



STAFF REPORT

BARTHOLOMEW COUNTY PLAN COMMISSION (June 8, 2016 Meeting)

Docket No. / Project Title: B/RZ-16-02 (Spray Road)
Staff: Charles Russell

Applicant: Columbus Planning Department
Property Size: 4.67 Acres
Current Zoning: AP (Agriculture: Preferred)
Proposed Zoning: AG (Agriculture: General)
Location: Located on the south side of Spray Road, approximately 1,200 feet east of SR 58, in Jackson Township

Background Summary:

The Bartholomew County Planning Department is requesting this rezoning to correct a possible error in the zoning map. This application is to rezone a small area on the south side of Spray Road from AP to AG. This will allow Spray Road to be the boundary line between the two zoning districts, rather than the current boundary, a section line located south of Spray Road.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Should Spray Road be the boundary between the AP and AG zoning districts in this area?

Preliminary Staff Recommendation:

Favorable recommendation to the County Commissioners.

Plan Commission Options:

In reviewing a request for *rezoning* the Plan Commission may (1) forward a favorable recommendation to the County Commissioners, (2) forward an unfavorable recommendation to the County Commissioners, (3) forward the application to the County Commissioners with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The County Commissioners make all final decisions regarding *rezoning* applications.

Decision Criteria:

Indiana law and the Bartholomew County Zoning Ordinance require that the Plan Commission and County Commissioners pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The Comprehensive Land Use Plan indicates this area as a boundary between the Agriculture Preferred and General Rural districts. While the Comprehensive Plan map is general and conceptual, the zoning districts that correspond to it follow property lines. The use of Spray Road rather than the nearby section line will make no material difference in the implementation of the Comprehensive Plan.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The area is primarily a mixture of agriculture and wooded areas. Some single-family residential is located nearby. The subject properties are consistent with the character of the area and are expected to remain unchanged.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The current zoning district and the proposed district permit the same uses, and share a similar list of conditional uses.

The conservation of property values throughout the jurisdiction of Bartholomew County.

Preliminary Staff Comments: This rezoning should have no effect on property values in Bartholomew County.

Responsible growth and development.

Preliminary Staff Comments: This rezoning would allow for a more contiguous AG zoning district, as it would allow Spray Road to act as the boundary between the AG and AP zoning districts. By promoting the use of roads and other features to serve as boundaries for different zoning districts it will prevent small pockets of split zoning districts from hindering future growth and development.

Current Property Information:	
Land Use:	Agriculture / Wooded
Site Features:	Wooded
Flood Hazards:	Zone AE 100 Year
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	None
Vehicle Access:	Spray Road (Local Road)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	AP (Agriculture: Preferred)	Agriculture
South:	AG (Agriculture: General)	Agriculture
East:	AG (Agriculture: General)	Agriculture
West:	AP (Agriculture: Preferred)	Agriculture

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: AP	Proposed Zoning: AG
Zoning District Intent:	Intended to provide an area suitable for agriculture and related use. It serves to protect the viability of agricultural operations, and limit non-agricultural developments where there is minimal and insufficient infrastructure.	Intended to provide areas for a mixture of agricultural and residential uses. The mixture is intended to support the long-term viability of agricultural operations.

Permitted Uses:	<p>Agriculture Uses</p> <ul style="list-style-type: none"> • Farm – County Jurisdiction • Farm (general) – City Jurisdiction <p>Residential Uses</p> <ul style="list-style-type: none"> • Dwelling, single-family <p>Park Uses</p> <ul style="list-style-type: none"> • Nature preserve / conservation area 	<p>Agriculture Uses</p> <ul style="list-style-type: none"> • Farm – County Jurisdiction • Farm (general) – City Jurisdiction <p>Residential Uses</p> <ul style="list-style-type: none"> • Dwelling, single-family <p>Park Uses</p> <ul style="list-style-type: none"> • Nature preserve / conservation area
Water and Sewer Service:	Not Required	Not Required
Lot and/or Density Requirements:	Minimum Lot Area: 1 acre (43,560 sq. ft.) or as required to provide two viable septic system sites, in the opinion of the Bartholomew County Health Department, whichever is greater.	<p>Septic System: Minimum Lot Area: 1 acre (43,560 sq. ft.) or as required to provide two viable septic system sites, in the opinion of the Bartholomew County Health Department, whichever is greater.</p> <p>Sewer Service: 22,000 sq. ft.</p>

Setbacks Required:	Side Yard Setback: Agricultural Structure: 30 feet Primary Structure: 30 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less Rear Yard Setback: Agricultural Structure: 30 feet Primary Structure: 30 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less Front Yard Setback: Arterial Street or Road: 50 feet Collector Road: 30 feet Collector Street: 25 feet Local Road: 25 feet Local Street: 10 feet	Side Yard Setback: Agricultural Structure: 20 feet Primary Structure: 20 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less Rear Yard Setback: Agricultural Structure: 20 feet Primary Structure: 20 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less Front Yard Setback: Arterial Street or Road: 50 feet Collector Road: 30 feet Collector Street: 25 feet Local Road: 25 feet Local Street: 10 feet
Height Restrictions:	Primary Structure: 40 feet Accessory Structure: 35 feet Agricultural Structure: None	Primary Structure: 40 feet Accessory Structure: 35 feet Agricultural Structure: None
Floor Area Requirements:	40%	40%

Interdepartmental Review:	
County Highway Department:	No comments.
Code Enforcement:	No comments.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Agriculture Preferred.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application: **GOAL 1:** Preserve productive farmland and maintain the productive capacity for a strong county agricultural industry.

Planning Consideration(s):

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

1. In 2008 a new zoning map accompanied the adopted of a new zoning ordinance. That effort included the rezoning of the entire county and the identification of appropriate boundaries between the Agriculture Preferred (AP) and Agriculture General (AG) zoning districts.
2. The 2008 zoning map used the nearby quarter-quadrant section line as the boundary between the AP and AG districts. However, Spray Road does not follow that section line. This results in a discrepancy between the zoning district boundary and the physical arrangement of the properties.
3. The AP (Agriculture: Preferred) and AG (Agriculture: General) are similar. They both allow similar permitted and conditional uses. Because the AG district allows for a mixture of residential where appropriate it provides roughly twice as many subdivision rights to properties than the AP district.

**Columbus – Bartholomew County Planning Department
Rezoning Application (Zoning Map Amendment)**

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County Joint District
Docket No.: B/RZ-16-02

Rezoning Application:

Current Zoning: AP Requested Zoning: AG

Applicant Information:

Name: Bartholomew County Planning Department
Address: 123 Washington Street Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: (812) 376-2550 Fax No.: _____ E-mail Address: _____

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

Name: Richard & Debra Flohr Doris Darlage Trust
Address: 16565 S SR 58 Seymour, IN 47274 102 E 2nd Street Seymour, IN 47274
(number) (street) (city) (state) (zip)
Phone No.: _____ Fax No.: _____ E-mail Address: _____

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

Name: Charles Russell - Planning Department
Address: 123 Washington Street Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No.: (812) 376-2556 Fax No.: _____ E-mail Address: crussell@columbus.in.gov

How would you prefer to receive information (please check one): E-mail Phone Fax Mail

Property Information:

Property Size: 4.67 acres *or* _____ square feet
Address: 10211 W Spray Road Columbus IN 47201
(number) (street) (city) (state) (zip)

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

Located on the south side of Spray Road approximately 1,200 east of SR 58

A legal description is attached (a legal description is required for the processing of all rezoning requests).

Rezoning Criteria:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria to which both the Plan Commission and legislative body (City Council, County Commissioners, Joint District Council) must “pay reasonable regard” when considering a rezoning request. Those criteria are listed below. Explain how this request addresses each criterion.

The Comprehensive Plan.

The Comprehensive Land Use Plan indicates this area as part of the Agriculture Preferred district.

The intent of this district is to preserve the viability of agriculture in Bartholomew County.

This rezoning will not interfere with the intentions of the Comprehensive Plan because the intent of the proposed AG district aligns with the goals of preserving agricultural operations.

The current conditions and the character of current structures and uses in each district (existing & proposed).

The area is primarily a mixture of agriculture and wooded areas. Some single-family residential is located nearby. The subject properties are consistent with the character of the area.

The most desirable use for which the land in each district is adapted.

The current zoning district and the proposed district each permit the same uses, and share a similar list of conditional uses. The AP (Agriculture: Preferred) district conditionally allows industrial uses, while the AG (Agriculture: General) district does not. It is unlikely for industrial to develop at this location, making the AG (Agriculture: General) more appropriate at this location.

The conservation of property values throughout the jurisdiction.

This rezoning should have no effect on property values in Bartholomew County.

Responsible growth and development.

This rezoning would allow for a more contiguous AG zoning district, as it would allow Spray Road to act as the boundary between the AG and AP zoning districts. By promoting the use of roads and other features to serve as boundaries for different zoning districts it will prevent small pockets of split zoning districts from hindering future growth and development.

Rezoning Purpose:

Explain the reason(s) why the applicant has proposed this zoning change.

The Planning Department is requesting this change to correct a possible mapping error. The rezoning will allow Spray Road to be the boundary between the AP (Agriculture: Preferred) and the AG (Agriculture: General) zoning districts.

Applicant's Signature:

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

(Applicant's Signature)

(Date)

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.

(Owner's Signature)

(Date)

(Owner's Signature)

(Date)