

CASE SUMMARY

USE VARIANCE

Case: 2025-2277

Sherri Spurlock, Petitioner

Request: Seeking a use variance from Table 2.1 Permitted and Special Exception Uses to allow a Retail General Use (Florist/Gift Shop) in a Residential Urban District (RU)

Location: 696 West Main Street

Zoning: Residential-Urban (RU) District & Corridor Protection Overlay District (CPOD)

Staff Summary:

The Petitioner is requesting approval to operate a florist and gift shop at the above-referenced location. The proposed use would consist of a small retail business offering fresh floral arrangements, plants, seasonal décor, and curated gift items. The Petitioner has indicated that customer foot traffic is expected to be minimal, with the majority of business activity consisting of deliveries. Proposed hours of operation are Monday through Friday from 10:00 a.m. to 5:00 p.m., and Saturday from 9:00 a.m. to noon. Only minimal exterior modifications are proposed, including the installation of a small sign designed to be compatible with the character of the surrounding neighborhood.

The surrounding zoning in this area is primarily Residential Urban (RU), with a couple of properties located to the east, zoned General Business (GB). The North Salem State Bank, located immediately west of the subject property, was granted a use variance in 1988.

Staff did receive an inquiry regarding whether the business had begun operating prior to approval by the Board. Upon review, staff confirmed that the requested use variance had not been approved and notified the Petitioner that any business operations must cease immediately if the business had opened. The Petitioner stated that only a private, family-only soft opening had occurred and that the business was not open to the public.

While staff is not opposed to the request, there are concerns regarding potential business activity at this location due to existing traffic congestion in the area. Should the request be approved, staff recommends that the rear parking area be improved with an all-weather surface, such as asphalt, concrete, or another material providing equivalent protection against potholes, erosion, and dust. In addition, staff recommends that an administrative site plan review be completed to ensure compliance with the parking and site requirements of the Unified Development Ordinance and that there be no outdoor storage or sales of any type.

BZA options include the following:

- Approve the variance request
- Deny the variance request
- Approve the variance request with conditions

Permit No. 2025-2277

APPLICATION FOR APPROVAL (Check all that apply)

Appeal Special Exception Use Variance Development Standard Variance

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DEC 17 2025

* Please fill out the form in its entirety

Applicant (s) Sherri Spurlock

Address (s) 202 N. Tennessee St. Danville, IN 46122

Phone (s) (317) 205-7336 Email (s) Sherri.2Watson@asl.com

Owners (s) Anthony Rus

Address (s) 202 N. Tennessee St. Danville, IN 46122

Phone (s) (618) 610-8355 Email (s) Amp@fishergi.com

Owners' Representative (Subdivider, if any) and /or Registered Engineer or Land Surveyor: _____

Address (s) _____

Phone (s) _____ Email (s) _____

Address of Subject Property: 696 W main St. Danville IN 46122

Area (in acres): .35 Number of Lots: _____

Parcel ID#: 32-11-04-468-007.000-003 Current Zoning District: RU & CPOD

Requested Action From The Danville BZA: Use Variance & Sign (as proposed)

UDO Section (table 2.1 Perwritten & special exception land use)

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

Anthony Rus / Sherri Spurlock

Signature of Owner/Applicant (s)

Danee / Leuter

Title of Applicant (s)

Sherri Spurlock
696 W Main St
Danville, IN 46122
(3147)205-7336

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12/12/25

Letter of Intent for Use Variance- Proposed Florist /Gift shop at 696 W Main St, Danville, In.

Dear Members:

I am writing to formally request consideration for a Use Variance for the property located at 696 W Main St (parcel # 32-11-04-468-007.000-003). To be used as a Florist and Gift Shop.

My fiancé Anthony Prus is the purchaser of the property, and it is my intention to establish a small retail business offering fresh floral arrangements, plants, seasonal décor and curated gift items. The proposed use is not currently permitted under the existing zoning regulations: therefore, I respectfully seek approval for a variance to allow this commercial activity.

The intended operation of the florist/gift shop will include:

- Retail sale of flowers, plants and related merchandise
- Light customer foot traffic consistent with small local businesses
- Hours of operation 10 – 5 Monday -Friday and 9-Noon on Saturday
- Minimal exterior changes, with any signage or aesthetic improvements designed to comply with local guidelines and enhance the neighborhood character.

I believe this proposed use will have a positive impact on the surrounding community by providing a locally owned retail option, improving the aesthetics of the property, and generating minimal disruption to neighboring uses. The nature of the business has low impact, with limited noise, low traffic volume and no adverse environmental effects.

Enclosed with this letter are photos of the flower shop and a logo for the sign. I respectfully request that this application be placed on the agenda for the next available meeting. I am prepared to provide additional information or documents as needed.

Thank you for your time and consideration.

Sherri Spurlock

IMPACT STATEMENT

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

The proposed use of the property is anticipated to have minimal adverse impact. This will mainly be used for delivery of flowers with modest & limited short visits. Flower shops are quiet in nature - no heavy equipment or loud traffic (Soni). It also has normal business hours that will align with neighborhood expectations. Because the use is low-impact and visually attractive, it is not expected to diminish adjoining properties, it may enhance them by increase curb appeal & landscaping. Making it welcoming to the town square and vendors.

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FINDINGS OF FACT
USE VARIANCE

Address 696 W Main St Danville, IN 46122

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

A flower shop is a low-impact retail use, with minimal traffic and no hazardous materials

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 because:

A flower shop often enhances neighborhood aesthetics and may even increase property values?

3. The need for the variance arises from some condition peculiar to the property involved because:

The need for the variance arises from the property because the lot is usually narrower or smaller than an existing easement, making it impractical for residential development but well-suited for small-scale retail use such as a "Flower Shop"

4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because:

Existing structure was not built prior to the ordinance. The strict compliance would require an alteration/relocation that would cause undue hardship.

5. The approval does not interfere substantially with the Town's comprehensive plan because:

The approval will not create adverse impacts on traffic, infrastructure or community character

Legal description

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IHT-25-1059

WARRANTY DEED

Property 1:
32-11-04-468-007.000-003

THIS INDENTURE WITNESSETH, That **VICTOR L. PEVLER AND CARRIE PEVLER, HUSBAND AND WIFE** ("Grantor") CONVEYS AND WARRANTS to **ANTHONY MICHAEL PRUS** ("Grantee") for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate located in Hendricks County, State of Indiana commonly known 696 West Main Street, Danville, IN 46122 as and legally described as:

A part of the Southwest Quarter of the Southeast Quarter of Section 4, Township 15 North, Range 1 West in Hendricks County, Indiana, and more particularly described as follows: Beginning 37.84 feet North of and 329 feet 3 inches East of the Southwest corner of said Quarter Quarter Section; thence North on the East line of Maple Street (formerly Tinder Avenue) as laid out and dedicated to the public use in the Hall Plat Addition to the Town of Danville, 129 feet; thence East 114 feet, thence South 124.7 feet to a point within 41.77 feet of the South line of said Quarter Quarter Section; thence West 114 feet to the place of beginning.

Area Location Map

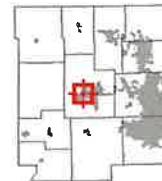


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Overview



Legend

- Parcels
- Road Centerlines

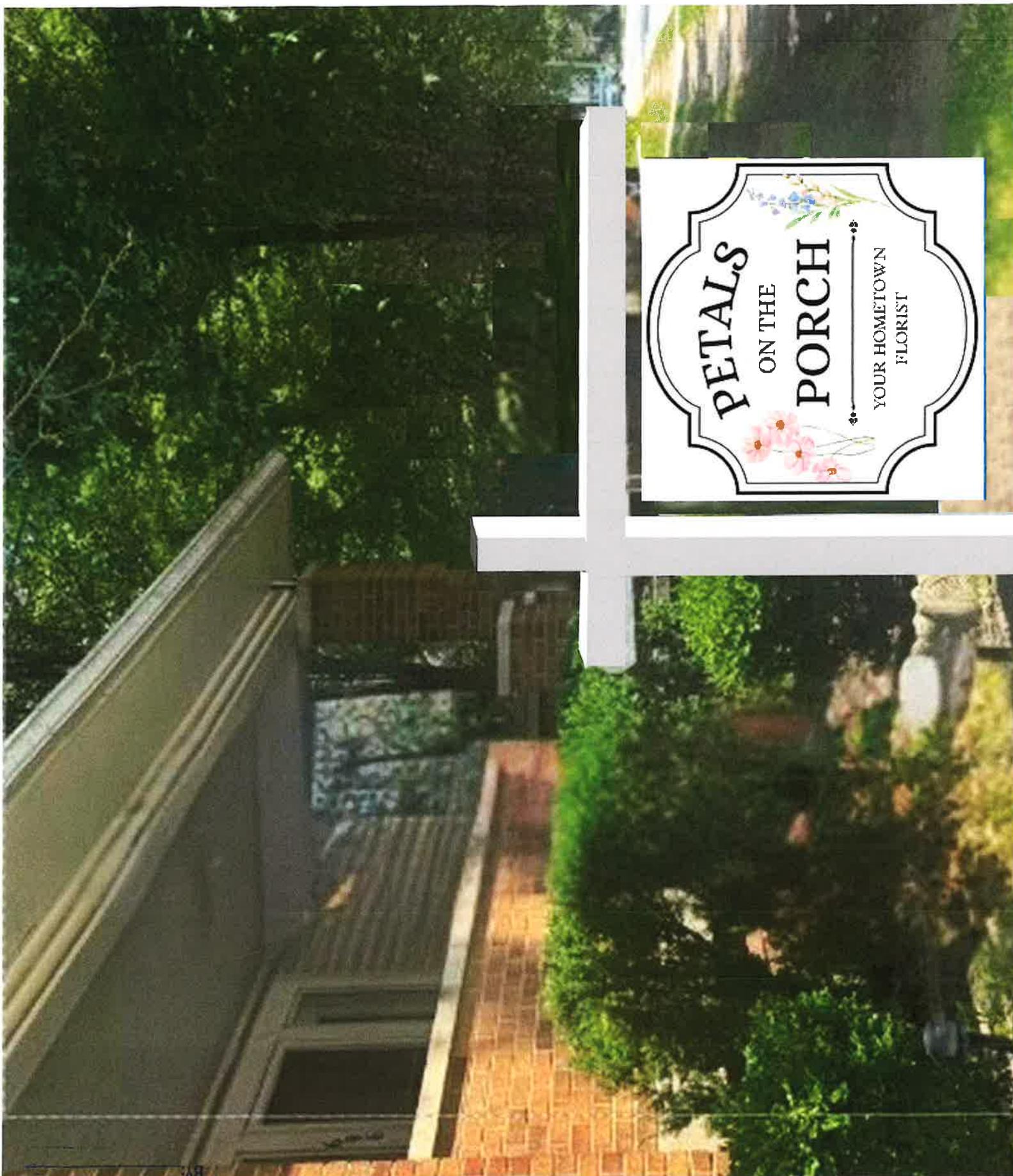
Parcel ID	32-11-04-468-007	Alternate ID	17-1-04-51W 468-007	Owner Address	PRUS ANTHONY MICHAEL 696 WEST MAIN ST DANVILLE, IN 46122
Sec/Twp/Rng	0004-0015-1W	Class	RESIDENTIAL ONE FAMILY DWELLING ON UNPLATTED LAND OF 0-9.99 ACRES		
Property Address	696 W Main St Danville	Acreage	0.35		
District	Town Of Danville				
Brief Tax Description	Pt W Se 4-15-1w 0.35 A 17.86-23				

(Note: Not to be used on legal documents)

Date created: 12/8/2025
Last Data Uploaded: 12/8/2025 4:09:03 AM

Developed by SCHNEIDER GEOSPATIAL

Plot Plan

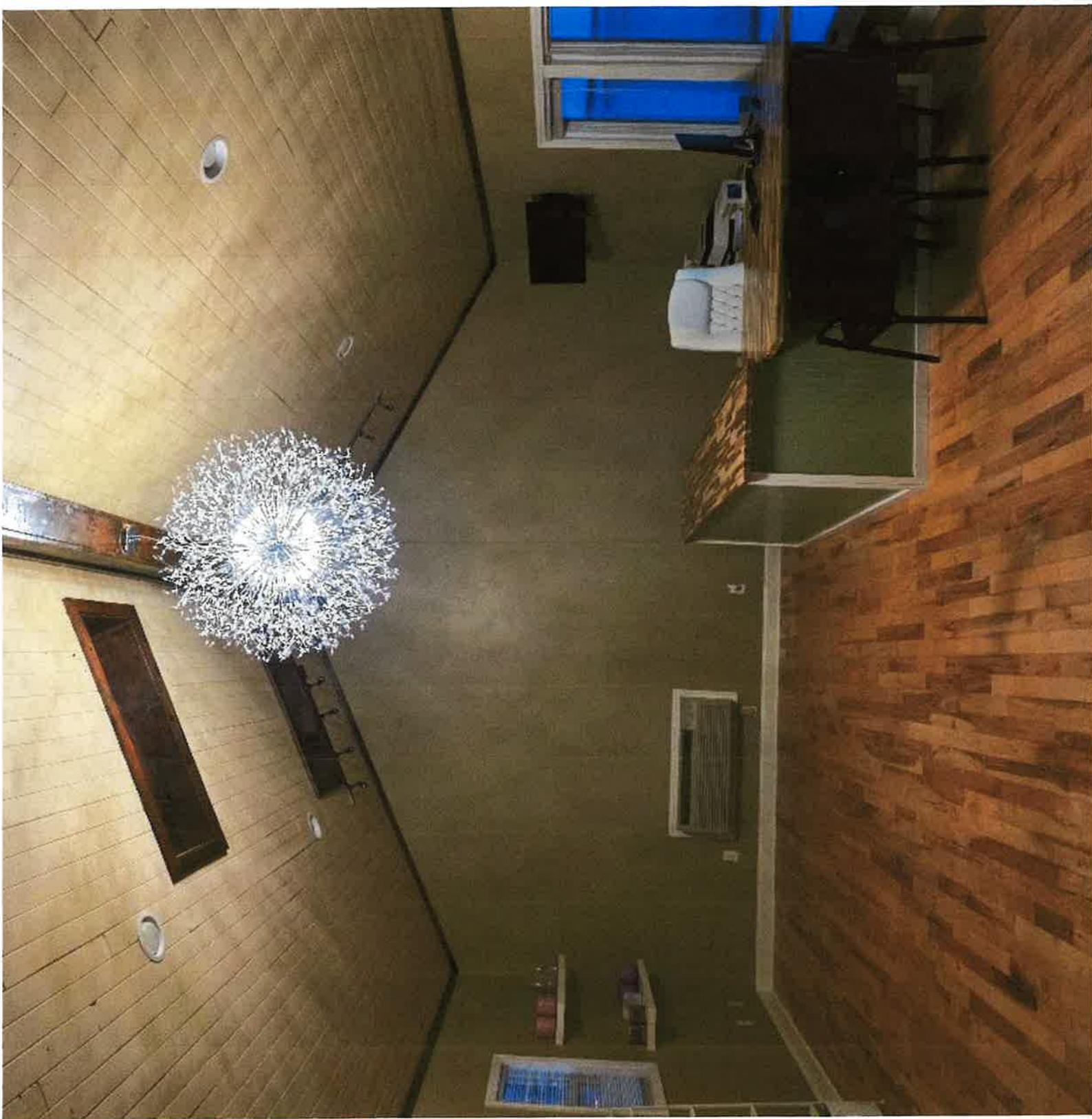


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approx.
900 sq ft

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APPENDIX
Q00584

**BOARD OF ZONING APPEALS
DANVILLE, INDIANA**

ACTION ON PETITION FOR A USE VARIANCE

MOTION

I move that we **approve / deny** the use variance sought by Petitioner Sherri Spurlock in BZA petition 2025-2277 to allow a Retail General Use (Florist/Gift Shop) in the Residential Urban (RU) Zoning District and Corridor Protection Overlay District (CPOD). The subject property is located at 696 West Main Street. The petition has **satisfied / not satisfied** the requirements for variances under state law for the following reasons:

1. The approval **will / will not** be injurious to the public health, safety, morals, and general welfare of the community:
 - 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:** _____

2. The use and value of the area adjacent to the property included in the variance **will / will not** be affected in a substantially adverse manner
 - 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 need for the variance **does / does not** arise from some condition peculiar to the property involved
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in the Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

4. The strict application of the terms of the Zoning Ordinance **will / will not** constitute an unnecessary hardship if applied to the property for which the variance is sought
 - 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 approval **does / does not** interfere substantially with the Town's comprehensive plan
 - a) **for the reason(s) stated in the staff report;**
 - b) **for the reason(s) stated in the Petitioner's proposed findings of fact; and/or**
 - c) **because:** _____

[note #1: An adverse finding on any one of the above requires Board denial of the variance.]

[note #2: None of the words in bold italics should be used if the motion is to approve a variance.]

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

[note #3: If the majority votes against a motion to approve a variance, a subsequent motion should be made for findings of fact to reflect that the Petitioner did not establish the three requirements of state law to have been met. This motion should indicate which requirement(s) were not met or cite reasons stated in the staff report, if the staff recommendation was against approval.]

DECISION

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