

Staff Report – Board of Zoning Appeals

Docket #:	BZA2021-025	Hearing Date:	November 22, 2021
Applicant:	Jason M. Grable, 407 US 31 North, Greenwood, IN 46142		
Owner:	Same as above		
Subject Property Address:	407 US 31 North		
Staff Contact:	Ed Ferguson, fergusoe@greenwood.in.gov, 317-887-5231		

Request:

A detached accessory building in the RL Residential Large zone is permitted in a side yard only if there is fifteen (15) feet between the front building line of the principal dwelling and the front of the accessory building. Petitioner requests reduction of the fifteen (15) foot distance down to three (3) feet in order to preserve a wooded area of the lot as well as an existing stone patio area.

Location:

The subject property is addressed as 407 US 31 North, Greenwood, IN 46142. The property is legally described as lots 1 & 2 of the Springdale Subdivision. The legal description was used in the public notices for this petition.

In general terms, the property is located along the east side of US 31 approximately one-quarter mile south of Meadow Drive (Calvary Baptist Church). The driveway access to the subject property is approximately 200 feet north of Hilltop Drive.

See attached Exhibit A – Area Notification Map

See attached Exhibit B – Aerial Site Map

Indiana Code Reference(s):

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- Section 36-7-4-918.5 (Dimensional Variances)

Surrounding Land Uses:

- A. Existing: single-family residence – located on a double lot
- B. North: – RL Residential Large – single-family dwellings
- C. South: RL Residential Large – single-family dwellings
- D. East: RL Residential Large – single-family dwellings
- E. West: Residential Medium – single-family dwellings and Calvary Baptist Church

See attached Exhibit A – Area Notification Map

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 9-21-10-3 No Hazard to Air Navigation (if applicable)
 1. The structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

Greenwood Code References:

Unified Development Ordinance, Section 10-02-13, allows detached accessory building in the RL Residential Large zone to be located in a side yard provided the detached accessory building sets back minimum distance of 15 feet behind the front wall of the dwelling.

PETITIONER'S DETAILED STATEMENTS OF REASONS

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

The property is largely wooded. The proposed garage will sit way back from US 31 and will be constructed of premium building products. The proposed garage will provide visual and sound buffering of US 31 for the residences to the east (Valley Lane Court).

See attached Exhibit B – Aerial Site Map

See attached Exhibit C – Site Plan

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 property is large and partially wooded. The garage will be constructed of high quality building materials. The garage will add value to the property and to the neighborhood. Significant investment in a single-family residential property on as high-traffic roadway is uncommon and beneficial for the area. This project will not adversely impact the area.

See attached Exhibit A – Area Notification Map

See attached Exhibit D – Front Garage Elevation

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

If the (garage) structure is situated 15 feet behind the front line of the main structure (home), it will encroach into a natural wooded area where an existing brick patio is situated. We prefer to preserve the wooded area to serve as a natural buffer between our home and surrounding homes.

See attached Exhibit C – Site Plan

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

Not applicable.

Comments and Findings:

No additional comments.

Summary and Proposed Conditions:

Staff has no objections to the petitioner's statements of reasons. Staff recommends approval.

Staff recommends the following conditions :

1. Garage location shall substantially conform to the site plan submitted with the petition and attached to this report as Exhibit C.
2. Garage shall substantially conform to the architectural elevation submitted with the petition and attached to this report as Exhibit D.

Attachments:

Exhibit A -- Area Notification Map

Exhibit B – Aerial Site Map

Exhibit C – Site Plan

Exhibit D – Front Garage Elevation

Exhibit A
Area Notification Map

BZA 2021-025

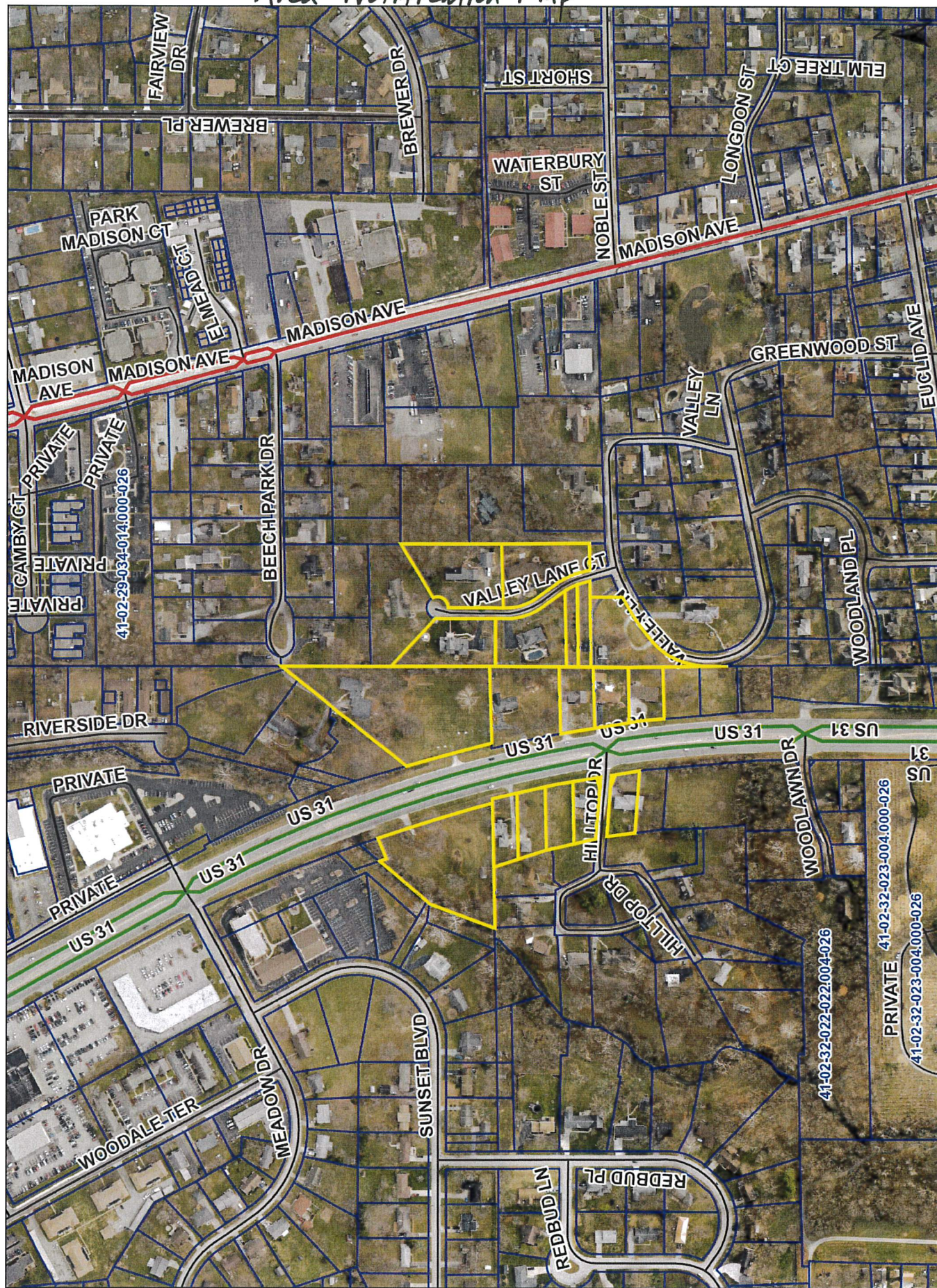
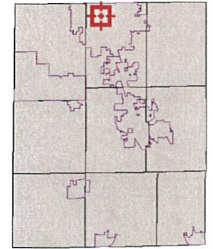


Exhibit B Aerial Site Map Johnson County, IN



Overview



Legend

- Cities
- Parcels
- Roads**
 - ACCESS RAMP
 - HIGHWAY
 - INTERSTATE
 - LOCAL
 - MAJOR ARTERIAL
 - MAJOR COLLECTOR
 - MINOR ARTERIAL
 - MINOR COLLECTOR
 - PRIVATE ROAD

Parcel ID	No Data Found	Alternate ID	n/a	Owner Address	n/a
Sec/Twp/Rng	n/a	Class	n/a		
Property Address		Acreage	n/a		
District	n/a				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

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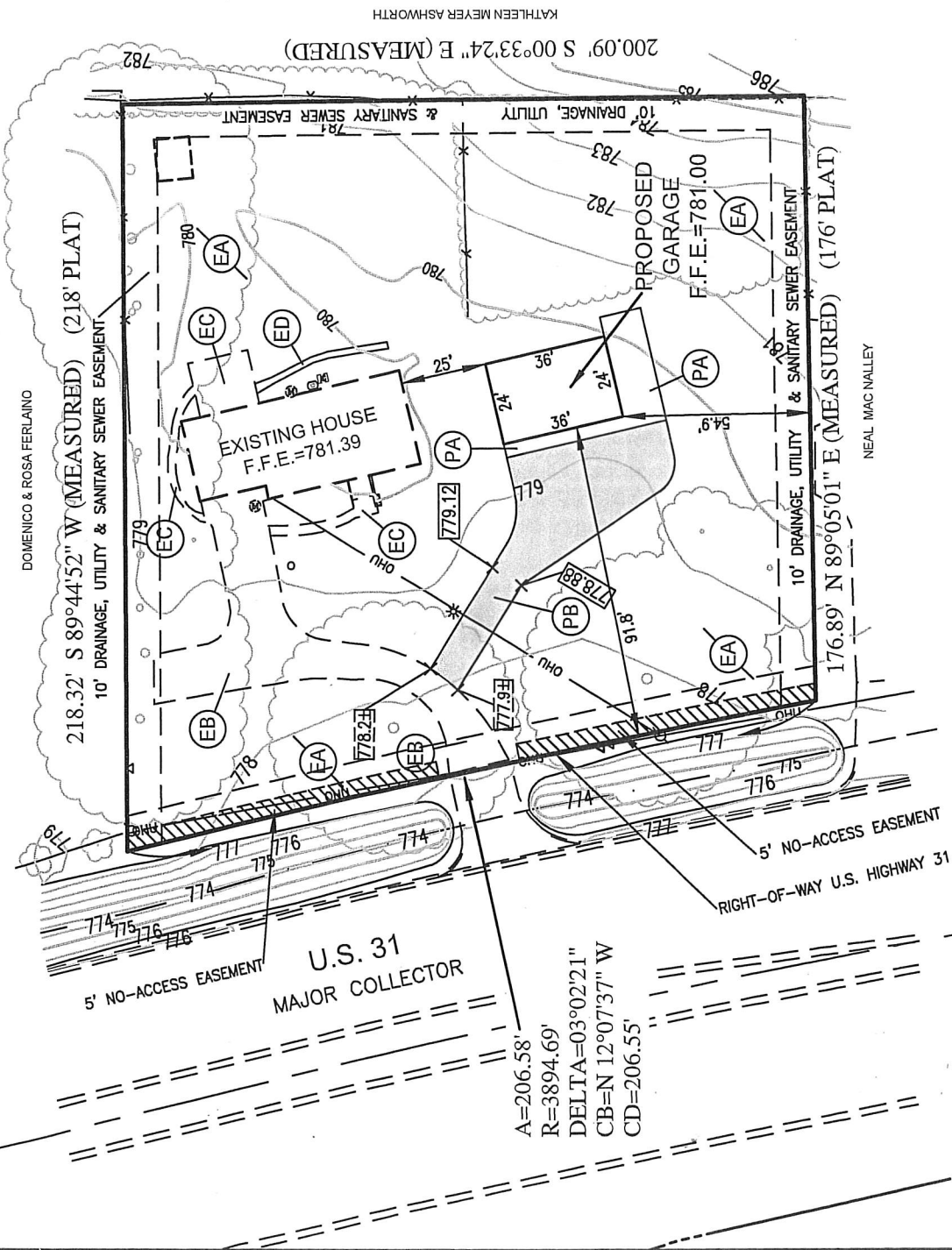
Developed by Schneider
GEOSPATIAL

Exhibit C Site Plan BZA 2021-025



Call before you dig
Indiana 811

THIS DRAWING IS NOT INTENDED
TO BE REPRESENTED AS A
RETRACEMENT OR ORIGINAL
BOUNDARY SURVEY.



<p>PROJECT NAME</p> <p>405-407 North Replat Lots 1 & 2, Springda City of Greenwood, Johnson (</p>	<p>PREPARED FOR</p> <p>Jason Grable 407 N. U.S. 31 Greenwood, Indiana 46142</p>	<p>Engineering, Land Surveying Consulting & Inspection</p> <p>Donna Jo Smithers President / Owner</p> <p>Venus L.L. Thorne Vice President</p> <p>Martin K. Speas Professional Engineer Vice Engineering</p> <p>6125 South East Street, Suite "B" Indianapolis, Indiana 46227-2117 Office - 317-884-3020 www.npsurvey.com</p>	<p>Engineering, Land Surveying Consulting & Inspection</p> <p>Donna Jo Smithers President / Owner</p> <p>Venus L.L. Thorne Vice President</p> <p>Martin K. Speas Professional Engineer Vice Engineering</p> <p>6125 South East Street, Suite "B" Indianapolis, Indiana 46227-2117 Office - 317-884-3020 www.npsurvey.com</p>
<p>Scale: 1"=40'</p> <p>Bar Scale</p> <p>0 20' 40' 80'</p>	<p>SHEET TITLE</p> <p>SITE PLA</p>		

407 US 31 N.
Greenwood, IN.
46142

