

REGINA M HOLZHAUSEN  
ATTORNEY, CERTIFIED PUBLIC ACCOUNTANT AND CERTIFIED FINANCIAL PLANNER  
1646 SENIOR COURT  
SHELBYVILLE, IN 46176  
317.398.6938

February 9, 2024

Shelbyville Board of Zoning Appeals  
City Hall  
44 W Washington Street  
Shelbyville, IN 46176

Re: BZA 2024-1 Second Circle Investments, LLC Special Exception Use Application

Dear Board Members:

I strongly oppose the Special Exception Use Application submitted by Second Circle Investments, LLC.

Shelbyville has never granted a Special Exception Use for a large, high volume retail establishment to be placed WITHIN a residential subdivision and should NOT do so now. Many factors weigh against having this Retail Type 2 on the proposed site.

- 1) The application itself is riddled with inconsistencies and fallacies.
  - a. It emphasizes that it is a “neighborhood” convenience store to be walked to, yet proposes 36 parking spaces.
  - b. It certainly does “adversely affect the character of the zoning district...into a neighborhood setting”. Large semis loaded with inventory tearing up Twin Lakes Boulevard, attempting to navigate a narrow street lined with residences. They should not be in a residential subdivision.
  - c. It is not in the least “consistent with the intent of the zoning district”. There is no high traffic retail business within eyesight of the tract. The size alone of the proposed Dollar General is not harmonious with the surrounding area.
  - d. They state “neighboring property values will not be negatively affected” because they are directing the high volume traffic WITHIN the residential subdivision. They will be able to produce NO evidence for that statement. Police been dispatched to the other Dollar Generals in town and not because they were adding value to neighboring property owners! If they want to maintain that falsehood, they should be required to place hundreds of thousands of dollars in escrow to make whole the homeowners whose homes will definitely lose value.
- 2) How many Dollar General stores can a small community support? There is currently a Dollar General store less than 2 miles from the proposed site.
- 3) Dollar General’s target demographic according to their annual report: “our core customers, the low and fixed income households”. Elsewhere, Dollar General reports their target

demographic is a shopper with an annual income under \$40,000 with no college education and the typical Dollar General shopper is female (73%), has an annual household income of less than \$50,000 (66%), and is between the ages of 35 and 54 (40%). This does not represent homeowners in Twin Lakes or neighboring subdivisions.

In conclusion, the entire tract (Second Circle's application is only for approximately half the tract) is zoned BN and should remain available only for Permitted Uses **NOT** for Special Exception Uses. I urge you to deny Second Circle's Special Exception Use Application.

Your consideration for your constituents, the residents of Shelbyville, is greatly appreciated.

Sincerely,

*Regina Holzhausen*

Regina Holzhausen, Attorney at Law