

Johnson County Board of Zoning Appeals

June 29, 2021 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, June 29, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 6:59 PM by Chairman Chad Bowman.

I. ROLL CALL:

Present: Chad Bowman, Chris Campbell, Charlie Canary, James Kaylor, Steve Powell, Attorney Jeremy Fisk (Legal Counsel - not voting), Michele Hansard (Director – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: Paul Clodfelter (Alternate)

II. APPROVAL OF MEETING MINUTES:

Chairman Chad Bowman called for a motion to approve the May 25, 2021 Board of Zoning Appeals meeting minutes.

Motion: Approval of May 25, 2021 Board of Zoning Appeals meeting minutes. **Moved by** James Kaylor. **Seconded** by Chris Campbell. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

III. PUBLIC HEARINGS:

V-11-21; J. Ryan Piercy – Variance of Use and Development Standards. 3180 E. 600 N.

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

Petitioner John Ryan Piercy (3180 E. 600 N., Whiteland 46184) 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 Steve Powell asked for confirmation that there was a church nearby?
A. Yes.
- Q. Board member Steve Powell asked what the nearest industrial/business location?
A. Staff demonstrated using the visual over presentation the Town of Whiteland and City of Greenwood annexation areas nearby on the west side.

- Q. Board member Steve Powell asked for confirmation that there were no businesses on the east side?
A. That is correct, there are no businesses on the east side.
- Q. Board member Charlie Canary inquired as to whether or not the aforementioned hill traffic issue was the same hill that was addressed in the Norton proposed Roadside Subdivision prior?
A. Yes.
- Q. Board member Steve Powell asked if the quality water home business was located near the Petitioner? If so, does he have a variance?
A. Yes, the home business is located near the Petitioner. Whether or not the owner has a variance is unknown.
- Q. Board member Steve Powell inquired as to whether or not the Petitioner had looked into leasing a retail space?
A. No.
- Q. Board member Chad Bowman inquired as to whether or not the Petitioner's one (1) employee was a Johnson County resident?
A. No, Marion County.
- Q. Board member Chad Bowman asked the Petitioner if he would have a problem with removing the sign and advertising request?
A. Petitioner has no issue with removing the sign and advertising request as long as they are able to put some type of signage on the side of the proposed structure.
- Q. Board member James Kaylor referred to the proposed business plan hours from 9:00 a.m. to 5:00 p.m., Monday through Sunday and asked if the church nearby had services during the week and on Sunday that might cause an issue with traffic?
A. The church has services on Sunday and there are people at the church almost every day of the week.
- Q. Board member Charlie Canary inquired as to how many times a delivery truck (such as UPS and/or FedEx) will either pick up or deliver items per day?
A. At least once a day and sometimes two (2) to three (3) times daily during the week.
- Q. Board member Charlie Canary asked staff at what point does this not become a home occupation?
A. Staff read from the county ordinance the verbiage definition to the board members.

- Q. Board member Chad Bowman asked the Petitioners for confirmation that if the Highway Department decides that they cannot have a driveway for the new purposed structure that they would not proceed any further?
A. If they do not receive Highway approval for a new driveway they will no longer pursue the purposed structure.
- Q. Board member James Kaylor asked staff for clarification on what changes they would purpose to the Petitioner?
A. Staff recommended changes to their plan of operation to make it more in line of a home occupation instead of a commercial business.

Motion: To deny V-11-21 to provide for an apparel and sporting goods retail shop, waiver commercial parking requirements, waiver commercial landscaping requirements and provide for a free standing sign not to exceed six (6) feet in height and thirty-two (32) square feet in area. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

IV. NEW BUSINESS:

Discussion of whether or not to have a Virtual Meeting Policy took place amongst staff and board members.

Board members directed staff to draft a policy for review and approval at the next meeting on August 24, 2021.

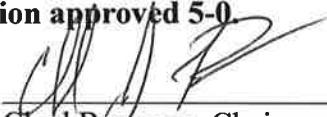
V. ADJOURNMENT:

Chair Chad Bowman called for a motion to adjourn the meeting at 7:46 PM.

Motion: Adjourn the meeting. **Moved** by Chris Campbell. **Seconded** by Charlie Canary. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

Approved on: August 24, 2021

By:


Chad Bowman, Chairman

Attested By:


Steve Powell, Secretary