

City Board of Zoning Appeals Minutes July 1, 2026

A. Call to Order

Mr. Bill Treadway called the City Board of Zoning Appeals to order on Wednesday, May 6, 2026 at 9:07 AM in the Vigo County Annex.

B. Roll Call

Bill Treadway	Present
Jason Saavedra	Present
Jim Wallace	Absent
John Collett	Present
Donnie Jeffers	Present

Mr. Treadway stated a quorum was present and the Board could conduct business.

Present at the monthly hearing were staff members Sydney Shahr and Jared Bayler of the Area Planning Department and Jason Holler from the Terre Haute Department of Engineering.

C. Consideration of Minutes

Mr. Treadway asked the members of the Board for a recommendation and any corrections on the Minutes for May 6, 2026. Mr. Saavedra made a motion to approve the minutes and that motion was seconded by Mr. Jeffers. The motion moved to a vote and carries with 4 yea(s) to 0 nay(s).

Mr. Treadway asked the members of the Board for a recommendation and any corrections on the Minutes for June 3, 2026. Mr. Collett made a motion to approve the minutes and that motion was seconded by Mr. Saavedra. The motion moved to a vote and carries with 4 yea(s) to 0 nay(s).

D. Old Business:

- a. BZA 7/26 SU: 1400, 1404, 1408 S 7th Street, Terre Haute, IN 47802**
84-06-15-352-009.000-002 and 84-06-15-352-008.000-002

The petitioner, Next Step Foundation, Inc., is requesting a variance from Section 10-137 d(4) of City Code to allow for non-hard surface parking.

Staff provided the board with an email from the petitioners requesting to withdraw the petition. Mr. Treadway acknowledged that the petition was withdrawn.

E. New Business:

a. BZA 9/26 V: 100 Naturesview Lane, Terre Haute, IN 47803

84-07-30-128-006.000-009

The petitioner, Monte Wenzel, is requesting a variance from Section 10-137e for a reduction of 3 feet from the required 11 ft. rear setback for a pre-existing garage in the R-1 Single Family Residence District.

Mr. Monte Wenzel was present. Mr. Wenzel stated that his wife had passed away and he doesn't need much space, so he was going to build a smaller house on the new lot.

There was no one present to remonstrate.

Mr. Treadway asked for a motion. Mr. Collett made the motion to approve the variance. The motion was seconded by Mr. Saavedra.

The motion moved to a vote and carries with 4 yea(s) to 0 nay(s).

b. BZA 10/26 SU: 3645 Plum Street, Terre Haute, IN 47803

84-06-13-301-002.000-002

The petitioner, S&G Excavating Inc., is requesting a Special Use from Section 10-226c(9) for the storage of construction aggregate materials in the M-2 Heavy Industry District.

Mr. Richard Shagley was present to represent the petitioner. Mr. Shagley stated that this property is M-2 which allows for a lot of opportunities and the proposed use is to make concrete and to ensure less traffic they want to store more aggregate than is available at this time.

Ms. Beth Ammerman, Mr. Sam Smith, and Mr. Ron Smith were present to remonstrate. Ms. Ammerman asked are they going to make or store? How will it not effect that neighborhood? Ms. Ammerman had concern about debris and dust from concrete. She said they moved back there because of quiet and woods.

Mr. Jason Holler said he met with the concrete company. They will reroute traffic to Brown Ave. They also have dust control measures. They have to control dust with state regulations and it is 500 feet to the closest house.

Mr. Sam Smith asked what about the operational time? Mr. Holler stated since they are in city limits there are noise restrictions with times. Mr. Ron Smith stated there's mud dragging onto the street already.

Mr. Shagley stated they are solely trying to get a special use for aggregate storage.

Mr. Treadway asked staff if a concrete plant was allowed in M-2. Both Ms. Shahar and Mr. Holler said yes.

Mr. Collett asked on staff finding it says residential to the west, should that be east? Ms. Shahar responded that Jason's report says west, but yes it should be east.

Mr. Shagley stated that if they weren't wanting the extra they could have built the plant and driven through they neighborhood, but they worked with the city.

Mr. Treadway asked for a motion. Mr. Collett made the motion to approve the Special Use. The motion was seconded by Mr. Saaavedra.

The motion moved to a vote and carries with 4 yea(s) to 0 nay(s).

c. BZA 11/26 V: 1205 Ft. Harrison Road and 3317 N 12th Street, Terre Haute, IN 47804

84-06-10-128-001.000-002/84-06-10-128-003.000-002

The petitioners, Margaret R Bose and Jeffrey L Bose, are requesting a variance from Section 10-141h(3)(A) of City Code for a reduction of 150 ft. from the required 1000 ft. between off-premise advertising signs located along and oriented towards the same side of a public street in a C-1 Neighborhood Commerce District.

Mr. Richard Shagley was present to represent the petitioner. Mr. Shagley stated this property was recently rezoned to C-1 and through that process received no opposition. At some point the city passed a rule can't have billboards within 1000 feet within each other. This allowed existing Lamar signs a monopoly. Part of this process is notifying all the neighbors, they did not get any calls with any objections. Mr. Shagley stated his client is simply wanting reduction of that 1000 feet so they can build a new billboard. Mr. Shagley said he was not aware of any adverse effects when this body previously approved similar variances.

Staff confirmed that there were no calls or letters to Area Planning to remonstrate.

Mr. Collett asked Mr. Holler to explain his reasoning behind the unfavorable recommendation. Mr. Holler stated he met with Marcus and the mayor about billboards. They are trying to eliminate so many off premise billboards. Some have 99-year lease. We are building around old structures at this point. They are working on a new, more restrictive code.

Mr. Shagley stated the only thing preventing the petitioner from a billboard is the 1000 ft rule. As a result, the petitioner asking for what this board has already done in similar situations. Mr. Saavedra asked if there was no chance they can meet 1000 feet with putting it farther onto the property?

Mr. Shagley said none of us seem to know why the 1000 ft is chosen, pretty arbitrary. Also, the first impression I got and just seeing signs. We can be clear there is a reason for it, the signs can be an eyesore. Fortunately, we can file an appeal in this situation. The board has approved similar billboards.

Mr. Saavedra said every situation is unique and there's no such thing as a precedent for this board.

There was discussion about precedent.

Mr. Saavedra asked what alternatives did you consider? Mr. Shagley said because of the lot width, it is not possible to meet the code. He said it doesn't create any possible sight problems turning on the road.

Mr. Collett requested clarification on zoning to the east and west from staff. Staff responded that R-1 zoning is to the east and west, with commercial further to the east.

Mr. Saavedra said another unique thing about this case is that they didn't used to get Engineering recommendations. Mr. Collett agreed that Engineering is much more involved now.

Mr. Treadway asked for a motion. Mr. Saavedra motioned to deny the petition. The motion was seconded by Mr. Jeffers.

The motion moved to a vote and was denied with 4 yea(s) to 0 nay(s).

F. Communication Received From the Public (other than agenda items): None

G. Board of Zoning Appeals Discussion: Findings of Fact –

- i. BZA 5/26 SU and V: 1641, 1645, 1651 S 25th Street, Terre Haute, IN 47807**
84-06-26-384-013.000-002/84-06-26-384-014.000-002/84-06-26-384-015.000-002
- ii. BZA 6/26 V: 1349 S 3rd Street, Terre Haute, IN 47807**
84-06-28-404-002.000-002
- iii. BZA 8/26 V: 1905 S 17th Street, Terre Haute, IN 47802**
84-06-34-233-002.000-002

Mr. Treadway asked for a motion. Mr. Collett motioned to approve all three Findings of Fact. The motion was seconded by Mr. Jeffers.

The motion moved to a vote and was denied with 4 yea(s) to 0 nay(s).

H. Adjourn:

Mr. Collett made a motion to adjourn
Mr. Saavedra seconded the motion.

The votes to adjourn were unanimous 4 yea(s) and 0 nay(s).

Adjourned at 9:45 AM