

# Johnson County Board of Zoning Appeals

## November 28, 2023 Meeting Minutes

The Johnson County Board of Zoning Appeals met on Tuesday, November 28, 2023 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 7:02 PM by Chairman Chris Campbell.

### I. ROLL CALL:

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

**Absent:** Paul Clodfelter (Alternate).

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### II. APPROVAL OF MEETING MINUTES:

Chairman Chris Campbell called for a motion to approve the September 26, 2023 Board of Zoning Appeals meeting minutes.

**Motion:** Approval of September 26, 2023 Board of Zoning Appeals meeting minutes. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

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### III. PUBLIC HEARINGS:

#### **V-12-23; Shana Property, LLC – Variance of Use Request. 5440 Warrior Trl.**

This matter has been continued to the December 19, 2023 Board of Zoning Appeals meeting.

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#### **V-11-23; Michael Gilley – Variance of Development Standards Requests. 2140 Whitetail Ct.**

Staff presented findings and facts to the board and recommended denial of the variance requests.

Petitioner Michael Gilley (2140 Whitetail Ct., Greenwood 46143) was present to speak and address questions and/or concerns.

Mike Hoffman (3270 Waterside Ct., Greenwood 46143) was present to speak and address questions and/or concerns in support of these requests. **Exhibit** photos were provided to the board of the property views, power lines, and current flood zone images from Beacon.

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

- Q. Board member Steve Powell referred to the variance that was approved in 2019 for the neighbor and inquired as to whether or not that variance was approved by this board or hearing officer?  
A. Hearing Officer.
- Q. Board member Steve Powell asked for confirmation of the neighbor's primary residence to accessory structure percentage? Further, what is the primary residence to accessory structure percentage of this request?  
A. 100 percent for the neighbor and 173 percent for this request.
- Q. Board member Steve Powell asked for the meaning of Wilford Minor subdivision?  
A. Petitioner explained how he had purchased the property from Mr. Wilford and how it had been divided prior.
- Q. Board member Steve Powell asked if the Petitioner's property is part of Deerwood?  
A. No.
- Q. Board member Steve Powell inquired as to whether or not he has had any conversations with the residences and/or neighbors of Deerwood and if they had any issues?  
A. Yes, no issues.
- Q. Board member Chris Campbell inquired as to whether or not there would be guests or visitors invited into the proposed structure?  
A. No.
- Q. Board member Chad Bowman asked if the neighbor to the east had obtained a variance for the roof height?  
A. Yes.
- Q. Board member Chris Campbell referred to the Petitioner's comment that if he had ten (10) acres he would not have had to come for a variance and asked if staff would explain?  
A. The zoning ordinance exempts in a residential area if any tract of land is over ten (10) acres there is no size limitations.
- Q. Board member Charlie Canary referred the photo images that were presented to the board and inquired as to how far away the parcels were to the north towards Olive Branch Road?  
A. Distance is unknown but the rooflines can barely be seen from this property.

**Motion:** To approve V-11-23 to allow for the construction of an 8,320 square foot accessory structure where all accessory structures will total 9,088 square feet in building area, with a thirty (30) foot height and Petitioner's Finding of Facts. **Moved** by Chad Bowman. **Seconded** by Steve Powell. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

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**V-13-23; John Petri and Holly Wyss – Variance of Development Standards Request.  
2215 Running Brook Ct.**

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

Petitioners John Petrie and Holly Wyss (2215 Running Brook Ct., Greenwood 46143) were present to speak and address questions and/or concerns. **Exhibit** of the HOA Approval letter and an image of the proposed site plan was provided to the board.

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

- Q. Board member James Kaylor inquired if there would be any county difficulties in the Petitioner adding bathrooms?  
A. None that staff is aware of due to the fact that the residence is connected to the sewer system.
- Q. Board member Steve Powell asked staff if they believed that the addition could be done without violating the minimal thirty feet (30') setback?  
A. Yes.
- Q. Board member Chris Campbell inquired as to whether or not the Highway Department would have any review of this request due to the distance to the street?  
A. No, but they are copied on the matter.
- Q. Board member Charlie Canary inquired as to whether or not the Highway Department could deny the request?  
A. No.
- Q. Board member Steve Powell inquired as to how many total square feet the residence currently has?  
A. 2,700.
- Q. Board member Steve Powell asked if there was an attic or basement?  
A. No.

- Q. Board member Steve Powell inquired if the contractor said that there were no other ways that this could be constructed that would not interfere with the thirty feet (30') setback?  
A. No.
- Q. Board member Charlie Canary asked when the residence was built?  
A. 1987.
- Q. Board member Chad Bowman inquired as to whether or not the Petitioner knew that there wasn't much storage area when the residence was purchased?  
A. Yes, but did not realize how much stuff that they had and did not count the closet space before purchasing.
- Q. Board member Chris Campbell asked what determines the front of the residence?  
A. A front setback is anything that boards a public street.
- Q. Board member Chris Campbell inquired as to the purpose of a front setback?  
A. To provide a unified development standard, safety from the road and to allow room from the road for improvements.

**Motion:** To deny V-13-23 to provide for a house addition with a 25.5 foot front setback from Brentridge Parkway and staff's Finding of Facts. **Moved** by James Kaylor. **Seconded** by Charlie Canary. **Yes:** Canary and Kaylor. **No:** Bowman, Campbell and Powell. **Motion denied 2-4.**

**Motion:** To approve V-13-23 to provide for a house addition with a 25.5 foot front setback from Brentridge Parkway and Petitioners' Finding of Facts. **Moved** by Chris Campbell. **Seconded** by Chad Bowman. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

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**V-14-23; Randy Faulkner – Variance of Use Request. 3247 E. 700 N.**

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

- 1) No outside storage of vehicles or displays of vehicles for sale;
- 2) No automobile repairs for hire;
- 3) Variance to be only granted to the Petitioner and the Petitioner shall occupy the adjacent single family dwelling as his residence as long as the business use is active;
- 4) The barn shall not be expanded to increase the use variance;
- 5) No auctions or special events associated with the use may take place.

Petitioner Randy Faulkner (3274 E. 700 N., Whiteland 46184) was present to speak and address questions and/or concerns.

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

- Q. Board member Chris Campbell inquired as to whether or not there would be signage?  
A. No.
- Q. Board member Steve Powell asked for confirmation that if the property is sold will the variance be voided?  
A. Yes.
- Q. Board member Chad Bowman asked the Petitioner if he was agreeable to the staff's conditions?  
A. Yes.

**Motion:** To approve V-14-23 to allow for auto sales, waive commercial parking and landscaping requirements, staff's conditions and Petitioner's Finding of Facts. **Moved** by Chris Campbell. **Seconded** by Chad Bowman. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

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#### **IV. NEW BUSINESS:**

##### **Approval of 2024 Board of Zoning Appeals Calendar**

**Motion:** To approve the 2024 Board of Zoning Appeals Calendar. **Moved** by Charlie Canary. **Seconded** by James Kaylor. **Yes:** Bowman, Campbell, Canary, Kaylor and Powell. **No:** None. **Motion approved 5-0.**

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#### **V. ADJOURNMENT:**

Chairman Chris Campbell called for a motion to adjourn the meeting at 8:25 PM.

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

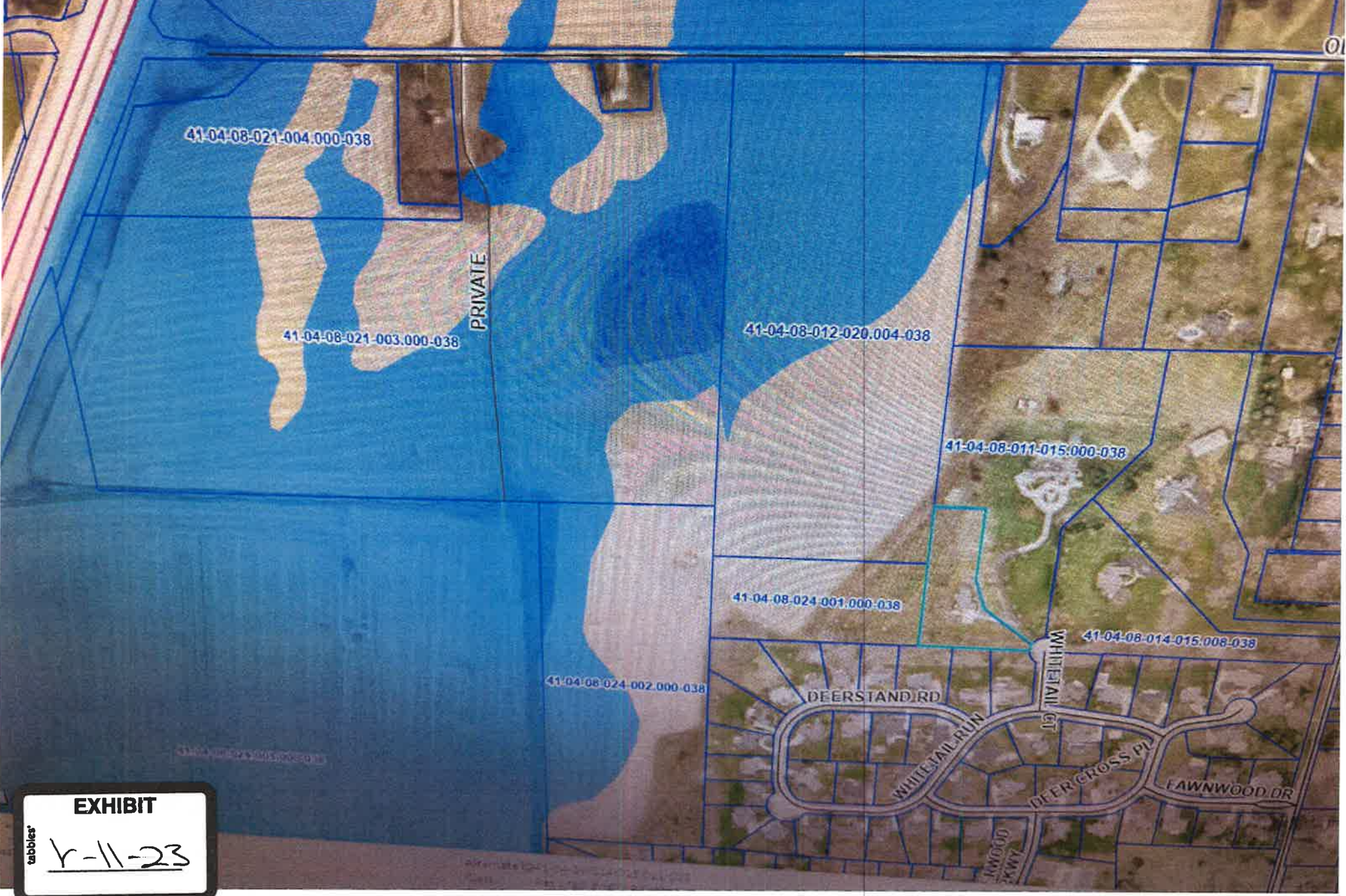
Approved on: December 19, 2023

By:

Chris Campbell, Chairman

Attested By:

Charlie W. Canary  
Charlie Canary, Secretary



41-04-08-021-004.000-038

41-04-08-021-003.000-038

PRIVATE

41-04-08-012-020.004-038

41-04-08-011-015.000-038

41-04-08-024-001.000-038

41-04-08-014-015.008-038

41-04-08-024-002.000-038

DEERSTAND RD

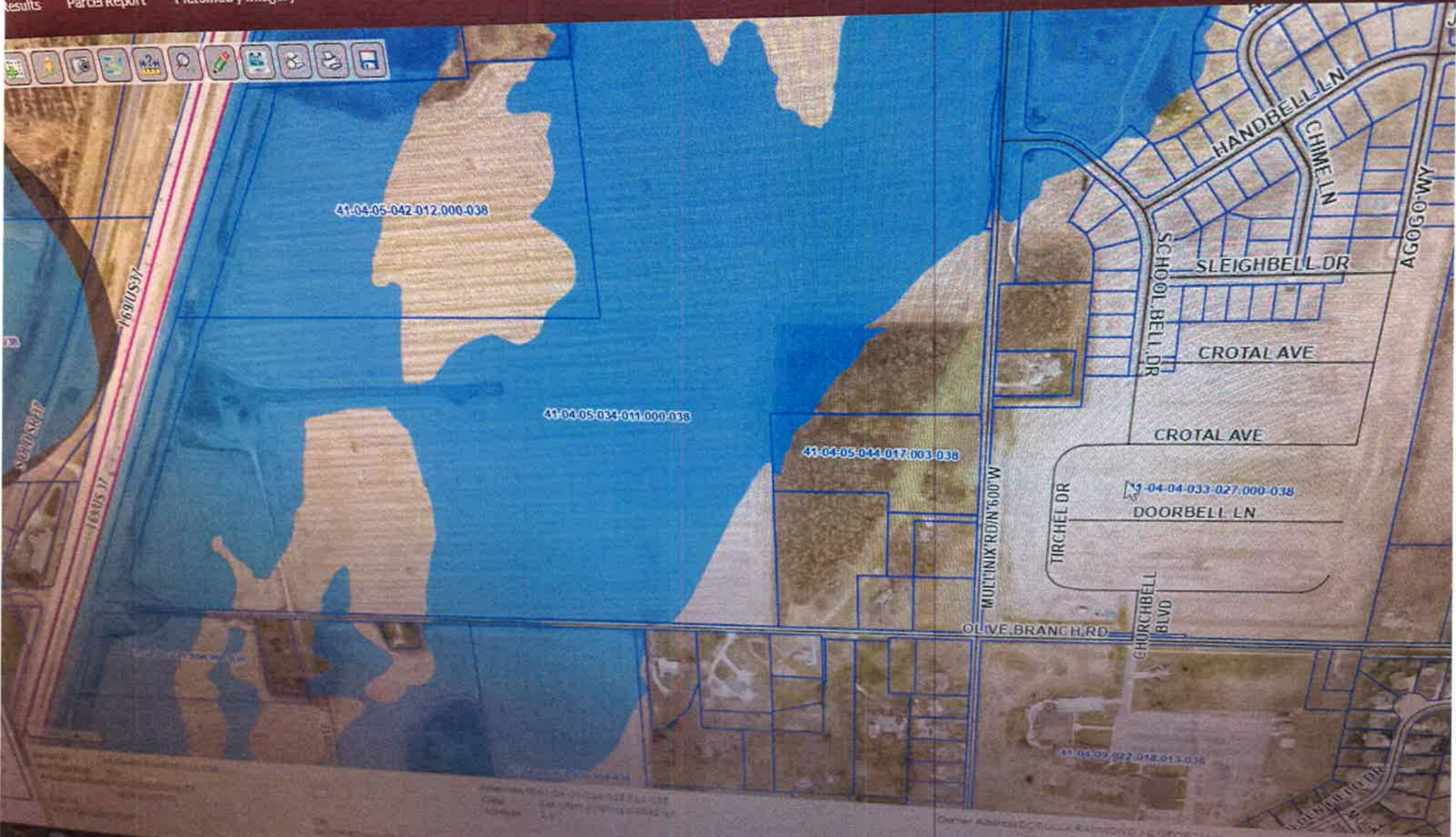
WHITE TAIL CT

WHITE TAIL RUN

DEER CROSS PL

LAWNWOOD DR

EXHIBIT  
Y-11-23



41-04-05-042-012.000-038

41-04-05-034-011.000-038

41-04-05-044-017.003-038

41-04-04-033-027.000-038  
DOORBELL LN

TIRCHEL DR

MULTNIX RD/N 600'W

OLIVE BRANCH RD

CHURCHBELL BLVD

SCHOOL BELL DR

HANDBELL LN  
CHIME LN

SLEIGHBELL DR

CROTAL AVE

CROTAL AVE

AGOGO WY

41-04-09-022-018.013-038

Address: 41-04-05-034-011.000-038  
City: ...  
County: ...

Owner Address: ...  
City: ...  
County: ...















## *Brentridge Estates H.O.A*

September 28, 2023

John Petrie & Holly Wyss  
2215 Running Brook Court  
Greenwood, IN 46143

**RE: Architectural Control Request**

Dear Homeowner:

Recently, you have submitted an Architectural control request for review. We are happy to inform you that your request to add a room addition as described in your application has been approved with the conditions that the addition matches the existing painted brick. We are enclosing a copy of your request for your record. You may start working on your project.

Please note: If you are building across an easement, we must inform you that any construction within these areas will be at the responsibility of the homeowner. If you are building within these areas and in the future any utility company needs access to the easement, the structure you have built will be removed at your expense. This may never become an issue, but we want you to be aware of the possibility.

If you are required to have permits from the city, please ensure they are properly posted per the city requirements.

In closing, please call 1-800-382-5544 before digging on your lot to have your local utilities come and mark the ground indicating where any underground lines are prior to starting your project.

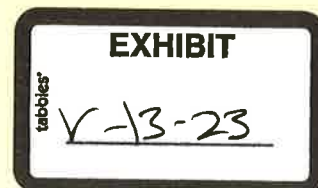
If you have any further questions regarding this project, please feel free to call our office.

Sincerely,

Christina Nez  
Property Manager Elite HOA Management Inc.  
on Behalf of Brentridge Estates H.O.A.

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Office Location: 720 Executive Park Drive Suite 3000A Greenwood IN 46143  
Mailing Address: PO Box 8059 Greenwood IN 46142  
Phone: 317-534-0200 Fax: 317-534-0201  
Christina@elitepmgt.com





# BRENTRIDGE ESTATES HOME OWNERS ASSOCIATION REQUEST FOR APPROVAL

Date of Request 9/27/23  
(Note: 10 days are allowed after acknowledgement of your request.)

Name of Homeowner Holly Wyss & John Petrie (married 8/9/23)  
Address 2215 Reemings Brook Court Lot #       
Phone # 317-292-1171 Email john5petrie@aol.com

Type of Improvement  
Deck  Pool  Patio  Fence  Other Room

Please submit a copy of your budget along with sketches/drawings, dimensions, location, color, and kind of materials to be used. Please include a brochure if available.

Refer to your Brentridge Estates Plat Covenants and Bylaws for guidelines and requirements. They can be found on the website, [www.brentridge.org](http://www.brentridge.org).

Note: The Architectural Control Committee does not approve new wood fencing.

You will be notified once your request is received and the information has been deemed complete. The ACC will then meet and review your request and will make a decision.

All requests need to be in compliance with the covenants before you receive a written, stamped approval.

Please understand that proceeding with your project without written approval will be considered a violation of the covenants. Any costs to bring the improvements into compliance will be at the homeowner's expense.

Primary Contact by email or mail is:

**Christina Nez, Property Manager**  
PO Box 8059 Greenwood IN 46142  
Office 317-534-0200 Email [Christina@elitepmgt.com](mailto:Christina@elitepmgt.com)

ACC Committee:

Rachel Higgins: [rachel.higgins224@gmail.com](mailto:rachel.higgins224@gmail.com)  
Casey Redwine: [casey.reichanadter@gmail.com](mailto:casey.reichanadter@gmail.com)  
Bill Quillen: [wiliam\\_r\\_quillen@hotmail.com](mailto:wiliam_r_quillen@hotmail.com)  
Jenny Fraiser: [jenny.fraiser@gmail.com](mailto:jenny.fraiser@gmail.com)

I, the Homeowner, hereby acknowledge that I have read and understand the guidelines for architectural improvements as stated in the Covenants for my Homeowner's Association.

Homeowner's Signature: Holly Wyss & John H. Petrie Date: 9/27/2023

(Homeowner -- Do not write below this line)

Application Approved W/Conditions

Application Disapproved

Reason for Disapproval: \_\_\_\_\_

ARC Committee: Christina Nez per board Date: 9.28.23



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**EXHIBIT**  
Y-13-23