



JOHNSON COUNTY

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

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MEETING AGENDA

Johnson County Board of Zoning Appeals
May 25th, 2021, 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 April 27, 2021 meeting.

PUBLIC HEARINGS

-CONTINUED PETITIONS None.

-NEW PETITIONS

V-10-21. Matthew Rogers. 6529 W. Horseshoe Road, MorgantownPage 2

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for the construction of a 2,016 square foot accessory dwelling unit (a maximum of 1,000 square foot accessory dwelling is permitted).

OLD BUSINESS None.

NEW BUSINESS None.

REPORTS AND RECOMMENDATIONS None.

ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, June 29th, 2021 at 7:00 PM.

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Staff Report

CASE NUMBER: V-10-21
ADDRESS: 6529 W. Horseshoe Road, Morgantown
(parcel #: 41-10-32-021-008.000-015)
Section 32, Township 11, Range 3
PETITIONER: Matthew Rogers

REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for construction of a 2,016 square foot accessory dwelling unit (a maximum of 1,000 square foot accessory dwelling is permitted).

STAFF RECOMMENDATION

Staff recommends **denial** of this request.

PROPERTY DESCRIPTION

This 16.78-acre site is zoned A-1 (Agricultural) and is a wooded parcel with minimal agricultural fields. The petitioner is currently constructing a single-family dwelling on the property.

The site is surrounded by parcels of similar size with single-family dwellings and heavily wooded areas. All surrounding properties are zoned A-1.

VARIANCE REQUEST

This variance request, if approved, would allow for an accessory dwelling to be constructed in a proposed barn. The proposed square footage of the living space for the dwelling is 2,016 square feet.

The amendments approved in November 2020 to the Zoning Ordinance, allows accessory dwellings by right with minimum development standards. The Zoning Ordinance states a maximum of 1,000 square feet of living space for an accessory structure. The creation of accessory dwellings standards was intended to allow an opportunity for property owners to provide care for a family member, or to provide accommodations for visiting family or friends, which is generally considered a benign secondary use of residential. A 1,000 square feet is adequate living space to achieve the intent to provide care for a family member while encouraging independent living. The majority of the approved variance for an accessory dwelling prior to the text amendment was between 900 to 1,200 square feet.

The staff understands the convenience the variance might afford the petitioner. However, staff ultimately asserts that the required findings have not been met and that property provides other areas where a structure could be constructed and meet the ordinance.

Staff, therefore, recommends denial of this request.

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 addition 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.

A variance of similar requests could be sought by other property owners based on the same findings presented by the petitioner. The precedent would be set and the standard would be inconsequential.

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 or needs of the petitioners which would preclude an accessory structure from being built within the development standard set forth in the ordinance.

GENERAL INFORMATION

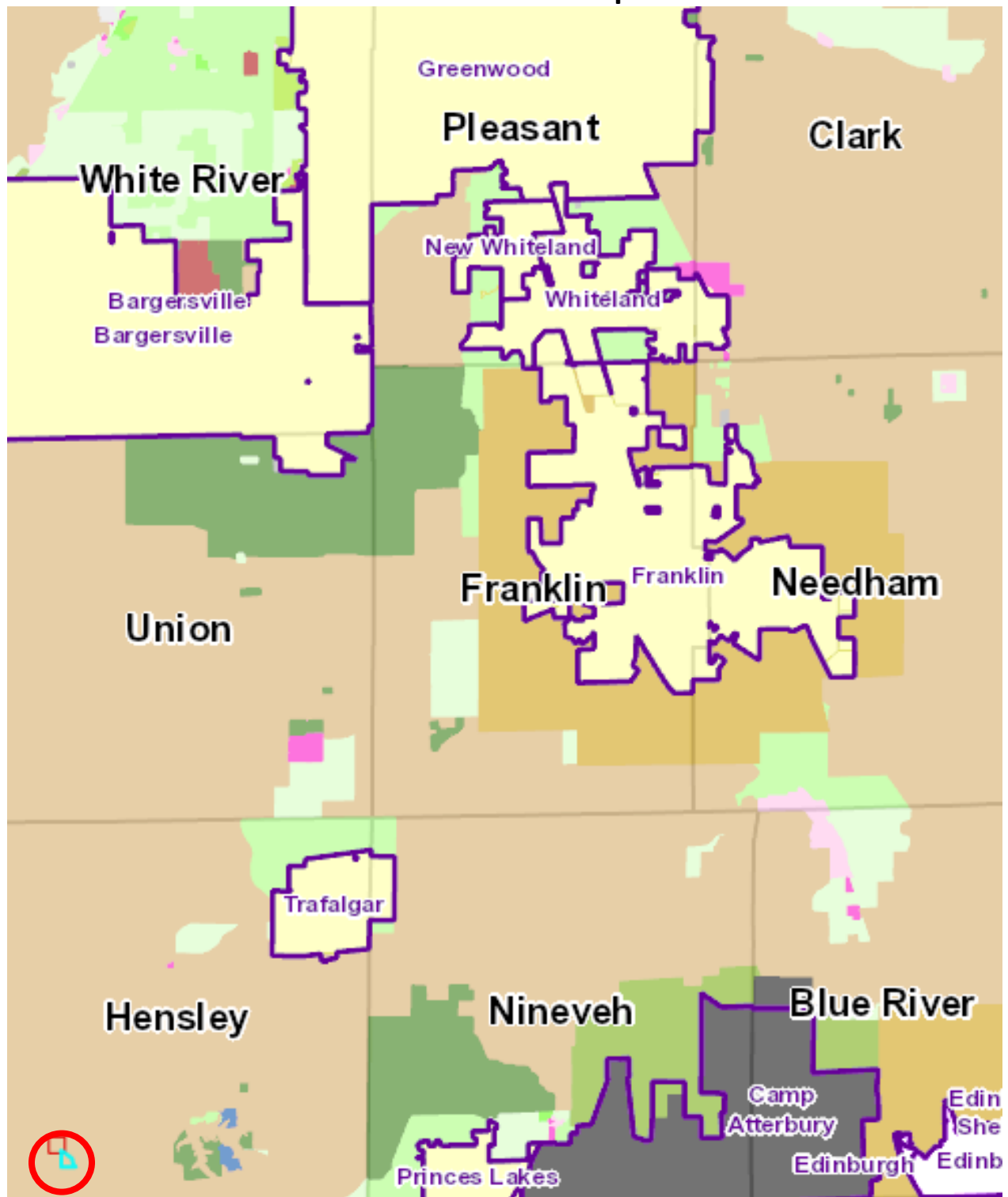
Applicant: Matthew R. Rogers
429 East 375 South
Franklin, IN 46131

Owner: Same

Current Zoning: A-1 (Agricultural)
Existing Land Use: Agricultural
Future Land Use: Agricultural

-MNH

V-10-21 Base Map



V-10-21 Base Map II

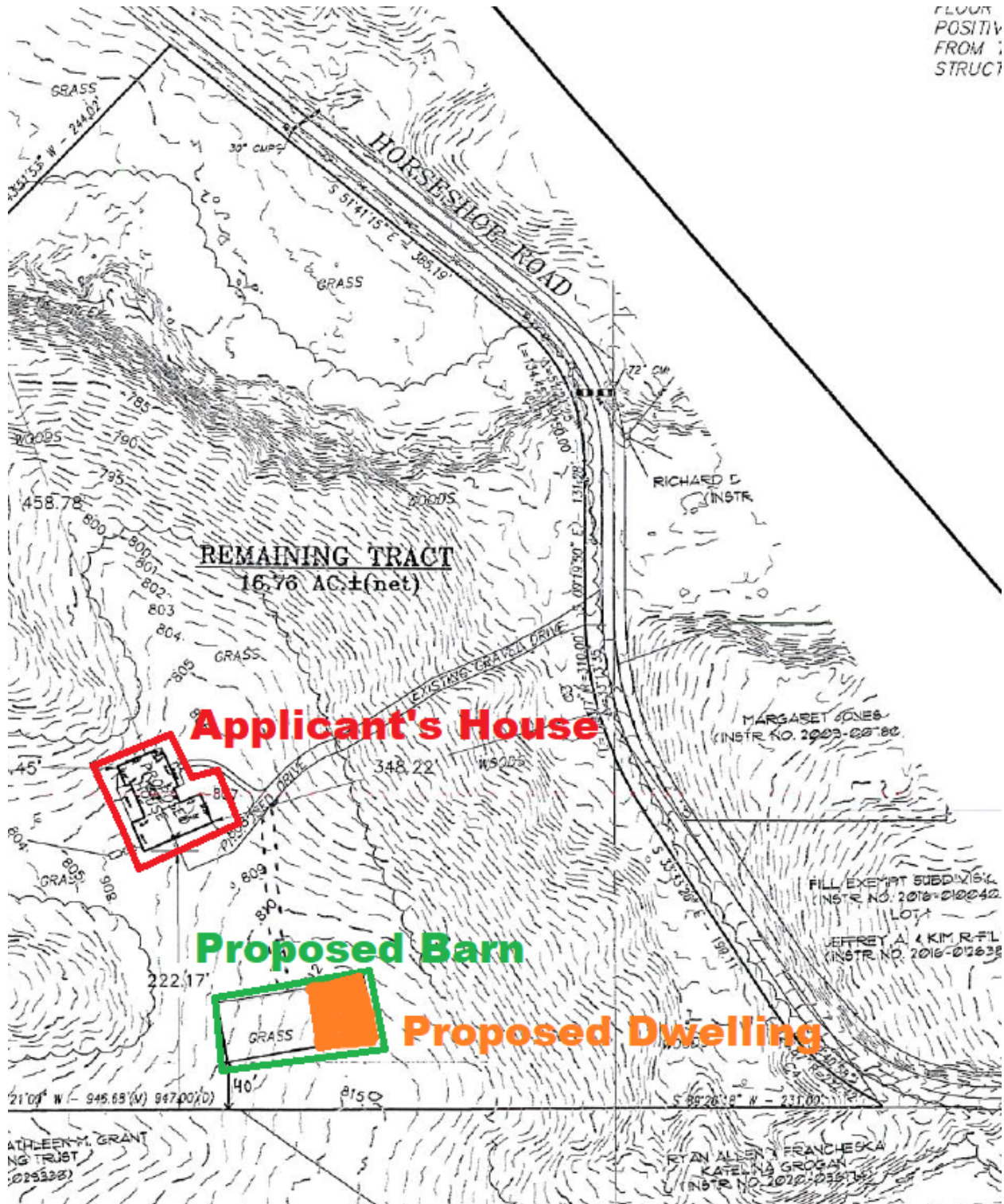


V-10-21 BIRDS EYE VIEW

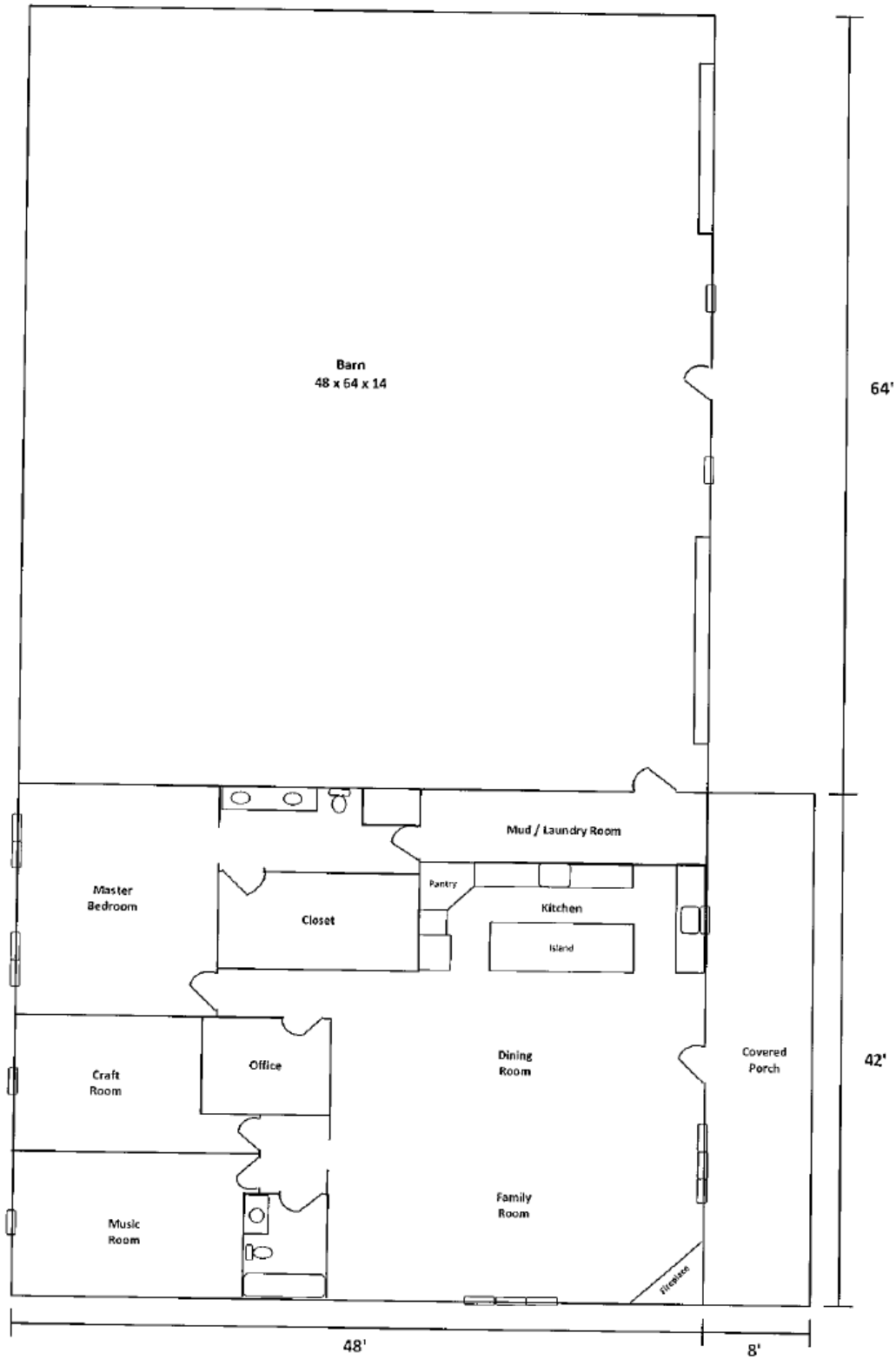


V-10-21 SITE PLAN

FLOOR
POSITIV
FROM :
STRUC1



V-10-21 FLOOR PLAN



V-10-21 ELEVATION



V-10-21 Petitioner's Findings of Facts

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 secondary accessory dwelling will look similar to many barndominiums in the southwest Johnson County area. Also, the area is low density and the property is isolated by surrounding woods.

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 proposed secondary dwelling will be isolated due to the nature of the property and will not be visible from the road or any adjacent properties.

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

The secondary dwelling will be used as a residence for the petitioner's parents. Strict application of the terms of the Zoning Ordinance will make it difficult for the petitioner's parents to live close for caregiving from the petitioner and to the petitioner's young children.
