



## JOHNSON COUNTY

Department of Planning and Zoning  
86 West Court Street  
Courthouse Annex  
Franklin, Indiana 46131

Phone: (317) 346-4350  
Fax: (317) 736-4722  
[www.co.johnson.in.us](http://www.co.johnson.in.us)

# MEETING AGENDA

Johnson County Board of Zoning Appeals  
June 24<sup>th</sup>, 2025, 7:00 PM  
Public Auditorium, West Annex Building  
86 West Court Street, Franklin, Indiana

## CALL TO ORDER

## ROLL CALL

## APPROVAL of MINUTES

Approval of minutes from the May 20th, 2025, meeting.

## PUBLIC HEARINGS

### -CONTINUED PETITIONS

None.

### -NEW PETITIONS

V-10-25. Shana Property LLC. 5440 Warrior Trail, Whiteland

Approval to modify a site plan and Plan of Operation of an approved Use Variance  
(V-12-23)

## OLD BUSINESS

None.

## NEW BUSINESS

## REPORTS AND RECOMMENDATIONS

None.

## ADJOURNMENT

The next regular meeting of the Johnson County Board of Zoning Appeals is scheduled for Tuesday, July 29th, 2025 at 7:00 PM.

*In accordance with American Disabilities Act, any person attending the public meeting in need of reasonable accommodations in order to attend, hear, or present evidence at the public meeting on an agenda item should contact the Johnson County ADA coordinator, Barb Davis, at 86 W. Court St., Franklin, IN 46131, (317) 346-4329, [bdavis@co.johnson.in.us](mailto:bdavis@co.johnson.in.us).*

...

# Staff Report

---

CASE NUMBER: V-10-25  
ADDRESS: 5440 Warrior Trail, Whiteland  
PETITIONER: Shana Property LLC by Chris Duke

---

## REQUEST

Approval to modify a site plan and Plan of Operation of an approved Use Variance (V-12-23)

Variance of Use of the Johnson County Zoning Ordinance to allow for a trucking company business (not permitted in a B-2 zoned property).

## PROPERTY DESCRIPTION

This variance request involves a 7.31-acre parcel that is zoned B-2 (Community Business District). To the south are several semi-tractor oriented businesses and to the north are warehouse/manufacturer uses. All parcels are within the Town of Whiteland limits.

## MODIFICATIONS TO A USE VARIANCE

In December of 2023, this property was granted a Use Variance, V-12-23, to allow for a trucking company business. They are seeking to modify the Plan of Operation and Site Plan.

The modification to the site plan submitted shows a larger turnaround and an additional 5,000 square foot building. The Plan of Operation states that one building will be used for storage and the additional building will be used for repairs.

## STAFF VARIANCE OF USE FINDINGS OF FACT: STAFF ANALYSIS

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

The proposed use will not impact public health, safety, morals, or general welfare.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.

The proposed use will be compatible with the surrounding uses in the area and should not affect the value of the area.

3. The need for the variance does arise from some condition peculiar to the property involved.

The property is not zoned for a use that is dominant in the area.

4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which variance is sought.

The strict application of the terms of the ordinance will not allow a use that is dominant in the area to exist without a variance or rezoning.

5. The approval does not interfere substantially with the Comprehensive Plan.

The Comprehensive Plan's recommendation for mixed use in this area. Mixed uses development is intended to encourage well-planned, integrated mix of compatible uses that relate well and support one another. This use is compatible to other uses in the area.

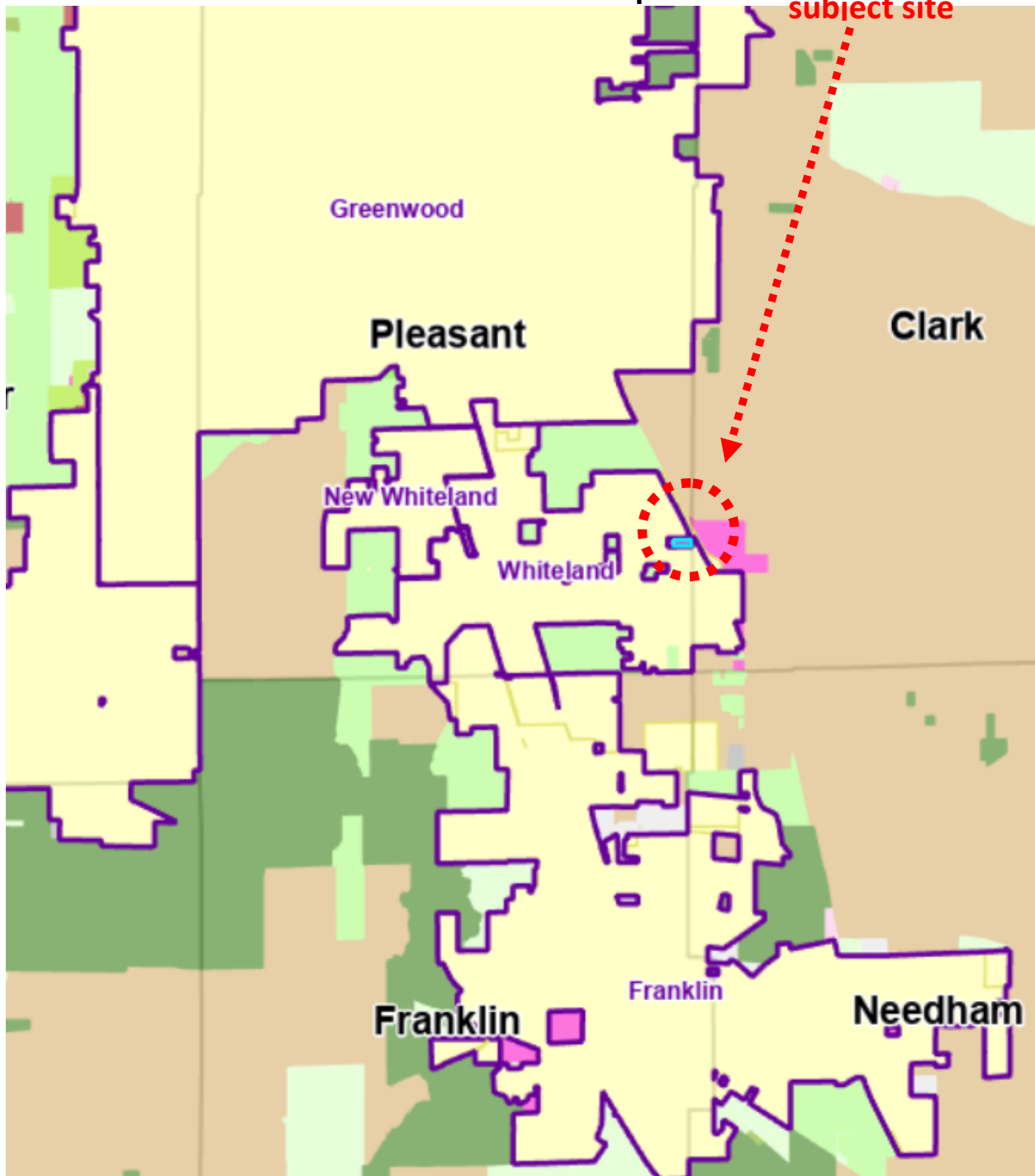
GENERAL INFORMATION

Applicant: Chris Duke  
3567 E 700 N  
Whiteland, IN 46184

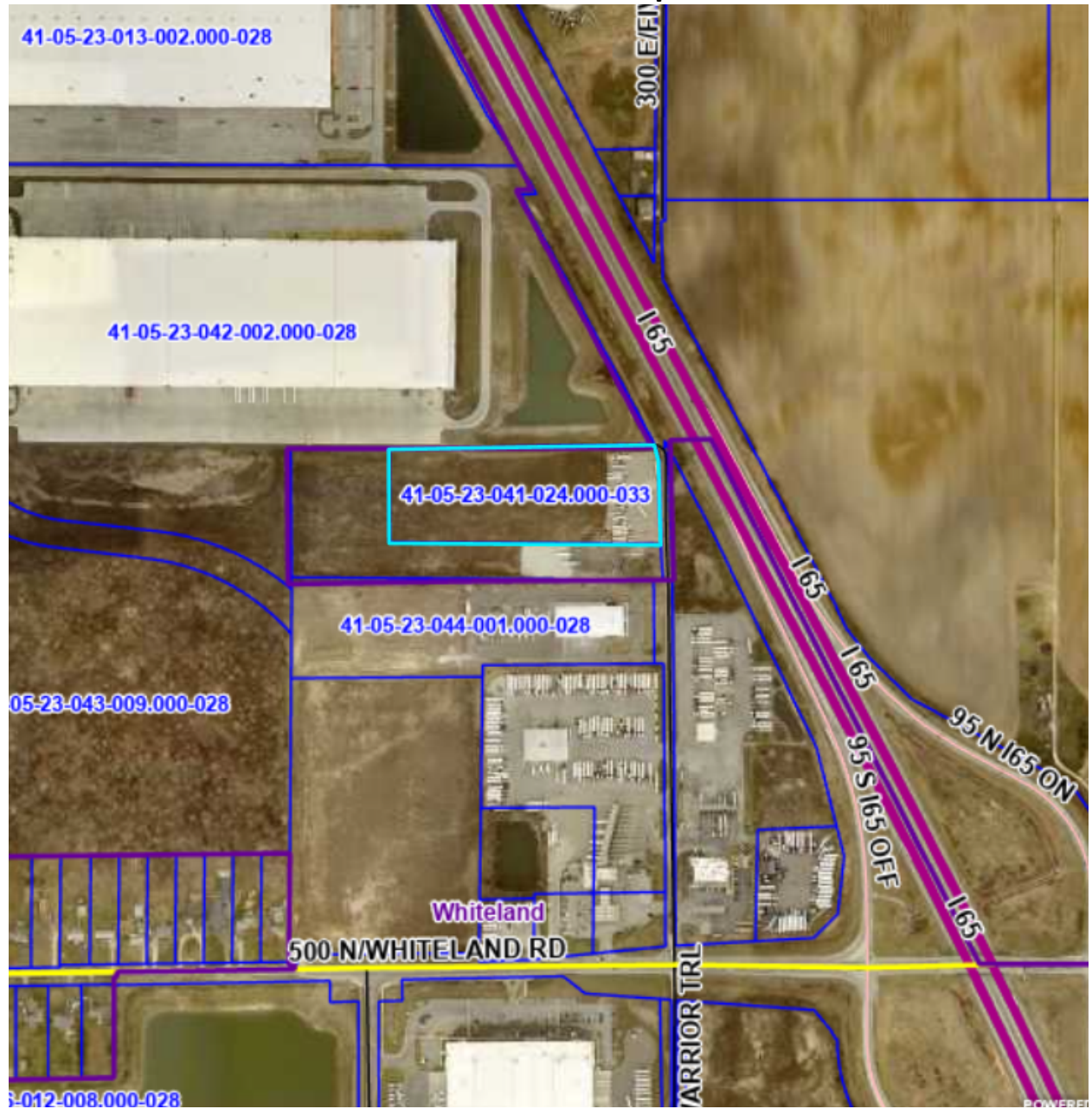
Owner: Shana Property LLC  
2947 Hearthside Dr.  
Greenwood, IN 46173

Zoning: B-2  
Land Use: undeveloped land, parking  
Future Land Use: Mixed- Use  
-MNH-

V-10-25 Base Map



## V-10-25 Base Map II



V-10-25 AERIAL





[illegible]

## Approved Plan of Operation, V-10-25

September 19, 2023

To: Johnson County Planning Dept.  
86 W. Court Street  
Franklin, IN 46131

Attn: Ms. Michele Hansard, AICP

Re: 5440 Warrior Trail Truck Repair and Parking

Dear Ms. Hansard,

Attached is the plan of operation for the parcel of land located on parcel: 41-05-23-041-024.000-033 at the known address: 5440 Warrior Trail, Whiteland, IN 46184.

The petitioner for this parcel is planning to own and operate a semi-truck and trailer repair and storage facility located adjacent to Interstation 65 and surrounding existing large industrial buildings. The proposed development will include removal of an existing barn and construction of a 5,000 sq. ft. building and parking for semi-trucks or trailers, including flatbed, freight, lowboy and tanker trailers.

Planned operations:

Hours of operation:  
Monday through Sunday, 8:00am - 10:00pm

Anticipated number of trucks / trailers onsite:  
Not to exceed maximum parking spaces shown for paved areas, no parking/storage off paved areas.

## AMENDMENTS TO Plan of Operation

Re: 5440 Warrior Trail Truck Repair and Parking

Dear Ms. Hansard,

Attached is the plan of operation for the parcel of land located on parcel: 41-05-23-041-024.000-033 at the known address: 5440 Warrior Trail, Whiteland, IN 46184.

The petitioner for this parcel is planning to own and operate a semi-truck and trailer repair and storage facility located adjacent to Interstation 65 and surrounding existing large industrial buildings. The proposed development will include removal of an existing barn and construction of a 5,000 sq. ft. repair building, a 5,000 sq. ft. storage only building and parking for semi-trucks or trailers, including flatbed, freight, lowboy and tanker trailers.

Planned operations:

Hours of operation:  
Monday through Sunday, 8:00am - 10:00pm

Anticipated number of trucks / trailers onsite:  
Not to exceed maximum parking spaces shown for paved areas, no parking/storage off paved areas or on Warrior Trail.

## V-10-25 Petitioner's Findings of Facts

### FINDINGS OF FACT, Use VARIANCE

JOHNSON COUNTY BOARD OF ZONING APPEALS

Case Number: \_\_\_\_\_

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

The project site is surrounded by existing industrial/commercial developments. The site use will be in similar in use to with existing business within the area. The site has access to Warrior Trail, a public road, with adequate utilities.

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 site has access to Warrior Trail, a public road, with adequate utilities. The proposed parking will be screened from public view from the east. Surrounding properties are zoned and used for industrial uses.

3. The need for the variance arises from some condition peculiar to the property involved because:

The property is currently zoned GC, but surrounding uses are industrial within the Town of Whiteland town limits.

4. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property because:

The property is currently zoned GC, and could be developed for uses permitted current Johnson County Zoning Ordinance with a special use exception

5. The approval does not interfere substantially with the Comprehensive Plan because:

The comprehensive plan, dated 2011, recommends mixed use in this area, areas of business, commercial or industrial use. The surrounding tracts were developed in the Town of Whiteland as Industrial.

## **V-10-25 Proposed Commitments suggested by adjoining owner METLIFE INVESTMENT MNGT**

**Cross Reference:** Instrument No. 2024-005029

### **Commitments to Use Variance V-10-25 Replacing Commitments to Use Variance 12-23**

The undersigned agrees to the following Commitments in connection with Use Variance V-10-25, and agrees that the following Commitments modify, amend, and fully replace those Commitments to Use Variance 12-23 agreed to on December 19, 2023, executed on January 31, 2024, and recorded on April 4, 2024 in the Johnson County Recorder's Office as Instrument Number 2024-005029, for that certain real estate situated in Johnson County, Indiana and more particularly described on Exhibit A attached hereto and incorporated herein (the "**Real Estate**"):

1. The Use Variances 12-23 and V-10-25 (together, the "**Use Variances**") allowing for truck parking, a maintenance building, and a storage-only building shall only apply to the eastern approximately 441 feet of the Real Estate (such distance being approximately the eastern one-half of the Real Estate) (as approximately shown on the submitted V-10-25 Modified Site Plan).
2. The Use Variances shall sunset at 11:59 p.m. Eastern Time on Friday, December 18, 2026 (the "**Sunset Date**"), which date is approximately thirty-six (36) months from the date of approval of Use Variance 12-23. On or before Monday, June 22, 2026, which date is approximately one hundred eighty (180) days prior to the Sunset Date, the property owner of the Real Estate or its successors or assigns ("**Owner**") shall petition the Johnson County Board of Zoning Appeals to extend the term of the Use Variances. If the Use Variances are not extended prior to the Sunset Date, then such Use Variances shall expire and the use of the Real Estate for a truck parking, maintenance, and storage facility shall cease.
3. The maintenance building situated in the eastern quarter of the Real Estate shall be no larger than 5,000 square feet. The storage-only building to be situated in the eastern half of the Real Estate near the center of the Real Estate shall be no larger than 5,000 square feet.
4. The parking lot shall be paved and be limited to no more than 35 semi-truck and semi-trailer parking spaces. Further, the parking lot shall be comply with the Parking Lot Design provided in Section 6-101-7.C.5 and Parking Lot Landscaping provided in Section 6-101-8.D.
5. No outdoor storage, including storage of materials, equipment, waste products or recyclables shall be permitted on the Real Estate.
6. Hours of Operations will be 8am-10pm (7 Days of the Week).

7. The development of the Real Estate shall require Technical Review Committee and Drainage Board approval, which includes strict compliance with the Stormwater Management Ordinance.
8. Owner shall submit a traffic impact study as part of Technical Review Committee approval and shall make all road improvements required by the Technical Review Committee, prior to use of the Real Estate for a parking facility.
9. At the same time development and drainage plans are submitted to the Technical Review Committee and Drainage Board, such plans shall also be provided to adjoining property owners of record and, if known by Owner of the Real Estate, their legal counsel.

These Commitments to Use Variance V-10-25 Replacing Commitments to Use Variance 12-23 shall be recorded with the Johnson County Recorder's Office and may be enforced by any property owner adjoining the Real Estate.

*[Remainder of Page Intentionally Left Blank; Signature Page Follows]*

IN WITNESS WHEREOF, Owner has executed these Commitments as of this \_\_\_\_ day  
of \_\_\_\_\_, 2025.

SHANA PROPERTY LLC

By:\_\_\_\_\_

Printed:\_\_\_\_\_

Title:\_\_\_\_\_

STATE OF INDIANA        )  
                                      ) ss:  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Shana Property LLC, who acknowledged execution of the foregoing Commitments to Use Variance V-10-25 Replacing Commitments to Use Variance 12-23 for and on behalf of said company.

Witness my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 2025.

[SEAL]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
(Printed)

This instrument was prepared by Kyle T. Resetarits, Attorney at Law, Dentons Bingham Greenebaum LLP, 10 W. Market Street, Suite 2700, Indianapolis, Indiana 46204, (317) 635-8900.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this instrument. *Kyle T. Resetarits, Attorney at Law.*

## **EXHIBIT A**

### **Legal Description of the Real Estate**

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID QUARTER-QUARTER SECTION; THENCE NORTH 89 DEGREES 36 MINUTES 41 SECONDS WEST (ASSUMED BEARING) ON AND ALONG THE SOUTH LINE THEREOF 16.5 FEET TO THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 300 EAST; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING BEING MARKED BY A CAPPED IRON PIN; THENCE NORTH 89 DEGREES 36 MINUTES 41 SECONDS WEST PARALLEL WITH THE SAID SOUTH LINE A DISTANCE OF 963.46 FEET TO A CAPPED IRON PIN; THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS WEST 331.02 FEET TO A CAPPED IRON PIN; THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS EAST 900.54 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 36 MINUTES 41 SECONDS EAST 37.91 FEET TO THE WESTERLY LINE OF A 50 FOOT RIGHT-OF-WAY FRONTAGE ROAD ALONG THE WEST SIDE OF INTERSTATE 65; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 27 DEGREES 03 MINUTES 19 SECONDS EAST 56.26 FEET TO THE WEST RIGHT-OF-WAY-LINE LINE OF COUNTRY ROAD 300 EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID COUNTY ROAD RIGHT-OF-WAY A DISTANCE OF 288.82 FEET TO THE POINT OF BEGINNING, CONTAINING 7.400 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS-OF-WAY AND EASEMENTS OF RECORD.