



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(September 27, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/DS-16-36 (William and Rebecca Ballard)
Staff: Charles Russell
Applicant: William & Rebecca Ballard
Property Size: 0.88 Acres
Current Zoning: RS2 (Residential: Single-Family 2)
Location: 4460 Jonesville Road, in Columbus Township

Background Summary:

The applicant is requesting to build a detached 24-foot x 24-foot two-car garage. According to the Zoning Ordinance the total square footage of accessory structures on the property cannot exceed the ground floor area of the house. The proposed garage and exiting barn exceed the size of the house by 1,268 square feet.

Preliminary Staff Recommendation:

Approval – All criteria have been met.

Zoning Ordinance Considerations:

District Intent: The intent of the RS2 (Residential: Single-Family 2) zoning district is as follows: This district is intended to provide areas for moderate density single-family residences in areas with compatible infrastructure and services.

Development Standards: Section 6.1 (F)(2): On any property less than 2 acres the total lot coverage of accessory structures shall not exceed an amount equal to that of the ground floor area of the primary structure on that property. In addition, these properties shall be limited to a maximum of 5 total accessory structures and a maximum of 2 of any one type of accessory structure.

Current Property Information:	
Land Use:	Residential
Site Features:	The Louisville & Indiana Railroad separates the property from Jonesville Road. It shares a drive with an adjacent house via an access easement.
Flood Hazards:	A small part of the property is in the AE 100-year floodplain. Half of the barn on the property is located in the Zone X 500-year flood hazard area.
Vehicle Access:	Jonesville Road (Principle Arterial, Residential, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS2 (Residential: Single-Family 2) AP (Agriculture: Preferred)	One single-family residential home Agricultural fields
South:	RS2 (Residential: Single-Family 2) AP (Agriculture: Preferred)	Single-family homes Agricultural fields New Life Baptist Church
East:	RS2 (Residential: Single-Family 2) CN (Commercial: Neighborhood Center)	Single-family homes Happy Happy Self-Storage
West:	RS2 (Residential: Single-Family 2)	Single-family homes

Interdepartmental Review:	
Code Enforcement:	No concerns with this request.

Planning Consideration(s):

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

1. The applicant is requesting to build a 24 foot x 24 foot detached garage. The applicant has indicated this garage will replace a previous garage that was damaged in a storm. According to Section 11.3 (B)(4) the applicant would be permitted to replace the previous garage with one that is the same or lesser in size. However, the proposed garage is larger than the previous one.
2. Prior to 2001, the property had an attached garage. In 2001, the home owners received a building permit from Technical Code Enforcement to convert the attached garage to living space.
3. In addition to the proposed garage the property has a 2,400 square foot barn. According to the applicant this barn is used for personal storage and hobby cars. The barn is located 89 feet from the residence.
4. The property shares access to Jonesville Road with an adjacent property to the north via a 50 foot access and utility easement. Both properties are visually and physically separated from Jonesville Road by the Louisville & Indiana Railroad. Both properties are also screened by a tree line on the north, south, and east property lines.
5. The adjacent property with which the subject property shares access is single-family residential with a detached garage.
6. The surrounding area is largely residential and agricultural in character. Several other residential properties in the area have either detached or attached garages. Most nearby properties have detached accessory structures.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board 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 proposed garage is not located in any easement, and does not block visibility for entering or exiting the property. Approval would not endanger public health or 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: Detached garages and accessory structures are not out of character for the area, and the proposed garage would not alter the character or residential appearance of the property. The adjacent home with which the subject property shares a drive also has a detached garage. The subject property is also well screened by a tree line along the north, south, and east property lines. Approval of this variance would not negatively affect the use or value of neighboring properties. *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.**

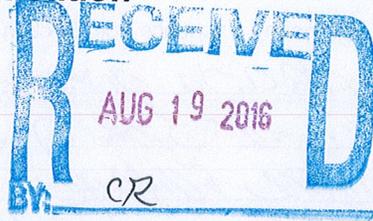
Provisional Findings: It is not unusual for residential properties in Bartholomew County to have either a detached or attached garage, and for those garages to be 2 or 3 car in size. Given the agricultural nature of the area a barn is also not out of character. The strict application of the zoning ordinance creates a practical difficulty in the owner making full use of his property in a similar manner to that of his surrounding neighbors. *This criterion has been met.*

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

#50
15 copies

Columbus – Bartholomew County Planning Department Development Standards Variance Application



Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning:
Docket No.: C/US-16-36

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: William & REBECCA BALLARD
Address: 4460 JONESVILLE Rd Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: (812) 344-9113 Fax No.: (812) 372-8203 E-mail Address: brian_ballard@krootcorp.com

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

Name: William & REBECCA BALLARD
Address: 4460 JONESVILLE Rd Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: (812) 344-9113 Fax No.: (812) 372-8203 E-mail Address: becca.ballard@gmail.com

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

Name: William Ballard
Address: 4460 Jonesville Rd Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: (812) 344-9113 Fax No.: (812) 372-8203 E-mail Address: brian_ballard@krootcorp.com

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: 4460 Jonesville Rd Columbus IN 47201
(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):

Variance Requested:

I am requesting a variance from Section 6.1(F)(2) of the Zoning Ordinance to allow the following:

Replacing one car garage that was torn down due to storm damage. We wish to add additional square footage to park vehicles out of the weather. We already have concrete pad in place. We have lived here for 22 years.

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 approval of this will not affect the 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.

The value of the area adjacent to the property will not be affected in an adverse manner. The addition of the garage will improve the appearance of the property.

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.

There will be no economic gain. We simply want to build a garage for our personal vehicles.

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of application fees for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom the refund should be provided:

Name: William Ballard
Address: 4460 Jonesville Rd Columbus IN 47201
(number) (street) (city) (state) (zip)

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.

William Ballard (Applicant's Signature) 8/18/16 (Date)

Property Owner's Signature (the "owner" does not include tenants or contract buyers):

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.

William B Ballard (Owner's Signature) 8/18/16 (Date)

William B Ballard
(Owner's Printed Name)

If the person signing as the "owner" is not specifically listed as such in the records of Bartholomew County please indicate their relationship to that officially listed person, corporation or other entity.



10'

120

25'

Ingress & Egress

25' Access & Utility

0.88 Ac

303

10' D & U

Bill Court
20x24
NEW GARAGE
24x24

10' D & U

RECEIPT

COLUMBUS PLAN COMMISSION

№ 9040

General FUND

COLUMBUS IN., Aug 19 2016

RECEIVED FROM Rebecca & William Ballard \$ 50.00

THE SUM OF fifty 00/100 DOLLARS

ON ACCOUNT OF _____

PAYMENT TYPE & AMOUNT

CASH _____
 CHEC 2130 M.O. _____

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

[Signature]
AUTHORIZED SIGNATURE

