

**Shelby County Board of Zoning Appeals
Meeting Minutes
November 4, 2025**

Members Present:

Kevin Carson
Terry Knudson
Megan Hart
Dave Klene
Jim Douglas

Members Absent:

None

Staff Present:

Desiree Calderella – Planning Director
Jody Butts– Attorney

Call to Order and Roll Call:

Dave Klene called the meeting to order at 7:00 pm in Room 208 A at the Court House Annex, Shelbyville.

Approval of Minutes:

Kevin Carson made a motion to approve the minutes from the October 14, 2025 meeting. Terry Knudson seconded the motion. The minutes were approved 5-0.

Old Business:

BZA 25-37 – JUST ADD WATER BOATS: FINDINGS OF FACT

Jim Douglas made a motion to adopt the Findings of Fact indicated in the October 14, 2025, meeting materials and Kevin Carson seconded the motion. The Findings of Fact indicated in the meeting materials were adopted 5-0.

BZA 25-38 – AMANDA BRATTON & TERESA J YOUNG: FINDINGS OF FACT

Kevin Carson made a motion to adopt the Findings of Fact indicated in the October 14, 2025 Staff Report and Terry Knudson seconded the motion. The Findings of Fact indicated in the Staff Report were adopted 5-0.

New Business:

BZA 25-39 – BRADLEY MOHR: SPECIAL EXCEPTION & DEVELOPMENT STANDARDS VARIANCE – To allow a Type 3 Home Business (hauling) in the RE

(Residential Estate) District and parking of dump trucks alongside the accessory structure used for the home business at night (commercial vehicles only permitted inside or behind the accessory structure at night) [UDO Sec. 5.35 E 4 a]. Located at 8547 N 100 W, Fountaintown, Van Buren Township.

Desiree Calderella read the petition into the record and stated that Staff recommends approval with stipulations.

Bradley Mohr explained that he parks his dump trucks that he uses to haul loads at his home and that he has no employees. He explained that he does not have enough room in the barn to work on the trucks and that the barn only holds small truck parts. He indicated that a berm partially blocks views of the trucks from south of the property and that pine trees partially block view of the trucks from north of the property.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Terry Knudson asked if the property adjoins farmland to the north.

Bradley Mohr indicated that the property adjoins farmland to the north.

Dave Klene asked if the petitioner agrees with the stipulations recommended by Staff.

Bradley Mohr indicated that he agrees with the stipulations.

Kevin Carson made a motion to vote on the petition with stipulations and Megan Hart seconded the motion. The petition was **APPROVED 5-0** with **stipulations**:

- 1. On-site business activities shall be limited to administrative functions within the home, the storage of two dump trucks along the south side of the existing barn, and indoor storage of truck parts and equipment.**
- 2. Parking of any employee vehicles and truck maintenance activities shall be prohibited.**

Kevin Carson made a motion to adopt the Findings of Fact indicated in the Staff Report and Terry Knudson seconded the motion. The Findings of Fact indicated in the Staff Report were adopted 5-0.

BZA 25-41 – JAMES LOVETT: DEVELOPMENT STANDARDS VARIANCE – To allow an accessory structure in the front yard [UDO Sec. 5.40 C]. Located at 8214 N Michigan Rd., Fountaintown, Moral Township.

Desiree Calderella read the petition into the record and stated that Staff recommends

approval.

James Lovett indicated that he plans to build a 30'x40' building with 12' walls and indicated the distance of the building from his house, the property line, and the road. He explained that he would store items currently stored outdoors inside the building, and therefore the building would improve the appearance of his property and surrounding properties.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Dave Klene asked if the building would sit 20-feet from the fence on the adjacent property to the west.

James Lovett indicated that the building would sit 20-feet from the fence.

Kevin Carson indicated that the property adjoins an industrial property.

Kevin Carson made a motion to vote on the petition and Terry Knudson seconded the motion. The petition was **APPROVED 5-0**.

Megan Hart made a motion to adopt the Findings of Fact indicated in the Staff Report and Terry Knudson seconded the motion. The Findings of Fact indicated in the Staff Report were adopted 5-0.

BZA 25-42 – JAMES D WILLIAMS: USE VARIANCE – To allow for placement of a manufactured home in the RE (Residential Estate) District. Located at 5113 W 100 S, Shelbyville, Hendricks Township.

This petition was continued to the December 9, 2025 meeting prior to the meeting due to lack of notice.

Discussion

Residential Accessory Structure Standards Ordinance Review

Desiree Calderella outlined the proposed ordinance amendment as indicated in the meeting materials.

Jim Douglas expressed concern with allowing accessory structures in the front yard without review by the BZA.

Kevin Carson referenced a variance from the accessory structure size requirement that that the Board had denied 2019. He indicated that the ordinance may need to regulate structure design in residential areas.

Dave Klene indicated that the County should consider updating the ordinance because the Board had approved all 90 accessory structure variances.

Desiree Calderella indicated that if the County does not update the regulations, then the Board should scrutinize variance requests more carefully.

Megan Hart expressed concern that no size limit would allow excessively large structures on residential properties. She suggested reviewing the previously approved accessory structure size variances to determine the common size of larger accessory structures. She indicated that she would prefer that the Board review any request to construct an accessory structure in the front yard.

Kevin Carson asked how many people choose to reduce the size of their proposed accessory structure to avoid applying for a variance.

Desiree Calderella explained that nobody reduces the size of their structure and will always apply for a variance.

Desiree Calderella outlined the accessory structure size and placement requirements in Hancock, Johnson, and Bartholomew counties.

Kevin Carson indicated that he would support an accessory structure size requirement of no greater than 100% of the size of the house on lots under 2-acres, similar to Bartholomew County.

Dave Klene indicated that the Board should review requests for extremely large accessory structures, but not accessory structures located in front of the house if located more than 100-feet from the road.

Desiree Calderella suggested imposing an accessory structure size restriction on lots under 2-acres and determine the maximum size by reviewing the previously approved variances to determine the common size of larger accessory structures.

The Board agreed with this suggestion.

Desiree Calderella suggested allowing an accessory structure in the front yard if located 100-feet from the road and not in front of a neighboring house.

Megan Hart indicated that an accessory structure should also not block view of the house on the property from the road.

The Board agreed to prohibit shipping containers, portable storage containers, and construction trailers as accessory structures and to allow construction of an accessory structure before a primary structure/house, if the primary structure/house is issued a

certificate of occupancy within two (2) years of issuance of an Improvement Location Permit for the accessory structure.

Zoning Violations at 449 E Brookville Rd, Fountaintown and 4980 W Range Rd, Shelbyville.

Desiree Calderella provided an update on the status of past and pending zoning violations.

The Board discussed the violations and potential plans for corrective action.

Adjournment:

With no further business to come before the Board, Kevin Carson moved to adjourn, and Megan Hart seconded the motion. The meeting was adjourned.