

**Martinsville Board of Zoning and Appeals**  
**Meeting Agenda**  
Tuesday, March 24, 2026  
6:00 PM - City Hall, Council Chambers (Room 202)



**Call to Order**

**Roll Call**

**Appointment of Officers for Calendar Year 2026**

- A. Chair
- B. Vice-Chair
- C. Secretary

**Consideration of the Minutes**

- A. Consideration of the July 22, 2025, Board of Zoning Appeals Meeting Minutes

**New Business**

- A. Consideration of BZA Docket No. 26003 - Variance for Development Standards - 500 E. Columbus St. - David & Eileen Schumway

**Next Regular Meeting**

- A. The next regular meeting will be on Tuesday, April 28, 2026, beginning at 6:00 PM in the Council Chambers (Room 202), City Hall, 59 S. Jefferson St., Martinsville, Indiana

**Adjournment**

Any individuals who requires aid or service for effective communication, or a modification of policies or procedures to participate in a public meeting, program, service, or activity of the City of Martinsville, IN, contact Ben Meridia, ADA Coordinator, 56 North Main Street, Martinsville, IN, 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

# MARTINSVILLE BOARD OF ZONING APPEALS

Tuesday, July 22, 2025

Chairman Dessen Miller called the meeting of the Martinsville Board of Zoning Appeals to order at 6:00 P.M., on Tuesday, July 22, 2025, in the Council Chambers of City Hall, Martinsville, IN.

## **ATTENDANCE:**

Those members present were: Chairman Dessen Miller, Secretary Marilyn Siderewicz, Julie Jennings, Marianne Schell, and Janet Lowe (sworn in as a new member of the board previous to the meeting).

Also in attendance were Bob Strader, Gary Oakes, and Attorney Dale Coffey..

## **PRESENTATION OF MINUTES: JUNE 24, 2025**

Julie Jennings made a motion to approve the minutes of the June 24, 2025, meeting. This motion was seconded by Marianne Schell and passed unanimously.

## **NEW BUSINESS:**

**Docket No. BZA 25023:** Land Use Variance – Allow a business to run in a R-1 Zoning; Address: 260 S. Mulberry; Legal Description: Outlot 43 Original Plat N ½ SE; Owner: Gabriel Britton.

Mr. Gabriel Britton requested the change from Residential to use as an Attorney Office. There will be room for three parking places.

**REMONSTRATORS:** None.

**MOTION:** Julie Jennings made a motion to allow a Land Use Variance at 260 S. Mulberry as requested by Gabriel Britton. The motion was seconded by Marianne Schell and passed unanimously.

**NEXT SCHEDULED MEETING:** TUESDAY, AUGUST 26, 2025, at 6:00 P.M.

**ADJOURNMENT:** There being no further business, the meeting adjourned with a motion by Julie Jennings a second by Marilyn Siderewicz, and passed unanimously.

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Dessen Miller, Chairman

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Marilyn Siderewicz, Secretary

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Julie Jennings

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Marianne Schell

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Janet Lowe

**APPLICATION TO THE MARTINSVILLE BOARD OF ZONING  
APPEALS FOR VARIANCE IN LAND USE, DEVELOPMENT  
STANDARDS, SPECIAL EXCEPTION, OR FLOOD PROTECTION  
STANDARDS, WITHIN THE PLANNING JURISDICTION OF THE CITY  
OF MARTINSVILLE**

Docket No. BZA-26003

Date of Filing: 23 March 2026

Applicant: David and Eileen Shumway

Address of Applicant: 500 E. Columbus Street, Martinsville, IN 46151

Phone: (812) 369-5525 Email: theshumway@icloud.com

Is Applicant the Landowner or owner's attorney? **(Yes)** (No) circle one. If no, written authorization of landowner is required before proceeding.

- Request for:  Land Use Variance       Development Standards Variance  
 Special Exception       Appeals

Specify request (i.e.: change in front of building line from ?? feet to ?? feet; change in land use to allow for use as a ?????; a special exception for the purpose of ?????). Also, include any written commitments or restrictions that you believe are needed or desired. If additional space is needed, commitments or restrictions can be attached as an exhibit to this application:

The required East side setback of Six-Feet (6'-0") specified in Section 94-33(b)(3) is changed to a Zero (0'-0") side setback for an Accessory Building constructed on an R1 lot.

Legal Description: S4 T11 R1E PT NE NE .17 A

Address of Property: 500 E. Columbus Street, Martinsville, IN 46151

Total Area Affected: \_\_\_\_\_

Current Zoning Classification: R1

David S Shumway  
Signature of Applicant or Agent

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JAN 23 2026  
CITY OF MARTINSVILLE, IN

**CITY OF MARTINSVILLE BOARD OF ZONING APPEALS**

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the City of Martinsville Board of Zoning Appeals, at City Hall, 59 South Jefferson Street, Martinsville, Indiana 46151 on Tuesday, 24th of March, 2026

at 6:00 p.m. local time upon the application of David and Eileen Shumway  
for a Variance of the Development Standards. Specifically, requesting a Zero side setback on the East property line.

on the property located at 500 E. Columbus Street, Martinsville, IN 46151

being more particularly described as follows, to-wit:  
Beginning at the southeast corner of Lot Two (2) in Block Number One (1) in Henderson's Addition to the Town (now city) of Martinsville and running thence North 132 feet, thence East 50 feet, thence South 132 feet, thence West 50 feet to the place of beginning.

The complete application and file for this application is available for public inspection fifteen (15) days prior to hearing date, during regular working hours, at the Planning and Building Department, 110 West Morgan Street, Martinsville, Indiana 46151.

Interested persons appearing in favor of or in opposition to the application will be heard thereon by the Board.

This notice has been prepared by: David S. Shumway  
Signature of Petitioner(s) or Agent

Dated: 23 January 2026

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**MARTINSVILLE BOARD OF ZONING APPEALS  
FINDINGS OF FACT  
FOR VARIANCE FROM DEVELOPMENT STANDARDS**

Pursuant to IC 36-7-4-918.5 the Martinsville Board of Zoning Appeals having heard the variance filed by David & Eileen Shumway, requesting the following variance from development standards, the required East side setback of six-feet (6'-0") specified in Section 94-33(b)(3) is changed to a zero-foot (0'-0") setback for an Accessory Building constructed on an R1 lot.

now make the following Finding of Fact pursuant to IC 36-7-4-918.5:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community for the following reasons:  
This side setback is located where it does not intersect or interfere with any public right of way or driveway. There are no existing public utility easements or overhead lines located in this setback that would be impacted by this placement. There will also be no negative impact upon the living conditions or environment within the community.
  
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; for the reasons that:  
Properties on the same block have similar zero foot setbacks for detached garages making this consistent with the neighborhood character. Water run-off from the proposed structure will be managed via an engineered gutter system directing water onto the applicant's property, with no increase run-off onto the adjacent lot.
  
3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. However, the Zoning Ordinance may establish a stricter standard than the "practical difficulties" standard prescribed by this subdivision. The actual practical difficulties found to exist here are as follows: This parcel is 15' narrower (50 feet) than the current Zoning Ordinance minimum lot width allows (65 feet). Additionally the primary structure (constructed in 1904) is sited on the lot with side yards on either side less than 11 feet in width. The combination of these two conditions (a narrow lot and a primary structure obstructing other approach options) makes it impractical to place a single car garage on the property that can align with and allow a navigable driveway for the approach and entry into it.

Stipulations to run with variance

Practical difficulty.

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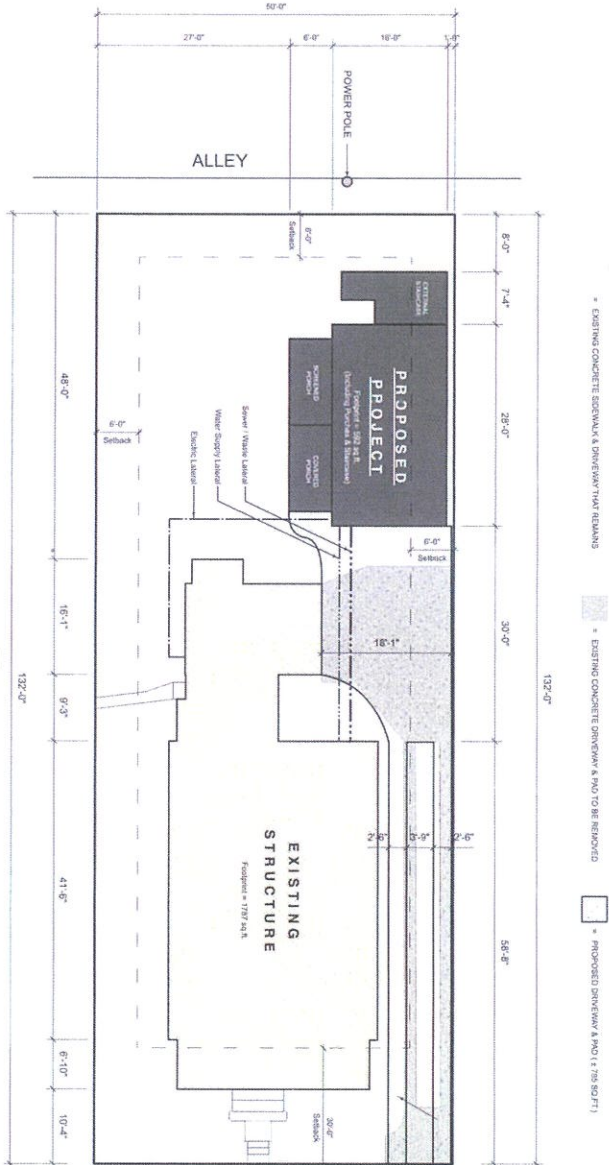
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CITY OF MARTINSVILLE, IN



1 SITE PLAN  
Scale: 1:200



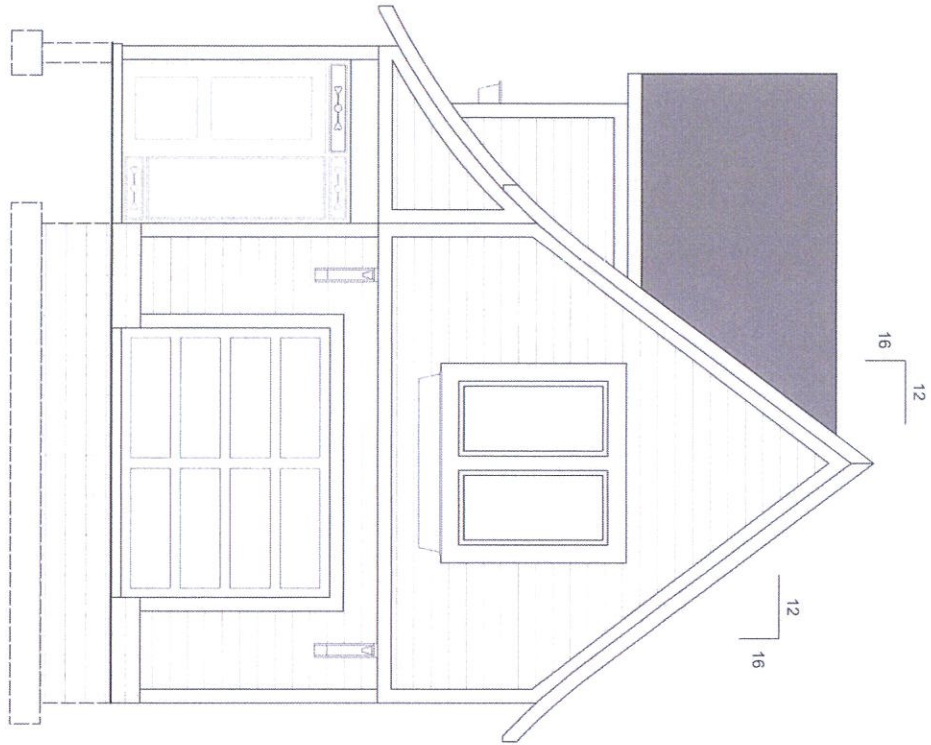
**PARCEL NUMBER:** 55-13-04-233-017.000-021  
**LEGAL DESCRIPTION:** S4 T11 R1E PT NE NE .17 A.  
**PARCEL SQUARE FOOTAGE:** 6600 sq. ft.  
**STRUCTURE FOOTPRINT SQUARE FOOTAGE:** 2379 sq. ft.  
 ALL STRUCTURES (including PROPOSED)  
**STRUCTURE / PARCEL COVERAGE PERCENTAGE:** 36%  
 ALL STRUCTURES (including PROPOSED)  
**TOTAL PARCEL COVERAGE PERCENTAGE:** 48%  
 ALL STRUCTURES & IMPERVIOUS SURFACE

<b>Project:</b> SHUMWAY CARRIAGE HOUSE 500 E COLUMBUS STREET MARTINSVILLE, IN 46151	<b>DATE</b> 19 JAN 2028
<b>SHEET</b> A 1	<b>Contractor:</b> David Shumway 500 E. Columbus Street Martinsville, IN 46151 812-369-5525

**Design and Drawings By:**

D.S. SHUMWAY  
 Architectural Design & Drafting Services  
 Phone: (812) 369-5525 :: Website: dsstumway.com  
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2 SOUTH ELEVATION  
Scale: 1/4" = 1'-0"

<p><b>Project:</b></p> <p><b>SHUMWAY CARRIAGE HOUSE</b> 500 E COLUMBUS STREET MARTINSVILLE, IN 46151</p>	<p><b>DATE</b></p> <p>19 JAN 2026</p>	<p><b>Contractor:</b></p> <p>David Shumway 500 E. Columbus Street Martinsville, IN 46151 812-369-5525</p>	<p><b>Design and Drawings By:</b></p> <p>D.S. SHUMWAY Architectural Design &amp; Drafting Services Phone: (812) 369-5525 :: Website: ds shumway.com © D.S. Shumway 2026 All Rights Reserved</p>	
<p><b>A8</b></p> <p>SHEET</p>				