

Johnson County Board of Zoning Appeals

August 23, 2022 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, August 23, 2022 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 7:00 PM by Board Member Chad Bowman.

I. ROLL CALL:

Present: Chad Bowman, Charlie Canary, James Kaylor, Steve Powell, Attorney Jacob Bowman (Legal Counsel - not voting), Michele Hansard (Director - not voting), Rachael Schaefer (Planner – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: Chris Campbell and Paul Clodfelter (Alternate)

II. APPROVAL OF MEETING MINUTES:

Board Member Chad Bowman called for a motion to approve the July 26, 2022 Board of Zoning Appeals meeting minutes with corrections.

Motion: Approval of July 26, 2022 Board of Zoning Appeals meeting minutes with corrections. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Canary, Kaylor and Powell. **No:** None. **Motion approved 4-0.**

III. PUBLIC HEARINGS:

V-4-22; Shawn Higdon – Variance of Development Standards Requests. 1112 Rustic Ln.

Staff presented findings and facts to the board and recommended denial of these requests.

Staff provided board members with the site plan from the surveyor's report of the property as an **Exhibit.**

Petitioner Shawn Higdon (1112 Rustic Ln., Whiteland 46184) were present to speak and address concerns.

Board members asked questions and expressed concerns which were addressed by the Petitioner and staff as follows:

- Q. Board member Chad Bowman inquired as to whether or not staff had an amicable recommendation or solution to resolve this matter?
 - A. Staff and Petitioner have discussed possible re-plat of the property after purchasing additional property from their adjoining neighbor in order to meet the setback requirement.

- Q. Board member Charlie Canary asked staff for confirmation that the other small building on the property was the structure that had been previously discussed that had been moved?
A. Yes, it had been rotated.
- Q. Board member Charlie Canary asked if that building was four (4) feet from the property line and was it acceptable?
A. Yes, it was four (4) feet from the property line. No, it was not acceptable.
- Q. Board member James Kaylor asked the Petitioner why he did not work with his neighbor in the last two (2) months to purchase or work out a purchase agreement for the additional property as resolution to this matter prior to this meeting?
A. Petitioner stated that he didn't know that he needed to bring something by this meeting.
- Q. Board member James Kaylor asked the Petitioner if he had obtained a surveyor report and if so, who was the surveyor?
A. Yes. The surveyor's name was Scott Bordenet with Bordenet Civil Engineering and Land Surveying, LLC.
- Q. Board member James Kaylor inquired as to how long it would take for the purchase and re-plat of the property?
A. Approximately four (4) to six (6) months.
- Q. Board member Chad Bowman inquired as to whether or not the surveyor's report would be acceptable for re-plat?
A. No, the re-plat would need to contain both lots.
- Q. Board member Steve Powell gave a brief timeline of events and asked for confirmation that the chain of events was correct and if the structure had been completed?
A. Yes, the timeline of events was correct. Unknown, since a permit has not been issued, no inspections have been completed.
- Q. Board member Charlie Canary asked staff how much time had been put into this matter?
A. Unknown.
- Q. Board member James Kaylor inquired if the board denies the variance can the Petitioner file for another variance once he purchases the property and completes the re-plat?
A. The Petitioner would have to have a variance regardless due to the rear setback.

Motion: To deny V-4-22 to allow for the construction of a 1,512 square foot accessory structure with an approximately eight (8) foot side setback and staffs' Findings of Fact. **Moved** by James Kaylor. **Seconded** by Charlie Canary. **Yes:** Canary, Kaylor and Powell. **No:** Bowman. **Motion approved 3-1.**

Motion: To approve V-4-22 to allow for the construction of a 1,512 square foot accessory structure with an approximately fourteen (14) foot rear setback and Petitioners' Findings of Fact. **Moved** by James Kaylor. **Seconded** by Chad Bowman. **Yes:** Bowman, Canary, Kaylor and Powell. **No:** None. **Motion approved 4-0.**

**V-10-22; Mike Hadley – Variance of Development Standards Request.
5197 Olive Branch Rd.**

Staff presented findings and facts to the board and recommended approval of this request.

Staff provided board members with an e-mail of support from Mr. Hadley's neighbors John and Terri Williamson as an **Exhibit**.

Petitioner Mike Hadley (5197 Olive Branch Rd., Greenwood 46143) was present to speak and address concerns.

Board members asked questions and expressed concerns which were addressed by the Petitioner and staff as follows:

- Q. Board member James Kaylor inquired as to whether or not agricultural land in the past required ten (10) acres in order to build a new residence?
A. Yes, in the past however the ordinance has changed and now two (2) acres are required.
- Q. Board member Charlie Canary asked staff what the threshold was for the size of an accessory structure?
A. Staff looks at overall area and the reasonable deviation.
- Q. Board member James Kaylor inquired as to what was behind the barn?
A. Farm field.
- Q. Board member Steve Powell asked how long has the Petitioner lived there and what will be the purpose for the accessory structure?
A. Seventeen (17) years and will be for personal use to hold cars and storage.

Motion: To approve V-10-22 to allow for the construction of a 2,560 square foot accessory structure where all accessory structures will total 3,376 square foot in building area and Petitioner's Findings of Fact. **Moved** by Chad Bowman. **Seconded** by James Kaylor. **Yes:** Bowman, Canary, Kaylor and Powell. **No:** None. **Motion approved 4-0.**

V-11-22; Brian Brames – Variance of Development Standards Request. 5530 Camden Ln.

Staff presented findings and facts to the board and recommended denial of this request.

Petitioners Brian and Jill Brames (5530 Camden Ln., Greenwood 46143) were present to speak and address concerns. Mr. Brames presented to the board members sixteen (16) letters of support from his surrounding neighbors as an **Exhibit**.

Board members asked questions and expressed concerns which were addressed by the Petitioners and staff as follows:

- Q. Board member Steve Powell asked staff if they had discussed their denial recommendation with the Petitioner and the option of moving the structure in order to meet the setbacks?
A. Yes, the Petitioner does not wish to move the structure.
- Q. Board member Chad Bowman asked for clarification that the unpermitted structure was discovered before or after review of the new additional permit approval?
A. Before, it was discovered prior to any permits being approved for the property.
- Q. Board member Steve Powell asked for confirmation that all of the surrounding neighbors have no objection to this structure?
A. Yes.
- Q. Board member Steve Powell inquired as to whether or not the back of the property encroached into a legal drain?
A. No.
- Q. Board member Chad Bowman asked how this matter was brought to your attention?
A. The Petitioner submitted a deck permit application with a site plan that had a spa that had not been permitted and approved.
- Q. Board member James Kaylor inquired as to whether or not you had to have a permit for a hot tub or spa depending on whether or not it sits in or on top of the ground?
A. A permit for a hot tub or spa is required regardless of whether or not it sits in or on top of the ground.

Motion: To approve V-11-22 to legally establish a swim spa structure that is thirteen (13) feet from the rear property line and Petitioners' Findings of Fact. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Canary, Kaylor and Powell. **No:** None. **Motion approved 4-0.**

IV. NEW BUSINESS:

Staff and board members discussed how one may file a re-docketing request.

V. ADJOURNMENT:

Board Member Chad Bowman called for a motion to adjourn the meeting at 8:43 PM.

Motion: Adjourn the meeting. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Canary, Kaylor and Powell. **No:** None. **Motion approved 4-0.**

Approved on: September 27, 2022

By:


Chris Campbell, Chairman

Attested By:


Steve Powell, Secretary

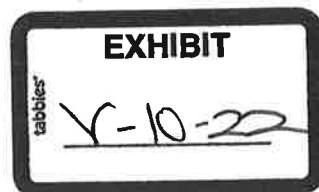
Schaefer, Rachael - Planning & Zoning

From: John Williamson <johnwmson@sbcglobal.net>
Sent: Tuesday, August 23, 2022 2:58 PM
To: hadley427@comcast.net
Cc: Schaefer, Rachael - Planning & Zoning
Subject: V-10-22

John and Terri Williamson can not attend the meeting this evening due to prior commitments. But we are in TOTAL FAVOR of the building that Mr. Mike Hadley is wanting to build. We are for this project and hopefully he will be allowed to build his building!

Thank You

John Williamson
1723 Skyline Drive
Greenwood, IN 46143
317-865-9013
317-506-4824 CELL
johnwmson@sbcglobal.net



August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

This letter is to serve as documentation that I have no concerns with the residents proceeding as planned and moving forward with the following Request:

VARIANCE OF DEVELOPMENT STANDARDS to legally establish a swim spa structure that is 13 feet from the rear property line (minimum 20-foot rear setback required).

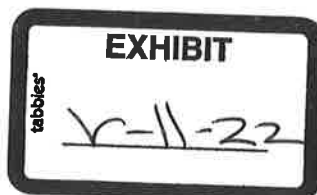
I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,



Kathy and Doug Dzikowski
2999 Coventry Ln



August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Waymire". The signature is written in black ink and is positioned below the word "Sincerely,".

Sarah and Brian Waymire
5095 Nottinghill Ct

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

The image shows two handwritten signatures in black ink. The top signature is 'Leslie Ritter' and the bottom signature is 'Brad Ritter'. Both are written in a cursive, flowing style.

Leslie and Brad Ritter
5542 Camden Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emily and Daniel Cornpropst'. The signature is stylized with a large, sweeping flourish that extends across the bottom of the text.

Emily and Daniel Cornpropst
5529 Camden Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in cursive script that reads "Deanna & Tino Marquez". The signature is written in dark ink and is positioned below the word "Sincerely,".

Deanna and Tino Marquez
5517 Camden Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink that reads "Jeff Rayner". The signature is written in a cursive style with a long horizontal line extending to the right.

Susan and Jeff Rayner
5518 Camden Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle and Dylan Murphy". The signature is written in a cursive, flowing style with a long horizontal line extending to the right.

Michelle and Dylan Murphy
5506 Camden Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy and John Dean", with a long horizontal line extending to the right.

Amy and John Dean
5385 Ashby Ct

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read "Jenn and Corey Stuart". The signature is stylized and somewhat cursive, with a large loop on the left side and a sharp, upward-pointing stroke on the right side.

Jenn and Corey Stuart
5469 Camden Ln

August 22, 2022

Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink that reads "Janeen Bostick". The signature is written in a cursive, flowing style.

Janeen and Brad Bostick
3059 Coventry Ln

August 22, 2022
Petition Number: V-11-22

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read "Malia and Curt Casper". The signature is written in a cursive, flowing style.

Malia and Curt Casper
5117 Nottinghill Ct

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

Two handwritten signatures in black ink. The top signature is cursive and appears to read 'Shalynn Adams'. The bottom signature is also cursive and appears to read 'Joe Adams'.

Shalynn and Joe Adams
3023 Coventry

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in cursive script that reads "Jessica & Kyle Thomas". The signature is written in dark ink and is positioned above the typed name of the signers.

Jessica and Kyle Thomas
2791 Coventry Lane

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura and Justin Sanchez". The signature is fluid and cursive, with a large initial "L" and "J".

Laura and Justin Sanchez
2780 Coventry Ln

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

I am writing in response to a variance filing letter I received postmarked on August 2, 2022 from Brian and Jill Brames at 5530 Camden Lane, Greenwood, IN 46143. I understand the **Public Hearing of the Johnson County Board of Zoning Appeals (BZA)** vote will take place on August 23, 2022.

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

Handwritten signature of Shannon and John Jansen in black ink. The signature is cursive and includes the initials 'DJ' at the end.

Shannon and John Jansen
2924 Abbotsbury Ct

August 22, 2022
Petition Number: V-11-22

Johnson County Board of Zoning Appeals,

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I am in full support of the project as it is my understanding that it creates no undue burden on any neighboring residence and the proposed style and structure is in step with neighborhood standards (approved by HOA).

Please vote yes to the variance petition for Jill and Brian Brames.

Sincerely,

The image shows two handwritten signatures in black ink. The top signature is cursive and reads "Jolynda Wilson". The bottom signature is also cursive and reads "Brad Wilson".

Jolynda and Brad Wilson
3050 Aldwych Ct