

CASE SUMMARY

SPECIAL EXCEPTION

Case: 2025-2268
Don Hawkins, Petitioner

Request: Seeking a Special Exception to allow a business in an accessory structure in a Residential Urban (RU) district as required by Section 3.06: Home Based Business & Table 2.1, Permitted and Special Exception Uses of the Danville Unified Development Ordinance (UDO)

Location: 448 South Wayne Street

Acreage: 0.18 acre

Zoning: Residential Urban District (RU)

Staff Summary:

The petitioner is seeking approval to construct a four hundred forty-eight (448) square foot detached building for the operation of a hair salon. This will also include the removal of two (2) existing sheds and a small tree to accommodate space for the new structure. In 2024, the petitioner received a permit to add on to the existing single-family residence. The design of the accessory structure will be consistent with the existing residence for building materials such as siding, roof and windows. The Danville Unified Development Ordinance requires a special exception for a home-based business in an accessory structure. The petitioner states this structure could easily be converted to a functional garage as the size is similar to a two-car garage.

Staff has not received any inquiries from adjacent property owners following the certificate of mailing.

Staff is not opposed to the petitioner's request as proposed and with the conditions noted in their Letter of Intent. The use will clearly be subordinate to the primary residential use in both size and location on the lot. If this Special Exception is approved, a permit will be required for construction of the accessory structure.

BZA options include the following:

- Approve the Special Exception
- Approve the Special Exception with Conditions or Commitments
- Deny the Special Exception



Letter of Intent for Special Exception Request

Applicant: Elizabeth Hawkins

Address: 448 S. Wayne Street Danville, IN 46122

Date: October 17, 2025

To: Danville Board of Zoning Appeals

Subject: Letter of Intent for Special Exception – Home-Based Salon

Dear Members of the Board,

My name is **Elizabeth Hawkins**, and I am a **licensed cosmetologist and salon business owner** in Danville. I am submitting this letter of intent to request a **special exception** in order to operate a small, home-based salon at my residence.

I recently became a **first-time mother** and am seeking to move my business to my home property to allow me to continue my professional work while being present with my new and growing family. When applying for a building permit to construct an on-site salon building, I was advised that a **special exception** would be required under the Town of Danville's zoning ordinance. This letter serves to explain the necessity of this request and to demonstrate how my proposed business conforms to the **legal standards for granting variances or special exceptions**.

The nature of the exception being sought is to permit the operation of a professional salon business within a residential property in accordance with **Danville Ordinance Chapter 3.06 (pages 52–56)**. My proposed business will **fully comply with all conditions and standards** outlined in that chapter, including but not limited to the following:

- No more than **ten (10) clients per day** will be served on the premises.
- No more than **two (2) clients** will be present on the property at any one time.
- There will be a maximum of **two (2) employees**, in addition to the residents of the building.
- **Hours of operation** will be limited to **7:00 a.m. to 7:00 p.m.**, in accordance with the ordinance.
- **No new access drives** will be constructed as part of this project.
- The **building design** and exterior appearance will remain **residential in character**, ensuring that it blends with the surrounding neighborhood.

Approval of this petition is **necessary** to allow me to continue operating my licensed salon business in a safe, compliant, and family-centered setting. Granting this special exception would not alter the character of the neighborhood, impair property values, or create adverse impacts on surrounding properties. Instead, it would allow me to responsibly continue serving local residents while upholding all legal and zoning standards established by the Town of Danville.

I appreciate your time and consideration of this request and am committed to maintaining full compliance with all conditions set forth by the Board. Please feel free to contact me should you require any additional information or clarification regarding this petition.

Respectfully submitted,

Elizabeth Hawkins

Licensed Cosmetologist & Business Owner

(765)721-4423

mehawk@uniquelyyourssalon.com



Legal Description of Property

Lot number Three (3) in C C Nave's Addition, N ½, Block 11, a subdivision in the Town of Danville, Center Township, Hendricks County, Indiana.



Overview



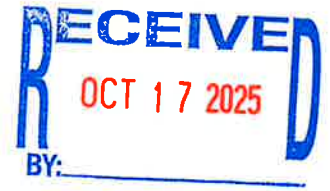
Legend

-  Roads
-  Parcels
-  Danville Corporate Boundary

Parcel ID	32-11-10-162-008.000-003	Alternate ID	17-2-10-51W 162-008	Owner Address	HAWKINS MICHAEL ANDREW
Sec/Twp/Rng	0010-0015-1W	Class	RESIDENTIAL ONE FAMILY DWELLING ON A PLATTED LOT		448 S WAYNE ST
Property Address	448 S Wayne St	Acreage	n/a		Danville, IN 46122
District	Town Of Danville				
Brief Tax Description	Lot 3 C C Nave's Addition N1/2				
	Block 11				
	17.72-3-1				
	(Note: Not to be used on legal documents)				

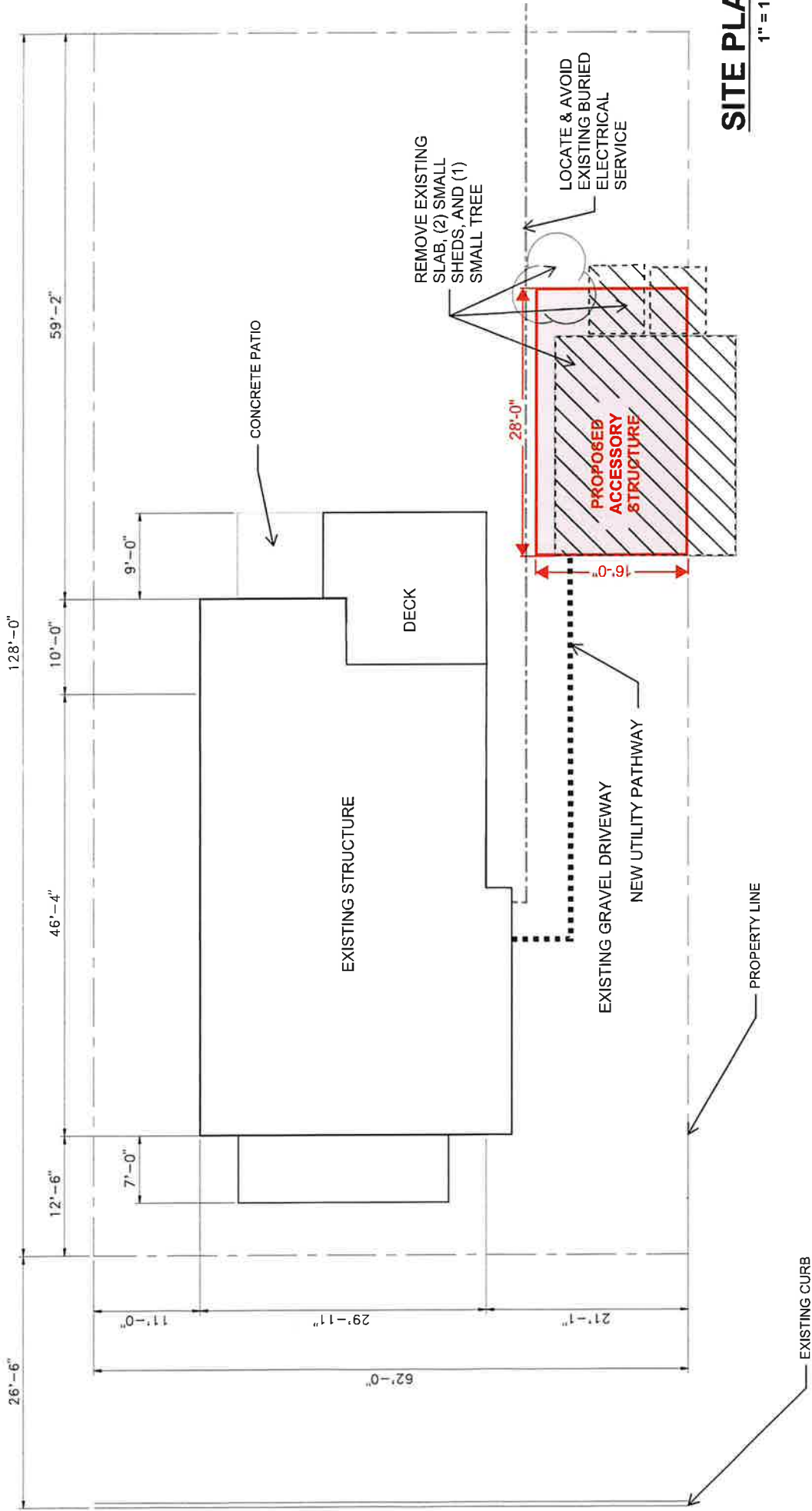
Date created: 10/17/2025
 Last Data Uploaded: 10/17/2025 4:11:20 AM

IMPACT STATEMENT



Please provide a written statement describing the possible effect this use may have on the adjoining properties and/or neighborhood:

The only possible effect on adjoining properties might be increased traffic, but in compliance with the Town of Danville Unified Development Ordinance, there would never be more than two additional vehicles at one time (ten total per any given day) that we believe would not provide negative effect.

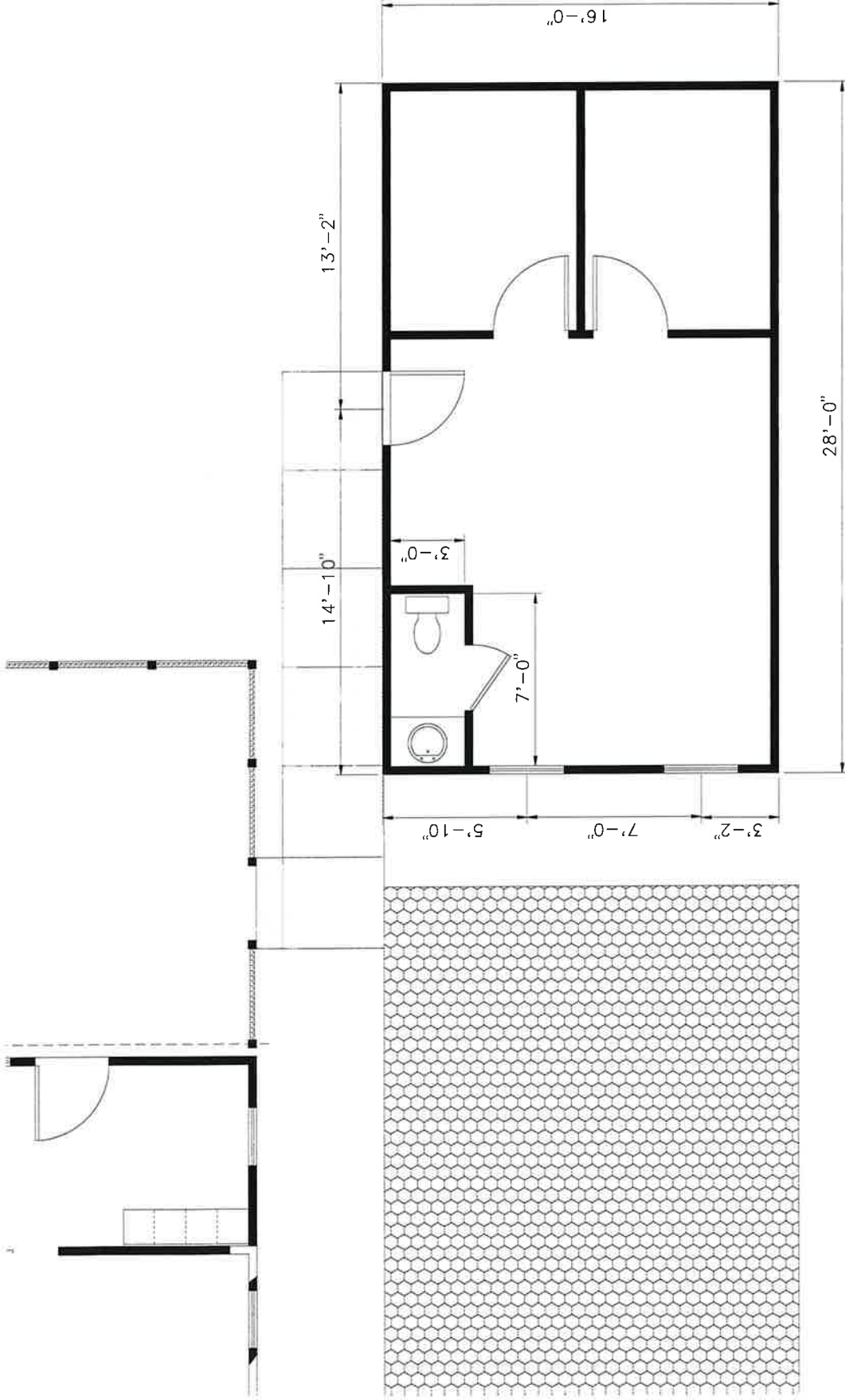


SITE PLAN

1" = 10'-0"

448 S. WAYNE STREET
DANVILLE, INDIANA 4612

RECEIVED
OCT 20 2025
BY: **1**



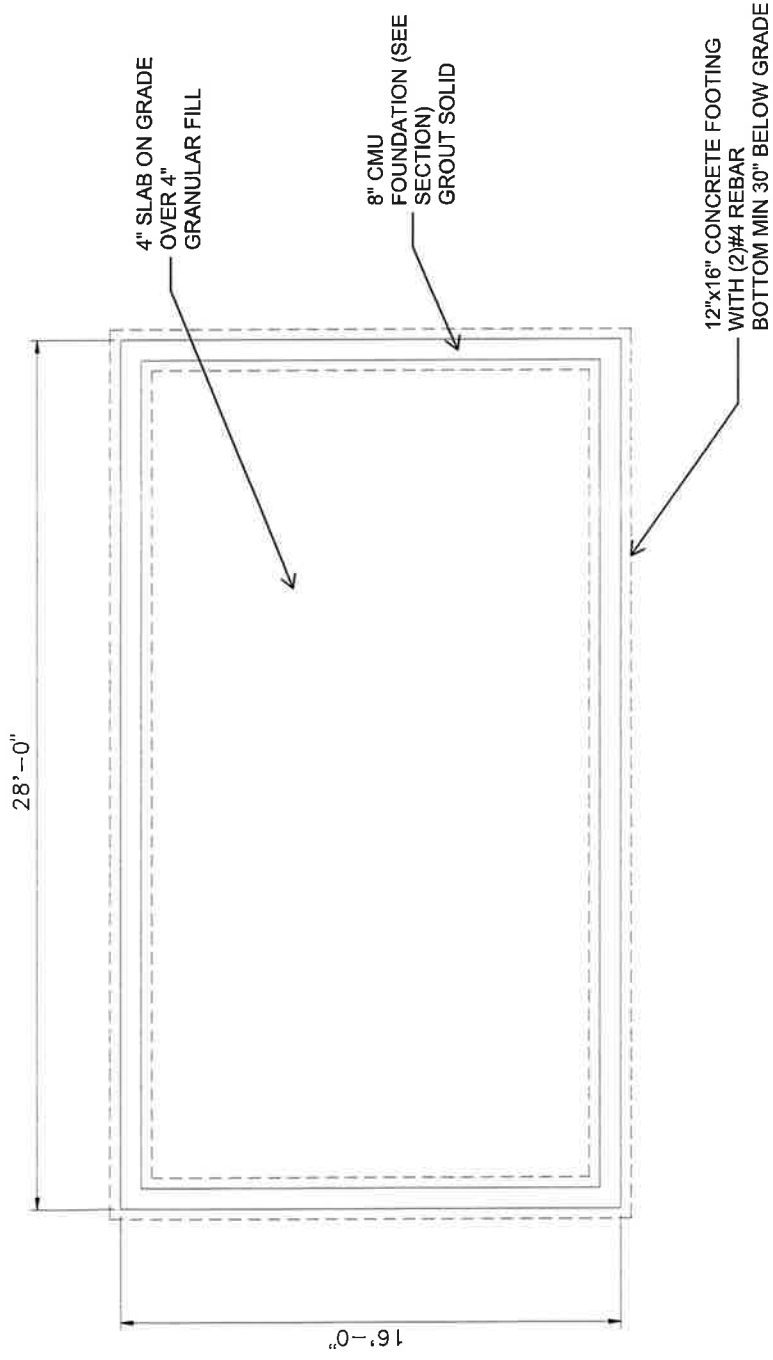
FLOOR PLAN

1/4" = 1'-0"

448 S. WAYNE STREET
DANVILLE, IN 46122

RECEIVED
OCT 20 2025
BY: _____

2



FOUNDATION PLAN

1/4" = 1'-0"

448 S. WAYNE STREET
DANVILLE, IN 46122



ASPHALT SHINGLES TO
MATCH EXISTING
HOUSE

LP SMART SIDE BOARD
& BATTEN STYLE
SIDING TO MATCH
EXISTING HOUSE

FULL GLASS DOOR
WITH INTEGRAL BLINDS
MATCH REAR ENTRY
OF EXISTING HOUSE

PELLA BRAND WHITE
VINYL WINDOWS TO
MATCH EXISTING
HOUSE

ELEVATIONS

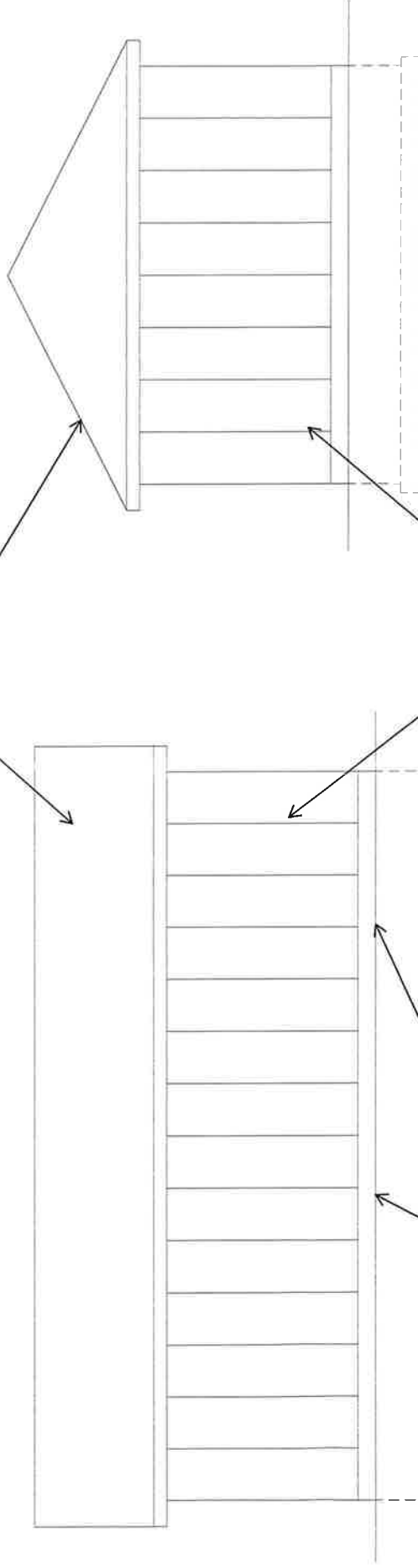
1/4" = 1'-0"

448 S. WAYNE STREET
DANVILLE, IN 46122

4



DIMENSIONAL SHINGLES OVER
SYNTHETIC FELT (MATCH MAIN
HOUSE)



1x8 PVC TRIM TO
MATCH MAIN HOUSE

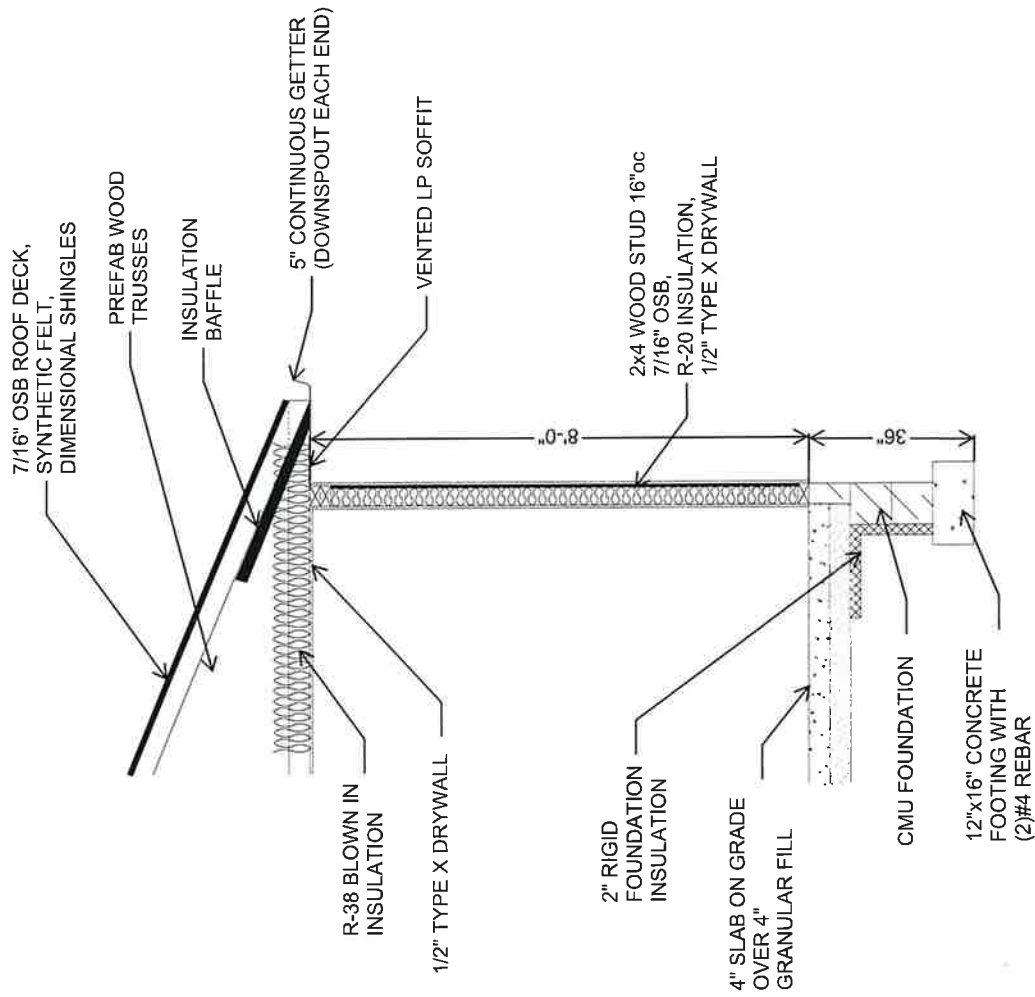
LP SMART SIDE BATTEN
STYLE SIDING (BLUE) MATCH
MAIN HOUSE

ELEVATIONS

1/4" = 1'-0"

448 S. WAYNE STREET
DANVILLE, IN 46122





SECTION

1/4" = 1'-0"

448 S. WAYNE STREET
DANVILLE, IN 46122

6

RECEIVED
OCT 20 2025
BY: _____

**FINDINGS OF FACT
SPECIAL EXCEPTION**



Address 448 South Wayne Street, Danville, IN 46122

1. The Special Exception requested **is** listed in the specific zoning district involved;
2. The Special Exception requested ~~will~~ **will not** be detrimental to or endanger the public's health, safety, morals, comfort, or general welfare because:
it is an allowable home based business per table 2-1 and chapter 3 (particularly paragraph 3.06)
of the Town of Danville Unified Development Ordinance.
3. The Special Exception requested ~~will~~ **will not** be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood because:
the design of the structure is consistent with the main residence using the same building
materials (siding, roofing, windows) and size is that very similar to a 2-car garage so that
in the future if the home based business ceases to exist, it can easily be converted back to
a functional garage.
4. The Special Exception **will** ~~will not~~ be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services because:
utilities will be brought over from main residence, and driveway is of sufficient size to
accommodate the two (maximum) extra vehicles. Police and Fire will be able to service
the home based business same as the residence.
5. The Special Exception ~~will~~ **will not** create excessive additional requirements at public expense for public facilities and services, nor be detrimental to the economic welfare of the community or result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance because:

there is no reason to anticipate any exposure to or detrimental conditions to the welfare
of the community as the proposed business is allowed per the Town of Danville Unified
Development Ordinance.

6. At least one year **has** elapsed since any denial by the Board of any prior application for a
Special Exception that would have authorized substantially the same for all or part of the site,
unless the Board determines that conditions in the area have substantially changed.

not applicable - no prior denial

**BOARD OF ZONING APPEALS
DANVILLE, INDIANA**

ACTION ON PETITION FOR A SPECIAL EXCEPTION

MOTION

I move that we **approve / deny** Special Exception petition 2025-2268 sought by Don Hawkins to allow a home based business in an accessory building in a Urban Residential (RU) zoning district as required by Section 3.06: Home Based Business & Table 2.1: Permitted and Special Exception Uses of the Unified Development Ordinance on property located at 448 South Wayne Street as having **satisfied / not satisfied** the requirements for special exceptions under Section 3 of the Danville Unified Development Ordinance for the following reasons:

1. The Special Exception requested **is** listed in the specific zoning district involved;
2. The Special Exception requested **will / will not** be detrimental to or endanger the public's health, safety, morals, comfort, or general welfare;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____
3. The Special Exception requested **will / will not** be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____
4. The Special Exception **will / will not** be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

5. The Special Exception **will** / **will not** create excessive additional requirements at public expense for public facilities and services, nor be detrimental to the economic welfare of the community or result in the destruction , loss, or damage of a natural, scenic, or historic feature of major importance;
- a) **for the reason(s) stated in the staff report;**
b) **for the reason(s) stated in Petitioner’s proposed findings of fact; and/or**
c) **because:** _____
6. At least one year **has** elapsed since any denial by the Board of any prior application for a Special Exception that would have authorized substantially the same for all or part of the site, unless the Board determines that conditions in the area have substantially changed.

And I move that this approval be made subject to the following conditions:

DECISION

(After a second is made to the motion and a roll call vote is taken, the presiding officer makes the following announcement): “It is therefore the decision of this body that the Special Exception is **approved / denied** ...*(and if conditions have been imposed)* ...**subject to the conditions made a part the adopted motion.**