

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

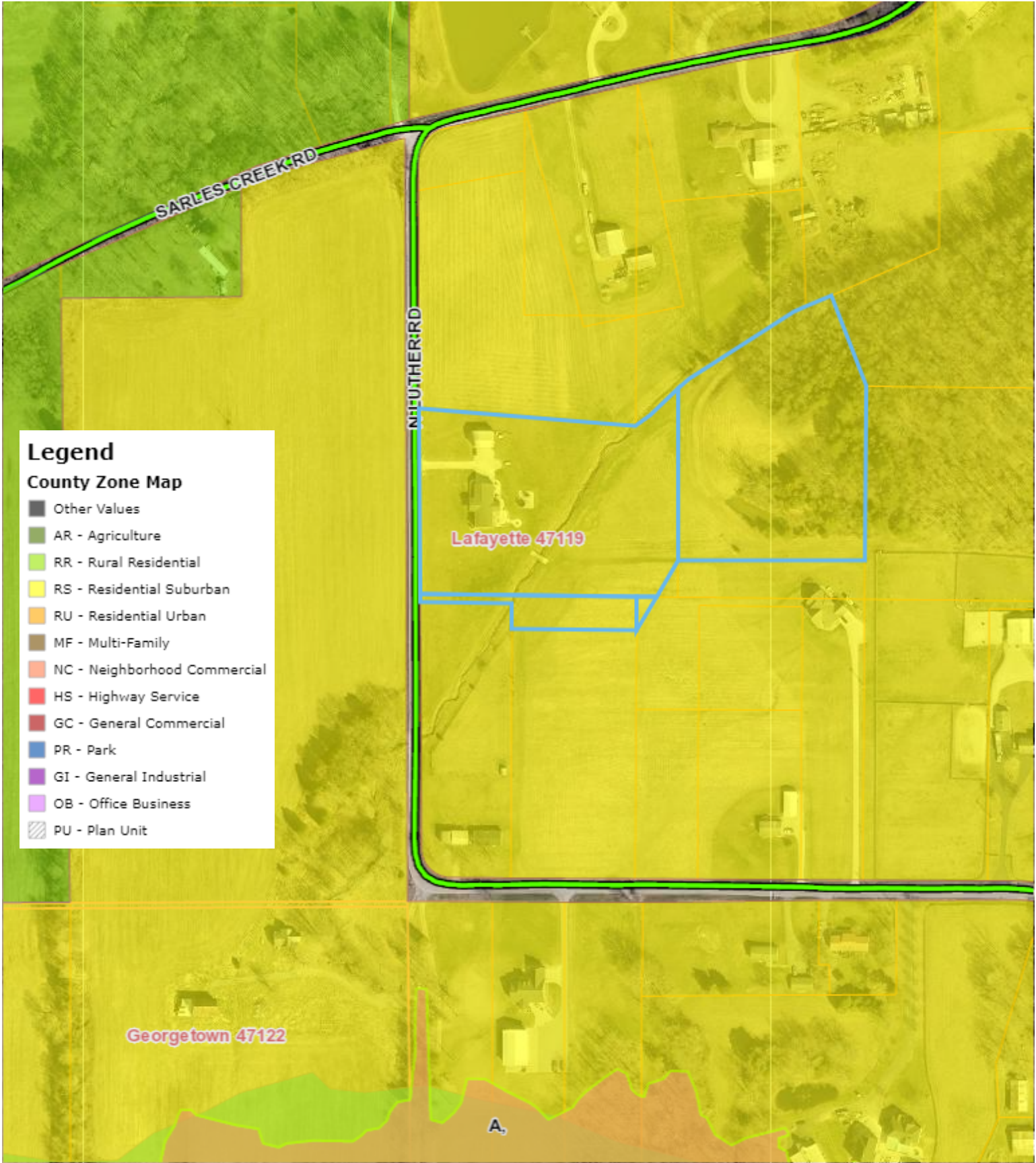
New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

Building@floydcounty.in.gov

Online: Floyd County Government Website www.floydcounty.in.gov



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 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.



PRIMAVERA & ASSOCIATES

ENGINEERING & LAND SURVEYING

April 17, 2024

Jason M. Copperwaite,
PE, PS, FAA-UAS
President

David A. Sanders,
PE
Vice President

William McDonough,
EIT
Project Manager

J. Michael Rich,
PE, CPESC,
Project Manager

Daniel Hartman,
PE
Project Manager

Chase Blakeman,
FAA-UAS
Project Manager

Travis Andres,
PE
Principal Geotechnical
Engineer

Paul Foster,
Project Draftsman

Paul Primavera,
PE, PS
President Emeritus

Floyd County Board of Zoning Appeals
Pineview Government Center
2524 Corydon Pike, Suite 203
New Albany, IN 47150

Re: Copperwaite Special Exception
3246 N. Luther Road
Floyds Knobs, IN 47119

Ladies and Gentlemen,

Copper Corral, LLC, owned by Jason and Michelle Copperwaite is seeking a Special Exception to operate a horse related business at their residence located at 3246 N. Luther Road, Floyds Knobs. The horse business may include horse boarding, riding lessons, trail riding, horse parties (such as birthday parties, pony parties, etc.) and horse therapy. The surrounding area, though zoned Residential Suburban (RS) is rural in character. There are numerous properties in the area that house horses for personal uses. The proposed use will continue residential use with an added small business purpose. The maximum number of people who might attend a "pony party" would be 15. All other customers would be individuals one at a time generating very little traffic.

We look forward to presenting this Special Exception request to you in person.

Sincerely,

Jason M. Copperwaite



Floyd County
Department of Building & Development Services
2524 Corydon Pike Suite 202
New Albany, IN 47150
Phone: (812) 981-7611
Fax: (812) 948-4744
Building@floydcounty.in.gov

Special Exception (Variance of Use)

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.

Special Exception: A variance of use from a base zoning district's permitted or conditional uses.

1. General Information:

Applicant:	Copper Corral, LLC
Applicant Address:	3246 N. Luther Road, Floyds Knobs, IN 47119
Applicant Phone:	812-267-7473
Applicant Email:	mcopperwaite@yahoo.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:	Jason Copperwaite & Michelle Copperwaite
Owner Address:	3246 N. Luther Road, Floyds Knobs, IN 47119
Owner Phone:	812-267-7473
Owner Email:	jcopperwaite@ppa-eng.com

Applicant's Representative:

Representative Name:	Jason Copperwaite
Representative Address:	Same as applicant
Representative Phone:	Same as applicant
Representative Email:	Same as applicant

2. Site Information:

Parcel ID Number:	22-02-02-400-125.003-002
Address of Property/Location:	3246 N. Luther Road, Floyds Knobs, IN 47119
Current Use of Property:	Single-family Residence
Current Zoning District:	Residential Suburban (RS)

3. Special Exception Request:

Detail the special exception request:

The special exception request would be to operate a horse related business at the property. The horse business may include horse boarding, riding lessons, trail riding, horse parties (such as birthday parties, etc.), and horse therapy.

4. Special Exception Justification:

Indiana Code and the Floyd County Zoning Ordinance establishes specific criteria that each must be met in order for a Special Exception (Use Variance) to be approved. Describe how the request meets each of the following criteria:

1. The special exception will not be injurious to the public health, safety, morals, and general welfare of the community:

The area, though zoned residential suburban, is rural in nature. There are properties in the area that have horses for personal use. This type of business would generate very little traffic and fits with the area's rural character.

2. The use and value of area adjacent to the property will not be adversely affected in a substantially adverse manner:

The proposed use will resemble continued residential use with the addition of the agricultural use of horses. It will continue the area's rural character.

3. The need for the special exception (variance of use) arises from some condition peculiar to the property involved:

The site is in a rural area but has been zoned Residential Suburban (RS). Were the property in the Agricultural Residential (AR) zone, an agricultural, service, use would be a conditional use.

4. The strict application of the terms of the Floyd County Zoning Ordinance would result in an unnecessary hardship in the use of the property:

The rural character of the area in which the property is located lends itself to the proposed use and would deprive the property owner of utilizing their land in an acceptable manner.

5. Approval of the Special Exception will not contradict the goals and objectives of the Floyd County Comprehensive Plan:

A primary goal of the 2017 Comprehensive Plan is: "The comprehensive plan policies shall strive to protect the rural character of Floyd County...." An agri-business located in this area of rural character complies with this primary goal.

5. Required Documents:

- \$500.00 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 request.
- Floor plan, including specific dimensions for any buildings on the property subject to the conditional use.
- Cover letter summarizing the request.
- For proposals using septic systems, a letter from the Floyd County Health Department shall be provided verifying that any proposed development makes appropriate use of the septic system.
- For proposals using sanitary sewer systems, a letter from the service provider shall be included verifying that any proposed new development will be served.

6. Signature:

The undersigned states that the above information is true and correct.

Name: Jason Copperwaite

Signature: [Handwritten Signature]

Date: 4/17/2024

SUBSCRIBED AND SWORN BEFORE ME

THIS 17th DAY OF April, 2024.

[Handwritten Signature]

NOTARY PUBLIC COUNTY OF Harrison

MY COMMISSION EXPIRES 4/5/2030





* 2 0 1 5 0 0 7 8 4 3 *

FLOYD CO. IN RECORDER - LOIS ENDRIS

01/26/2015 02:18:31PM

201500784 Pages:3

Transaction # 53528

FLOYD COUNTY ASSESSOR

JAN 26 2015

QUITCLAIM DEED

GRANTEE'S ADDRESS: 4885 Turley Road, SE
Corydon, IN 47112
MAIL TAX STATEMENTS TO: 4885 Turley Road, SE
Corydon, IN 47112
Prt. Key#
Prt Parcel #

THIS INDENTURE WITNESSETH: That JASON M. COPPERWAITE and MICHELLE A. COPPERWAITE, husband and wife, Grantors, of the County of Floyd, State of Indiana,

CONVEY AND QUITCLAIM

unto JASON M. COPPERWAITE and MICHELLE A. COPPERWAITE, husband and wife, Grantees, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, all their right, title, and interest in and to the real estate situate in the County of Floyd, State of Indiana, described as follows, to-wit:

The following is a legal description prepared this 30th day of December, 2014, of real property being a part of the Southwest quarter of Section 24, Township 2 South, Range 5 East, Georgetown Township, Floyd County, Indiana, being depicted as Tract #1 on a survey by Paul Primavera & Associates, Job No. 14-13159D, more particularly described as follows:

Commencing at a 1-1/8" diameter steel pin at the Southwest corner of said Section 24; thence along the West line of the Southwest quarter of said Section 24 North 00° 02' 01" West 544.50 feet to the Northwest corner of that property conveyed to Kathryn S. Stinson in Instrument #201411909 in the office of the Recorder of Floyd County, Indiana, and the point of beginning; thence continuing along said West line North 00° 02' 01" West 392.08 feet to a 2" magnetic nail with a 1" diameter brass tag stamped "Primavera #0049; thence South 85° 43' 36" East 438.86 feet to the centerline of a creek branch; thence along said centerline as follows: North 52° 31' 37" East 37.81 feet; thence North 45° 59' 47" East 100.03 feet; thence North 57° 13' 50" East 240.74 feet; thence North 65° 54' 56" East 81.03 feet; thence leaving said centerline South 21° 14' 22" East 188.25 feet to a #5 reinforcing bar with a yellow plastic cap stamped "Primavera & Assoc #0049", hereinafter this type of monument is referred to as a capped reinforcing

Duly Entered For Taxation
Subject to Final Acceptance
of the Transfer

JAN 26 2015

AUDITOR FLOYD CO. IND.

bar; thence South 00° 02' 33" West 358.63 feet to a capped reinforcing bar; thence North 89° 43' 02" West 361.79 feet to a capped reinforcing bar; thence South 30° 35' 37" West 157.10 feet to a capped reinforcing bar; thence North 89° 43' 02" West 241.93 feet to a capped reinforcing bar; thence North 00° 02' 01" West 50.12 feet to a steel pin; thence North 89° 43' 02" West 200.00 feet to the point of beginning, containing 8.542 Acres, more or less.

Being subject to the prescriptive right-of-way of North Luther Road, and all easements, restrictions, and rights-of-way of record.

TO HAVE AND TO HOLD, the same unto said Grantees, their heirs and assigns, in fee simple forever as tenants by the entireties.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, this 23rd day of January, 2015.

(Signature) (SEAL)
JASON M. COPPERWAITE

(Signature) (SEAL)
MICHELLE A. COPPERWAITE

STATE OF INDIANA)
) SS:
COUNTY OF FLOYD)

BEFORE me, a Notary Public, in and for said County and State, personally appeared Jason M. Copperwaite and Michelle A. Copperwaite, husband and wife, Grantors, and acknowledged the execution of the foregoing as their free and voluntary act and deed for the use and purposes mentioned herein.

Witness my hand and seal, this 23rd day of January, 2015.

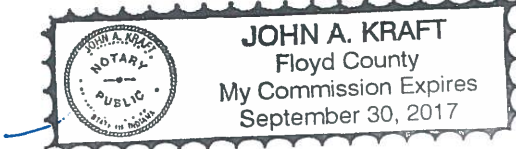
My Commission Expires:

12-01-2017
Resident of Floyd Co., IN.

(Signature)
NOTARY PUBLIC

(Signature)
PRINTED SIGNATURE

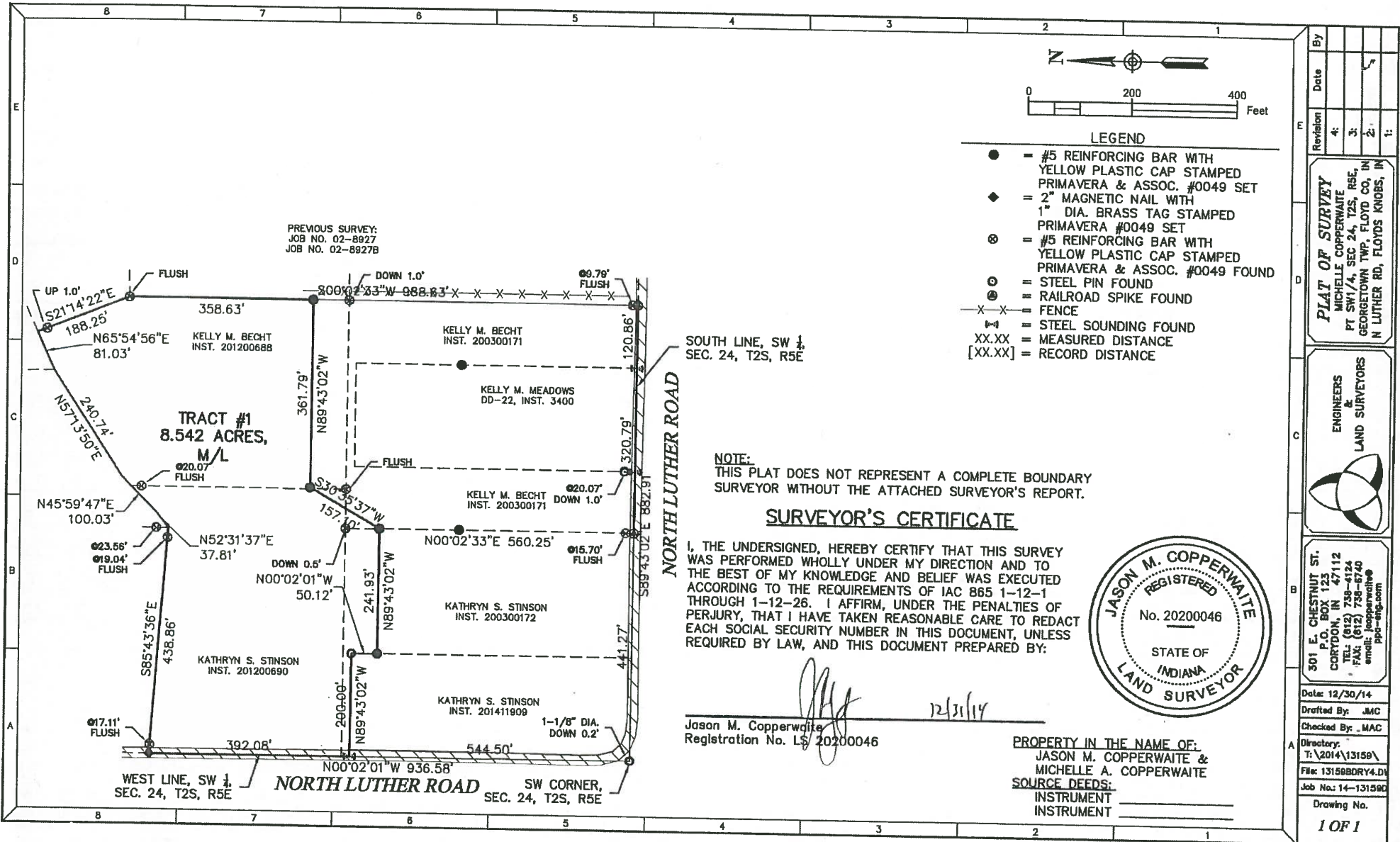
THIS INSTRUMENT PREPARED BY:
JOHN A. KRAFT, ATTY.
YOUNG, LIND, ENDRES & KRAFT

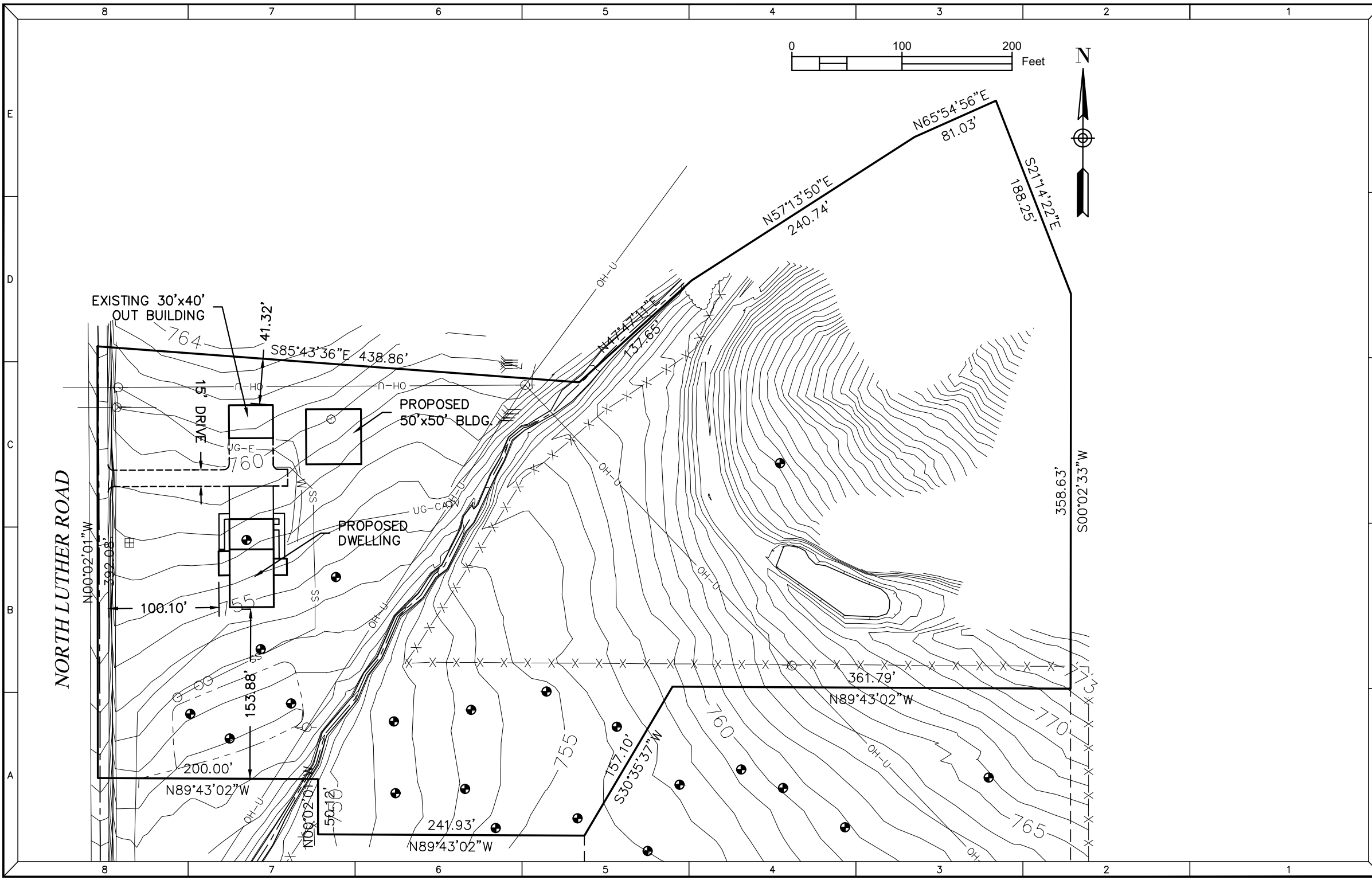


This deed prepared without the benefit of a title search.

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.


BY: Karen S. Hughes





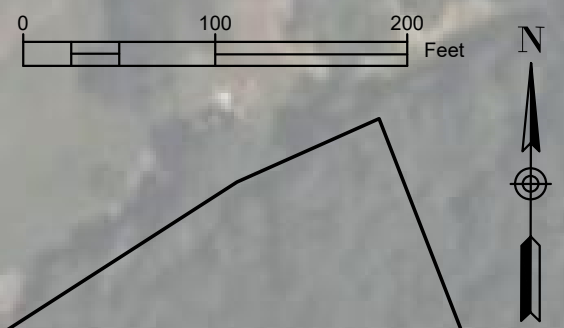
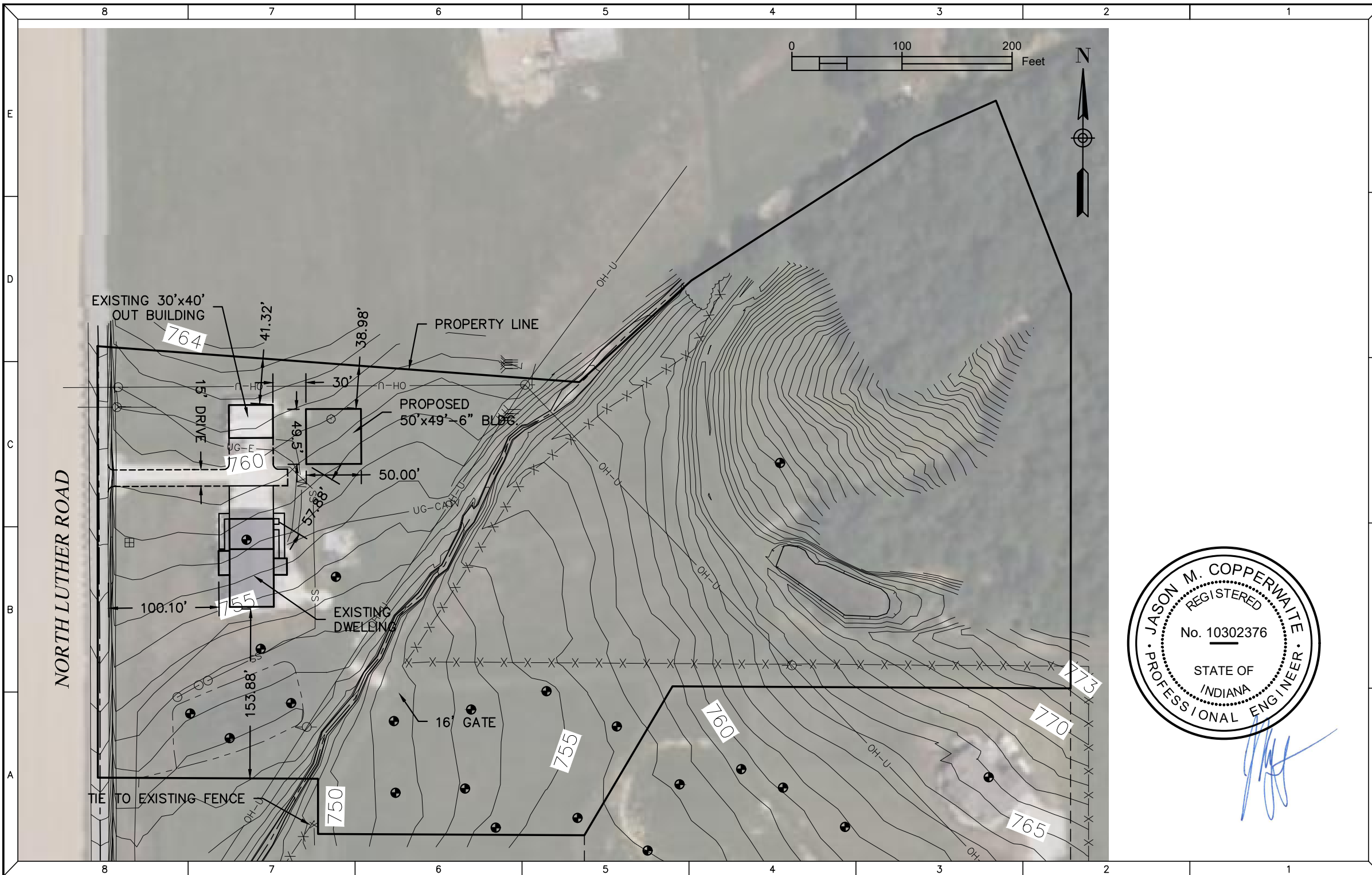
Revision	Date	By
4:		
3:		
2:		
1:	11/27/2021	JMC

PLOT PLAN
 JASON COPPERWAITE
 XXXX N. LUTHER ROAD
 FLOYDS KNOBS, IN 47119
 PT S24, T2S, R5E

ENGINEERS & LAND SURVEYORS

 PAUL PRIMAVERA & ASSOCIATES

301 E. CHESTNUT ST.
 P.O. BOX 123
 CORYDON, IN 47112
 TEL: (812) 738-4124
 FAX: (812) 738-6740
 email: jcopperwaite@ppa-eng.com

Date: 06/08/15
 Drafted By: JMC
 Checked By: PWF
 Directory: T:\2014\13159\
 File: 13159SITE2.DW
 Job No.: 14-13159
 Drawing No.
1 OF 1



Revision	Date	By
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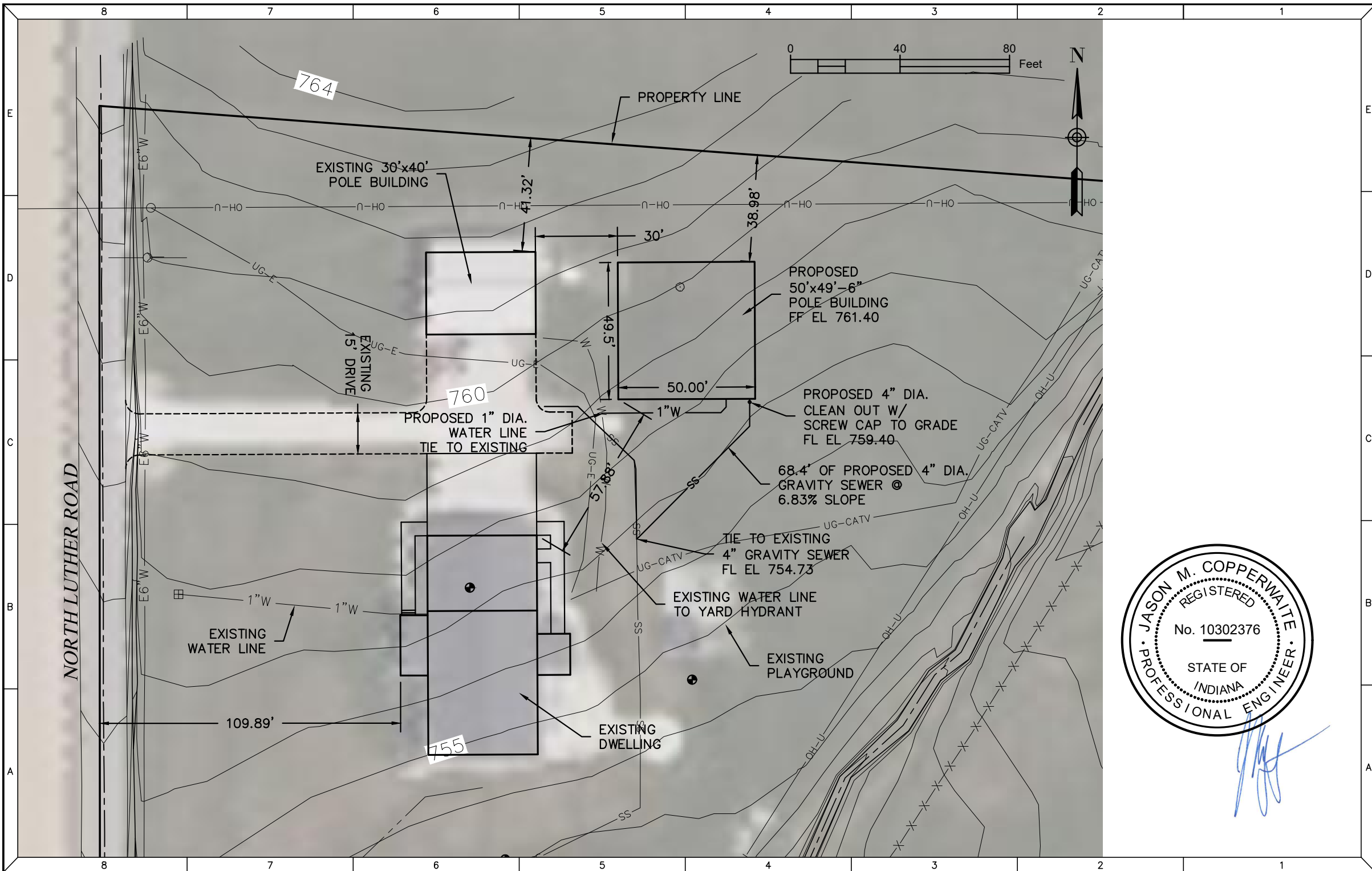
SITE PLAN
 COPPER CORRAL, LLC
 3246 N. LUTHER ROAD
 FLOYDS KNOBS, IN 47119
 PT S24, T2S, R5E

ENGINEERS & LAND SURVEYORS
 PAUL PRIMAVERA & ASSOCIATES



301 E. CHESTNUT ST.
 P.O. BOX 123
 CORYDON, IN 47112
 TEL: (812) 738-4124
 FAX: (812) 738-6740
 email: jccopperwate@ppa-eng.com

Date: 04/02/2024
 Drafted By: JMC
 Checked By: PWF
 Directory: T:\2014\13159\
 File: 13159SITE7.DW
 Job No.: 14-13159
 Drawing No.
 1 OF 1



Revision	Date	By
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1:	04/15/2024	JMC

SEPTIC PLAN
 COPPER CORRAL, LLC
 3246 N. LUTHER ROAD
 FLOYDS KNOBS, IN 47119
 PT S24, T2S, R5E

ENGINEERS & LAND SURVEYORS
 PAUL PRIMAVERA & ASSOCIATES



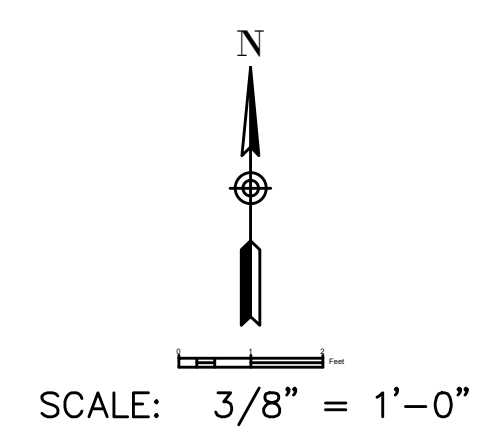
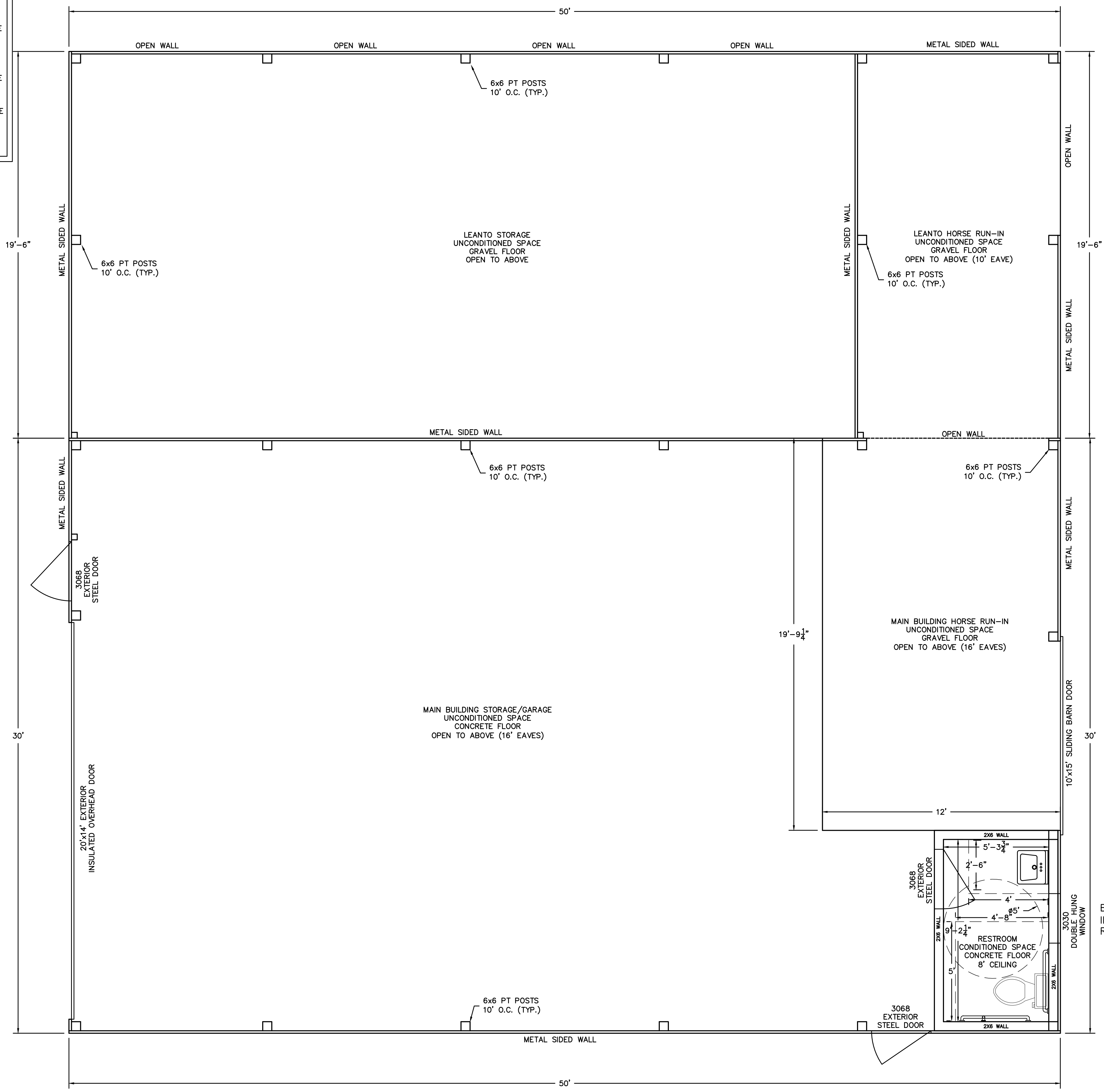
[Handwritten Signature]

301 E. CHESTNUT ST.
 P.O. BOX 123
 CORYDON, IN 47112
 TEL: (812) 738-4124
 FAX: (812) 738-6740
 email: jpcopperwate@ppa-eng.com

Date: 04/12/2024
 Drafted By: JMC
 Checked By: PWF
 Directory: T:\2014\13159\
 File: 13159SITE7.DW
 Job No.: 14-13159
 Drawing No.

SEPTIC-ADD

NOTE:
 ALL SOURCES OF AIR LEAKAGE IN THE BUILDING THERMAL ENVELOPE (INCLUDING WINDOWS & DOORS) MUST BE SEALED, CAULKED, GASKETED, WEATHER STRIPPED OR WRAPPED WITH MOISTURE VAPOR PERMEABLE WRAPPING MATERIAL TO MINIMIZE AIR LEAKAGE.
 ANY INSULATION SPECIFIED IN THESE DRAWINGS IS TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS AND INSTRUCTIONS.
 ALL INSULATION MUST BE LABELED WITH R-VALUE OR AN INSULATION CERTIFICATE MUST BE PROVIDED WITH R-VALUE AND OTHER RELEVANT DATA SUCH AS THICKNESS, METHOD OF INSTALLATION AND ALLOWABLE USES.
 INSULATION IN CONTACT WITH THE GROUND HAS <=0.3% WATER ABSORPTION RATE PER ASTM C272
 INSULATION SHALL BE INSTALLED IN A PERMANENT MANNER IN SUBSTANTIAL CONTACT WITH THE INSIDE SURFACE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS FOR THE FRAMING SYSTEM USED (PER ASHRAE 90.1-2007 5.8.1.5)



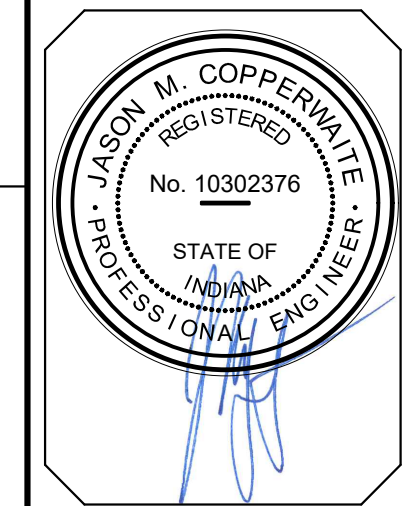
SQUARE FOOTAGE	
UNCONDITIONED	1,437 SQ. FT.
LEAN TO	975 SQ. FT.
BATHROOM	63 SQ. FT.
TOTAL	2,475 SQ. FT.

By	Description	Date	Revision
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			5:
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BUILDING PLAN
 COPPER CORRAL, LLC
 3246 N. LUTHER ROAD
 FLOYDS KNOBS, IN 47119
 FLOOR PLAN

301 E. CHESTNUT STREET
 CORYDON, IN 47112
 TEL: (812) 738-4124
 FAX: (812) 738-6740

 PAUL PRIMAVERA & ASSOCIATES

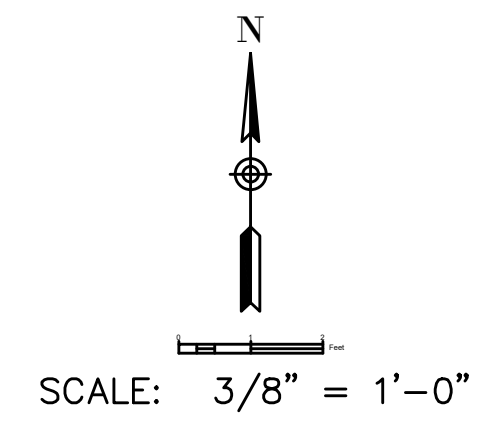


Date: 03/12/2024
 Drafted By: JMC
 Checked By: DAS
 Directory:

File:
 Job No.: 14-13159
 Drawing No.
A-101

BATHROOM 2x6 WALLS TO HAVE R-19 INSULATION, R-19 INSULATION IN CEILING, & 2" RIGID FOAM INSULATION UNDER FLOOR SLAB.

NOTES:
 1) ALL DIMENSIONS ARE TO FRAMING UNLESS OTHERWISE NOTED
 2) CONTRACTOR TO MAKE ALL CONNECTIONS OF MATERIALS BY MEANS AND MATERIALS AS SHOWN IN FASTENING SCHEDULE 2304.9.1.

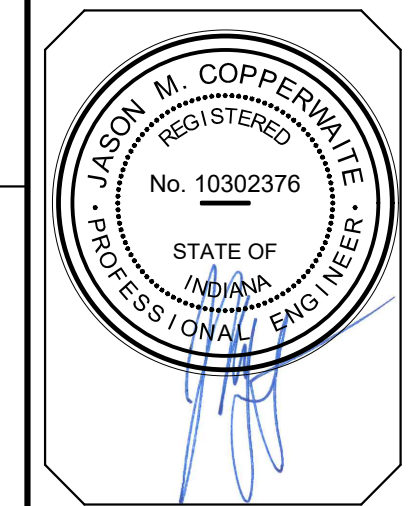


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BUILDING PLAN
 COPPER CORRAL, LLC
 3246 N. LUTHER ROAD
 FLOYDS KNOBS, IN 47119
 BUILDING ELEVATIONS

301 E. CHESTNUT STREET
 CORYDON, IN 47112
 TEL: (812) 738-4124
 FAX: (812) 738-6740

PAUL PRIMAVERA & ASSOCIATES



Date: 03/12/2024
 Drafted By: JMC
 Checked By: DAS
 Directory:
 File:
 Job No.: 14-13159
 Drawing No.
A-201

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E

D

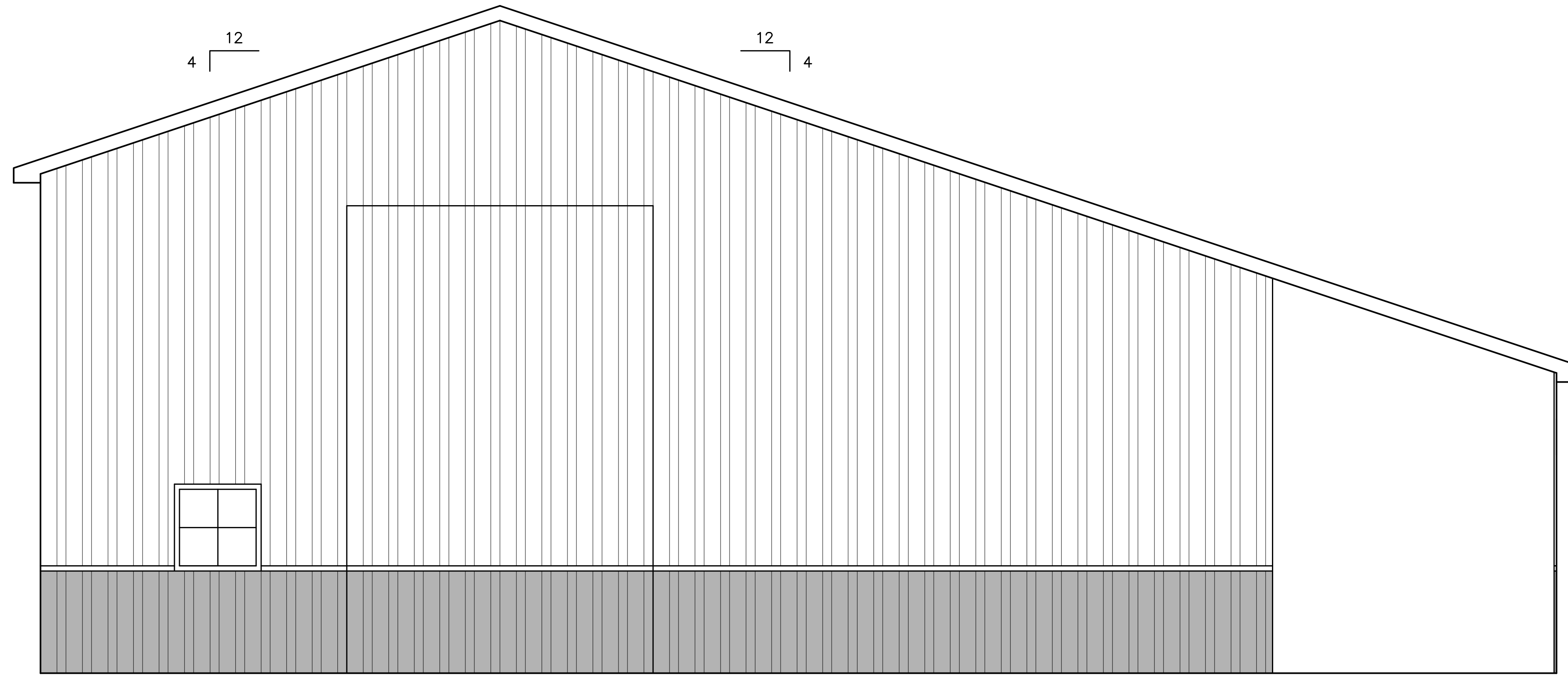
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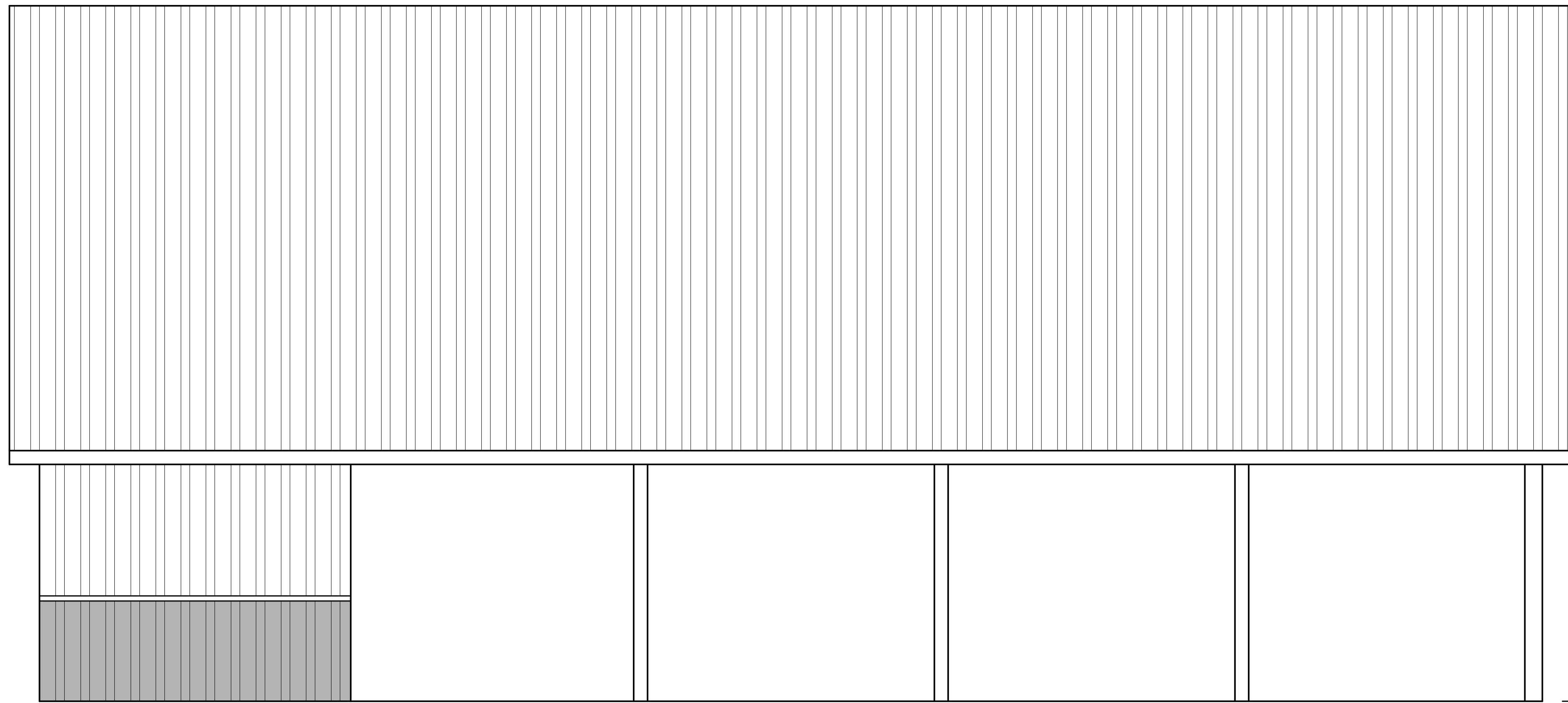
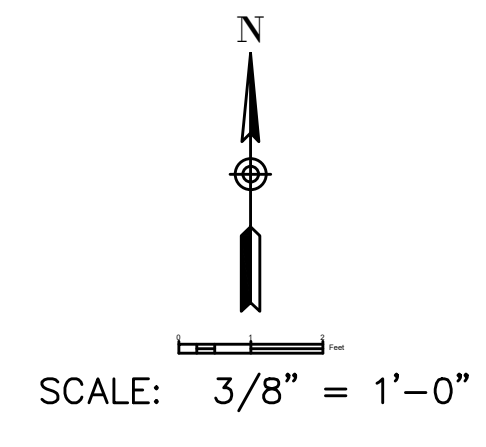
TRUSS BEARING
ELEV. 16'-0"



EAST ELEVATION

EAVE
ELEV. 9'-6"

FLOOR ELEV. 0'-0"



NORTH ELEVATION

TRUSS BEARING
ELEV. 16'-0"

EAVE
ELEV. 9'-6"

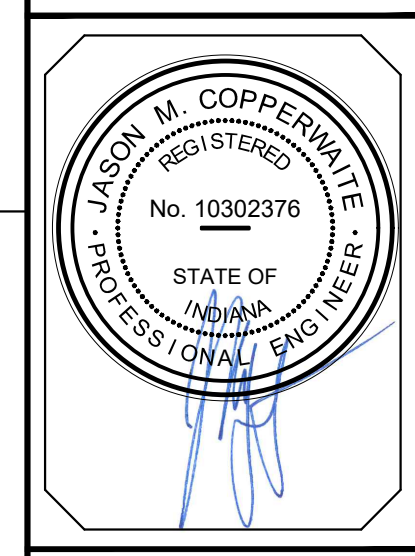
FLOOR ELEV. 0'-0"

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BUILDING PLAN
 COPPER CORRAL, LLC
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 FLOYDS KNOBS, IN 47119
 BUILDING ELEVATIONS

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 TEL: (812) 738-4124
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PAUL PRIMAVERA
& ASSOCIATES



Date: 03/12/2024
 Drafted By: JMC
 Checked By: DAS
 Directory:

File:
 Job No.: 14-13159
 Drawing No.
A-202



Floyd County Health Department
 1917 Bono Road
 New Albany, IN 47150
 Office 812-948-4726

Public Health
 Prevent. Promote. Protect.

Onsite Sewage System Permit

Date	04/16/2024	Permit Number	24-36
Permit Type	Repair	System For:	Residential
Owner:	Copperwaite, Jason 3246 N. Luther Road Floyds Knobs, IN 47119	Permit Fee:	\$75.00
Site Address	3246 N. Luther Road Floyds Knobs, IN 47119	Subdivision	
Parcel ID#	22-02-02-400-125.003-002	Lot#	
Installer	BECHT ENTERPRISES, INC. P.O. BOX 317 FLOYD KNOBS, IN 47119		



Onsite System Permit Requirements

Facility Type	OUTBUILDING W/PLUMBING	System Type	FLOOD-DOSED
Manufacturer / Model		Treatment	Soil Absorption Only
Total Absorption Area (sq. ft.)	(Existing)	Number of Bedrooms	0
Total Linear Feet (3' wide)		Daily Design Flow	
Trench / Bed Depth Min		Soil Loading Rate	
Trench / Bed Depth Max		Septic Tank Size	(Existing)
Subsurface Drain Required	Yes	Septic Tank #2 Size	
Subsurface Drain Type		Septic Tank #3 Size	
Subsurface Drain Depth		Septic Tank #4 Size	
Dispersal Area		Dose Tank Size	(Existing)
		Dose Volume	
		Type of Pump	

Conditions

Install as per design by Paul Primavera & Associates dated 4/15/24.

The Health Department cannot guarantee continued trouble free operation of this system. The property owner assumes full responsibility for necessary system maintenance and assumes all liability for any health hazard that might result from future system malfunction.

This permit is hereby approved and issued to the applicant for a specific site and specific use on this property. This permit is subject to above conditions and requirements. This permit will expire on 04/16/2025

Approved by: *Tha Han us* Date: 04/16/2024 Application/Agent: *Conner Moore*

RECEIPT

Floyd County Health Department
New Albany, Indiana

Date: 17-April-2024

NO. 20979

Item: 1 SEPTIC PERMIT- SYSTEM REPAIR
Note:

\$75.00

Payment Type and Amount					
Cash Amount	Checks/Draft Amount	MO Amount	Credit Card / Bank Card Amount	EFT Amount	Other
\$75.00					

Received From:

JASON COPPERWAITE

\$75.00

The Sum Of:

SEVENTY-FIVE AND XX / 100 DOLLARS

Issued By: Connor Monroe

Via Electronic Signature

From: [Hayes, Julia \(IDOH\)](#)
To: [Jason Copperwaite](#)
Cc: dstackhouse@floydcounty.in.gov
Subject: Floyd-2224016-Copper Coral LLC-Change of Use-Approval #G2422025
Date: Saturday, March 30, 2024 9:57:31 AM
Attachments: [image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[OSS Inspection Form with sketch.pdf](#)

Mr. Copperwaite,

We have reviewed your January 26, 2024 submittal requesting to utilize an existing 750 gallon per day (GPD) on-site sewage system for equestrian facility with no additional staff beside those who reside in the residence and a maximum of 15 customers per day staying for approximately 1 hour. The commercial facility will have a design daily flow of 75 GPD. A review of the water usage records for the residence from February 1, 2023-February 2, 2024 has an averaged peak water usage of 364 GPD. The averaged peak daily flow for the residence and commercial facility was determined to be 439 GPD, resulting in there being sufficient capacity in the existing on-site sewage system to add the commercial facility. We approve of this "change of use" request concerning the on-site sewage system with the following conditions:

1. The existing on-site sewage system must be inspected to determine if any components are in need of repair, replacement and/or servicing. If the attached inspection form is not used for the inspection the documentation provided must contain equivalent information; and
2. Plans for construction of the building sewer must be submitted to the Floyd County Health (FCHD) department for review and approval prior to construction;
 - Any components documented in the inspection report as needing repair, replacement and/or servicing must be specified on the construction plans and be approved by FCHD prior to construction.

Our approval is contingent upon any required local approvals/permits being obtained. Please contact the Floyd County Health Department to ensure all local requirements are met prior to proceeding.

If you wish to request administrative review of this *Approval* pursuant to Indiana Code 4-21.5-3-5, you must file a petition for review within fifteen (15) days after this *Approval* is received. The petition for review must be in writing and must include facts demonstrating that:

- The petitioner is a person to whom the *Approval* is specifically directed;
- The petitioner is aggrieved or adversely effected by the *Approval*; or
- The petitioner is entitled to review under any law.

Any petition for review should be submitted in writing to the State of Indiana Office of Administrative Law Proceedings in one of the following ways:

1. Go online to www.in.gov/oalp and complete a Petition for Review (State Form 56961 (5-20));
2. Mail your petition for review to the Office of Administrative Law Proceedings at 100 N. Senate Avenue, Suite N-802, Indianapolis, Indiana 46204; or
3. Appear in person at the Office of Administrative Law Proceedings at 100 N. Senate Avenue Suite N-802, Indianapolis, Indiana 46204 and file your petition for review. You will need this document to complete your petition.

If you do not object to this plan submittal *Approval*, you do not need to take any further action.

Sincerely,

Julia Hayes | Manager

Commercial Plan Review Program
Environmental Public Health

• mobile: 317-771-9918 • fax: 317-233-7047

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health.in.gov



Indiana
Department
of
Health



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