

Johnson County Board of Zoning Appeals

March 25, 2025 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, March 25, 2025 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 7:01 PM by Chairman Chris Campbell.

I. ROLL CALL:

Present: Chris Campbell, Charlie Canary, Douglas Gray, James Kayor, Roger Meyer (Alternate), Attorney Jacob Bowman (Legal Counsel - not voting), Michele Hansard (Director - not voting) and Angela Olson (Recording Secretary – not voting).

Absent: Mike Hoffman

II. APPROVAL OF MEETING MINUTES:

Chairman Chris Campbell called for a motion to approve the February 25, 2025 Board of Zoning Appeals meeting minutes.

Motion: Approval of February 25, 2025 Board of Zoning Appeals meeting minutes. **Moved** by James Kaylor. **Seconded** by Charlie Canary. **Yes:** Campbell, Canary, Gray, Kaylor and Meyer. **No:** None. **Motion approved 5-0.**

III. PUBLIC HEARINGS:

V-7-25; Christopher and Teresa Hogue – Variance of Development Standards Request. 6268 W. 250 S.

Staff presented findings and facts to the board.

Petitioner Teresa Hogue (5750 W. 300 N., Bargersville 46106) 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 asked for confirmation that the current structure that was approved does not have a kitchen in it?
A. Correct, it does not have a kitchen.
- Q. Board member James Kaylor inquired as to whether or not another septic would have to be installed if a kitchen was added?

A. No, the structure presently has a septic for the bedrooms that were already approved.

- Q. Board member Charlie Canary asked for confirmation that both structures are currently being built at the same time?

A. Yes.

- Q. Board member Charlie Canary inquired as to whether or not there was only one (1) septic for use by both structures?

A. Yes.

- Q. Board member James Kaylor asked for confirmation that original approval included bedrooms?

A. Yes.

- Q. Board member Chris Campbell asked what the total square footage of both structures?

A. 8,964 square feet.

- Q. Board member Chris Campbell asked for confirmation of what an accessory structure was with connecting structures?

A. Staff stated the definition from the county ordinance.

- Q. Board member Chris Campbell inquired at what point this proposed structure would be considered a duplex?

A. Staff stated the definition from the county ordinance.

- Q. Board member Chris Campbell referred to when the original building plans were first turned in what this area of the residence proposed to be?

A. Part of the primary dwelling without a kitchen.

- Q. Board member James Kaylor asked if a residence was proposed with a kitchen on the first floor and a kitchen in the basement, would it not be considered the same thing?

A. No.

- Q. Attorney Jacob Bowman referred to when staff had e-mailed the builder and property owner with these concerns and inquired as to their response?

A. We will remove the kitchen and will have the property owner address this later on.

- Q. Board member James Kaylor inquired as to whether or not Mrs. Hogue's mother was onboard?

A. Yes.

- Q. Board member James Kaylor inquired as to why the kitchen was not requested initially?
A. Petitioner believed that there was a miscommunication or misunderstanding.
- Board member Charlie Canary expressed his concerns regarding applying for a permit and then changing the rules after the fact.
- Q. Board member Chris Campbell inquired as to what would happen to the structure once the mother no longer needs?
A. Family wants to utilize.
- Q. Board member James Kaylor asked if the Petitioner could ask for a duplex?
A. No, not allowed in zoning ordinance.
- Q. Board member James Kaylor asked if the Petitioner only used 1,000 square feet of the proposed structure for second dwelling and the rest of the area as storage for the primary dwelling?
A. Staff stated the definition from the county ordinance and explained in great detail why all of the rooms are accessed from that same unit they are considered that square footage.
- Q. Attorney James Bowman asked the Petitioner whether or not the structure currently had been framed to allow for a kitchen?
A. No.
- Q. Attorney James Bowman asked the Petitioner what the purposed changes would be in or to allow for a kitchen if the variance were to be approved?
A. Petitioner demonstrated where the kitchen would go on the current floor plan in the family room area.
- Q. Board member James Kaylor inquired as to where the Petitioner's mother would access the structure?
A. Petitioner demonstrated the mudroom and entrance from the attached connecting garage, the front porch entry way and/or the back porch entry way to the proposed unit.
- Q. Board member Charlie Canary asked for confirmation that no mechanical lines had been put into the family room wall to support a kitchen at this time?
A. No.
- Q. Board member James Kaylor asked if the Petitioner could rent out the structure?
A. Yes.

Motion: To continue V-7-25 to the April 29, 2025 meeting. **Moved** by Charlie Canary. **Seconded** by Douglas Gray. **Yes:** Canary, Gray, Kaylor and Meyer. **No:** Campbell. **Motion approved 4-1.**

**V-8-25; Jack and Betty Arthur – Variance of Development Standards Requests.
13 acres south of 3465 S. 725 E.**

Staff presented findings and facts to the board.

Petitioner Betty Arthur (3465 S. 725 E., Franklin 46131) was present to speak and address concerns.

Teresa Hogue (5750 W. 300 N., Bargersville 46106) spoke in support of this request.

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 the proposed structure would be attached or unattached?
A. They are purposing a garage be constructed in between.
- Q. Board member Charlie Canary asked if this structure was approved would two (2) people have to reside in said structure in order for the state to provide twenty-four (24) hour care?
A. Yes.
- Q. Board member James Kaylor inquired as to whether or not the plans could be reduced to 1,000 square feet?
A. No, the mobile home would have to be a trailer and she will need a wheelchair at some point which will require more room to maneuver.
- Q. Attorney Jacob Bowman inquired as to whether or not the 390 square feet was necessary to accommodate the wheelchair?
A. Yes.
- Q. Board member James Kaylor asked if there was someone in mind for the second person?
A. No.
- Q. Attorney Jacob Bowman inquired as to whether or not it would be possible that the second person could be in a wheelchair?
A. Yes.

Motion: To approve V-8-25 to allow for a 1,390 square foot accessory dwelling unit and Petitioners' Findings of Fact. **Moved** by James Kaylor. **Seconded** by Douglas Gray. **Yes:** Campbell, Canary, Gray, Kaylor and Meyer. **No:** None. **Motion approved 5-0.**

IV. ADJOURNMENT:

Chairman Chris Campbell called for a motion to adjourn the meeting at 8:12 PM


Motion: Adjourn the meeting. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Campbell, Canary, Gray, Kaylor and Meyer. **No:** None. **Motion approved 5-0.**

Approved on: April 29, 2025

By:


Chris Campbell, Chairman

Attested By:


Charlie Canary, Secretary