), township one (1) south of range five (5). Beginning at the northwest corner of said section running thence south thirteen (13) rods, thence east (27 9/13) rods, thence north (13) rods to the center of the Navilleton and Chapel Hill Road, thence west (27 9/13) rods to the place of beginning. Containing Two and One Fourth Acres.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands and seal, this 14th day of Nov. 1935.

JON NAVILLE (SEAL)

MARY A. NAVILLE (SEAL)

STATE OF INDIANA, FLOYD COUNTY, SS:

Before me, the undersigned, Recorder in and for said County and State, this 15th day of November A. D. 1935 personally appeared the within named John P. Naville, and Mary A. Naville, husband and wife. Grantors in the above conveyance and acknowledged the same to be their voluntary act and deed, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal (SEAL) My Commission expires. December 31, 1936.

MADISON M. SCOTT  
Recorder Floyd Co. Ind.

Filed and Recorded 9:37 O'Clock A. M. Nov. 16, 1935. Deed Record 96 Page 410.

*Madison M. Scott*  
Recorder Floyd County

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# 2771

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH, That Mary E. Cardwill sole heir at law of George B. Cardwill, deceased of Floyd County, in the State of Indiana Convey and Quit Claim to Loretta Eicholz of Floyd County, in the State of Indiana, for and in consideration of One Dollar and other valuable considerations the

receipt whereof is hereby acknowledged, the following described Real Estate in New Albany, Floyd County in the State of Indiana, to-wit:

Lot Number 115 on Lower Seventh St. Plat No. 56.

IN WITNESS WHEREOF, The said Grantor has hereunto set her hand and seal, this 16, day of November 1935.

MARY E. CARDWILL (SEAL)

STATE OF INDIANA, FLOYD COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 16th day of November A. D. 1935, Personally appeared the within named Mary E. Cardwill, sole heir at law of George B. Cardwill, deceased Grantor in the above conveyance, and acknowledged the same to be her voluntary act and deed, for the uses and purposes herein mentioned.

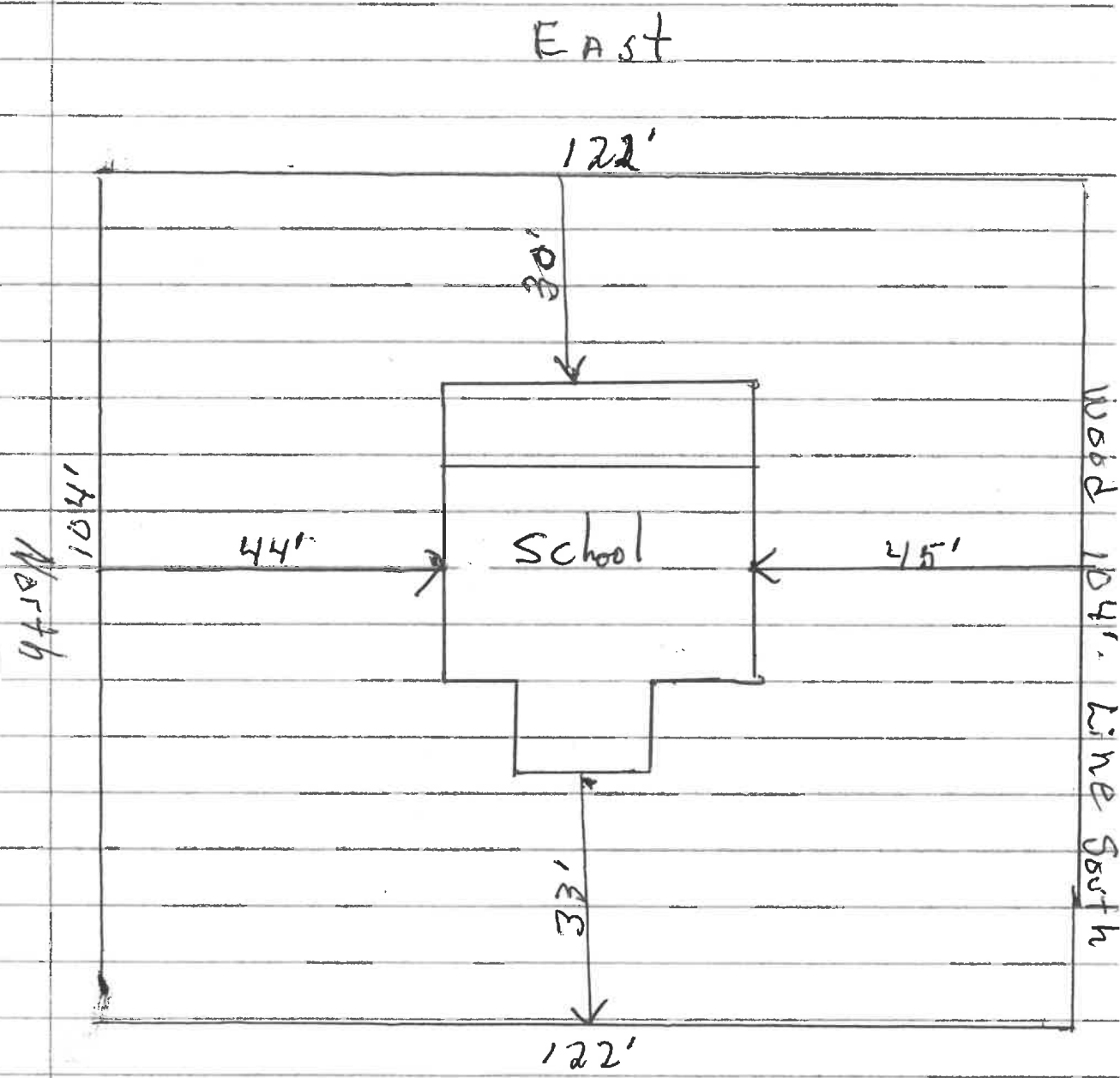
EXAMINED  
NOV 29 1935  
*John P. Naville*  
Notary Public



NAVILLETON RD

CHAPEL HILL RD

N



Note: Not to Scale



CHAPEL HILL

SCHOOL

1898-1933

Chapel Hill Christian Church  
6940 Chapel Hill Road  
Borden, IN 47106

April 9, 2025

Dear Linda Schooler:

This letter is to inform you that the church will allow you to use our parking lots for events at the Chapel Hill School. We will also allow you to use the restrooms in the Fellowship Hall.

We request at least a week's notice when you will need these facilities. This notice will avoid conflicts of church activities and the school's events.

If you have any questions, please contact Donald Scott at 812-945-5639.

Respectfully,



Ernest Raab  
Board Chairman



Donald Scott  
Trustee

cc: Gregory A. Sekula  
Indiana Landmarks