



## STAFF REPORT

### Floyd County Board of Zoning Appeals

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Docket Number: FC-03-25-07

Petitioner: Martha Edelen

Location: 3421 Georgetown-Greenville Road, Georgetown, IN 47122 (22-02-01-900-030.000-002)

Request: Development Standards Variance – Minimum Ground Floor Area (FCZO 4.09)

Zoning District: Agricultural Residential (AR)

Date: 4/4/2025

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#### Overview:

The applicant is requesting a development standards variance to replace her existing manufactured home with a newer one that is smaller than the minimum required 950 square feet. The proposed structure will be 840 square feet and will be built on the same footprint as the previous home. The lot is 6.92 acres and accessed by a drive connecting to Georgetown-Greenville Road. The home is obscure as it is situated further down the drive than the primary modular home which belongs to the applicant's son. Water hookup and septic will remain the same. The sewer line will also be connected to the existing sewer line.

The applicant stated that she has been living in the home since 1980, and that that the current home is 50 years old, dilapidated and will be costly to repair. She is proposing building a new home.

Adjacent Property: All surrounding properties are also zoned AR, the properties to the West, South, and North are single family residences with a church located further West of the home adjacent to the property.

#### Staff Comments:

**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

The replacement will have no negative impacts.

**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.**

The replacement structure will likely increase the value of the area and adjacent properties as the applicant stated that the current structure is dilapidated and in need of repairs or a replacement.

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

AR Development Standards prohibit structures with a minimum ground floor area of less than 950 feet. The proposed structure is about 110 feet smaller than that, thus the practical difficulty is that she will not be able to replace the deteriorating structure if the strict application of the terms of the zoning ordinance are applied. The owner is on a fixed income and needs a new home.



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### Floyd County Board of Zoning Appeals

**4. The variance does not involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.**

There is not an airstrip in the vicinity.

**Staff Recommendations:**

- None.

The BZA previously approved a similar application (FC-03-24-06), in which the applicant requested a development standards variance to replace a dilapidated manufactured home with a new one that was smaller than the minimum required 950 square feet.



*View from the East side of the home.*



**STAFF REPORT**  
Floyd County Board of Zoning Appeals



*View from the rear of the home.*



*View from the West side of the home.*



**STAFF REPORT**  
Floyd County Board of Zoning Appeals



*View from the front of the home.*



*View from the Eastern front of the home.*

# DEVELOPMENT STANDARD VARIANCE BALLOT

## FLOYD COUNTY BOARD OF ZONING APPEALS

**Docket FC-03-25-07**

**Petitioner's Name:** Martha Edelen

**Ordinance Authority:**

**Floyd County Zoning Ordinance**

The variance petition shall be approved if the findings of fact are made consistent with the requirements of this Ordinance and Indiana State Code. The petition shall be approved with modification if the Board determines that the required finding of fact may be made if certain conditions are applied to the petition. The Board may make reasonable conditions related to the required findings of fact part of its approval or accept commitments from the petitioner.

**After careful review the Board finds that:**

1. Approval of the variance (**WILL NOT / WILL**) be injurious to the public health, safety, morals, and general welfare of the community because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The use and value of the area adjacent to the property included in the variance (**WILL NOT / WILL**) be affected in a substantially adverse manner because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The strict application of the terms of the zoning ordinance (**WILL / WILL NOT**) result in practical difficulties in the use of the property because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. This variance (**DOES / DOES NOT**) involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

If such a structure is involved, the Petitioner (**HAS / HAS NOT**) provided the Board with a copy of the following:

- Permit for the structure issued by the Indiana Department of Transportation;
- Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration; and
- Evidence that notice was delivered to a public use airport as required in Ind. Code 8-21-10-3 not less than sixty (60) days before the proposal is considered

The Board of Zoning Appeals hereby (GRANTS / DENIES) the Petitioner's Variance at the meeting held on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

Approval by the Board is subject to the completion of the following conditions:

Five horizontal lines for listing conditions.

Approval by the Board is subject to the following written commitments:

Three horizontal lines for listing written commitments.

**Board Members in Favor:**

**Board Members Opposed:**

Five horizontal lines for Board Members in Favor.

Five horizontal lines for Board Members Opposed.

# 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.**

<b>Street Address (see enclosed map):</b>
<b>Description of Project:</b>

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



Rec'd 2/28/25

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 or 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:

Table with 2 columns: Field (Applicant, Applicant Address, Applicant Phone, Applicant Email) and Value (Martha E. Edelen, 3421 Georgetown Greenville Rd, (502) 741-4886, mar edelen martha 51@gmail.com)

Applicant's Interest in Property:

Owner [checked] Option Holder [ ] Purchase Agreement [ ] Legal Representative [ ] Other [ ]

Owner(s) of Property: (complete this section if owner is different than applicant)

Table with 2 columns: Field (Owner Name, Owner Address, Owner Phone, Owner Email) and Value (Same as above, empty, empty, empty)

Applicant's Representative:

Table with 2 columns: Field (Representative Name, Representative Address, Representative Phone, Representative Email) and Value (empty, empty, empty, empty)

**2. Site Information:**

Parcel ID Number:	# 22-02-01-900-030.000-002
Total Acreage:	5.34 acres
Address of Property/Location:	3421 Georgetown Greenville Rd.
Current Use of Property:	Home
Current Zoning District:	

**3. Variance Request:**

Detail the variance request:

Better home for living. The trailer I have now is 50 years old and is in very bad shape. Would cost more than the home I am trying very hard to get to repair.

**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:

best to my ability is not going to affect anyone.

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:

no just want my home there I live 1500 hundred feet off Georgetown Greenville will not bother or affect anyone.

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

for my home. I am on fix income and there is my best opprtune to better my self

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: Martha E. Edelen

Signature: Martha E. Edelen

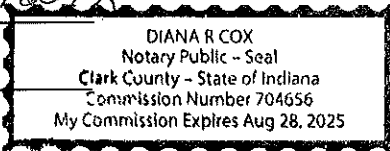
Date: 02/27/2025

SUBSCRIBED AND SWORN BEFORE ME

THIS 27 DAY OF Feb, 2025.

NOTARY PUBLIC COUNTY OF Clark

MY COMMISSION EXPIRES 8/28/25





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), Martha E. Edelen, do hereby certify that I am (we are)  
 (Owners of subject property)

the owner(s) of the property legally described as # 22-02-01-900.030.000-002  
 (Parcel ID Number)

And hereby certify that I (we) have given authorization to \_\_\_\_\_,  
 (Applicant/Petitioner/Representative)

To apply for the included application on this subject property.

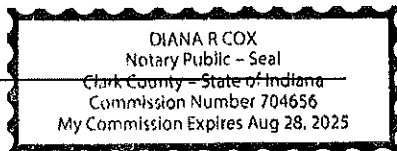
Name of Owner(s):	Parcel I.D. No:	Signature:	Date:

STATE OF IN )  
 COUNTY OF Clark ) SS:

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

this 27 day of February, 2025.

MY COMMISSION EXPIRES:



Diana R. Cox

Notary Public

MY COUNTY OF RESIDENCE:

Clark

DIANA R. COX

Printed Signature

The trailer I am living in is totally falling apart it is 50 years old. It would cost more to try and repair it than to get the one I'm trying very hard to get. The loan has been approved and I can make the payments on a fix income.

I hope and pray you will see how bad I need this one.

Thank you.  
Martha E. Edelen

TRANSFER ON DEATH DEED

GRANTEE'S ADDRESS: 3307 Juniper Dr.  
Jeffersonville, In. 47130  
MAIL TAX STATEMENTS TO: P.O. Box 64  
Georgetown, In. 47122

Prt. Key #002-03900-38 Prt. Parcel #22-02-01-900-030.000-002

THIS INDENTURE WITNESSETH: That Martha E. Edelen, the surviving spouse of Robert W. Edelen of the County of Floyd, State of Indiana

TRANSFERS ON DEATH ("TOD")

unto Elizabeth A. Evans, for no consideration, all her right, title, and interest in and to the real estate situate in the County of Floyd, State of Indiana, described as follows, to wit:

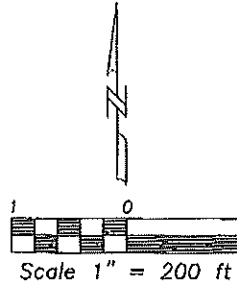
A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 5 EAST, AND BEING A PART OF THE LAND DESCRIBED IN DEED RECORD 121, PAGE 513 MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH (BASIS OF BEARING) ALONG THE WEST LINE OF SAID SECTION 103.62 FEET TO AN IRON PIN FOUND; BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG SAID LINE 725.0 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 59 MINUTES 50 SECONDS EAST THROUGH THE LANDS OF DEED RECORD 121, PAGE 513, 769.01 FEET TO AN IRON PIN SET; THENCE NORTH 54 DEGREES 00 MINUTES EAST THROUGH SAID LANDS 500.0 FEET TO AN IRON PIN IN THE CENTER OF THE NEW ALBANY AND JASPER ROAD; THENCE NORTH 33 DEGREES 42 MINUTES 80 SECONDS WEST ALONG SAID CENTERLINE TO A NAIL AT THE EAST CORNER OF DEED RECORD 170, PAGE 474;



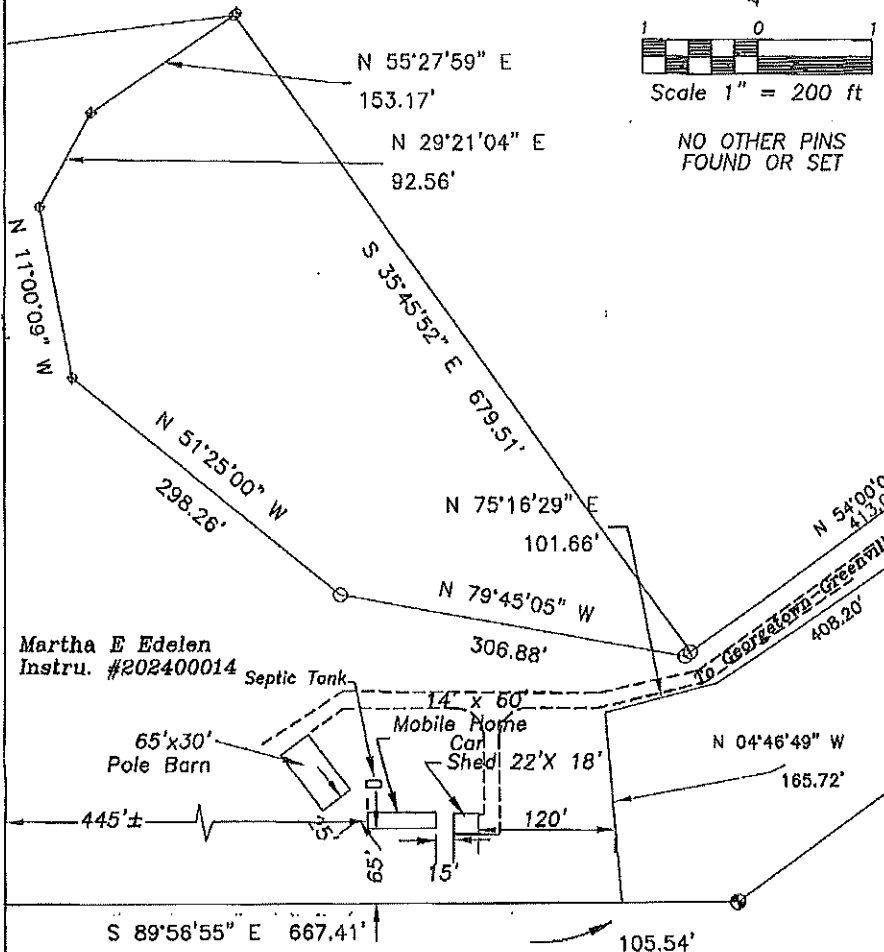
SITE PLAN

NAME: Martha Edelen

PROPERTY ADDRESS: 3421 Georgetwon-Greenville Rd.  
Georgetown, IN 47122



NO OTHER PINS  
FOUND OR SET



Martha E Edelen  
Instru. #202400014

65'x30'  
Pole Barn

Septic Tank

14' x 60'  
Mobile Home  
Car  
Shed

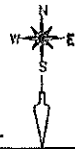
22' x 18'  
Shed

NOTE; New mobile home is going in same location as the previous home.

REGISTERED LAND SURVEYOR'S SIGNATURE: *[Signature]*

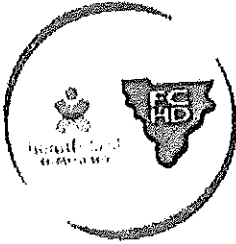
DATE OF PLAN: 2/12/2025 REPORT JOB NUMBER: H25-7738

SELLER/OWNER: CLAYTON HOMES



**PETTITT & ASSOCIATES**  
Surveyors Engineers  
11 Medical Plaza, P.O. Box 412  
Hanover, IN 47243  
(812) 866-2662  
Fax 812-866-2561





Floyd County Health Department  
1917 Bono Road, New Albany IN 47150  
T: 812-948-4726, option 2, option 1  
E: [environmental@floydcounty.in.gov](mailto:environmental@floydcounty.in.gov)  
W: <https://www.in.gov/counties/floyd/health-department/>

January 24, 2025

Floyd County Department of Building & Development Services  
Pine View Government Center  
2524 Corydon Pike Suite 202  
New Albany IN 47150

To Whom It May Concern:

Robert & Martha Edelen are applying to install a new modular in the same footprint as the previous home at the property located at 3421 Georgetown-Greenville Road, Georgetown, IN 47122 (Parcel # 22-02-01-900-030.000-002). The new modular will be two bedrooms and the existing system is properly sized for a two bedroom home. The home will be tied into the existing sewer line.

Therefore, the Floyd County Health Department has no objections to the proposed construction. If you have any further questions, please contact me at 812-948-4726 ext. 662.

Respectfully,

Connor Monroe  
Deputy Environmental Supervisor  
[cmonroe@floydcounty.in.gov](mailto:cmonroe@floydcounty.in.gov)

