

Johnson County Board of Zoning Appeals
August 24, 2021 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, August 24, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 7:01 PM by Chairman Chad Bowman.

I. ROLL CALL:

Present: Chad Bowman, Chris Campbell, Charlie Canary, Paul Clodfelter (Alternate), Attorney Jeremy Fisk (Legal Counsel – not voting), Michele Hansard (Director – not voting), Rachael Schaefer (Senior Planner – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: James Kaylor and Steve Powell

II. APPROVAL OF MEETING MINUTES:

Chairman Chad Bowman called for a motion to approve the June 29, 2021 Board of Zoning Appeals meeting minutes.

Motion: Approval of June 29, 2021 Board of Zoning Appeals meeting minutes. **Moved** by Chris Campbell. **Seconded** by Charlie Canary. **Yes:** Bowman, Campbell, Canary and Clodfelter. **No:** None. **Motion approved 4-0.**

III. PUBLIC HEARINGS:

SP-2-21; J. EG3 Development, LLC – Special Exception. Undeveloped land south of 5043 Bancroft Ln.

Staff presented findings and facts to the board and recommended approval of this request subject to substantial compliance with the submitted site plan.

Petitioner John Strzalka with J. EG3 Development, LLC (20900 NE 30th Ave., Ste. 307, Aventura, FL 33180) and Regan O’Laughlin, Civil Engineer, with Kimley-Horn & Associates, Inc. (189 S. Orange Ave., Ste. 1000, Orlando, FL 32801) were present to speak and address concerns.

Board members asked questions and expressed concerns which were addressed by the Petitioner, Remonstrator and staff as follows:

- Q. Board member Chris Campbell inquired as to how many children would be in the purposed facility?
A. 180.

- Q. Board member Chad Bowman asked staff if there was any record of the Remonstrator having been told that no one else would be able to have a child care center in the area?
A. Unknown.
- Q. Staff asked the Remonstrator whether the Planning and Zoning Department or the property owner had told him that no one else would be able to have a child care center in the area?
A. Property owner.
- Q. Board member Chad Bowman inquired how many years the Goddard School had been there?
A. Twenty (20) years.
- Q. Board member Chris Campbell inquired as to the location of the existing Goddard facility?
A. 5044 Bancroft Ln., Greenwood 46142, which would be two (2) buildings north of the purposed child care facility.
- Q. Board member Chad Bowman asked the Remonstrator for confirmation that this was his only apprehension?
A. Yes.
- Q. Board member Chad Bowman asked the Remonstrator if his location was at capacity?
A. No.
- Q. Board member Charlie Canary inquired as to what the other facility was that was located in the same adjacent area?
A. Animal clinic.
- Q. Board member Charlie Canary inquired as to whether or not the entrance to both of the existing facilities was located off of Morgantown Road?
A. No, the entrance is off of Bancroft Lane.
- Q. Board member Chad Bowman asked the Remonstrator if there was no amicable solution?
A. No.
- Q. Board member Chad Bowman asked the Remonstrator how many children he has in his facility?
A. 167 (part-time and full-time combination of children – 125 primarily)

- Q. Board member Charlie Canary inquired as to whether or not the entrance and exit off Morgantown Road for this purposed facility have been approved?

A. Yes.

Remonstrator Shital Patel (63 Racquet Ct., Greenwood 46142) spoke and addressed his opposed views and concerns regarding the fact that he already has a child care center (Goddard School) in the same area. Mr. Patel stated that he was told that no one else would be able to have a child care center in the area.

Motion: To approve SP-2-21 to allow for the development of a child care center in the B-1 Zoning District and Petitioner's Findings of Fact. **Moved** by Chris Campbell. **Seconded** by Charlie Canary. **Yes:** Bowman, Campbell and Canary. **No:** Clodfelter. **Motion approved 3-1.**

IV. NEW BUSINESS:

Board members and staff had a discussion on the purposed changes to the first draft of the Virtual Meeting Policy.

Board members directed staff to finalize draft policy for review and approval at the next meeting on September 28, 2021.

V. ADJOURNMENT:

Chair Chad Bowman called for a motion to adjourn the meeting at 7:39 PM.

Motion: Adjourn the meeting. **Moved** by Chad Bowman. **Seconded** by Paul Clodfelter. **Yes:** Bowman, Campbell, Canary and Clodfelter. **No:** None. **Motion approved 4-0.**

Approved on: September 28, 2021

By:


Chad Bowman, Chairman

Attested By:


Steve Powell, Secretary