



## BARTHOLOMEW COUNTY, INDIANA BOARD OF ZONING APPEALS

### USE VARIANCE FINDINGS OF FACT

**Docket Number:** B/UV-2023-002  
**Applicant:** Cristina Holt  
**Filing Date:** May 23, 2023  
**Hearing Date:** June 26, 2023  
**Property Location:** 11685 West 525 South in Ohio Township

**Variance(s) Requested:**

A Variance from Zoning Ordinance Section 3.6(A) to allow an event venue (Recreational Use: Medium Scale) in the AG (Agriculture: General Rural) zoning district.

**Board Action Taken:**

Request Approved by a Vote of 3 to 1.

**Commitments:** The approval was subject to the following commitments which address the long-term use of the property:

1. Live music must be concluded by 10:00pm.

The Bartholomew County Board of Zoning Appeals acted under the authority of Indiana law as follows: IC 36-7-4-918.4: a board of zoning appeals shall approve or deny variances of use from the terms of the zoning ordinance. The board may impose reasonable conditions as a part of its approval.

In its deliberations, the Bartholomew County Board of Zoning Appeals weighed the evidence associated with the following criteria and made the findings listed below. These written findings shall be considered the official findings of the Board and shall supplement any spoken findings offered at the time the Board's decision was made. Any distinctions between these written findings and those that were spoken serve only to clarify any paraphrasing or commonly understood language used in the spoken findings through the use of technical content of identical meaning.

**Criteria #1:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(2)(a), the approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

**Finding:** 525 South is a collector road with two, adequate 10-foot wide travel lanes. The County Engineer has reviewed the proposal and indicated no concerns, as long as all parking is off the road and out of the right-of-way. *This criterion has been met.*

**Criteria #2:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(2)(b), the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

**Finding:** The event is setback in a location on the property that will have minimal sound and visual disruptions for most adjacent neighbors. It will not impede their ability to access or use their properties. . There are no neighbors to the south, the neighbors to the east and west are screened by fence-line trees, and the neighbors to the north is separated from the event area by hills and the buildings on the applicant's property. The parking area, however, will be visible to the neighbors to the north. The event is proposed to take place once per year. *This criterion has been met.*

**Criteria #3:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(2)(c), the need for the variance arises from some condition peculiar to the property involved.*

**Finding:** This event space use still allows for the continued use of this property for agricultural uses, therefore this criterion has been met.

**Criteria #4:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(2)(d), the strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.*

**Finding:** The applicant has demonstrated that permitting this use will allow for both the continued use of the property for agriculture and also accommodate the event space use. *This criterion has been met.*

**Criteria #5:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(2)(e), the granting of the variance does not interfere substantially with the Comprehensive Plan.*

**Finding:** Granting this variance will not interfere with the Comprehensive Plan, which recommends the preservation of farmland, the screening of unsightly uses, and the expansion of value-added agricultural businesses that do not detract from the character of the county. *This criterion has been met.*

These findings of fact have been adopted by the Bartholomew County Board of Zoning Appeals on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary