

Sellersburg Board of Zoning Appeals

February 17, 2026

Meeting starts at 6:00 p.m.

1. Call to Order
2. Roll Call
3. Agenda Amendments (if applicable)
4. Approval of the November 17, 2025 meeting minutes
5. Old Business: NONE
6. New Business:
 - a. 2026-01-SE-01 David Young 2207 Allentown Rd. Sellersburg, IN 47172 has filed a Special Exception to allow an accessory dwelling unit within a barn structure located on his property.
7. BZA Business: NONE
8. Attorney Comments
9. Adjourn

Submitted by:

Jeremy Corbett
Building Commissioner
Town of Sellersburg
jcorbett@sellersburg.org



Sellersburg Board of Zoning Appeals Minutes

November 17, 2025

The minutes as written are not verbatim, but a summary of the meeting.

Attendance:

Members present:

Floyd Combs

Karen Huber

Tom McEwen

Members absent:

Evan Brown

Louie Jensen

Call to Order:

The meeting of the Sellersburg Board of Zoning Appeals called to order by Tom McEwen at 6:00 pm at the Town Hall, 316 East Utica Street, Sellersburg, Indiana.

Role Call

Agenda Amendments: None

Approval of Minutes:

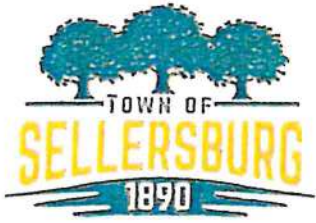
Approval of the minutes from the October regular meeting. Karen Huber made a motion to approve. minutes Floyd Combs seconded the motion. Vote taken: 3-0-0 Motion carries.

Unfinished (Old) Business: None

New Business:

2024-11-DV-14 Tina Arcuri with Coastal Sign Services Inc. 5374 Greggs Landing N. Charleston, South Carolina 29420 has filed a petition on behalf of WaWa 7317 Appleleaf Lane, Sellersburg, IN 47172 for additional signage

Discussion: Jordan Underwood with B Sign group 4239 Earnings Way, #B, New Albany IN 47150, came to the podium requesting more signage for WaWa, The standard WaWa sign package is larger than the UDO allows. We want to stick with brand standards. Jeremy explained the stipulations that is laid out in our UDO. Jeremy Corbett read the Findings of Fact and the Staff Report. Motion was made by Floyd Combs to approve, Karen Huber seconded motion, Vote taken 3-0-0. Motion carries.



Sellersburg Board of Zoning Appeals Minutes

November 17, 2025

The minutes as written are not verbatim, but a summary of the meeting.

Reports:

Nothing at this time.

Planning and Zoning:

Nothing at this time

Board Attorney:

Nothing at this time

Announcements:

Nothing at this time.

Adjourn:

Tom McEwen asked for a motion to adjourn Karen Huber made a motion to adjourn. Floyd Combs seconded the motion. Motion carried 3-0. Meeting adjourned 6:12 p.m.

Evan Brown, Chairman

Karen Huber

Louie Jensen

Tom McEwen

Floyd Combs

Jeremy Corbett, Attest

BOARD OF ZONING APPEALS (BZA)

STAFF REPORT

Petition Number: 2026-01-SE-01

Applicant / Property Owner: David Young

Request Type: Special Exception

Proposed Use: Accessory dwelling unit within a barn structure

Zoning District: Agricultural (AG)

Application Date: January 14, 2026

Hearing Body: Board of Zoning Appeals

1. REQUEST SUMMARY

Procedural History

- The applicant applied for and was issued a building permit for construction of a new barn to replace a previously demolished barn on the subject property.
- During construction, a plumbing permit application was submitted.
- Review of the plumbing permit revealed the intended residential occupancy of the structure.
- Because residential use within an accessory structure in the AG zoning district requires approval by Special Exception, staff directed the applicant to file a petition with the Board of Zoning Appeals.
- The Special Exception petition was filed, reviewed for completeness, and scheduled for public hearing before the BZA.

The petitioner, David Young, is requesting a Special Exception to allow an accessory dwelling unit within a barn structure located on property zoned Agricultural (AG).

The original barn on the property was demolished and replaced with a newly constructed barn. The applicant obtained a building permit for construction of the new barn. During the permitting process, when a plumbing permit was requested, it was determined that the intended use of the structure included residential occupancy. At that time, the true nature of the proposed use was identified, and the applicant was directed to pursue approval through the Board of Zoning Appeals via the Special Exception process.

2. PROPERTY INFORMATION

- **Current Zoning:** Agricultural (AG)

- **Current Use:** Newly constructed barn / agricultural structure
 - **Proposed Use:** Accessory dwelling unit within barn
 - **Floodplain/Floodway:** No
 - **Access:** Existing county road access
 - **Utilities:** Existing utilities to remain
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3. APPLICABLE ORDINANCE & STATUTORY AUTHORITY

This request is reviewed pursuant to the Sellersburg Unified Development Ordinance (UDO) and Indiana Code § 36-7-4.

Applicable provisions include, but are not limited to: - **UDO Article 2 (Definitions):** Accessory Structure; Dwelling Unit. - **UDO Article 4 – Zoning Districts:** Agricultural (AG) District permitted uses and special exception uses. - **UDO Article 10 – Special Exceptions:** Standards and review criteria applicable to Special Exception requests. - **Indiana Code § 36-7-4-918.2:** Authority of the Board of Zoning Appeals to approve Special Exceptions.

Residential occupancy within an accessory structure in the AG zoning district is permitted only upon approval of a Special Exception by the Board of Zoning Appeals.

4. SPECIAL EXCEPTION REVIEW CRITERIA & STAFF FINDINGS

Staff has reviewed the petition against the Special Exception approval criteria. Findings are summarized below based on the application, narrative, and supporting documentation.

A. Impact on Adjacent Properties

The proposed use will not be injurious to the use or enjoyment of other property in the immediate vicinity. The structure replaces a previously existing barn and does not increase the building footprint or intensity of development.

Staff Finding: This criterion is met.

B. Orderly Development and Use of Property

The proposed accessory dwelling unit will not impede or substantially alter the normal and orderly development of surrounding properties permitted within the AG zoning district. Residential uses are consistent with the rural and agricultural character of the area.

Staff Finding: This criterion is met.

C. Utilities, Access, and Facilities

Adequate utilities, access roads, drainage, and other necessary facilities exist or will be provided. No expansion of public infrastructure is required.

Staff Finding: This criterion is met.

D. Traffic, Ingress, and Egress

The property is served by an existing county road with established ingress and egress. The proposed residential use is not anticipated to generate traffic beyond that typical of a single-family dwelling.

Staff Finding: This criterion is met.

E. Compliance with Development Standards

The applicant has indicated that applicable development standards have been reviewed. Approval of this Special Exception does not relieve the applicant from compliance with all applicable zoning, building, fire, and health codes.

Staff Finding: This criterion is met, subject to full code compliance.

5. PUBLIC NOTICE

Public notice of the requested Special Exception has been provided in accordance with Indiana law and the Sellersburg Unified Development Ordinance. Notice included mailed notice to adjoining property owners and posting of a public hearing sign on the subject property.

6. STAFF COMMENTS

- The proposal involves construction of a new barn structure replacing a previously demolished barn, rather than adaptive reuse of an existing structure.
- The residential component of the structure was identified during review of a plumbing permit application, at which time the applicant was directed to seek Special Exception approval.
- Approval of this petition does not authorize occupancy until all required permits and inspections are completed.

7. STAFF RECOMMENDATION

Based on the review of the application and the findings above, staff finds that the petition satisfies the Special Exception criteria of the Unified Development Ordinance.

Staff recommends APPROVAL of Petition No. 2026-01-SE-01, subject to the following conditions:

1. The accessory dwelling unit shall remain accessory to the primary agricultural or residential use of the property.
 2. No additional dwelling units or expansion of residential use shall occur without further approvals.
 3. All applicable zoning, building, fire, health, and utility requirements shall be met prior to occupancy.
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8. FINDINGS OF FACT & MOTION (BZA ACTION)

Findings of Fact

The Board of Zoning Appeals finds that:

1. The petitioner has applied for a Special Exception as required by the Sellersburg Unified Development Ordinance.
2. The subject property is zoned Agricultural (AG).
3. The proposed use involves an accessory dwelling unit within a barn structure.
4. The proposed use will not be injurious to the use or enjoyment of other property in the immediate vicinity.
5. The proposed use will not impede the normal and orderly development of surrounding properties.
6. Adequate utilities, access, drainage, and facilities are available or will be provided.
7. Adequate ingress and egress exist and the use will not create undue traffic congestion.
8. The petition complies with the applicable Special Exception standards of the UDO.

Motion

☐ **Approve** Petition No. 2026-01-SE-01, subject to staff-recommended conditions.

☐ **Approve with modified conditions** (specify):

☐ **Deny** Petition No. 2026-01-SE-01 for the following reasons:

Prepared by: Sellersburg Planning & Building Staff

Date: 2/9/2026