



JOHNSON COUNTY

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

Phone: (317) 346-4350
Fax: (317) 736-4722
www.co.johnson.in.us

MEETING AGENDA

Johnson County Board of Zoning Appeals
September 27, 2022, 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 August 23, 2022 meeting.

PUBLIC HEARINGS

-CONTINUED PETITIONS

None.

-NEW PETITIONS

V-12-22. Erica Quinlan. 2614 W SR 44, Franklin Page 3

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for construction of a 2,100 square foot accessory dwelling unit (a maximum of 1,000 square foot accessory dwelling is permitted).

V-13-22. Christopher Barron & Michelle Law. 9910 Shelbyville Road..... Page 13

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for the construction of a 900 square-foot accessory structure

a) in a defined front yard along Shelbyville Rd (accessory structures may not be built in front of the associated primary dwelling) and

b) where all accessory structures will total 1,984 square feet in building area, (The zoning ordinance allows aggregate accessory structure area to be no more than 75% of the building area of the primary dwelling, or, in this case, 1,115 square feet).

V-14-22. RPM Equipment. 4216 N. Hurricane Road, Franklin..... Page 23
VARIANCE OF USE of the Johnson County Zoning Ordinance to provide for
agricultural and construction equipment sales, services, and repair (not permitted in the
A-1 (Agricultural) Zoning District).

VARIANCES OF DEVELOPMENT STANDARDS of the Johnson County Zoning
Ordinance to:

- a) Waive commercial parking requirements (required number of parking spaces and
curbs) and
- b) Waive commercial landscaping requirements.

OLD BUSINESS

None.

NEW BUSINESS

V-8-22 Re-Docketing Request – Greg Schaefer..... Page 38

REPORTS AND RECOMMENDATIONS

None.

ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled
for Tuesday, October 25, 2022 at 7:00 PM.

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STAFF REPORT

CASE NUMBER: V-12-22
ADDRESS: 2614 W State Rd 44, Franklin
PETITIONER: Erica Quinlan by Lisa Sullivan

REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for construction of a 2,100 square foot accessory dwelling unit (a maximum of 1,000 square foot accessory dwelling is permitted).

STAFF RECOMMENDATION:

Staff recommends the **denial** of this variance request.

PROPERTY DESCRIPTION

This 2.47 acre property is zoned A-1 (Agricultural) and is improved with a single-family dwelling, detached garage, and barn. The site is surrounded by large agricultural fields to the north, east, and west, all of which are zoned A-1. The property south of the site is also a large agricultural field, but is zoned R-1 (Single-Family Residential).

VARIANCE OF DEVELOPMENT STANDARDS

This request, if approved, would allow for the renovation of the existing barn on the northeast portion of the property into a 2,100 square-foot accessory dwelling to be used by the parents of the property owner. This request exceeds the allowed accessory dwelling living space square footage by 1,100 square feet. The barn currently has 617 square feet of finished space (see existing floor plan exhibit). The current finished space is not considered an accessory dwelling since there is not kitchen.

The amendments approved in November 2020 to the Zoning Ordinance, allows accessory dwellings by right with minimum development standards. The Zoning Ordinance allows for a maximum of 1,000 square feet of living space for an accessory dwelling. 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 property. The majority of the approved variances for an accessory dwelling prior to the text amendment were between 900 to 1,200 square feet. Staff concurs with the ordinance that 1,000 square feet is adequate living space to achieve the intent to provide care for a family member while encouraging independent living.

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 the accessory dwelling can be constructed to meet ordinance standards.

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 renovation 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, which would undermine the ordinance's purpose.

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

GENERAL INFORMATION

Applicant: Lisa Sullivan
245 Blue Lace Dr.
Whiteland, IN 46184

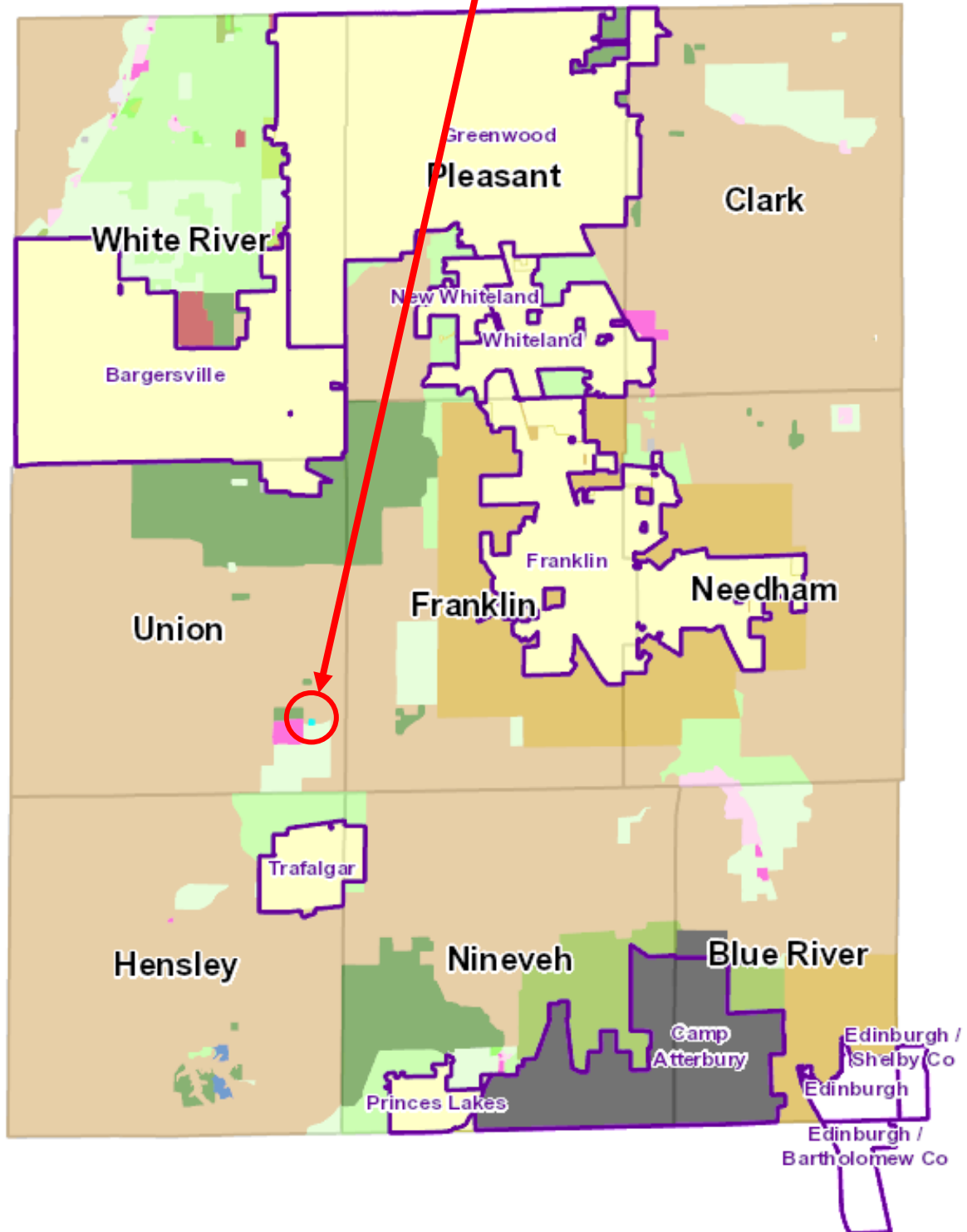
Owner: Jeffrey & Erica Quinlan
2614 W State Road 44
Franklin, IN 46131

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

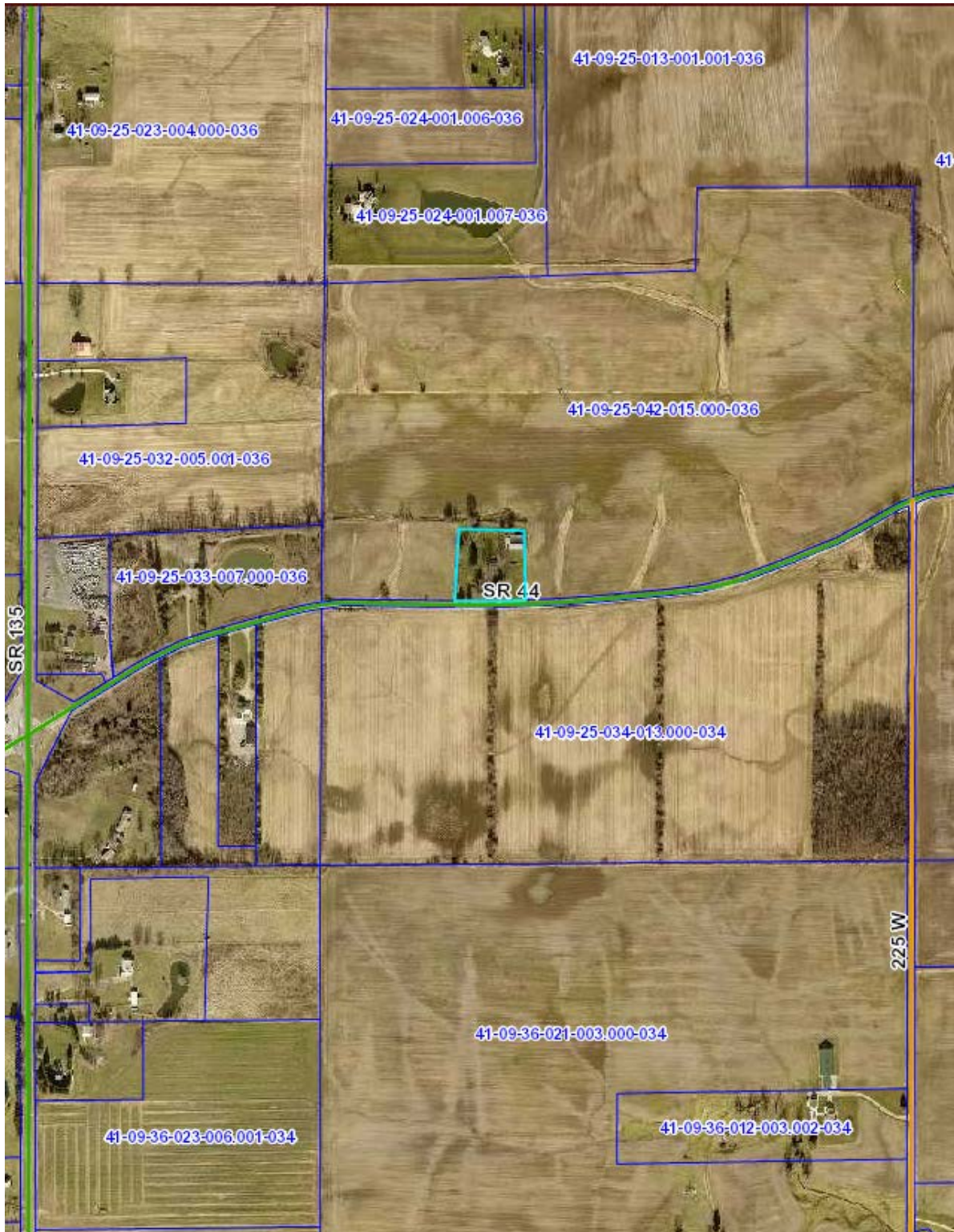
-RLS

V-12-22 BASE MAP

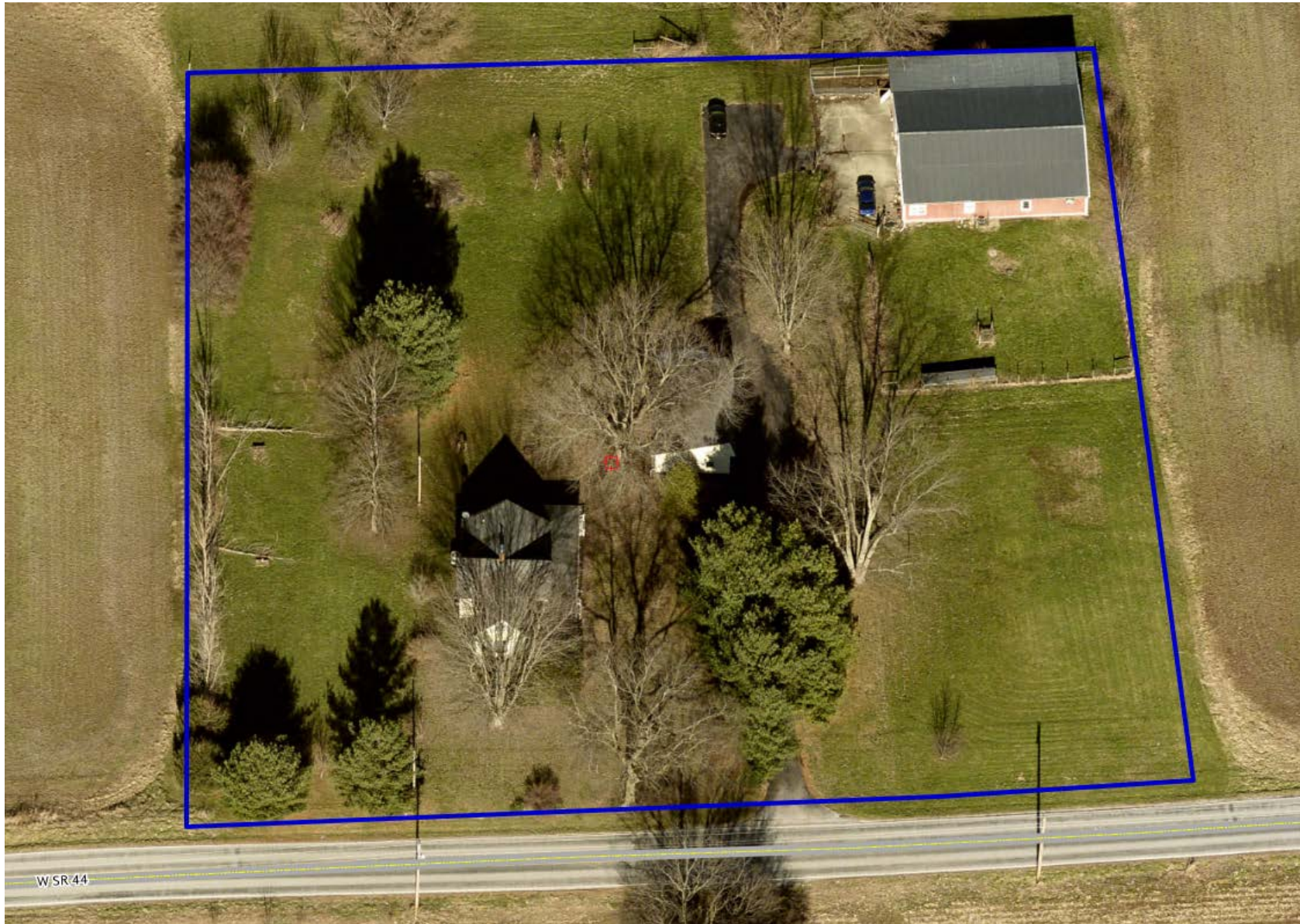
SUBJECT SITE



V-12-22 AERIAL MAP



V-12-22 AERIAL MAP II

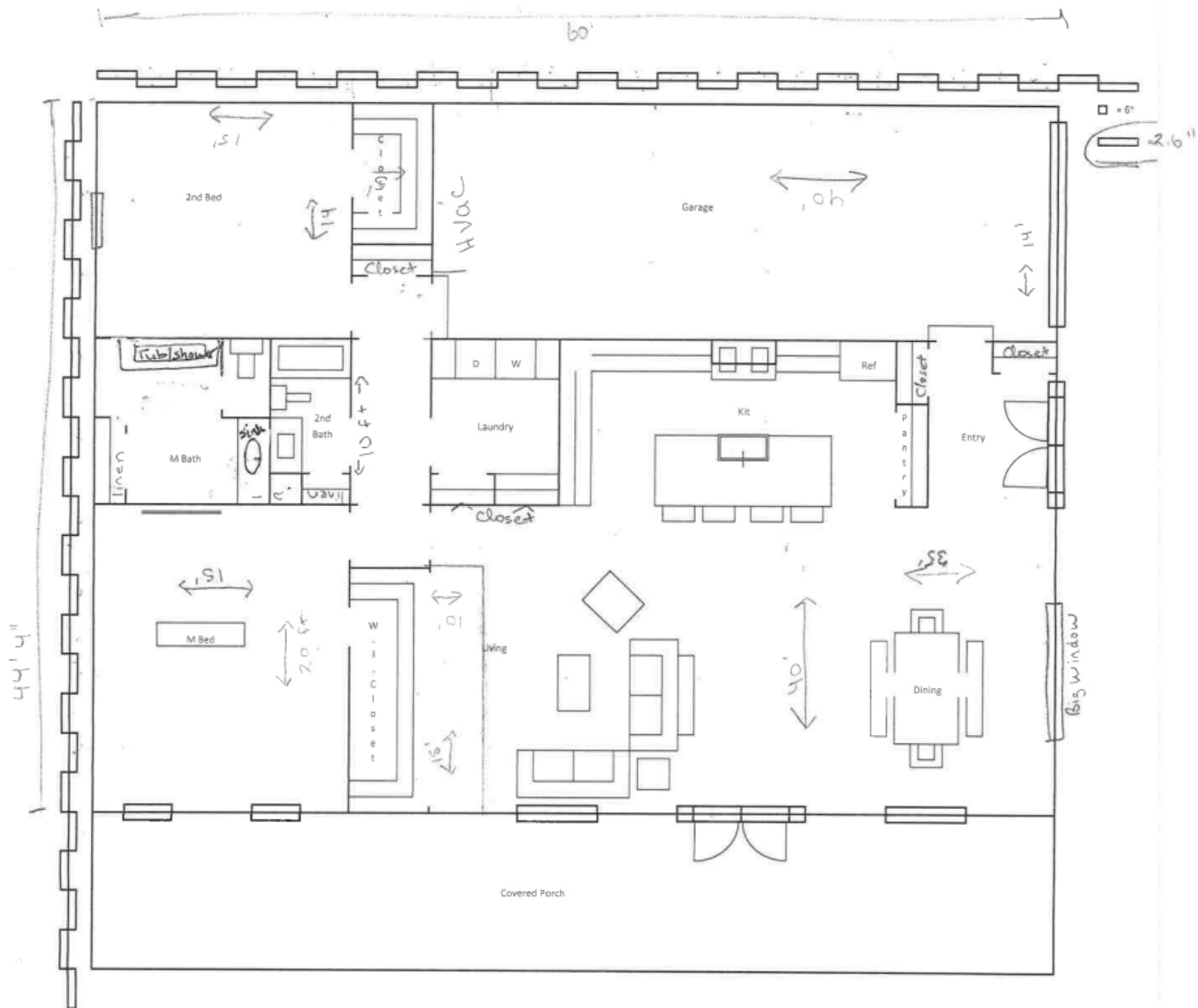


V-12-22 SITE PLAN



V-12-22 PROPOSED FLOORPLAN

(2,100 square feet of living space)



(617 square feet of finished space)



V-12-22 PETITIONER FINDINGS OF FACT

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

This will be a private residence used as an in-laws quarter. There will be no added foot traffic except for the dwellers personal vehicles.

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:

As a private residence, all changes made to the structure will be upgrades and maintenance will continue.

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

The upgrade is above 1,000 square feet

V-12-22 SITE PHOTOS



View of Barn/Proposed Accessory Dwelling from State Road 44



View of Barn/Proposed Accessory Dwelling from State Road 44

STAFF REPORT

CASE NUMBER: V-13-22
ADDRESS: 9910 Shelbyville Rd, Indianapolis
PETITIONER: Christopher Barron & Michelle Law by Cindy Thrasher

REQUEST

VARIANCE OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to allow for the construction of a 900 square-foot accessory structure

- c) in a defined front yard along Shelbyville Rd (accessory structures may not be built in front of the associated primary dwelling) and
- d) where all accessory structures will total 1,984 square feet in building area, (The zoning ordinance allows aggregate accessory structure area to be no more than 75% of the building area of the primary dwelling, or, in this case, 1,115 square feet).STAFF

RECOMMENDATION:

Staff recommends the **denial** of component a).

Staff recommends **approval** of component b).

PROPERTY DESCRIPTION

This 1.17 acre property is zoned A-1 (Agricultural) and is improved with a single family dwelling, detached garage, car port, and barn. The site is surrounded by residentially used lots ranging from 0.82 acres to 3.16 acres in size. There are also larger residential structures in the area. There are also large agricultural properties southeast and northwest of the site. All surrounding properties are zoned A-1.

VARIANCE REQUEST – FRONT YARD

This request, if approved, would provide for the construction of a 900 square-foot accessory structure within the site's front yard. The structure will replace an existing 264 square foot accessory structure. The zoning ordinance prohibits the location of an accessory structure in front of a primary structure so that garages, sheds, pole barns and similar structures do not become the dominant visual feature of a residential lot, or of a residential area. The existing residence is 86' 5" away from the front property line and the new garage is proposed to be 63' away from the front property line, 23' 5" closer to the front property line than the residence. The petitioner requests the placement of the garage in this particular area to preserve open space in their northeast yard and to eliminate the needed for driveway expansion.

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 the accessory structure can be located to meet ordinance standards.

Staff, therefore, recommends denial of this request.

VARIANCE REQUEST – ACCESSORY STRUCTURE AREA

This request, if approved, would allow a total accessory building area of 1,984 square feet, which would be 134% of the building area of the primary dwelling. The Zoning Ordinance allows, on a lot under 2 acres in size and zoned A-1, for an aggregate accessory building area no more than 75% of the square footage of the footprint of the principal building. The primary dwelling's footprint of 1,486 square feet would allow for a total of 1,115 square feet of accessory structure building area. Three accessory structures already exist on the property and total 1,084 square feet in area. With the addition of the proposed 900 square foot structure, the limit will be exceeded by 870 square feet.

The petitioner wishes to construct the structure to store personal items for safe and secure keeping.

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

1. The subject lot is located in a rural or agricultural area or 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 proposed oversized accessory structure generally meets provisions one and two above. All of the surrounding properties and the subject site are zoned A-1. The majority of the lots surrounding the subject property are over 2 acres in size with large accessory structures (see "V-13-22 Accessory Structure Sizes in the Area" exhibit). By placing the structure in-line with the residence, the visual impact from the road would be reduced.

Staff recommends approval of this request, with condition that the structure be constructed outside of the front yard.

FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS – FRONT YARD

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 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 variance request “a” would allow the accessory structure to become a dominant feature in a residential area along a major thoroughfare.

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 which would preclude an accessory structure from being built outside of the front yard.

FINDINGS OF FACT: VARIANCE OF DEVELOPMENT STANDARDS – ACCESSORY SIZE

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

The proposed structure must meet all applicable building codes and permit requirements.

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 proposed detached garage will not impact the use and enjoyment of adjoining areas.

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

The proposed accessory structure would be in keeping with the development pattern for the area. It would allow for the enclosed keeping of vehicles and residential items, which would generally be considered a more desirable scenario than the outdoors.

GENERAL INFORMATION

Applicant: Cindy Thrasher
1368 Echo Bend
Greenwood, IN 46142

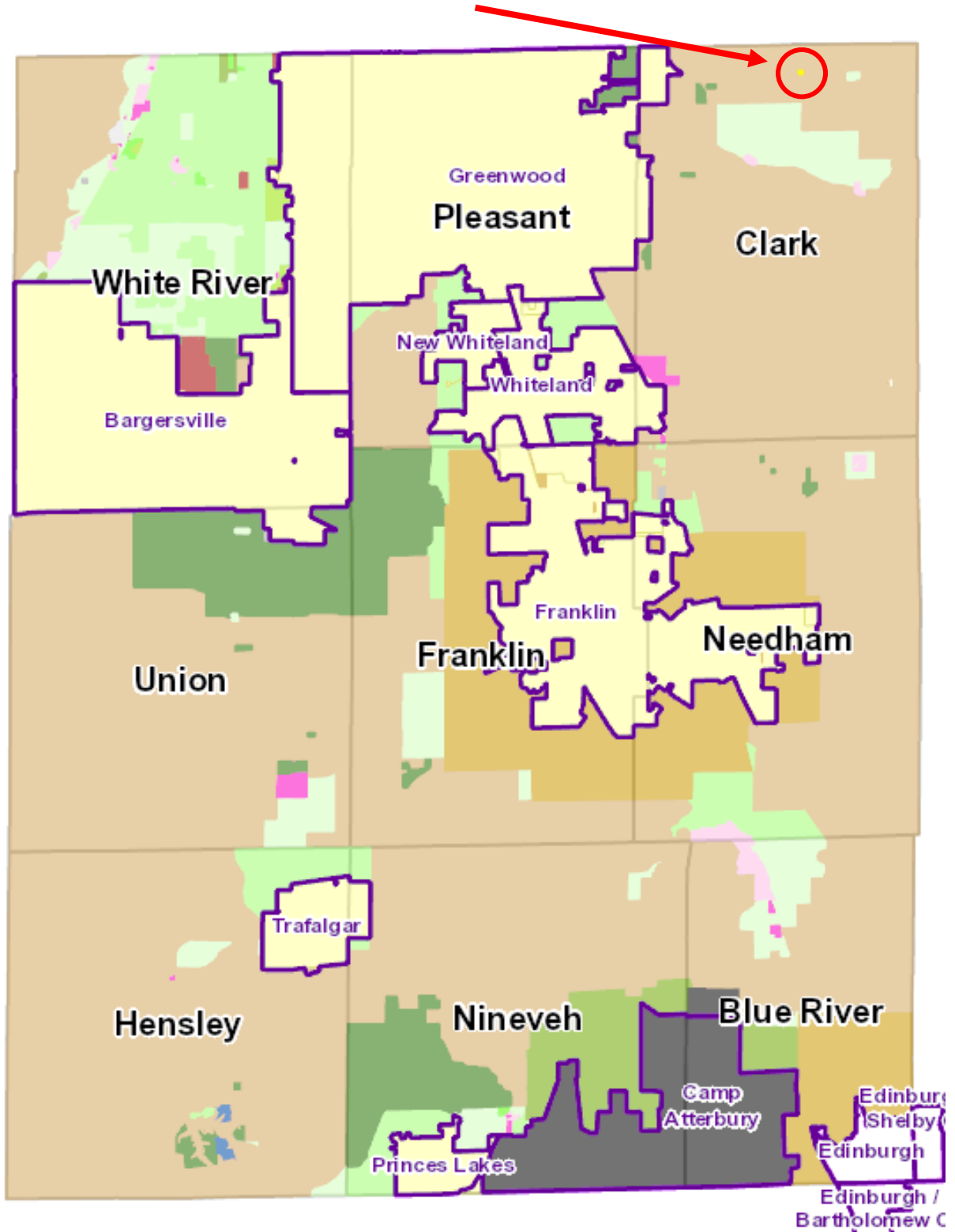
Owner: Christopher Barron & Michelle Law
9910 Shelbyville Rd
Indianapolis, IN 46259

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

-RLS

V-13-22 BASE MAP

SUBJECT SITE



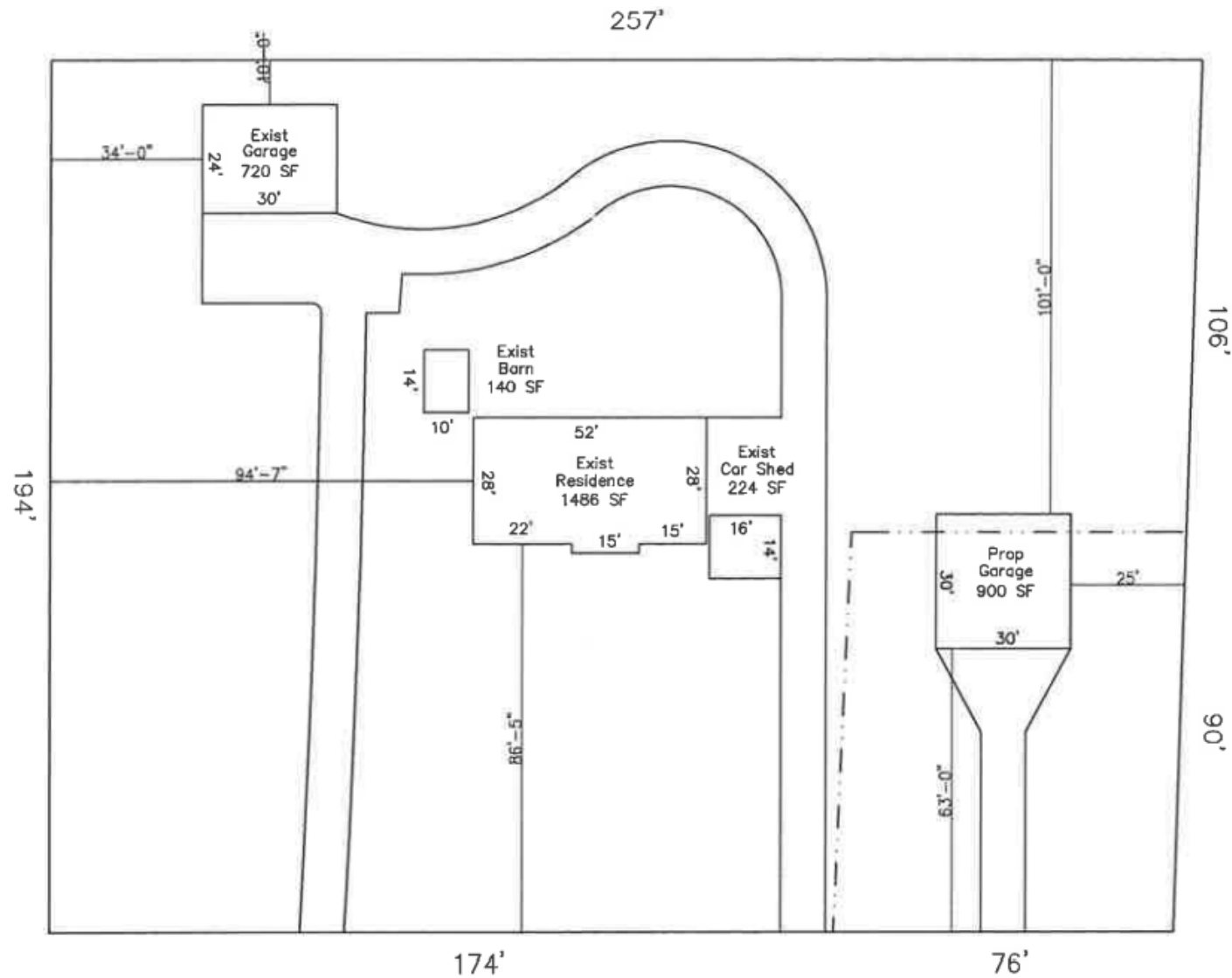
V-13-22 AERIAL MAP




V-13-22 AERIAL MAP II



V-13-22 SITE PLAN



 **SITE PLAN**
SCALE: 1"=30'

9910 Shelbyville Rd

Chris Barron & Michelle Law
9910 Shelbyville Rd
Indianapolis, IN 46259

V-13-22 PETITIONER FINDINGS OF FACT

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

The detached garage being constructed is replacing an existing garage in
the same location. The garage is for the storage of personal property.
It will help keep the property safe and secure.

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 adjacent property will not be negatively affected. The existing garage
is being replaced with a new structure helping to increase the property
values.

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

Due to the placement of other structures on the property, a variance is
needed to keep the garage in front of the residence. Relocating the garage
will cause a significant amount of the remaining rear yard to be eliminated,
limiting the use of the property.

: Subject Site

V-13-22 SITE PHOTOS



View of Existing Structure from Shelbyville Rd



View of Existing Structure and Residence from Shelbyville Rd

STAFF REPORT

CASE NUMBER: V-14-22
ADDRESS: 13.65 acres at 4216 N Hurricane Rd, Franklin and
parcel 41-05-25-043-013.001-007
PETITIONER: RPM Equipment by David Gilman

REQUEST

VARIANCE OF USE of the Johnson County Zoning Ordinance to provide for agricultural and construction equipment sales, services, and repair (not permitted in the A-1 (Agricultural) Zoning District).

VARIANCES OF DEVELOPMENT STANDARDS of the Johnson County Zoning Ordinance to:

- c) Waive commercial parking requirements (required number of parking spaces and curbs) and
- d) Waive commercial landscaping requirements.

STAFF RECOMMENDATION:

Staff recommends the **denial** of the use variance request and that the Board **dismiss** development standards variances “a” and “b” due to irrelevancy.

PROPERTY DESCRIPTION

This 13.65-acre site is zoned A-1 (Agricultural) and is located along N Hurricane Rd, east of I-65. For the past 25 years, the property has been utilized for agriculture and a welding fabrication business. It is currently improved with four pole barns and a dwelling. The area around the barns is covered by a gravel drive. The eastern portion of the property is wooded and the remaining portion of the property is grass fields.

The property is surrounded by large agricultural fields in all directions as well as smaller parcels used residentially. The properties to the southeast are improved with single-family homes. All surrounding parcels are zoned A-1.

VARIANCE OF USE

According to the applicant, the property was originally used for agriculture and the welding fabrication business has grown over the past 25-30 years. Prior to this petition, Staff had no knowledge of the business operations occurring on this property. The two most recent building permits are from 2002 and 2003 for the 80’ x 140’ barn and 72’ x 120’ barn respectively. Both

permits indicate the intended use of the structures would be for agricultural storage. There is currently no signage on the property, that would indicate a business operation taking place.

This Variance of Use request, if approved, would allow RPM Equipment to operate its agricultural and construction equipment sales, services, and repair business. The site plan submitted by the petitioner numbers the structures on the property, and this report will refer to them based on those labels (see “V-14-22 Site Plan” exhibit). The site plan indicates that they intend to demolish Barn 1 and utilize other the three existing barns (barns 2, 4, and 5) and residence (structure 6). The area where Barn 1 currently sits will be used as an 18,900 square foot outdoor display area. Barn 2 will be used as a service building with 8-10 bays. Barn 4 will be used as a repair and fabrication building. Barns 2 and 4 will be connected by a new sales room addition (structure 3). Barn 5 will be utilized as a display building and the house (structure 6) will be utilized as an office. Within the existing wooded area, the site plan proposes a 90,000 square-foot “sandbox” that will be used for demonstration, testing, and training.

The submitted Plan of Operation, included in this staff report, indicates that the business will be open Monday-Friday from 7:00 am to 6:00 pm, Saturday from 7:00 am to 3:00 pm, and occasionally on Sundays in the event of an emergency repair. The applicant currently has 10 full time employees, potentially growing to 15 overtime. The petitioner indicates that most sales will be conducted online, with few visits to the office onsite. The service and repair component will require drop off and delivery by either the petitioner or customers. Large equipment will be delivered via flatbed trailers and FedEx or the US Postal Service box trucks will deliver parts. The Plan of Operation did not indicate an anticipated number of repair and service drop offs or deliveries. All on-site waste will be disposed of by private or county waste disposal services.

The site and surrounding area is currently zoned A-1 and the Johnson County Comprehensive Plan recommends Agricultural use for this site, and for the general area. Per the Zoning Ordinance, the purpose of the A-1 District is to accommodate agricultural operations and practices. The A-1 District preserves and protects agricultural land, the rural character of Johnson County, and the agricultural tradition of the county.

In agricultural, rural, and low-density residential areas, it may be reasonable, under certain circumstances, to consider certain lower-intensity commercial or industrial uses, which are not otherwise allowed by-right, to represent a reasonable deviation from the requirements of the zoning ordinance and the recommendations of the comprehensive plan. Here, however, agricultural and construction equipment sales, services, and repair represent an exceptionally higher intensity than the norm for the area. The request is a far a deviation from any reasonable notion of acceptable land use expectations. Noise generated by vehicles, deliveries, machine work, testing, and other business activities, has the potential to impact the enjoyment of nearby residential properties and interfere with the rural character of this area.

In addition, the Planning and Zoning Office and the Johnson County Health Department always prefer commercial businesses to be on city sewer as opposed to on-site waste disposal. Use of public utilities decreases the probability of groundwater/aquifer contamination by the

associated commercial use. This property does not have access to public utilities and will be required to make improvements to the septic system to operate a business at this location.

For these reasons, staff recommends denial of this request.

VARIANCE OF DEVELOPMENT STANDARDS – PARKING

This Variance of Development Standards request, if approved, would allow for commercial use at this location without providing all of the required concrete curbs or number of parking spaces. The Zoning Ordinance states that “all parking lots for commercial, manufacturing, institutional and multi- family residential uses shall be separated from adjoining non-paved surfaces with a continuous concrete curb at least six (6) inches in height”. The proposed customer and employee parking will be paved and striped, but not curbed. All other drivable areas will be gravel as the weight of equipment and metal tracks will damage any hard surfaces.

Based on the calculation in the table below, the proposed plan requires 68 parking spaces with 3 of those being ADA accessible spaces. Currently the proposed site plan has 20 parking spaces, 5 for customers and 15 for employees.

Building/Area	Square Footage/Bays	Requirement	Parking Spaces
#2 Service Building	11,200 / 5	2 spaces per bay	10
#3 New Sales Room	1,500	1 space per 300 SF	5
#4 Repair and Fabrication Buildings	5,000 / 5	2 spaces per bay	10
#5 Display Building	8,640	1 space per 300 SF	29
#6 Office	1,602	1 space per 300 SF	5
Outdoor Storage Area	18,900	1 per 2,000 SF	9
Sandbox	90,000	NA	
TOTAL REQUIRED			68
MINIMUM NUMBER OF ACCESSIBLE SPACES REQUIRED			3

The proposed development does not meet the Findings of Fact for a Use Variance. Therefore, Staff recommends that the Board dismiss the development standards variances due to irrelevancy.

VARIANCE OF DEVELOPMENT STANDARDS – LANDSCAPING

The petitioner is meeting the landscape requirement to install a 20' landscape buffer along the property line abutting N Hurricane Rd, across from the existing residences. They also plan to preserve the trees along I-65.

This request, if approved, would eliminate the landscaping requirements around the proposed parking lots. The Zoning Ordinance requires that, “a six (6) foot wide landscaping strip shall be

provided around the perimeter of the parking lot. The landscaping strip shall be planted with canopy trees, ornamental trees, and low shrubs. A minimum of one (1) canopy tree or ornamental tree per every forty (40) feet of perimeter shall be provided within the landscaping strip, along with a minimum of one (1) shrub per every four (4) feet.” No landscaping is currently proposed around the parking lots.

The proposed development does not meet the Findings of Fact for a Use Variance. Therefore, Staff recommends that the Board dismiss the development standards variances due to irrelevancy.

FINDINGS OF FACT: VARIANCE OF USE

1. The approval will be injurious to the public health, safety, morals, and general welfare of the community.

The proposed use would be inconsistent with the predominantly agricultural and residential uses in the area.

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 necessarily involves outdoor storage and movement of large equipment, testing of equipment, and noise associated with fabricating and repair.

3. The need for the variance does not arise from some condition peculiar to the property involved.

The property is zoned and developed for agricultural and residential use and may continue to be used that way.

4. The strict application of the terms of the Zoning Ordinance will not constitute an unnecessary hardship if applied to the property for which variance is sought.

The property is zoned and developed for agricultural and residential use and may continue to be used that way.

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

The request would be inconsistent with the land use recommendations of the Johnson County Comprehensive Plan, which recommends Agricultural use and development of the site.

GENERAL INFORMATION

Applicant: David Gilman
211 S Ritter Ave, STE H
Indianapolis, IN 46219

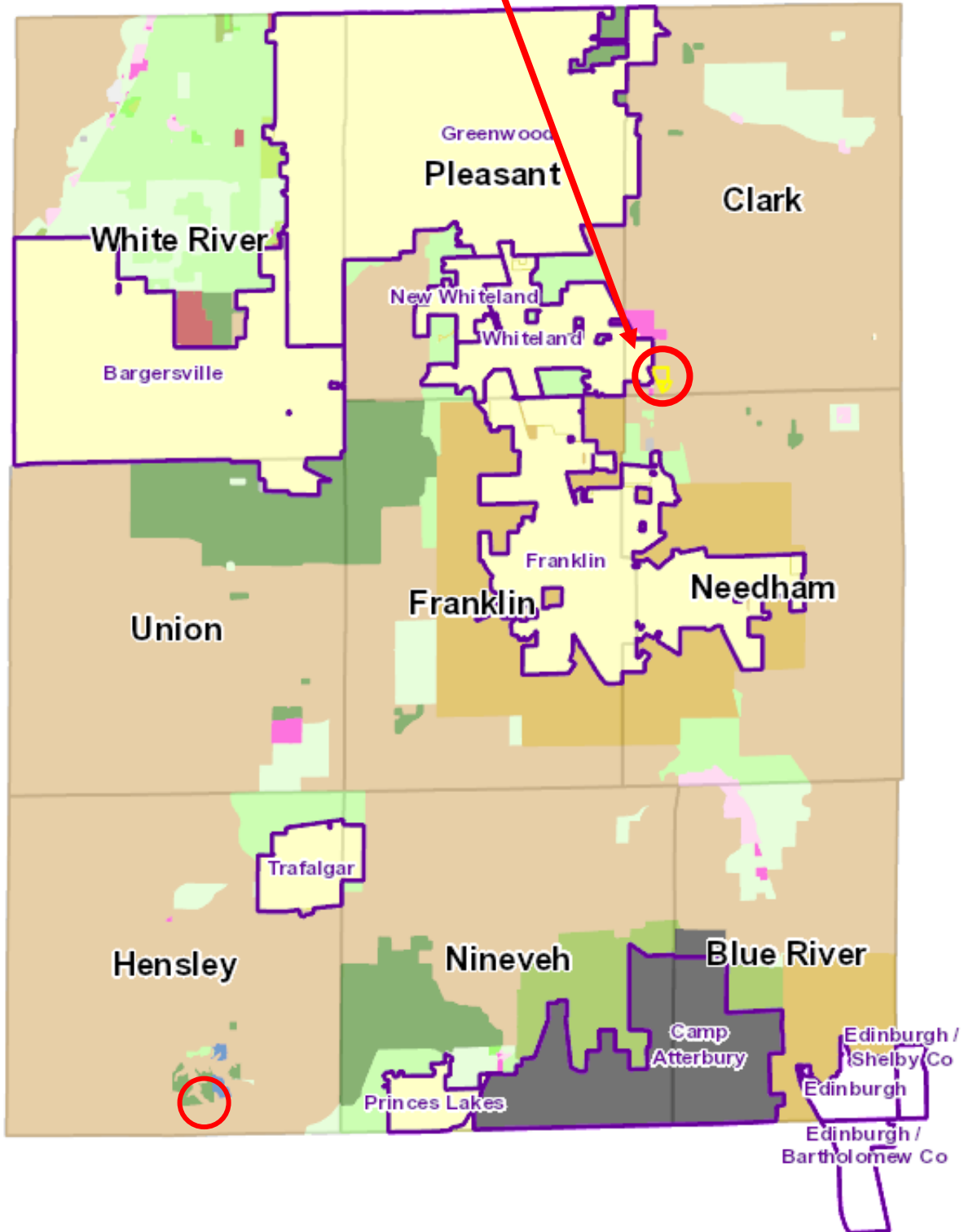
Owner: Windhorst Estate (Kristen Windhorst)
4216 Hurrican Rd
Franklin, IN 46131

Zoning: A-1 (Agricultural)
Land Use: Residential and Agricultural
Future Land Use: Agricultural

-RLS

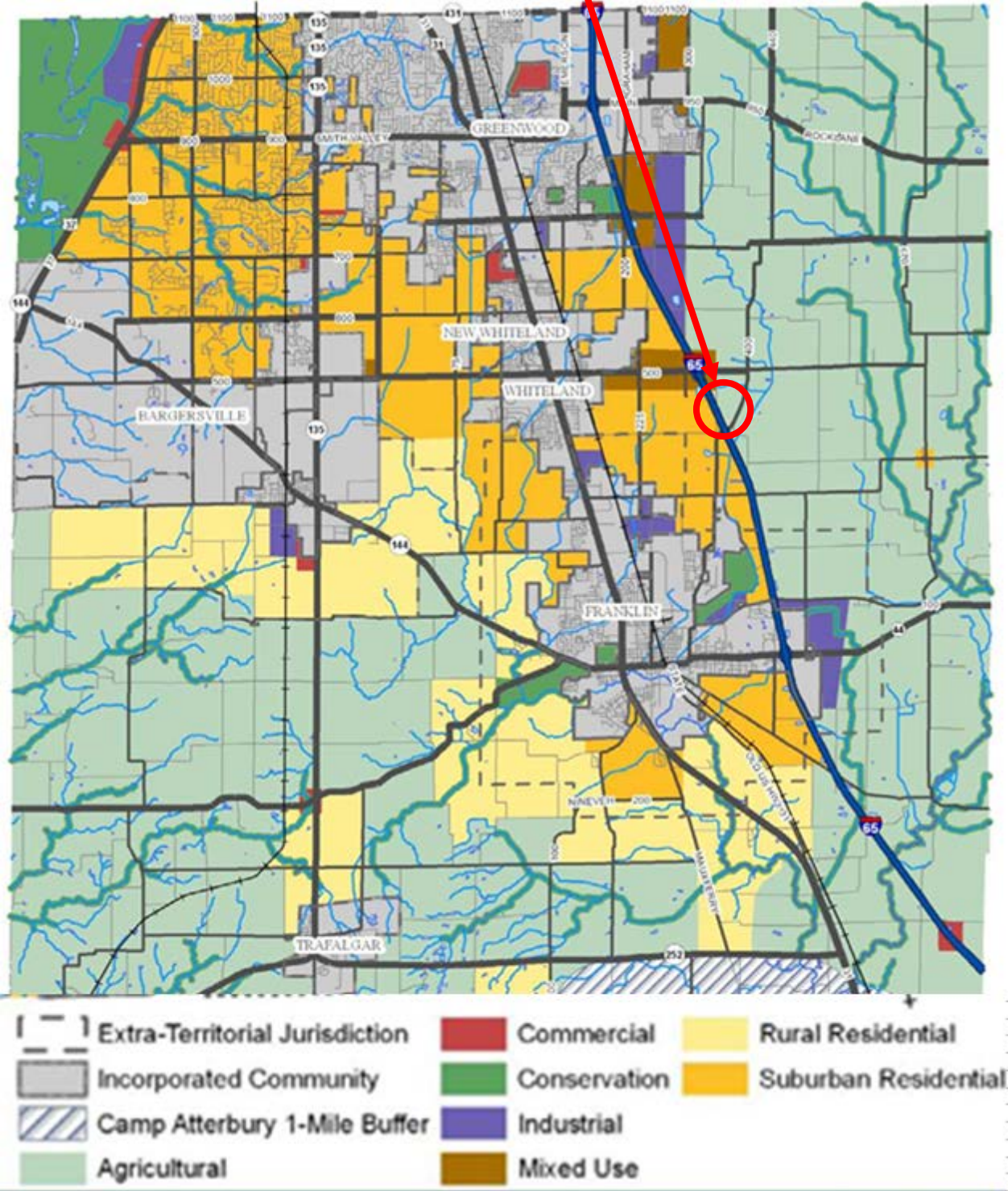
V-14-22 BASE MAP

SUBJECT SITE

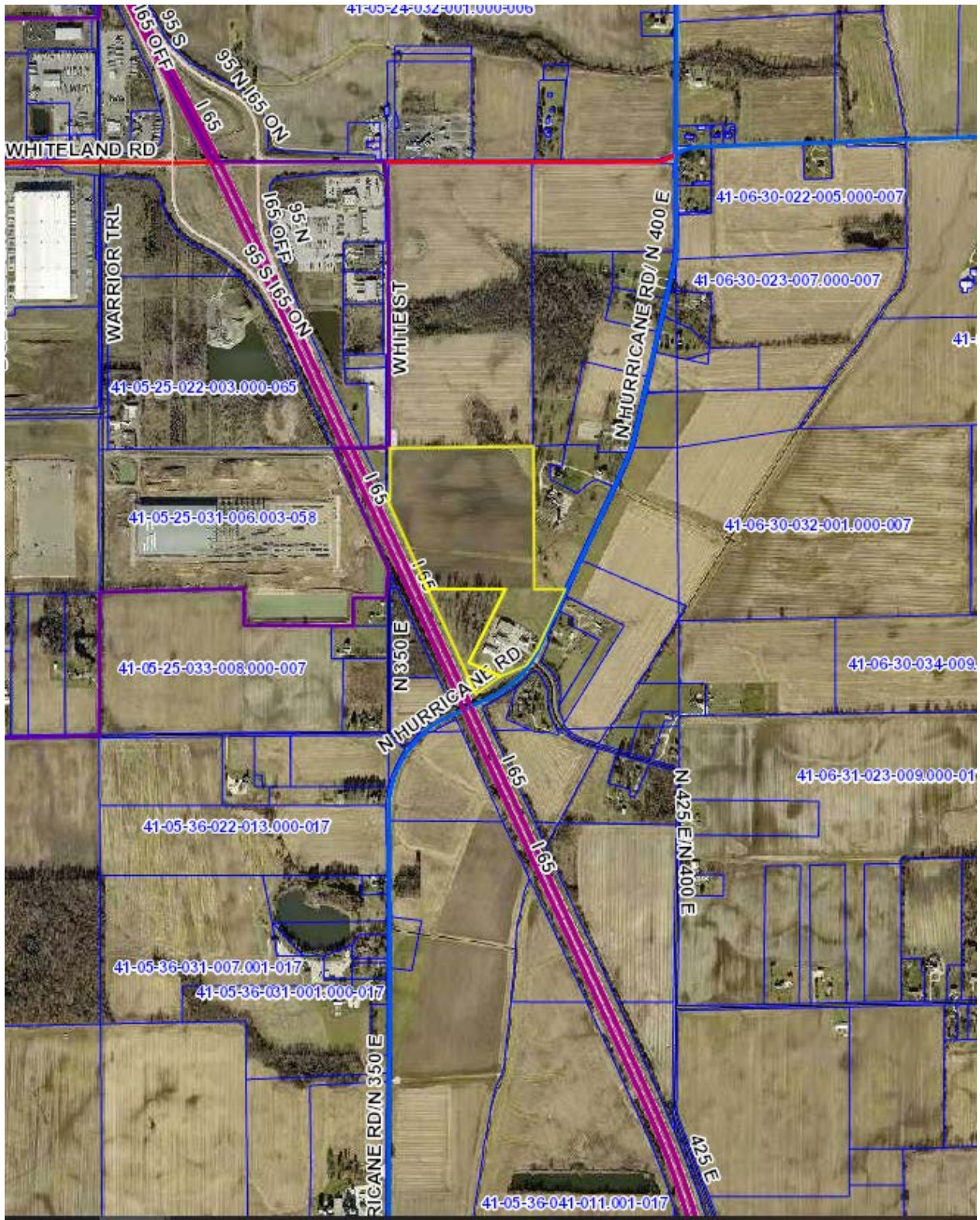


V-14-22 COMPREHENSIVE PLAN FUTURE LAND USE MAP

SUBJECT SITE



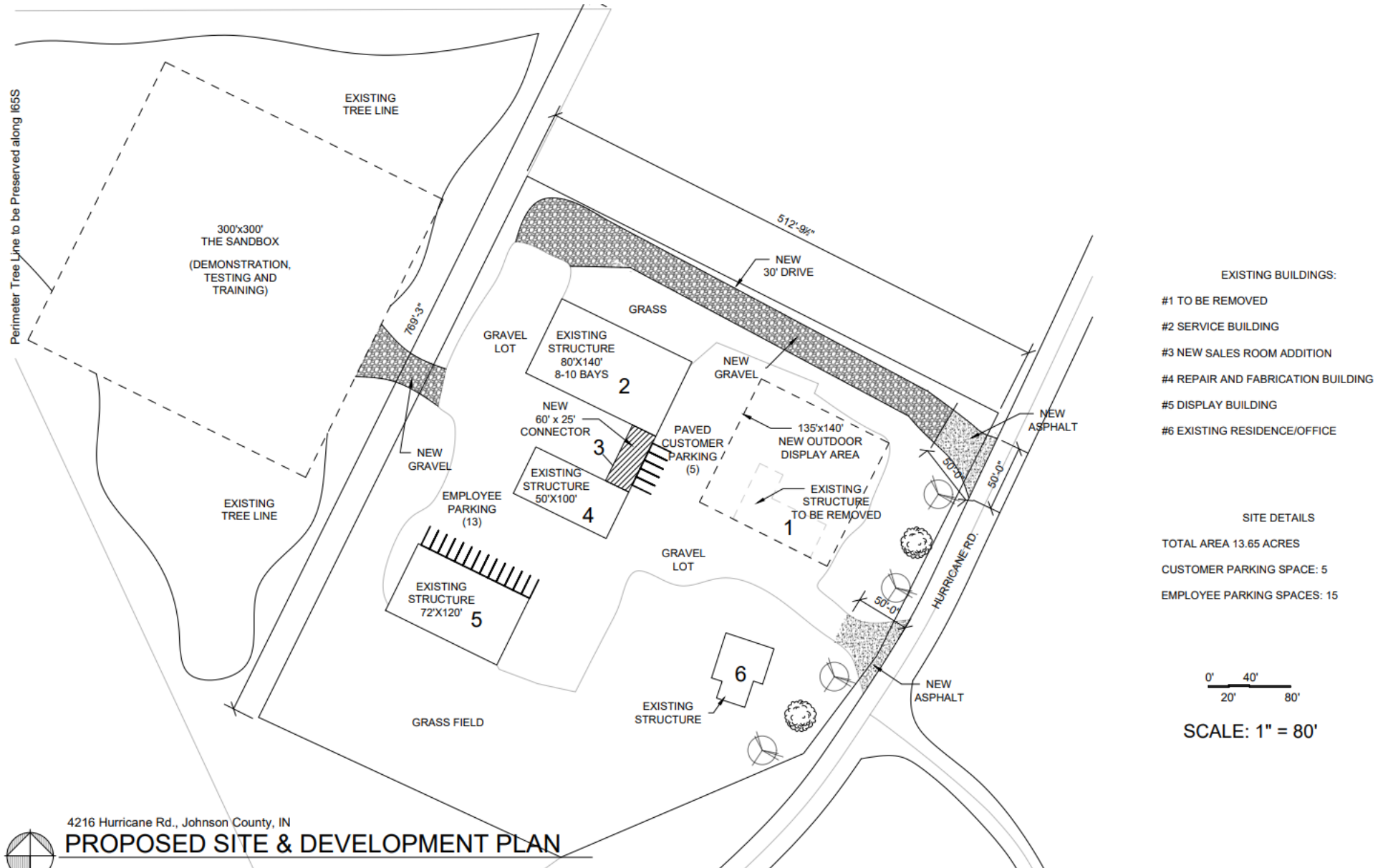
V-14-22 AERIAL MAP I



V-14-22 AERIAL MAP II



V-14-22 SITE PLAN



V-14-22 PETITIONER FINDINGS OF FACT USE VARIANCE

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

The site has access to a public road, adequate utilities and proper drainage.

The site is already improved with several buildings that will be used in the new business.

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 existing improvements on the site will be re-used for the new business

The new business will serve the agricultural and construction community
with new equipment sales, service and repairs.

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

The site has several buildings used to service and repair agricultural equipment

The variance request will expand the use to include sale, service and repair of both
agricultural and construction equipment.

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.

The need to expand the use to include construction equipment sales, service and repair

is in direct response to the rapid growth of the residential, commercial and industrial development
in this area of Johnson County.

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

The underlying AG zoning will remain in place and the variance request is to

improve the use and function of the existing site. The Comprehensive Plan recommends Industrial use
for this area.

V-14-22 PETITIONER FINDINGS OF FACT DEVELOPMENT STANDARD VARIANCES

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

The proposed use does not generate significant customer traffic to the site. The proposed parking in front of the sales building will be adequate based on the other businesses owned by the petitioner. The parking will be adjacent to the building and only include 5 spaces without perimeter landscape plantings.

The parking area is several hundred feet from the public's view.

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 existing use and buildings have been actively used for over 35 years with no known complaints. The

proposed use will continue to serve the agricultural and construction industries.

This type of business does not generate significant traffic since equipment is delivered and picked up by schedule.

The landscape plantings along Hurricane Road will screen the public view of the parking area.

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

The existing buildings will be able to serve the proposed use without significant change to the site conditions.

The new landscape trees and shrubs proposed along Hurricane Road will easily screen the small parking area.

Perimeter landscaping around 5 customer spaces that will be several hundred feet off the public road is unnecessary and

will be difficult to maintain given the age and depth of the aggregate material on the site.

V-14-22 SITE PHOTOS



V-14-22 EXISTING LOCATION – 3585 E. Eastview Dr. Franklin



V-8-22 Re-Docketing Request made by Greg Schaefer

From: [Greg Schaefer](#)
To: [Hansard Michele - Planning & Zoning](#)
Cc: [Schaefer, Rachael - Planning & Zoning](#); [Cynthia Schaefer](#)
Subject: V-8-22 Re-docketing request - Greg Schaefer, petitioner
Date: Sunday, August 28, 2022 3:47:09 PM

Dear Michele,

I would like to request the re-docketing of V-8-22 before the Board for reconsideration with a substantial change and further evidence to the original filing in July.

At the July meeting, the Board took considerable time evaluating and asking lots of questions regarding the request for a use variance on the 2.29-acre parcel at 4467 W. County Line Road. The Board seemed especially concerned with the following items:

- A. The open-air outdoor storage for recreational vehicles.
- B. A use variance could cause a precedence.
- C. The future zoning according to the Comprehensive Plan.

First, the outdoor storage had two characteristics which the Board found challenging when considering the use variance. The characteristics were the location within a floodway and the deviation from acceptable uses for the property's zoning. Understanding the Board's reasoning, **the petitioner has opted to remove the outdoor storage plan from the use variance.**

Secondly, the Board had concern for setting precedence with the approval of the use variance to operate an auto restoration business. The petitioner would like to offer additional information to minimize the concerns of the Board. The information would shed light on the worry from other property owners coming forth looking for use variances.

Lastly, the plan to zone the parcel and numerous surrounding parcels to town residential according to the Comprehensive Plan factored into the staff's recommendation and the Board's decision to deny the use variance request. The petitioner will present additional information regarding the parcels impacted by the County Line Road project and aligning with the Department's effort to accomplish the Comprehensive Plan.

In summary, the petitioner would like to request the opportunity to present the elimination of the outdoor storage and provide additional information and reasoning before the Board ahead of the 180 day re-filing stipulation. The petitioner hopes to eliminate the concerns that Board had regarding this parcel and persuade them to approve the v-8-22 use variance.

Thank you,

Greg Schaefer
5766 Columbia Circle
Greenwood, IN 46142
