



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
HEARING OFFICER
(May 10, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/DS-16-14 (Culp Ventures)
Staff: Melissa Begley
Hearing Officer: Melissa Begley

Applicant: Culp Ventures
Property Size: 40,510 square feet
Current Zoning: CR (Commercial: Regional)
Location: 1585 N. National Road, in the City of Columbus

Background Summary:

The applicant is requesting to construct 2 additional parking spaces on the subject property to provide additional parking spaces for the businesses. One of the two parking spaces located along National Road does not meet the 10 foot parking lot setback per Zoning Ordinance Section 7.2(Part 4)(B)(i). The existing parking spaces along National Road were constructed prior to the 10 foot parking lot setback requirement.

Preliminary Hearing Officer Decision:

Approval, all criteria have been met.

Zoning Ordinance Considerations:

District Intent: The intent of the CR (Commercial: Regional Center) zoning district is as follows: to establish appropriate locations for a variety of businesses that either (1) serve a regional market or (2) require convenient access to high volume transportation routes. This district should be limited to locations with access and infrastructure which is compatible with the needs of regional-serving businesses and facilities. This district should be focused at key intersections, rather than extended along corridors.

Development Standards: Front Setback: All parking spaces and driveways shall maintain a minimum setback of 10 feet from the existing or planned right-of-way, whichever is greater, of all adjacent streets and roads.

Current Property Information:	
Land Use:	Starbucks, Anytime Fitness
Site Features:	Commercial building, parking lot, dumpster and landscaping
Flood Hazards:	No flood hazards exist at this property.

Vehicle Access:	National Road/US 31 (Principle Arterial, Commercial, Suburban)
------------------------	--

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CR (Commercial: Regional)	Commercial Strip Center (Bubba's BBQ, Kung Fu, Columbus Pawn Shop)
South:	CR (Commercial: Regional)	MFG Furniture, Crew Carwash
East:	CR (Commercial: Regional) RS3 (Residential: Single Family 3)	Part of Crew Carwash Hiker Trace/Edgewood Subdivision
West:	I-2 (Industrial: General)	Cummins Fuel Systems

Interdepartmental Review:	
City Engineering:	The reduced back out area may make it difficult for larger vehicles to exit the parking spot. This spot could be signed for compact vehicles only.
Code Enforcement:	No comments received.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicants are requesting to add two additional parking spaces to the site. The spaces are located at the northwest end of the parking lot. One parking space is internal to the site and the second parking space is located along on National Road. Per Zoning Ordinance Section 7.2(Part4)(B)(i), parking spaces are required to maintain a 10 foot setback from adjacent streets or roads. The applicants are requesting the setback to be zero for the parking space along National Road.
2. The 10 foot front setback for parking spaces is primarily to allow an area of landscaping to be planted along private property and to visually buffer the parking lot and parked cars. This property was constructed prior 2008 and prior to the 10 foot parking lot setback requirement.
3. The site currently has 47 parking spaces. The Zoning Ordinance requires 6 parking spaces for the Starbucks restaurant and 19 parking spaces for the Anytime Fitness for a total of 25 required spaces.
4. The parcel is a triangular shaped property and the proposed parking space is located in one of the angled corners that is not 90 degrees.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved 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.**

Provisional Findings: The parking space being aligned with the other parking spaces will not create a sight visibility problem. The parking space will meet all other requirements of the Zoning Ordinance and will therefore not be injurious to public safety. *This criterion has been met.*

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.**

Provisional Findings: The use of adjacent property will not be adversely impacted by the parking space. The new parking space will align with the existing parking spaces continuing the existing visual line of the parking lot. *This criterion has been met.*

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The property is an odd shaped lot with a triangular shape. The new parking space is located in one of the angled corners of the property and setting the parking space 10 feet from the property line would create difficulty in vehicles being able to back out of the parking space and would interfere with the parking lot side setback requirement. *This criterion has been met.*

Hearing Officer Options:

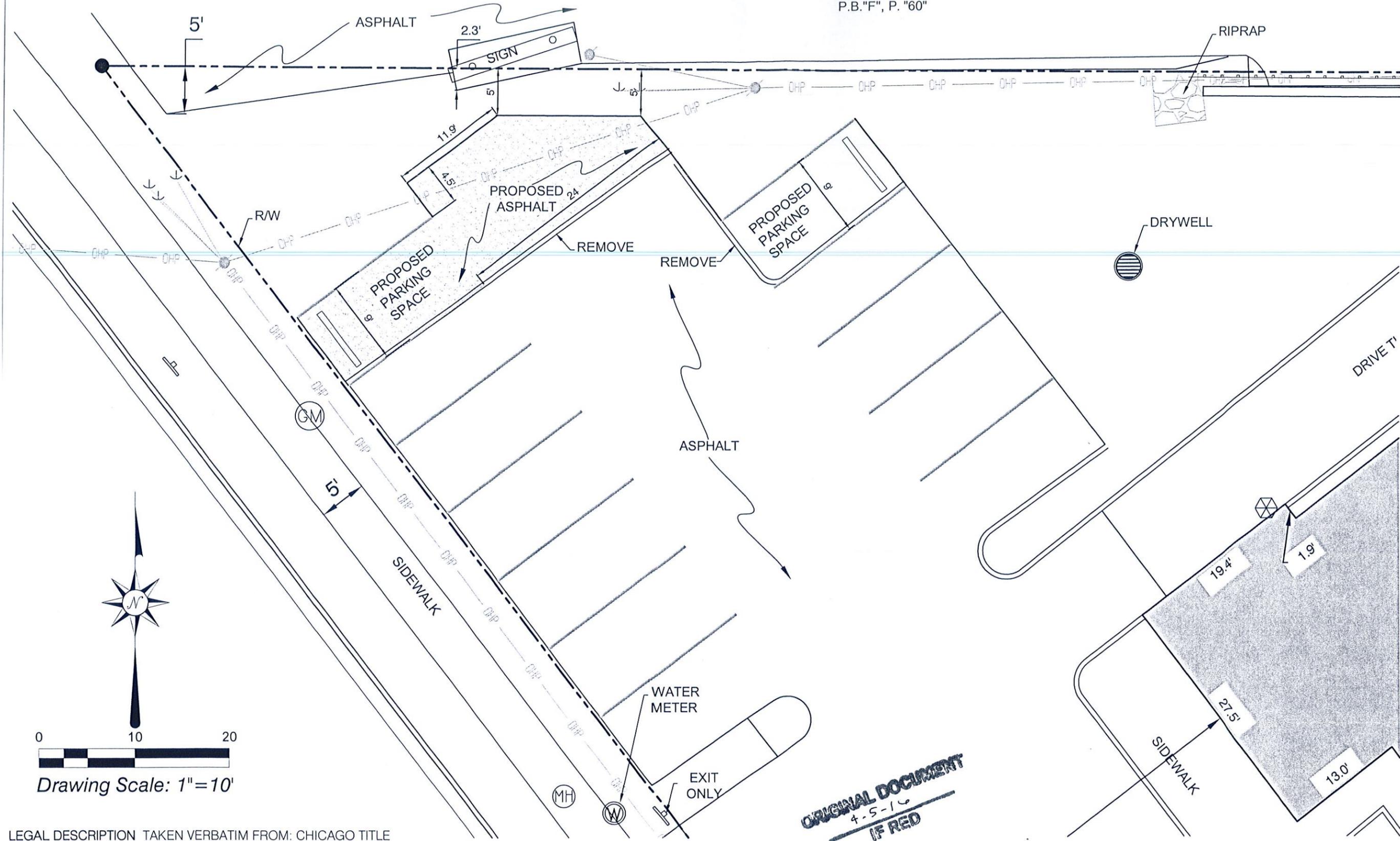
In reviewing a request for development standards variance the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.

Adjoiner: Lot 7
 Commerce Addition
 P.B. "F", P. "60"



E.R.
GRAY
 & Associates, PC

P.O. BOX 1357
 COLUMBUS, IN 47202
 (812) 372-7398
 ERGRAY.com
 info@ergray.com



ORIGINAL DOCUMENT
 4-5-16
 IF RED

STARBUCKS

LOT 2

PARKING ADDITION

REVISIONS		Date	Description	Drawn by:	Check By:

DATE: 4-5-16

DRAWING SCALE:

PROJECT NO:
 16159SDP10

JOB NO:
 16159

LEGAL DESCRIPTION TAKEN VERBATIM FROM: CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO.: 20150035, PER SCHEDULE A: LOT NUMBERED TWO(2) IN COLUMBUS GROUP SECOND RESUBDIVISION RECORDED AS INSTRUMENT #97-12541 IN PLAT BOOK "Q", PAGE 293B, IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA. SITE ADDRESS: 1585 NATIONAL RD COLUMBUS, IN 47203

15 COPIES
250.00

Columbus – Bartholomew County Planning Department
Development Standards Variance Application



Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County
Zoning: CR
Docket No.: C/Ds-16-14
Hearing Procedure: Board of Zoning Appeals Hearing Officer

Development Standards Variance Application:

Note: It is recommended that all variance applications are reviewed in a meeting with a Planning Department staff member prior to being filed. Please contact the Planning Department at 812.376.2550 to schedule that review meeting.

Applicant Information (the person or entity that will own and/or execute what is proposed):

Name: CWP VENTURES LLC
Address: 901 WABASH AVE. STE 120 TERRE HAUTE IN. 47807
(number) (street) (city) (state) (zip)
Phone No.: 812-234-4480 Fax No.: _____ E-mail Address: _____

Property Owner Information (the "owner" does not include tenants or contract buyers):

Name: STEVE SCHROHE CWP VENTURES LLC
Address: P.O. Box 2038 TERRE HAUTE IN. 47802
(number) (street) (city) (state) (zip)
Phone No.: 812-478-6114 Fax No.: _____ E-mail Address: _____

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: ROI CONSULTING/CONSTRUCTION LLC (ROBERT G. OSTBY)
Address: 3807 BONAVENTURE DRIVE COLUMBUS IN. 47203
(number) (street) (city) (state) (zip)
Phone No.: 812-447-0704 Fax No.: 812-378-4106 E-mail Address: RGOSTBY@COMCAST.NET

How would you prefer to receive official documentation regarding this request (please check one)? If no or multiple selections are made e-mail will be used. E-mail Fax Mail

Property Information:

Address: 1585-1565 N. NATIONAL ROAD COLUMBUS IN. 47203
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

STARBUCK'S / ANYTIME FITNESS

Variance Requested:

I am requesting a variance from Section 7.2 (PART 4)(B)(1) of the Zoning Ordinance to allow the following:

10' PARKING SETBACK FROM NATIONAL ROAD TO BE WAIVED TO MATCH THE EXISTING PARKING

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

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

THE CURRENT PARKING SPACES FACING US. 31 AT THE TIME OF CONSTRUCTION WERE NOT REQUIRED TO BE SET BACK 10'. WE ARE WANTING TO ADD (1) PARKING SPACE TO THE NORTH FACING US. 31. IF APPROVED, THIS NEW PARKING SPACE 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.

No

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.

No, This project is to help the community.

RECEIPT COLUMBUS PLAN COMMISSION

No 8917

General FUND

COLUMBUS IN., April 15 2016

RECEIVED FROM Culp Ventures LLC \$ 250.00

THE SUM OF Two-Hundred ~~and~~ Fifty & 00/100 DOLLARS

ON ACCOUNT OF C/DS-16-14 (Parking lot Setback)

PAYMENT TYPE & AMOUNT

CASH _____ CHECK 10575 M.O. _____

Alexandra

AUTHORIZED SIGNATURE

E.F.T. _____ C.C./BC _____ OTHER _____

RECEIPT COLUMBUS PLAN COMMISSION

No 8918

General FUND

COLUMBUS IN., April 15 2016

RECEIVED FROM Culp Ventures LLC \$ 250.00

THE SUM OF Two-Hundred & Fifty Dollars & 00/100 DOLLARS

ON ACCOUNT OF C/DS-16-14 (Wheel stops)

PAYMENT TYPE & AMOUNT

CASH _____ CHECK 10474 M.O. _____

Alexandra Keen

AUTHORIZED SIGNATURE

E.F.T. _____ C.C./BC _____ OTHER _____