

Staff Report – Board of Zoning Appeals

Docket #:	BZA2025-015 Dev. Standard Variance	Hearing Date:	May 12, 2025
Applicant:	David Norris, 530 Oakridge Way, Greenwood, IN 46143		
Owner:	David Norris, 530 Oakridge Way, Greenwood, IN 46143		
Subject Property Address:	530 Oakridge Way, Greenwood, IN 46143		
Staff Contact:	Gabe Nelson, nelsong@greenwood.in.gov, 317-887-5230		

Request:

Petitioner is requesting relief from the following section of the Unified Development Ordinance:

1. Section 10-03-13 (C)(6) Accessory Structures, to allow an accessory structure over 300 square feet to not have a 36" masonry wainscot.

Location:

The subject property is located 700 feet south of the intersection of W. Greenbriar Drive and Oakridge Way. Parcel ID # 41-03-25-044-058.000-043

Exhibit A – Aerial Map and Exhibit E – Legal Description

Existing & Surrounding Zones/Land Uses:

Existing: Residential Large (RL), Single Family Residential (Concord Farms)
 North: Residential Large (RL), Single Family Residential (Concord Farms)
 South: Residential Large (RL), Single Family Residential (Concord Farms)
 East: Residential Large (RL), Single Family Residential (Concord Farms)
 West: Residential Large (RL), Single Family Residential (Shady Creek)

Exhibit B – Existing Zoning Map

Indiana Code Reference(s): Section 36-7-4-918.5 (Development Standards Variances)

Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved only upon a determination in writing that:
 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 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;
 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- Indiana Code Section 8-21-10-3 No Hazard to Air Navigation: **Not applicable**

VARIANCE #1: To allow an accessory structure over 300 square feet to not have a 36" masonry wainscot.

Greenwood Code References: Unified Development Ordinance, Section 10-03-13 (C) Accessory Structures, (6) Accessory structures over 300 square feet shall have a 36-inch tall mortared masonry wainscot and shall utilize wood, fiber cement, masonry, steel or the same materials as the primary structure for the balance of the façade.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

Masonry wainscoting only provides an aesthetic purpose to the building. It does not affect public health, safety, morals, or general welfare of the community.

Staff Comment: Staff agrees with the petitioner's statement that the presence of the wainscoting will not affect public safety or the general welfare of the community.

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:

It is not part of the neighborhood façade. The neighborhood was built in 1976 and there is no HOA. It would be difficult to see the new building from the street.

Staff Comment: Staff agrees with the petitioner's statement. The structure will be located in the rear yard, mostly out of view from the right-of-way.

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

Masonry wainscot would not match the property façade and would add excessive cost that would not add value and would add delays to the build.

Staff Comment: Staff agrees with the petitioner's statement. The mortared masonry wainscoting requirement in this case provides little in the way of benefit, but does create a practical difficulty in the construction of the structure.

4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.

N/A

Recommendation and Proposed Conditions:

Staff is providing a favorable recommendation. This standard is meant for primarily aesthetic purposes with perhaps some increased material protection, although that is debatable. In this instance, the petitioner has also stated that the mortared masonry would not match any of the existing accessory structures and would look more out of place than add any real value to the property.

Staff recommends **approval** of this variance with the following condition:

1. Landscaping or a privacy fence shall be used as screening along the south side
2. A hard surfaced driveway shall be required if vehicles will be moved to and from this structure. The driveway should not infringe into the 7.5' easement along the south property line.

Attachments:

Exhibit A – Aerial Vicinity Map
Exhibit B – Zoning Map
Exhibit C – Site Plan
Exhibit D – Garage Elevations
Exhibit E – Legal Description

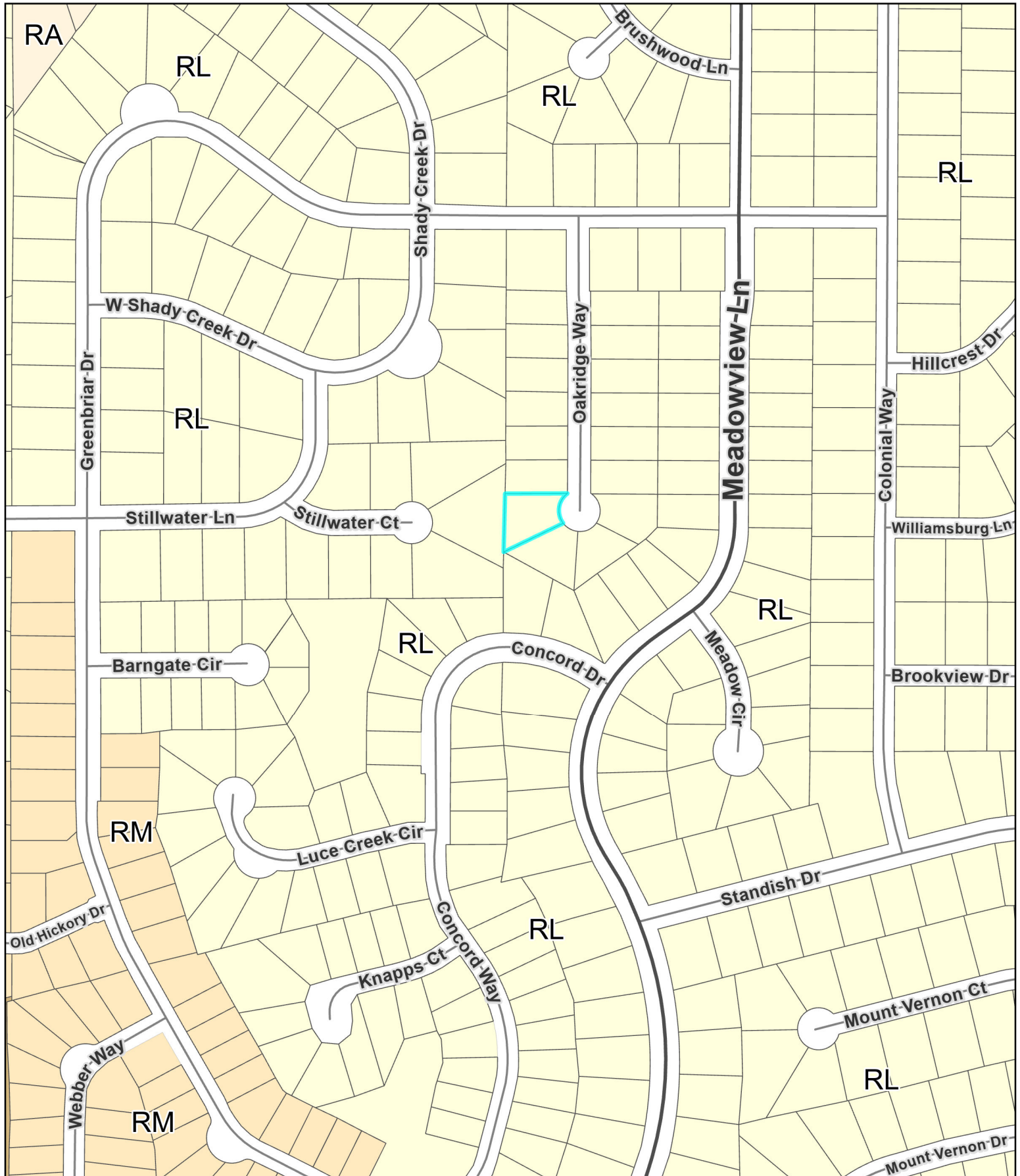


Oakridge Way



Existing Zoning Map

Exhibit B



AC - Airport	IC - Interstate Commercial	OS - Open Space	RMC - Residential Multi-Unit Complex
AG - Agriculture	IL - Industrial Large	PUD - Planned Unit Development	RMH - Residential Mobile Home
CL - Commercial Large	IM - Industrial Medium	RL - Residential Large Lot	
CM - Commercial Medium	OT - Old Town	RM - Residential Medium Lot	
CS - Commercial Small	OTR - Old Town Residential	RA - Residential Attached Single-Family	



Existing shed

P
a
t
i
o

House
530 Oakridge Way

Driveway

New Building



Court



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Edit or Buy Your Design: alansfactoryoutlet.com/design/NnTX0SSP/

Delivery Zip Code: 46142



Front



Right



Back



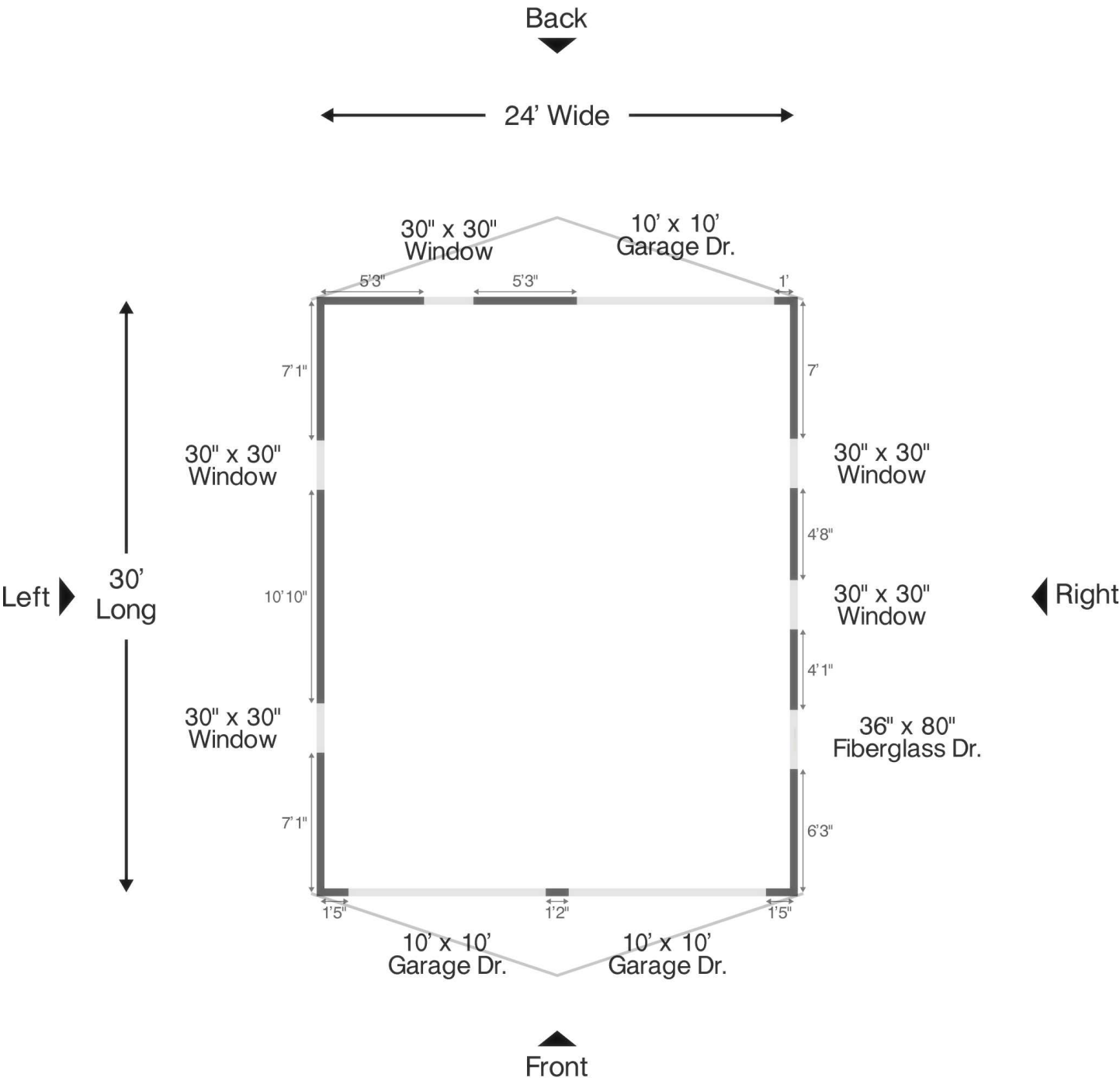
Left



Your Custom Metal Building Design

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Floor Plan

Exhibit E

Doc ID: 004187260001 Type: DEE
Kind: WARRANTY
Recorded: 10/16/2009 at 11:00:59 AM
Fee Amt: \$16.00 Page 1 of 1
Workflow# 0000005815-0009
Johnson County-Recorded as Presented
Sue Anne Misiniec Recorder
File **2009-024061**

Parcel No. 41-03-25-044-058.000-040

WARRANTY DEED

ORDER NO. 000424020

THIS INDENTURE WITNESSETH, That Austin Stuart Hamner, Sr., an Adult

of Johnson County, in the State of INDIANA (Grantor)
to David W. Norris, an Adult CONVEY(S) AND WARRANT(S)

of Johnson County, in the State of INDIANA (Grantee)
ONE AND 00/100 , for the sum of _____ Dollars (\$ 1.00)

and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Johnson County, State of Indiana:

Lot Number 7 in Concord Farms Addition, Section 1, an Addition to the City of Greenwood, as per plat thereof, recorded in Plat Book 7, page 67, as Instrument Number 9174, in the Office of the Recorder of Johnson County, Indiana.

Subject to taxes due and payable in 2009 and all subsequent years.

Grantor Austin Stuart Hamner, Sr. swears and affirms that Austin S. Hamner, Grantee under Special Warranty Deed recorded September 29, 2000 as Instrument Number 2000-23276 and Austin Stuart Hamner, Sr., Grantee under Quitclaim Deed recorded July 17, 2008 as Instrument Number 2009-15185 are one and the same person.

Subject to any and all easements, agreements and restrictions of record. The address of such real estate is commonly known as 530 Oakridge Way, Greenwood, Indiana 46142

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

IN WITNESS WHEREOF, Grantor has executed this deed this 22nd day of September, 2009.

Grantor: Austin Stuart Hamner Sr. (SEAL)
Signature _____

Grantor: _____ (SEAL)
Signature _____

Printed Austin Stuart Hamner, Sr.

Printed _____

STATE OF INDIANA

} SS: ACKNOWLEDGEMENT

COUNTY OF Johnson

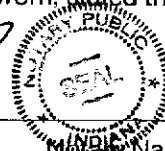
Before me, a Notary Public in and for said County and State, personally appeared Austin Stuart Hamner, Sr., an Adult

who acknowledge the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 22nd day of September, 2009

My commission expires:

Signature Lisa K. Hatcher
Printed Lisa K. Hatcher



LISA K. HATCHER
NOTARY PUBLIC
SEAL
STATE OF INDIANA

Resident of Hamilton

County, Indiana.

This instrument prepared by J. David Clossin for Chicago Title Insurance Co.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Lisa K. Hatcher