



STAFF REPORT

Floyd County Plan Commission

Docket Number: FC-05-26-27

Petitioner: Johnny & Lesa Copas, Representative Jason Copperwaite

Location: 5657 W Luther Road, Floyds Knobs, IN 47119

Parcel: 22-02-02-400-167.009-002

Request: Administrative Subdivision Replat - Modification

Zoning District: Residential Suburban

Date: 06/22/2026

Overview:

The petitioner is requesting a modification for an administrative subdivision replat of the Shaw Ridge Administrative Subdivision to provide a second driveway with its own road connection rather than share a driveway per Article III Sections 4B.

Applicant Justifications

1. **The Variance/modification will not be detrimental to the public's health, safety or general welfare because:** The proposed driveway will comply with all applicable sight-distance, drainage and construction standards required by Floyd County and any applicable roadway authority.
2. **The variance/modification will not adversely affect adjacent property because:** Nearby residential properties along the roadway and within the surrounding area commonly utilize individual driveway access. Granting this request would therefore remain compatible with the established character and development pattern of the area.
3. **The variance/modification is justified because of exceptional topographical or other physical conditions unique to the property involved and is not to correct mere inconvenience or financial disadvantage because:** This will create an unnecessary practical difficulty due to the specific layout and conditions of the lots.
4. **The conditions upon which the variance/modification request is based are unique to the property for which the relief is sought and not applicable generally to other property because:** Due to the configuration, topography, drainage, grading, and/or existing improvements on the property, a shared driveway arrangement is impractical and would create operational difficulties for both property owners. A separate driveway would provide safer and more functional access to the residence.
5. **The variance/modification is consistent with the intent and purpose of this Ordinance and the Comprehensive Plan because:** The proposed driveway will serve only a single residential lot and will generate minimal traffic. The requested modification represents the minimum relief necessary to allow reasonable residential use of the property.
6. **The condition necessitating the variance/modification was not created by the owner or applicant because:** Due to existing improvements on the property, a shared driveway arrangement is impractical and would create operational difficulties for both property owners.
7. **The relief sought will not in any way vary the provisions of the Zoning Ordinance because:** The proposed driveway will comply with all applicable sight-distance, drainage, and construction standards required by Floyd County and any applicable roadway authority.



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Staff Comments:

The general intent behind access management through a shared access easement is two-fold. Firstly, this can improve traffic flow and reduce collision risks and secondly, the shared access easement is to be suitable as a future public street should development occur in the future. Regarding access management, the County Engineer indicated that there would be no problem with an additional drive in this location. Regarding future use as a public street, this parcel and the surrounding properties are zoned RS and until they get sewer access, must utilize the RR development standards. As such, this area is unlikely to see additional development within the administrative plat until sewer access is available, and even then only if the current residents decide to sell. The neighboring properties on W Luther road have not adhered to this standard of the subdivision control ordinance, so that this section of the road has several driveways and no subdivision roads. The lot frontage requirements are still met, and W Luther Road is currently being used as if it were a subdivision road by 13 other access points for houses between Old Vincennes Road and Chimneywood Drive.

The topography of the property does have a slope of roughly 8% per Eagleview, while the maximum slope for a subdivision road is at 10% offering a somewhat unique aspect of this property.

As such, staff finds that approval of this modification can be justified.



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View of the existing driveway from W Luther Rd



View of the existing driveway from W Luther Rd

NOTICE OF PUBLIC HEARING

Description of Proposed Docket:

Applicant Johnny & Lesa Copas, representative Jason Copperwaite is seeking a:

- Zoning Map Change (Standard or Planned Unit Development)
- Minor Subdivision (Five Lots or less)
- Major Subdivision (Five Lots or more as a Traditional Design)
- Conservation Subdivision (Five Lots or more with an Open Space Design)
- Planned Unit Development (PUD)
- Development Review (Site Review for new Structure)
- Administrative Appeal

From the **Floyd County Plan Commission.**

Street Address (see enclosed map):

5657 W Luther Road, Floyds Knobs, IN 47119
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Parcel ID # 220202400167.009002

Description of Project:

Administrative Subdivision Replat to split lot 203 of Shaw Ridge
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Modification of subdivision standards to allow an additional driveway access
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This is a notice that a public hearing regarding the proposed docket item will be on June 22nd, 6pm located in **Suite 104 at the Pineview Government Center, 2524 Corydon Pike New Albany, IN 47150.**

Please note that information about the proposed docket item can be found at the following:

Floyd County Building and Development Services

2524 Corydon Pike Suite 203

New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

Building@floydcounty.in.gov

Floyd County Government Website www.floydcounty.in.gov



Floyd County, IN

Aerial Zoning Map

5657 W Luther Road

Created by: null



- Parcels
- County Zone Map
 - AR - Agriculture
 - RR - Rural Residential
 - PD-RR - Planned Development
 - RS - Residential Suburban
 - PD-RS - Planned Development
 - RU - Residential Urban
 - MF - Multi-Family
 - NC - Neighborhood Commercial
 - PD-NC - Planned Development
 - HS - Highway Service
 - GC - General Commercial
 - PD-GC - Planned Development
 - PR - Park
 - GI - General Industrial
 - OB - Office Business
 - PU - Plan Unit
 - Other Values



APPLICATION FOR SUBDIVISION CONTROL VARIANCE/MODIFICATION

FLOYD COUNTY PLAN COMMISSION
PINE VIEW GOVERNMENT CENTER
2524 CORYDON PIKE, SUITE 203
NEW ALBANY, IN 47150
TELEPHONE 812-948-5440; FAX 812-941-4571

**This Application is a document of public record.
Any information disclosed on this Application is available for review by the public.**

Incomplete Applications will not be accepted.

The Application for Variance must be submitted with the Application for Primary Approval of Subdivision.

ORDINANCE AUTHORITY: Floyd County Subdivision Control Ordinance, Article 1, § 10

The Floyd County Plan Commission may grant modifications to the requirements of the Subdivision Control Ordinance only if **all** of the following criteria are met:

1. The modification will not be detrimental to the public's health, safety or general welfare.
2. The modification will not adversely affect adjacent property.
3. The modification is justified because of exceptional topographical or other physical conditions unique to the property involved and is not to correct mere inconvenience or financial disadvantage.
4. The conditions upon which the modifications request is based are unique to the property for which the relief is sought and not applicable generally to other property.
5. The modification is consistent with the intent and purpose of this Ordinance and the Comprehensive Plan.
6. The condition necessitating the modification was not created by the owner or applicant.
7. The relief sought will not in any way vary the provisions of the Zoning Ordinance.

Docket No. _____

Date Filed: _____

Name of Applicant: Johnny & Lesa Copas

Address of Applicant: 5657 W. Luther Road
Floyds Knobs, IN 47119

Owner of Property: (if different than Applicant) Same as above

Address of Owner: _____

Address of Property: _____

Variance/Modification requested so that Applicant may: The Applicant respectfully requests a variance/modification from Article III, Section 4(B) of the Floyd County Subdivision Control Ordinance to permit construction and use of a separate individual driveway access for the subject lot rather than a shared jointly used access drive.

Identify the specific section(s) of the Subdivision Control Ordinance that the Variance/Modification applies to: Article III, Section 4(B)

Justification for Variance/Modification: (Please complete all sections below)

1. **The variance/modification will not be detrimental to the public's health, safety or general welfare because:**
Approval of the request will not adversely affect public safety, neighboring properties, traffic circulation, drainage, or the general welfare. The proposed driveway will comply with all applicable sight-distance, drainage and construction standards required by Floyd County and any applicable roadway authority.
2. **The variance/modification will not adversely affect adjacent property because:**
Nearby residential properties along the roadway and within the surrounding area commonly utilize individual driveway access. Granting this request would therefore remain compatible with the established character and development pattern of the area.
3. **The variance/modification is justified because of exceptional topographical or other physical conditions unique to the property involved and is not to correct mere inconvenience or financial disadvantage because:**
Strict application of the ordinance would create an unnecessary practical difficulty due to the specific layout and conditions of the lots.

4. **The conditions upon which the variance/modification request is based are unique to the property for which the relief is sought and not applicable generally to other property because:**

Due to the configuration, topography, drainage, grading, and/or existing improvements on the property, a shared driveway arrangement is impractical and would create operational difficulties for both property owners. A separate driveway would provide safer and more functional access to the residence.

5. **The variance/modification is consistent with the intent and purpose of this Ordinance and the Comprehensive Plan because:**

The proposed driveway will serve only a single residential lot and will generate minimal traffic. The requested modification represents the minimum relief necessary to allow reasonable residential use of the property.

6. **The condition necessitating the variance/modification was not created by the owner or applicant because:**

Due to existing improvements on the property, a shared driveway arrangement is impractical and would create operational difficulties for both property owners.

7. **The relief sought will not in any way vary the provisions of the Zoning Ordinance because:**

The proposed driveway will comply with all applicable sight-distance, drainage, and construction standards required by Floyd County and any applicable roadway authority.

Conditions:

Please identify any conditions that you will agree to in connection with this Variance/Modification Application:

SIGNATURES & CONTACT INFORMATION:

Johnny Copas Lesia A. Copas Johnny Copas Lesia A. Copas
Applicant Signature Printed Name of Applicant

Agent's Signature Printed Name of Agent

Telephone No.: 812-987-6110 Applicant/Agent (Circle One)