



# DEVELOPMENT STANDARDS VARIANCE APPLICATION

Shelbyville Planning & Building Department  
44 West Washington Street  
Shelbyville, IN 46176  
P: 317.392.5102

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OCT 26 2020

**For Office Use Only:**

Case #: BZA 2020 15

Hearing Date: 11.10.2020

Fees Paid: \$ \_\_\_\_\_

Final Decision:

Approved \_\_\_\_\_ Denied \_\_\_\_\_

1.

**Applicant**

Name: Shelby County Players, Inc

Address: PO BOX 1129

1416 Miller Ave, Shelbyville IN 46176

Phone Number: 317-392-6844

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Property Owners Information (if different than Applicant)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

2.

**Applicant's Attorney/Representative**

Name: Cindy Leahy, Managing Director

Address: 339 E. 275 South

Shelbyville, IN 46176

Phone Number: 317-642-6237

Fax Number: \_\_\_\_\_

Email: cleahy@shelbycountyplayers.com

**Project Engineer**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

**3. Project Information:**

General Location of Property (and address is applicable): Former 44 Bowl building adjacent to former Western Supermarket & Apostolic Tabernacle Church. Container is located on South side of property

Current Zoning Classification: Non Residential

Existing Use: Community Theatre Rehearsal Space

Number of Requested Variances: 1

Proposed Use: Temporary Storage for theatre seats

Section(s) of the Ordinance Requesting Variance(s) from; including Article, Section, Subsection, and Page Number: \_\_\_\_\_

5.03 Accessory Use and Structure Standards E. Shipping Container: In no instance shall a shipping container be used as an accessory structure in any district (such as storage, shelter for pets, etc.)

**4. Attachments**

- Affidavit and Consent of Property Owner (if applicable)
- Proof of Ownership (copy of deed, recent property card)
- Letter of Intent
- Supporting Documents and Exhibits (Optional)

- Vicinity Map
- Findings of Fact
- Application Fee

**The undersigned states the above information is true and correct as s/he is informed and believes.**

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public / Printed

Residing in \_\_\_\_\_ County. My Commission Expires: \_\_\_\_\_

OCT 26 2020



DEVELOPMENT STANDARDS VARIANCE  
FINDINGS OF FACT

Petitioner's Name: Shelby County Players, Inc  
Location: 1416 Miller Ave, Shelbyville IN 46176  
Variance for: Temporary use of a shipping container

The Shelbyville Board of Zoning Appeals must determine that the following criteria have been met in order to approve an application for a Development Standard Variance. Using the lines provided, please explain how your request meets each of these criteria.

- 1. **General Welfare:** Explain why granting the request for a development standard variance will not be harmful to the public health, safety and general welfare of the City of Shelbyville.

The shipping container is temporary and will be removed when the seats are installed next year. It is always closed and locked with a heavy duty padlock.  
The container is new and in perfect condition. The exterior color matches the building and is not an eye sore, in fact most people who park in front of the building do not even notice that it is there.

- 2. **Adjacent Property:** Explain why the development standard variance request will not affect the use and the value of adjacent properties.

The container is located on our property on an asphalt pad. It is 100 yards from the adjacent church parking lot, separated by grass and a retention pond

- 3. **Practical Difficulty:** Please state the difficulties that will be faced if the project is not granted the requested development standard variance.

Relocating the theatre seats and the shipping container will take a lot of volunteer labor hours as well as costs related to renting a location to store the container and contracting a service to relocate the container and then move it back when we are ready to install the seats.

*Note: For petitions with multiple requested variances, please submit one completed "Findings of Fact" for each requested variance.*



P. O. Box 1129  
Shelbyville, IN 46176  
317-392-6844  
www.shelbycountyplayers.com

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October 21, 2020

Shelbyville Board of Zoning Appeals  
44 W. Washington St.  
Shelbyville, IN 46176

Dear BZA members,

Shelby County Players is requesting a variance for a shipping container they have placed on their property at 1416 Miller Ave., Shelbyville, IN, which is in violation of 5.03 Accessory Use and Structure Standards.

Shelby County Players is working with the architectural firm Architura and Runnebohm Construction to design and renovate SCP OFFSTAGE (the former 44 Bowl) into a 148-seat theatre space that will allow SCP to expand their educational and performance programming.

Earlier this year, an SCP volunteer noticed a Craigslist posting from McCutcheon High School in Lafayette offering auditorium seats for free. The catch, those who wanted seats had to come and disassemble them. Fifteen SCP volunteers descended on the school and in a matter of 4 hours had nearly 200 seats loaded into gaylord boxes on pallets and placed in a rental truck. These seats were transported to SCP OFFSTAGE and placed in a rented shipping container adjacent to SCP OFFSTAGE.

This container is temporary and necessary because there is not adequate space inside the building to safely and securely store the seats until they can be installed in the new auditorium.

Based on current projections and timelines for this \$2 million dollar project, SCP anticipates the shipping container will be emptied and removed from the property by January 2022, if not before.

Thank you for your time and consideration,

Cindy Leahy

Managing Director  
Shelby County Players

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