

Johnson County Board of Zoning Appeals
September 28, 2021 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, September 28, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 7:00 PM by Chairman Chad Bowman.

I. ROLL CALL:

Present: Chad Bowman, Chris Campbell, Charlie Canary, James Kaylor, Steve Powell, Attorney William Barrett (Legal Counsel – not voting), Michele Hansard (Director – not voting), Rachael Schaefer (Senior Planner – 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 August 24, 2021 Board of Zoning Appeals meeting minutes.

Motion: Approval of August 24, 2021 Board of Zoning Appeals meeting minutes. **Moved** by Chris Campbell. **Seconded** by Charlie Canary. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

III. PUBLIC HEARINGS:

SP-2-04; Martin Marrietta, Inc. by Ice Miller, LLP – Special Exception. 6388 W. Smith Valley Rd.

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

Attorney Tim Ochs (One American Sq., Ste. 2900, Indianapolis 46282) on behalf of the Petitioner was present to speak and address concerns. An **Exhibit** Amendment Packet was presented to the board members by the attorney.

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

- Q. Board member Steve Powell asks for clarification of ownership of properties by either Martin Marrieta or Riverdale Farms?
 - A. Attorney Ochs demonstrated using the visual images as to which entity owned which property(ies).

- Q. Board member Steve Powell inquired as to which entity the commitments were being bound to?
A. Both Martin Marrieta and Riverdale Farms will be signing the commitments and this will be binding both the owner and tenant.
- Q. Board member Steve Powell inquired as to whether it was the responsibility of the staff or Petitioner to have the commitments recorded back in 2004?
A. Unknown.
- Q. Board member Chris Campbell asked what percent of the materials are going to public projects?
A. Sixty percent (60%).
- Q. Board member Chris Campbell inquired where the current access road was located and after the I-69 project where will the new access road be located?
A. The road will is now and will be located north of Smith Valley Road.
- Q. Board member Charlie Canary inquired as to whether or not the scales were on the Riverdale Farms property?
A. Yes, Attorney Ochs pointed the location out visually on the overhead image.
- Q. Board member Charlie Canary asked where the closest residence would be located?
A. At least one-thousand feet (1,000') away from the closest residence.

Motion: To approve the amendment to SP-2-04 to allow for the modification of commitments which will allow for mineral extraction on property at 6388 W. Smith Valley Rd., Greenwood. **Moved** by Steve Powell. **Seconded** by Charlie Canary. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

IV. NEW BUSINESS:

The first reading took place for the amendment to the Board of Zoning Appeals Rules of Procedure for the electronic meeting attendance policy.

Motion: To approve the amendment to the Board of Zoning Appeals Rules of Procedure for the electronic meeting attendance policy. **Moved** by Charlie Canary. **Seconded** by Chris Campbell. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

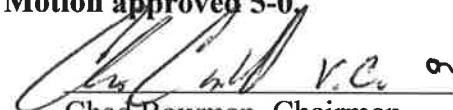
V. ADJOURNMENT:

Chair Chad Bowman called for a motion to adjourn the meeting at 7:27 PM.

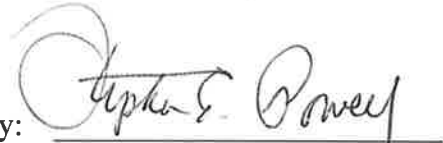
Motion: Adjourn the meeting. **Moved** by Chad Bowman. **Seconded** by James Kaylor. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

Approved on: October 26, 2021

By:


Chad Bowman, Chairman

Attested By:



Steve Powell, Secretary

Martin
Marietta

Riverdale
Farms

IMI

Flight Date: 03-04-21

 Martin
Marietta - Indiana District

Johnson County S&G

DWN BY: M.M.	SCALE: 1"=800'	DATE: 09-28-21
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EXHIBIT
tabbles®
SP-2-04