



JOHNSON COUNTY

Department of Planning and Zoning
86 West Court Street
Courthouse Annex
Franklin, Indiana 46131

Phone: (317) 346-4350
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MEETING AGENDA

Johnson County Board of Zoning Appeals
November 28, 2023, 7:00 PM
Public Auditorium, West Annex Building
86 West Court Street, Franklin, Indiana

CALL TO ORDER

ROLL CALL

APPROVAL of MINUTES

Approval of minutes from the September 26, 2023 meeting.

PUBLIC HEARINGS

-CONTINUED PETITIONS

None.

-NEW PETITIONS

V-11-23. Michael Gilley. 2140 Whitetail, Greenwood..... Page 3

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to provide for the construction of a 8,320 sq. ft. accessory structure
1. Where all accessory structures will total 9,088 sq. ft. in building area, (The zoning ordinance allows aggregate accessory structure area to be no more than 50% of the building area of the primary dwelling, or, in this case, 2,618 square feet.), and
2. with a 30-foot height (maximum 25-foot height allowed).

V-12-23. Shana Property LLC. 5440 Warrior Trail, Whiteland..... Page 13

Variance of Use of the Johnson County Zoning Ordinance to allow for a trucking company business (not permitted in a B-2 zoned property).

V-13-23. John Petri and Holly Wyss. 2215 Running Brook Ct, Greenwood Page 21

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to provide for a house addition with a 25.5-foot front setback from Brentridge Parkway (minimum 30-foot front setback required).

V-14-23. Randy Faulkner. 3247 E 700 N, Whiteland..... Page 28

VARIANCE OF USE of the Johnson County Zoning Ordinance to allow for auto sales (not permitted on agriculturally-zoned property) within an existing barn.
VARIANCE OF DEVELOPMENT STANDARDS to waive commercial parking and landscaping

OLD BUSINESS

None.

NEW BUSINESS

Approval of 2024 Board of Zoning Appeals calendar. Page 37

REPORTS AND RECOMMENDATIONS

None.

ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, December 19, 2023 at 7:00 PM.

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Staff Report

CASE NUMBER: V-11-23
ADDRESS: 2140 Whitetail Court, Greenwood
PETITIONER: Michael Gilley

REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to provide for the construction of an 8,320 sq. ft. accessory structure

1. Where all accessory structures will total 9,088 sq. ft. in building area, (The zoning ordinance allows aggregate accessory structure area to be no more than 50% of the building area of the primary dwelling, or, in this case, 2,618 square feet.), and
2. with a 30-foot height (maximum 25-foot height allowed).

STAFF RECOMMENDATION:

Staff recommends the **denial** of these variance requests.

PROPERTY DESCRIPTION

This 8.627-acre site is zoned R-1 (Single Family Residential) and is improved with a single-family dwelling and one accessory structure. It is located in the Wolfred Minor Subdivision. The site is surrounded to the north, east, and south by parcels of smaller size with single-family dwellings. This property is to the north of a major subdivision, Deerwood. To the west is large open agricultural land.

VARIANCE REQUEST – ACCESSORY BUILDING AREA

This request, if approved, would allow for a total accessory building area of 9,088 square feet, which would be 173% of the building area of the primary dwelling. The Zoning Ordinance allows, on a lot zoned R-1, for an aggregate accessory building area of no more than 50% of the square footage of the footprint of the principal building. This restriction is intended to discourage commercial conversion and to maintain the residential aesthetic within residential districts.

The petitioner wishes to construct an 8,320-square-foot pole barn to the north of the house for vehicle storage. There is already an accessory structure on the property that is 768 square feet. The single-family home on this property has a footprint of 5,236 square feet but overall has over 7,865 square feet of living space.

Staff often supports variance requests for oversized residential accessory structures where the following conditions are met:

1. The subject lot is located in a rural or agricultural area, or in an area generally characterized by large lots and open, expansive spaces.
2. The subject lot is located in an area where oversized accessory structures are common.

3. The oversized accessory structure would be obscured from view from surrounding properties and rights-of-way.

The request would only minimally satisfy the third requirement. The petitioner's property is the largest residentially developed property in the area, although it is east of a large agricultural field. It is projected that this area will continue to develop residentially. All the other residential parcels are smaller in size. There are no structures similar in size in the area. The neighbor to the east received a variance in 2021, however, it was for a 5,000 sq. ft structure. The proposed oversized accessory structure only slightly meets the third condition listed above since the building will only be viewable to the neighbors that abut the property to the north and east.

Based on the standard criteria and the staff's analysis of the Findings of Facts, the Staff recommends denial of this variance request.

VARIANCE REQUEST – ACCESSORY BUILDING HEIGHT

This variance request, if approved, would allow the accessory structure to have a height of 30 feet, whereas the zoning ordinance allows an accessory structure to have a height no greater than 25 feet and no greater than the height of the associated primary structure, which is estimated to be 30 feet tall. The adjoining neighbor's accessory structure is 34' in height.

Since Staff recommends denial of the first variance, it is recommended that the Board dismiss this request as presented with the large oversized structure. If the structure was reduced in overall size, this variance request would be supported.

FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS

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

The proposed structure will not impact public health, safety, morals, or general welfare..

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.

Approval of the variance request to allow a large accessory structure would make it a dominant feature in the area. It would affect the overall residential natural and standards. It would substantially affect the intent of the ordinance.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

There is nothing unique to this property that would have precluded it from being created in conformance to the Zoning Ordinance lot standards.

GENERAL INFORMATION

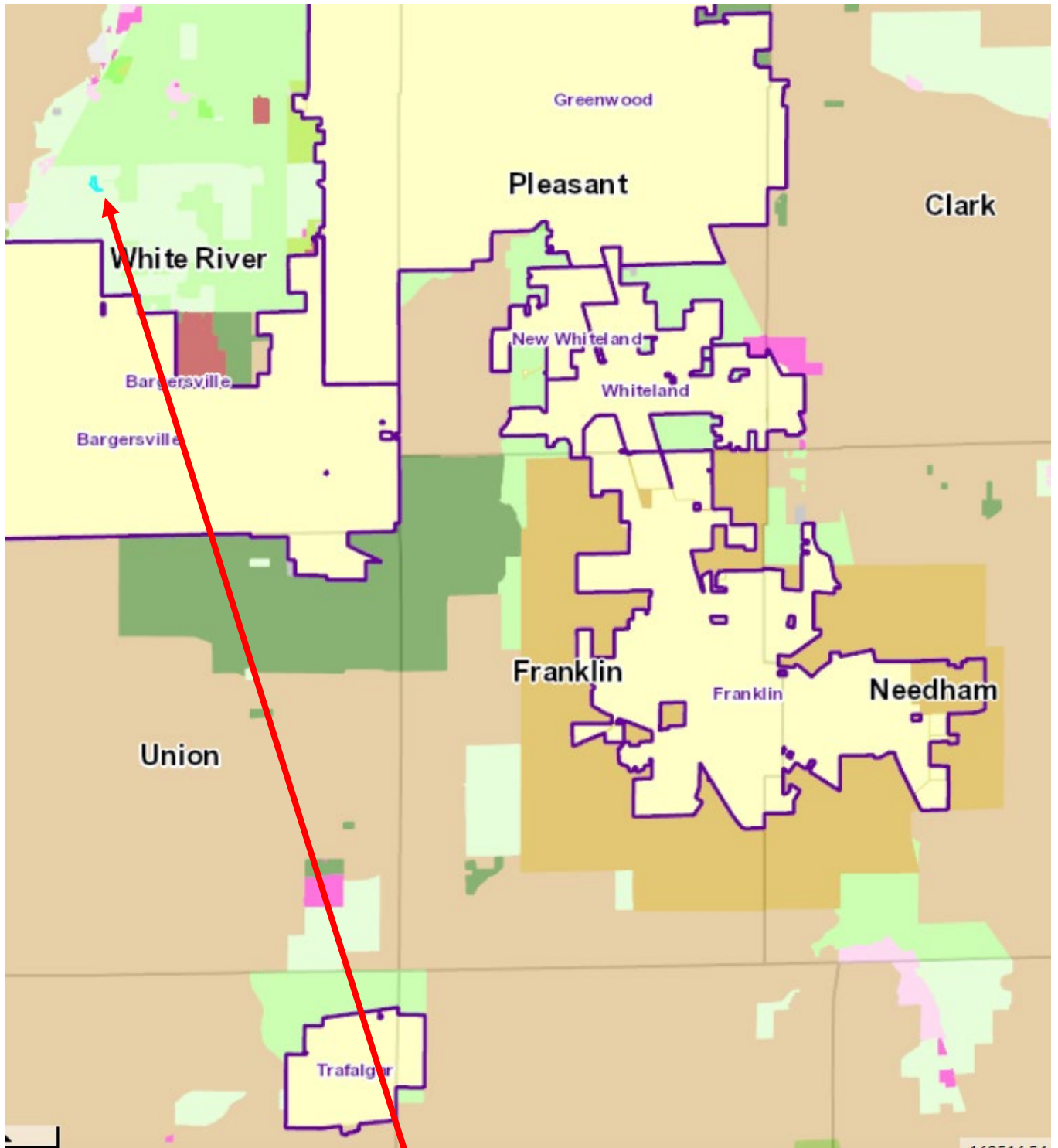
Applicant: Michael Gilley

2140 Whitetail Court
Greenwood IN 46143

Zoning: R-1 (Single Family Residential)
Land Use: Single-family Residential
Future Land Use: Rural Residential

-MNH

V-11-23 BASE MAP



SUBJECT SITE

V-11-23 AERIAL MAP



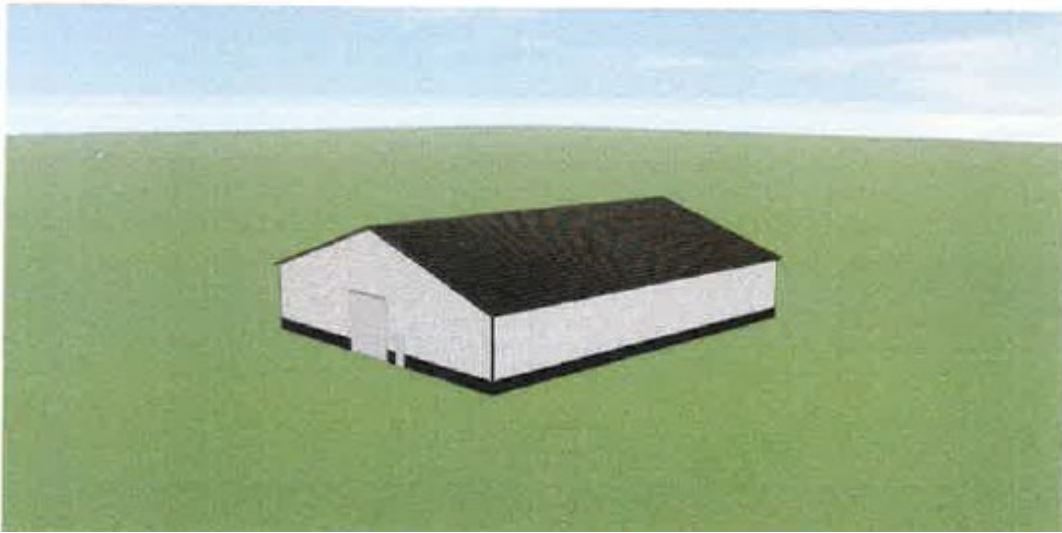
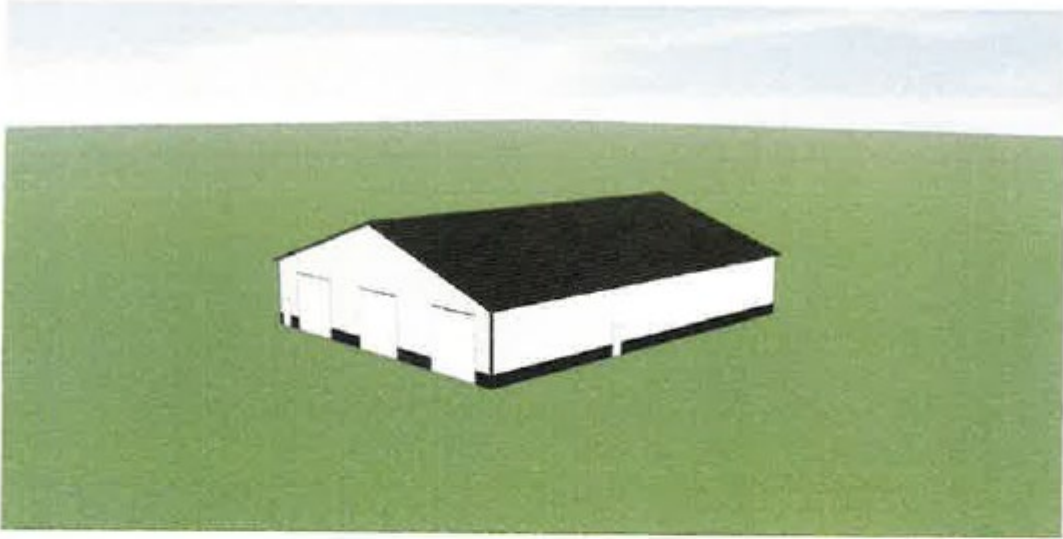
V-11-23 AERIAL MAP II



V-11-23 SITE PLAN



V-11-23 ELEVATION



V-11-23 PETITIONER FINDINGS OF FACT

FINDINGS OF FACT, DEVELOPMENT STANDARDS VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

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

Building will be situated on 8.67 acres off of property lines
so not visible to most people

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:

Adjacent Property to the east has a similar Pole Barn
Structure that was constructed within last couple
years on a similar variance, property to west is an
undeveloped corn field, building will not be visible from properties to North or
South

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

Cannot build storage building large enough Bided only
on 1st floor so edge of home.

V-11-23 BIRDS EYE VIEW



Staff Report

CASE NUMBER: V-12-23
ADDRESS: 5440 Warrior Trail, Whiteland
PETITIONER: Shana Property LLC by Chris Duke

REQUEST

Variance of Use of the Johnson County Zoning Ordinance to allow for a trucking company business (not permitted in a B-2 zoned property).

STAFF RECOMMENDATION

Staff recommends approval of this request.

PROPERTY DESCRIPTION

This variance request involves a 7.31-acre parcel that is zoned B-2 (Community Business District), is unimproved and is currently used for parking purposes. To the south are several semi-tractor oriented businesses and to the north are warehouse/manufacturer uses. All parcels are within the Town of Whiteland limits.

VARIANCE OF USE REQUEST

This Variance of Use request, if approved, would allow the east quarter of the property to be developed for a trucking company.

The submitted site plan proposes parking for about 35 semi-truck and semi-trailer parking along with a 5,000 proposed building for office and repair. The applicant has stated the parking lot will be installed to zoning ordinance standards. The petitioner's submitted Plan of Operation, included in this report, the hours of operation will be from 8 am to 10 pm throughout the week.

The development will be required to go through the Technical Review Committee. It will be subject to all commercial standards in the zoning ordinance and the building will be required to obtain a State Design Release. It is subject to meet all of the requirements of the Stormwater Management Ordinance.

The request is consistent and is similar use of the adjoining properties. For these reasons, staff recommends approval of the variance request with the following conditions.

1. The development must obtain all required approvals before improvements are made on the property.
2. Parking area must be installed within nine months of approval.

STAFF VARIANCE OF USE FINDINGS OF FACT: STAFF ANALYSIS

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

The proposed use will not impact public health, safety, morals, or general welfare.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.

The proposed use will be compatible with the surrounding uses in the area and should not affect the value of the area.

3. The need for the variance does arise from some condition peculiar to the property involved.

The property is not zoned for a use that is dominant in the area.

4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which variance is sought.

The strict application of the terms of the ordinance will not allow a use that is dominant in the area to exist without a variance or rezoning.

5. The approval does not interfere substantially with the Comprehensive Plan.

The Comprehensive Plan's recommendation for mixed use in this area. Mixed uses development is intended to encourage well-planned, integrated mix of compatible uses that relate well and support one another. This use is compatible to other uses in the area.

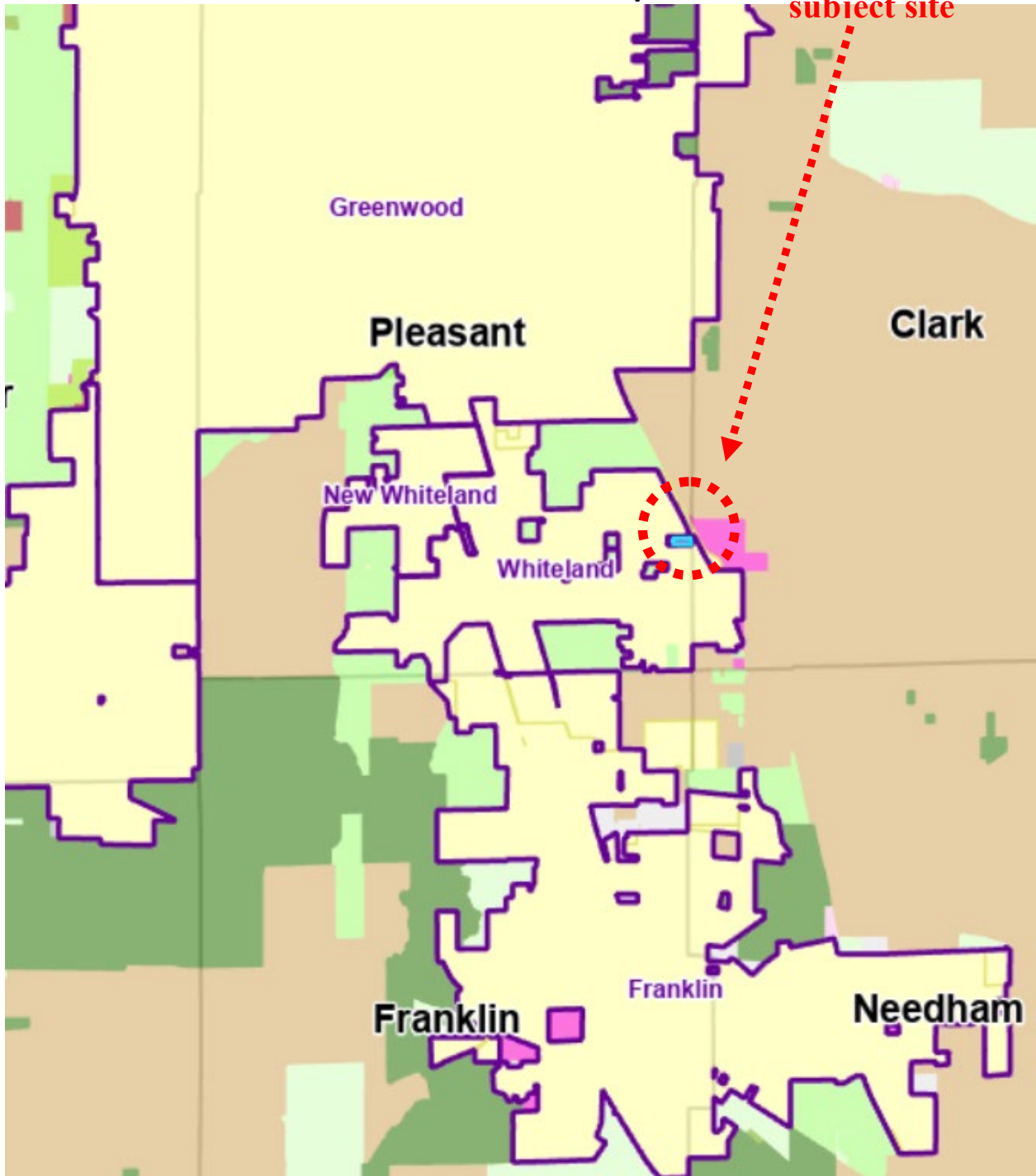
GENERAL INFORMATION

Applicant: Chris Duke
3567 E 700 N
Whiteland, IN 46184

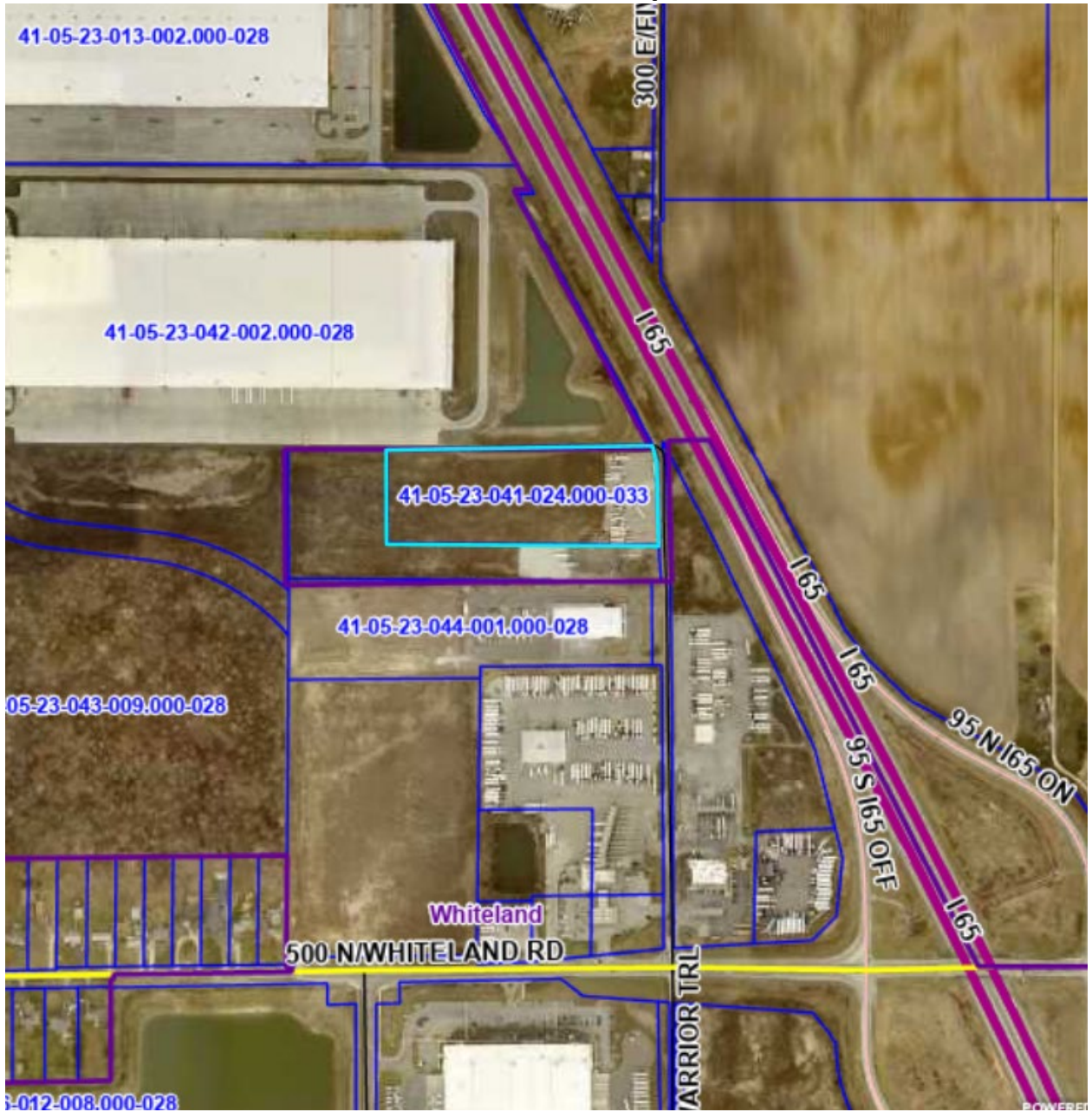
Owner: Shana Property LLC
2947 Hearthside Dr.
Greenwood, IN 46173

Zoning: B-2
Land Use: undeveloped land, parking
Future Land Use: Mixed- Use
-MNH-

V-12-23 Base Map



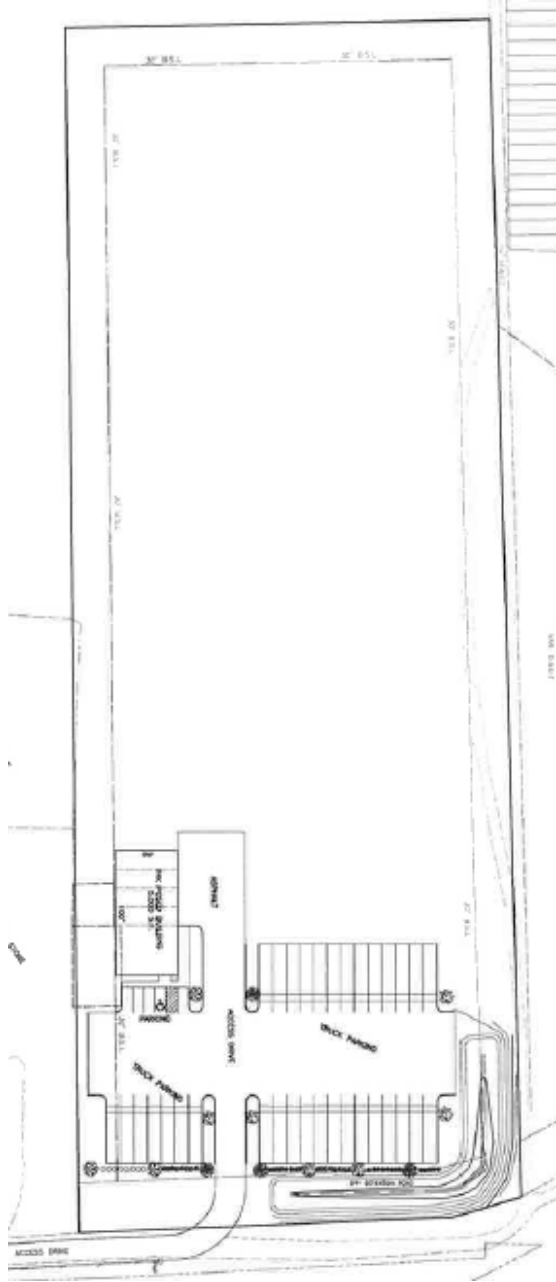
V-12-23 Base Map II



V-12-23 AERIAL



V-12-23 Proposed Site Plan



Proposed Plan of Operation, V-12-23

September 19, 2023

To: Johnson County Planning Dept.
86 W. Court Street
Franklin, IN 46131

Attn: Ms. Michele Hansard, AICP

Re: 5440 Warrior Trail Truck Repair and Parking

Dear Ms. Hansard,

Attached is the plan of operation for the parcel of land located on parcel: 41-05-23-041-024.000-033 at the known address: 5440 Warrior Trail, Whiteland, IN 46184.

The petitioner for this parcel is planning to own and operate a semi-truck and trailer repair and storage facility located adjacent to Interstation 65 and surrounding existing large industrial buildings. The proposed development will include removal of an existing barn and construction of a 5,000 sq. ft. building and parking for semi-trucks or trailers, including flatbed, freight, lowboy and tanker trailers.

Planned operations:

Hours of operation:
Monday through Sunday, 8:00am - 10:00pm

Anticipated number of trucks / trailers onsite:
Not to exceed maximum parking spaces shown for paved areas, no parking/storage off paved areas.

V-12-23 Petitioner's Findings of Facts

FINDINGS OF FACT, Use VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

Case Number: _____

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

The project site is surrounded by existing industrial/commercial developments. The site use will be in similar in use to with existing business within the area. The site has access to Warrior Trail, a public road, with adequate utilities.

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:

The site has access to Warrior Trail, a public road, with adequate utilities. The proposed parking will be screened from public view from the east. Surrounding properties are zoned and used for industrial uses.

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

The property is currently zoned B-2, but surrounding uses are industrial within the Town of Whiteland town limits.

4. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

The property is currently zoned B-2, and could be developed for uses permitted current Johnson County Zoning Ordinance with a special use exception

5. The approval does not interfere substantially with the Comprehensive Plan because:

The comprehensive plan, dated 2011, recommends mixed use in this area, areas of business, commercial or industrial use. The surrounding tracts were developed in the Town of Whiteland as Industrial.

Staff Report

CASE NUMBER: V-13-23
ADDRESS: 2215 Running Brook Court
PETITIONER: Holly and John Petrie

REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to provide for a house addition with a 25.5-foot front setback from Brentridge Parkway (minimum 30-foot front setback required).

STAFF RECOMMENDATION:

Staff recommends **denial** of this request

PROPERTY DESCRIPTION

This 0.471-acre site, Lot 22 of Brentridge Estates Subdivision, is zoned R-2 (Single-family Residential). It is improved with a single-family dwelling. The site is situated at the southeast corner of the intersection of Running Brook Court and Brentridge Parkway. The site is surrounded by residential subdivisions.

VARIANCE REQUEST

This variance request, if approved, would provide for the construction of a 500-square-foot addition to the existing house with a front yard setback of 25.5 feet from the existing right-of-way. The front setback requirement is a minimum of 30 feet. This proposed addition will consist of two bathrooms and an extra room.

Brentridge Estates Subdivision is platted with a 30-foot front setback requirement. All of the structures in the neighborhood have obeyed by those regulations.

This variance request does not present valid practical difficulty or hardship unique to this property which warrants relief from the Zoning Ordinance lot standards or the Subdivision Control Ordinance. Further, approval of this variance request could encourage others to seek similar requests.

Staff understands the convenience these variances might afford the petitioner. However, staff ultimately asserts that the intent of the requirements, which serve the public interest both by protecting the residential appearance of the area and by avoiding complications relative to future road improvements, override the petitioner's personal interest.

FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS

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

Required building and improvement permits must be issued prior to the development of the subject structure.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.

Approval of the variance request would allow a structure to be closer to the public right-of-way while there are no other structures in the neighborhood with similar setbacks. It would stand out and affect the overall appearance of the neighborhood. It would substantially affect the intent of the ordinance.

3. The strict application of the terms of the Zoning Ordinance will not result in practical difficulties in the use of the property.

There is nothing unique to this property that would have precluded it from being created in conformance to the Zoning Ordinance lot standards.

GENERAL INFORMATION

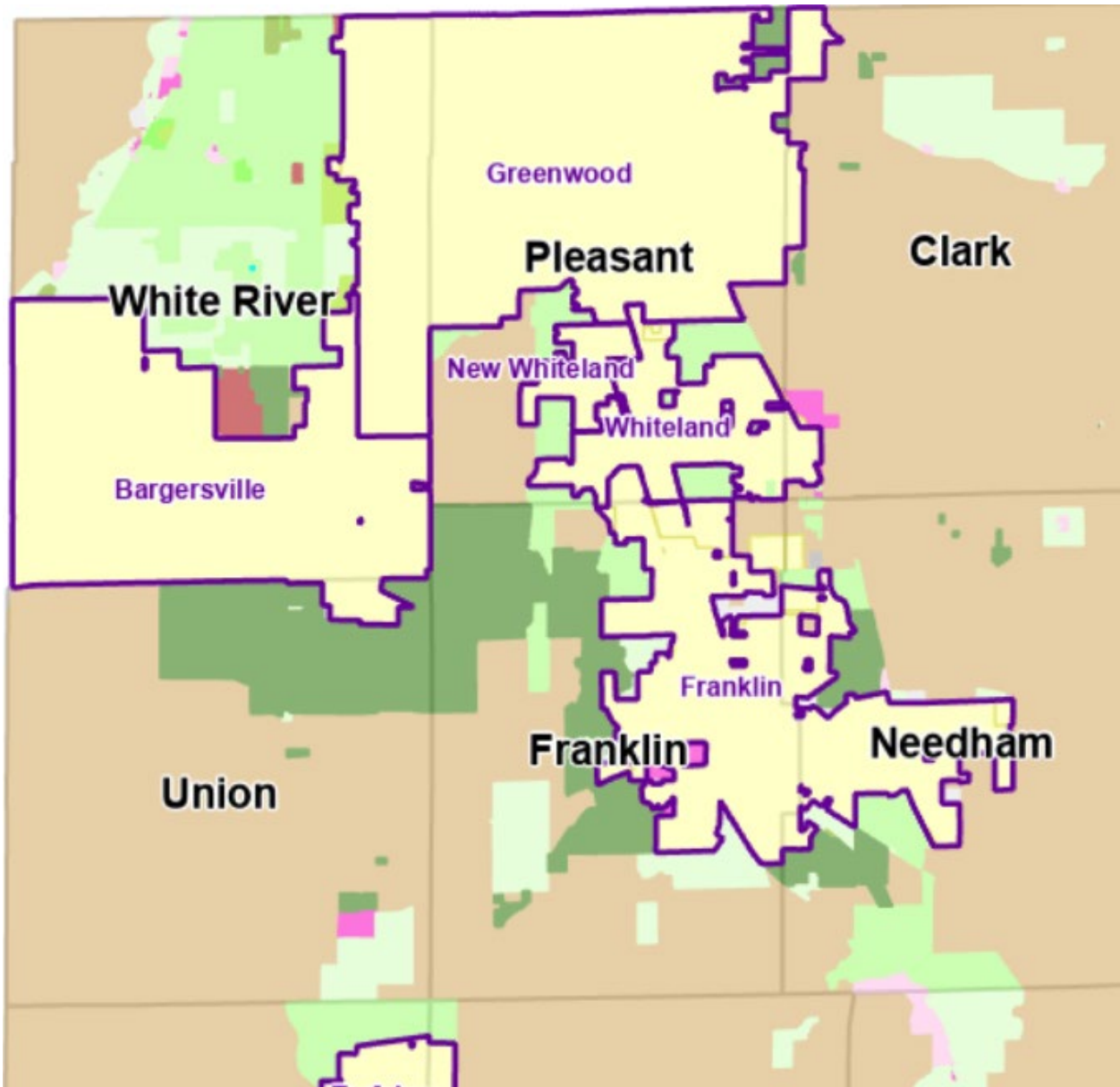
Applicant: John Petrie and Holly Wyss
2215 Running Brook Ct.
Greenwood IN 46143

Owner: same

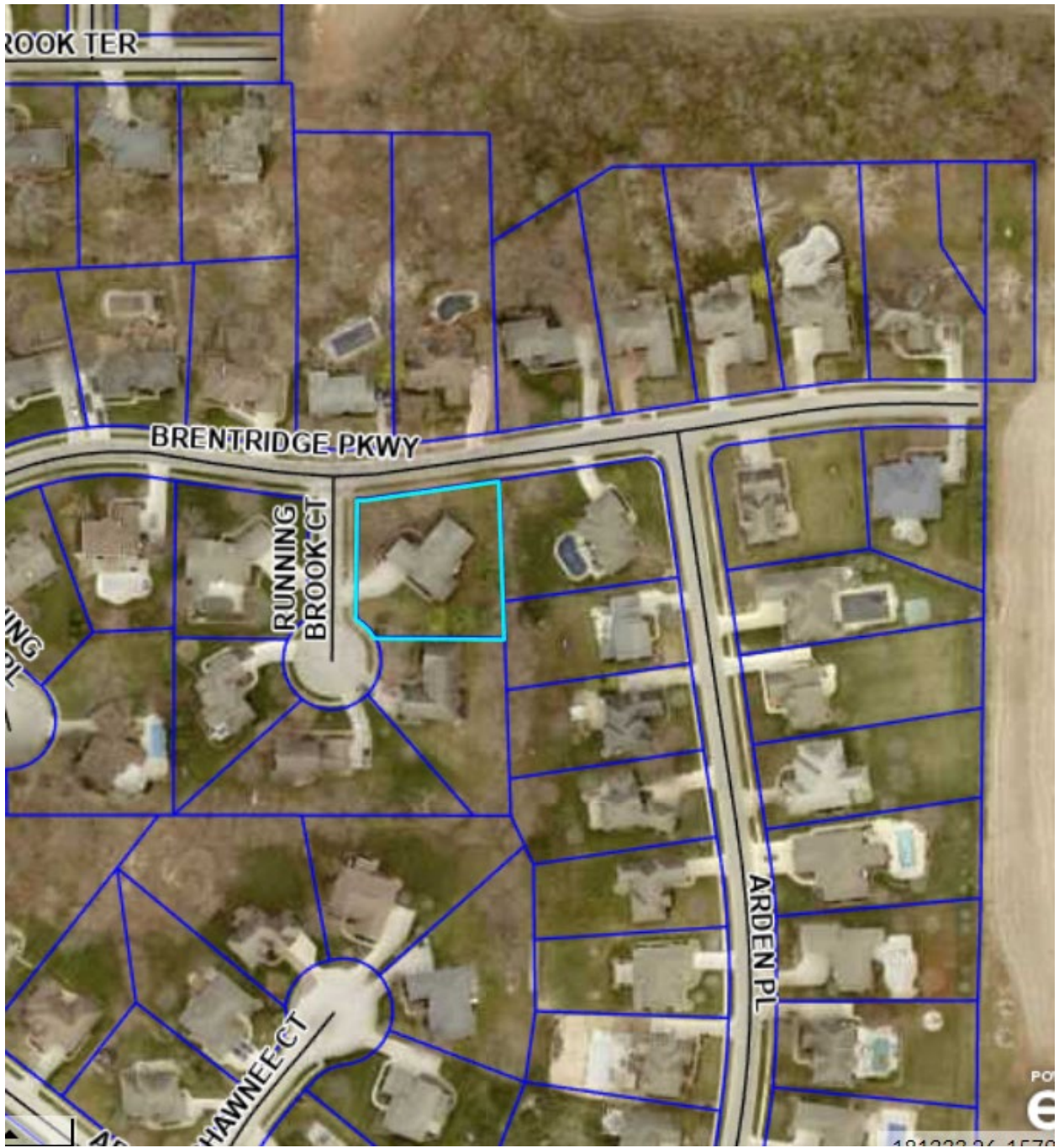
Zoning: R-2 (Single-family Residential)
Land Use: Single-family Residential
Future Land Use: Suburban Residential

-MNH

V-13-23 BASE MAP



V-13-23 AERIAL PHOTO I



V-13-23



PETITIONER EXHIBIT: FINDINGS OF FACT

FINDINGS OF FACT, DEVELOPMENT STANDARDS VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

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

The site is residential in nature. The addition of an extra room with half bath along with additional storage space and a guest bath remodel will in no way be injurious to the community. In fact, increasing the house's value will be beneficial to the community.

Please see attached HOA approval letter and approved application.

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:

The new structure will not adversely affect the use and value of the land in the variance. The house is situated at an angle to the main street, Brentridge Parkway. Had the structure been built facing the parkway and center in the lot the variance would not need to be requested. The approval of the variance will help the appearance of the house and its value.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

The symmetry of the new structure taking 5 feet from the front and rear of the building will be destroyed. This would necessitate an elongated and narrow new structure. It could not be well centered on the existing exterior wall.

Staff Report

CASE NUMBER: V-14-23
ADDRESS: 3274 E 700 N, Whiteland
PETITIONER: Randy Faulkner

REQUEST

VARIANCE OF USE of the Johnson County Zoning Ordinance to allow for auto sales (not permitted on agriculturally-zoned property) within an existing barn.

VARIANCE OF DEVELOPMENT STANDARDS to waive commercial parking and landscaping requirements.

STAFF RECOMMENDATION

Staff recommends **approval** of this request with the following conditions

- a) No outside storage of vehicles or displays of vehicles for sale.
- b) No automobile repairs for hire.
- c) Variance to be only granted to the petitioner and the petitioner shall occupy the adjacent single-family dwelling as his residence as long as the business use is active.
- d) The barn shall not be expanded to increase the use variance.
- e) No auctions or special events associated with the use may take place.

PROPERTY DESCRIPTION

This 13.7 -acre site is zoned A-1 (Agricultural) and is improved with a single family home and a detach barn. The site is surrounded by agricultural fields with occasional single-family dwellings.

VARIANCE REQUEST

This request, if approved, would allow the property owner to obtain an automobile dealer license, which would allow him to purchase and sell vehicles at this location. The petitioner obtained approval for this use at his previous location in 2019 at 5353 E 700 N. They have recently moved.

As indicated in the included Plan of Operation, all operations will happen within the barn. The Plan indicates that the petitioner buys an occasional collector or antique vehicle and resales it as a side business. The petitioner has indicated the need for the dealer license because he has exceeded the allowed number of vehicles one person may sell [in a year] without a dealer license in the state of Indiana.

The Plan of Operation indicates that the business would employ the owner and no additional employees. The business would be only open by appointment only during general business hours and Saturdays from 8 a.m. to 8 p.m. It would not be a typical dealership where the public is stops in unannounced. He would not have inventory outside for display or sale. There would be no business signage to advertise the business. The petitioner anticipates selling no more than 24 vehicles per year. Deliveries to drop off a vehicle or pick one up will be at a very low rate. At times vehicles might need repairs. Some repairs might be done by others offsite

and some repairs might be done on site. He does not intend to repair vehicles for the public or run a repair shop.

This proposed use would nearly meet the ordinance's definition of "home occupation" as it would have similar characteristics to other home occupations. But, due to several development standards, particularly the operation of the business in an accessory structure, the use is not able to be defined as a home occupation.

VARIANCE OF DEVELOPMENT STANDARDS – PARKING STANDARDS

The use of automobile sales is subject to commercial development standards for parking, maneuvering areas, drive aisles, and landscaping.

This request seeks to legally establish the recycled asphalt-surfaced parking and maneuvering areas, which also lack curbs and stall striping, whereas the zoning ordinance requires all commercial parking and maneuvering areas to be paved and curbed and to have parking stalls marked in paint. The petitioner uses a reclaimed asphalt pavement (RAP) or gravel for the maneuvering area. There will be very little parking of personal vehicles at this location.

Staff would regard the ongoing use of RAP or gravel as a surface for the parking and maneuvering area associated with this use to be generally appropriate and suitable for the area, should the Board favor grant of the associated Use Variance. Similarly, should the Board favor granting of the Use variance, staff would support relief from the commercial parking requirements.

FINDINGS OF FACT: VARIANCE OF USE

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

The approval of the use will not be injurious to the community while operating within the existing barn.

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.

The approval would provide for use within an agricultural structure, with no visible signs of business on the outside and no adverse impacts on adjacent properties.

3. The need for the variance does arise from some condition peculiar to the property involved.

The property is presently developed for and is most suited for, residential and/or agricultural use. The use proposed is a minor deviation of a home occupation where the structure used is separated from the primary structure.

4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which variance is sought.

The property is presently developed for and is most suited for, residential and/or agricultural use. The use proposed is a minor deviation of a home occupation where the structure used is separated from the primary structure.

5. The approval does interfere substantially with the Comprehensive Plan.

The request would be generally inconsistent with the land use recommendations of the *Johnson County Comprehensive Plan*, which recommends Agricultural use and development of the site. However, the proposed use is similar to a home occupation where no physical modifications to the primary use of the

land which is residential and agricultural. The inconsistency with the Comprehensive Plan would not interfere with the Plan in any substantial fashion.

FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS, COMMERCIAL PARKING, AND LANDSCAPE

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

The proposed graveled parking and maneuvering area, lacking curbs and stall striping, would not create adverse impacts as it would be sufficiently removed from the road and adjoining properties so as not to cause undue migration, dust or noise.

5. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The proposed graveled parking and maneuvering area, lacking curbs and stall striping, would not create adverse impacts as it would be sufficiently removed from the road and adjoining properties so as not to cause undue migration, dust or noise.

6. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.

The site would not be well served by the introduction of a sizable paved parking area, which would needlessly add to the site's impervious area and would be aesthetically out-of-place in this rural residential environment.

GENERAL INFORMATION

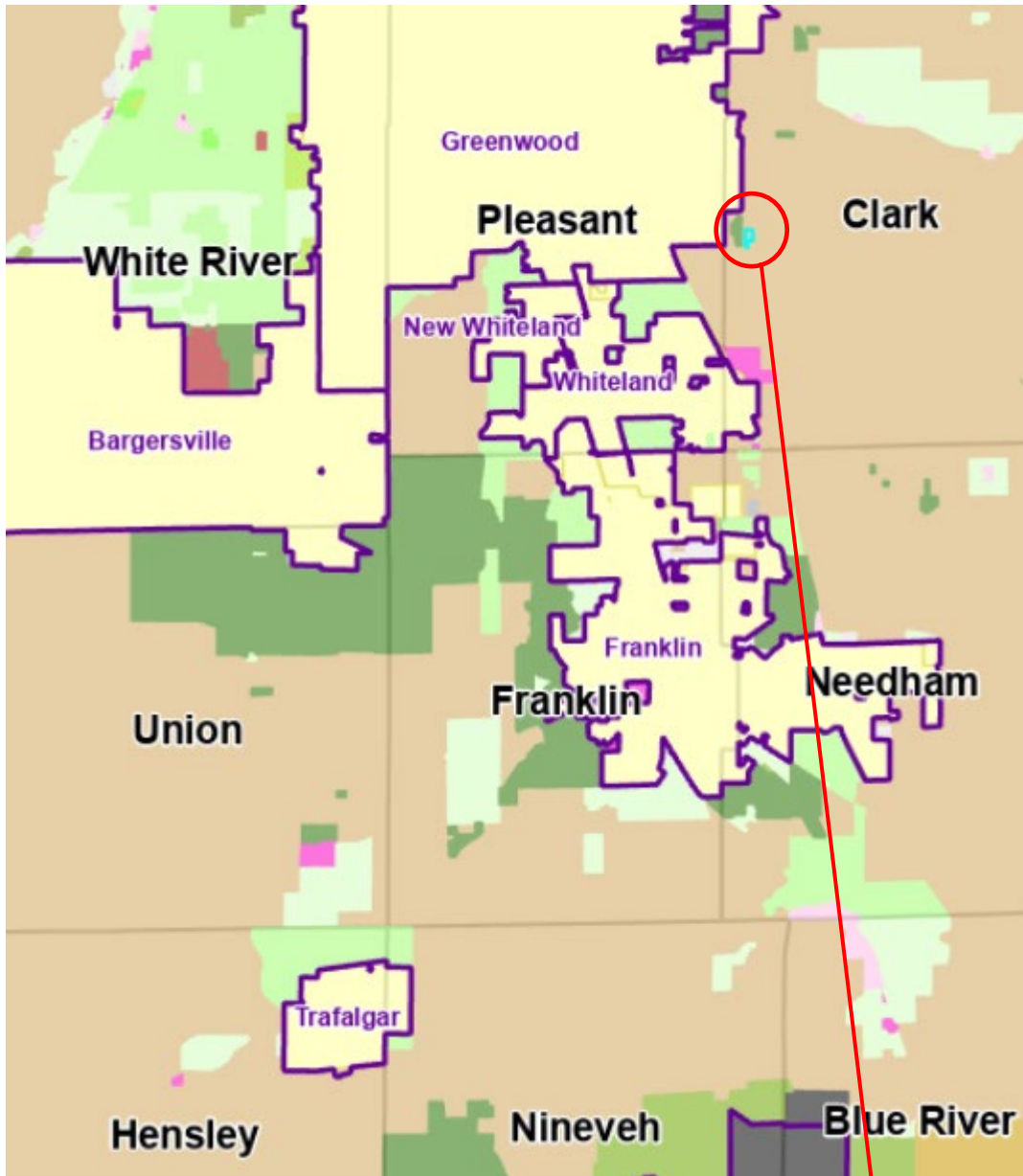
Applicant: Randy Faulkner
3274 E 700 N
Whiteland, IN 46184

Owner: same

Zoning: A-1 (Agricultural)
Land Use: Single-family Residential & Agricultural
Future Land Use: Agricultural

-MNH

V-14-23 BASE MAP



subject site

V-14-23 AERIAL PHOTO I



V-1-19 AERIAL PHOTO II



V-14-23 Land Use Request by Petitioner

Land Use Request

3274 E700 N

Petitioner seeks a variance of use from the A-1 zoning classification to allow for inside storage and operation of a private antique and collectible automobile dealership. Petitioner owns and stores antique and collectible automobiles at the subject property, and desires to obtain an automobile dealer license that would allow Petitioner to purchase and sell additional automobiles to private collectors in order to increase the value of Petitioner's collection.

V-14-23 Business Plan of Operation

Business Plan of Operation

Summary:

Farm Roots Collection, LLC ("Business") is owned solely by Randall (Randy) W. Faulkner and was formed to purchase and sell antique and collectible vehicles as part of a private collection. Randy seeks to transfer an Indiana automobile dealer license in order to purchase and sell vehicles as part of his private collection. The dealer license application requires the zoning administrator to confirm that the physical location is properly zoned for an automobile dealer.

Location:

The Business will operate out of the stand-alone building located at 3274 E700 N, Whiteland, Indiana 46184. The building has utilities, a small office, as well as inside storage space for antique and collectible autos. There is ample room for flatbed trucks to turn around and to load and unload vehicles at the property. There will be no outside storage of vehicles. All operations except for test driving, shipping, and receiving will be conducted indoors.

Hours of Operation:

The Business will be open to private and public collectors by appointment only during general business hours and Saturdays from 8 a.m. to 8 p.m.

Employees:

There will be no employees working for the Business. Randy Faulkner will conduct all Business operations at the specified location.

Insurance and Security:

The Business location will be insured and secured at all times.

Signage and Advertising:

There will be no road frontage signage at the Business property. No mass advertising will be conducted for the Business.

PETITIONER'S FINDINGS OF FACT

FINDINGS OF FACT, USE VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

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

Granting the requested variance of use allows Petitioner to purchase

and sell antique and collectible automobiles from a private collection that is stored

indoors at the subject property.

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:

The value of the area adjacent to the subject is not affected in any manner.

The proposed variance of use as requested is actually less intensive and impactful to the

adjacent area than the current agricultural zoning allows.

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

The variance of use is necessary to allow for indoor uses that are not

contemplated by the current agricultural zoning classification, but that are

less intense from an operational and environmental standpoint.

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.

Petitioner owns antique and collectible autos that are stored inside an ancillary outbuilding at Petitioner's residence. Petitioner is unable to test drive, purchase, and sell automobiles as part of a private collection without the variance of use. A hardship exists as a result of Petitioner being unable to use his private property to efficiently facilitate a private collection of antique and collectible automobiles.

5. The approval does not interfere substantially with the Comprehensive Plan because:

The comprehensive plan provides for continued agricultural uses that are historically very intense and mostly conducted outdoors. Petitioner seeks to provide for indoor uses that are not contemplated by agricultural zoning but are less intense and produce less noise, odor, and environmental impacts than traditional agricultural uses.

Proposed 2024 Board of Zoning Appeals Calendar

Yellow Highlight, Red text – Date changed to follow Plan Commission meeting, does not follow 4th Tuesday schedule

Johnson County Board of Zoning Appeals

Calendar of Meetings for 2024

Hearing Date	Filing Deadline	Legal Ad & Notification Deadline
January 23, 2024	December 26, 2023	January 2, 2024
February 27, 2024	January 29, 2024	February 6, 2024
March 26, 2024	February 26, 2024	March 5, 2024
April 23, 2024	March 25, 2024	April 2, 2024
May 21, 2024 (28 th)?	April 22, 2024	April 30, 2024
June 25, 2024	May 28, 2024	June 4, 2024
July 23, 2024	June 24, 2024	July 2, 2024
August 27, 2024	July 29, 2024	August 6, 2024
September 24, 2024	August 26, 2024	September 3, 2024
October 29, 2024 (22 nd)?	September 30, 2024	October 8, 2024
November 19, 2024 (26 th)	October 21, 2024	October 29, 2024
December 17, 2024	November 18, 2024	November 26, 2024
January 28, 2025	December 30, 2024	January 7, 2025

Meetings start at 7:00 p.m. in the Auditorium of the Courthouse Annex, 86 West Court Street, Franklin, Indiana 46131.

All petitions must be filed with the Department of Planning and Zoning by no later than 4:00 p.m. on the due date listed above. Office hours of the Department of Planning and Zoning are from 8:00 a.m. to 4:30 p.m., Monday through Friday. Phone: (317) 346-4350 Fax: (317) 736-4722

The BZA Rules of Procedure were amended on November 26, 2013 to require that mailed, published and on-site notice for land use petitions slated for hearing by the BZA now be provided twenty-one (21) calendar days prior to a scheduled hearing. The Rules of Procedure previously required only ten calendar days' notice. Additionally, land use petitions must now be filed at least twenty-eight (28) days prior to a scheduled BZA hearing.