



**BARTHOLOMEW COUNTY  
BOARD OF ZONING APPEALS  
(UPDATED - August 28, 2023 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** BCU-2023-006 (Henry Chateau)  
**Staff:** Melissa Begley  
  
**Applicant:** Henry Chateau  
**Property Size:** 56 Acres  
**Zoning:** AG (Agriculture: General)  
**Location:** 13200 Bellsville Pike, in Ohio Township

**Background Summary:**

The applicant has indicated that the proposed conditional use is for the purpose of allowing a retreat center in the AG (Agriculture: General) zoning district. There are currently 2 accessory buildings located on the property that the applicant would like to utilize for the retreat center. The petitioner has previously submitted applications for an event venue (B/UV-2020-002 & BUV-2021-001) for the same property that were heard at the December 15, 2020 and the July 26, 2021 Board of Zoning Appeals meetings. Both requests were denied. Despite the denials, the applicant has been operating an event venue on the property in violation of the Zoning Ordinance.

**Key Issue Summary:**

The following key issue(s) should be resolved through the consideration of this application: Is a retreat center appropriate at this location?

**Preliminary Staff Recommendation:**

Continuance, in light of information about how the site is intended to be used that is contrary to the application. If approved, the following commitments shall be included:

1. Events shall not exceed 50 attendees, not including organizers, caterers, facilitators, guest speakers, etc.
2. Events shall end by 10pm, not including clean-up time, etc.
3. No bands, live music or DJ services shall be used on the site.
4. The site shall remain substantially wooded.
5. No additional structures, including but not limited to yurts or bunkhouses, shall not be constructed on the subject property without prior approval by the Board of Zoning Appeals and would be considered an expansion of the retreat center use.
6. Any lighting installed on the property, shall be limited to 90 degree cut off fixtures that will not exceed 0.1 foot candles at the property line.

**Zoning District Intent:**

***District Intent:*** The intent of the AG (Agriculture: General) district is as follows: to provide areas for a mixture of agriculture and residential land uses. This mixture is intended to support the long-term viability of agricultural operations while also allowing increased non-agricultural development in areas adjacent to

developed infrastructure. This district should be used to provide unique, rural housing options and the future ability to extend urban infrastructure.

| <b>Current Property Information:</b> |  |
|--------------------------------------|--|
| <b>Land Use:</b>                     | Woods                                  |
| <b>Site Features:</b>                | Woods, 2 structures                    |
| <b>Flood Hazards:</b>                | No flood hazards exist on the property |
| <b>Vehicle Access:</b>               | Bellsville Pike (Collector)            |

| <b>Surrounding Zoning and Land Use:</b> |   |   |
|---|---|---|
|   | <b>Zoning:</b>  | <b>Land Use:</b>  |
| <b>North:</b>                           | AG (Agriculture: General)<br>RS1 (Residential: Single-Family 1) | Grandview Lake open space<br>Single-family residential (Grandview Lake) |
| <b>South:</b>                           | AG (Agriculture: General)                                       | Large-lot single-family residential                                     |
| <b>East:</b>                            | AG (Agriculture: General)<br>RS1 (Residential: Single-Family 1) | Grandview Lake open space<br>Single-family residential (Grandview Lake) |
| <b>West:</b>                            | AG (Agriculture: General)                                       | Large-lot single-family residential                                     |

| <b>Interdepartmental Review:</b> |   |
|----------------------------------|---|
| <b>County Engineer:</b>          | County Highway has no objections.   |
| <b>Code Enforcement:</b>         | Code Enforcement has no issues with the proposal. But if it is approved, they will need to get a State Design Release and a permit through our office. As of now it is considered residential, not commercial. They will need to get a commercial remodel permit. |
| <b>County Fire:</b>              | A fire inspection is requested due to the nature of the projected business as described. Event center fire safety inspections are standard practice located in the County.  |

|                           |  |
|---------------------------|--|
| <b>Health Department:</b> | <p>After reviewing this conditional use proposal, it does seem to vary somewhat from the original plan submittal to our office regarding wastewater disposal.</p> <p>The ISDH commercial septic approval # 0321021 from February 19, 2021 states: "System will serve an event center with seating for 200 people with no on site food prep and no onsite clean up ).</p> <p>There was not a food preparation on site component, nor a residential component (yurts or cabins) on any data we were provided previously.</p> <p>Those would have been needed for the state of Indiana to properly size for housing or meal preparation for any on site wastewater system.</p> <p>Therefore, that portion of the plan has not been addressed in the Health Department review for the installed on site wastewater system.</p> |
|---------------------------|--|

### **History of this Location:**

1. On December 14, 2020, the Bartholomew County Board of Zoning Appeals denied an application for a use variance to allow an event venue on the subject property (Case # BUV-2020-002).
2. The applicant submitted a letter requesting that Case # BUV-2020-002 be redocketed. The applicant noted that new data was available. At the June 21, 2021 Board of Zoning Appeals meeting, the request to redocket was granted by the Board.
3. On July 26, 2021, the Bartholomew County Board of Zoning Appeals denied an application for a use variance to allow an event venue on the subject property (Case #BUV-2021-001).

### **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 operate a retreat center on the subject property. A retreat center is defined as, "A facility used for professional, educational, or religious meetings, conferences, or seminars which provides meals, housing, and recreation for participants during the period of the retreat or program".
2. The applicant has indicated that the retreat center would host corporate, educational or religious conferences. Events could be held all year round and would begin no earlier than 9am and would end by 11pm. Most events would be held during the day. Events would likely include 20 to 50 participants. Further, the applicant has indicated there would be no live music or open bars/cash bars. There are two existing structures located on the east end of the subject property. The eastern structure would be used for meeting space and the western building is a bunkhouse that can sleep up to 20 people.
3. The applicant has noted that the neighboring site (13550 Bellsville Pike), also owned by the applicant, could be used for housing guests for the retreat center. They have also noted that recreational opportunities are available on the adjacent properties owned by the applicant. These properties have not been included with this application and therefore cannot be used in conjunction with the retreat center if approved, unless a subsequent application including them is also approved.
4. The property is 56 acres in size and heavily wooded. The property is surrounded by large wooded parcels and the surrounding area varies greatly in topography. The existing buildings sit at a lower elevation on the property compared with the surrounding properties according to the contour layer on the Bartholomew County GIS system. The closest residential structure to the retreat center building is approximately 530 feet to the south across Bellsville Pike. The residences located to the north and to the east are lots on Grandview Lake and are separated by a large wooded property owned by the Grandview Lot Owners Association.
5. The property gains access from Bellsville Pike, which is identified as a collector road, and has one access point to the property. Collector roads are intended to carry a relatively high volume of traffic.
6. The County Highway Department has indicated they have no objection to the request. Bellsville Pike is approximately 19 feet wide with 2 – 9.5 foot wide travel lanes. The 1.19 miles along Bellsville Pike

from 650 West to the subject property is gently rolling in topography with a few slight bends in the road. During previous public hearings on this property, neighbors shared that Bellsville Pike is used frequently by walkers and cyclists, providing a recreational loop for the nearby Grandview Lake residents.

7. The applicant has indicated there is a septic system on the property and has provided a copy of a septic system permit. There are individual men's and women's changing rooms and bathroom facilities available.
8. Per Zoning Ordinance Section 7.1(Table 7.2), 1 parking space for every 3 persons by seating capacity is required for assembly uses. For example, if the site could host 50 people, 17 parking spaces would be required on site. The applicant has indicated they estimate 75 parking spaces are available on site. They have established a gravel area to the west of the buildings in addition to gravel parking south of the buildings and a gravel area on each side of the entrance drive just past the existing gate. The exact dimensions of these areas have not been provided. The Planning Department determined, conservatively, that the site can accommodate at least 63 parking spaces, based on dimensions from the Bartholomew County GIS system.
9. There is currently a small sign located at the entrance that says "Henry Chateau". According to Zoning Ordinance Section 10(D)(2) public, commercial, or industrial uses with a vehicle entrance shall be permitted one supplemental free-standing sign for each vehicle entrance to the property from a public street or road. Each sign shall be limited to a maximum of 6 square feet in area and 4 feet in height. The existing sign located on the property is 4.58 feet tall and the sign is 4 square feet in size.
10. The two structures on the property are considered accessory structures. There is no primary structure on the property. Zoning Ordinance Section 6.1(A) states that no accessory use or structure shall be permitted prior to the establishment of a primary use or structure. One accessory structure was constructed in 1995 according to the Auditor's Office Property Record Card and would likely be considered a legal nonconforming structure. The second structure was built sometime between 2017 and 2020 according to aerial photos. The applicant did not receive a variance to have an accessory structure before a primary and therefore this newest structure represents a zoning violation. However, if this application for a conditional use is granted, the retreat center becomes the primary use and addresses the violation. The applicant has indicated that they were advised that agricultural buildings did not require building permits.
11. Despite the denial of the event venue application in July of 2021, the applicant has openly advertised the wedding & event venue on henrychateau.com and on Facebook. According to Facebook, an open house for the event venue was held on December 26, 2022, the Department of Technical Code Enforcement documented a Cummins corporate event held on January 26 & 27th, 2023 and the ABC Stewart Montessori School website is advertising a fundraising event at the Henry Chateau for Friday, September 8, 2023. Further, a business partner has indicated at least 5 events have already been booked for future dates.

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as General Rural District.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **GOAL 1:** Preserve productive farmland and maintain the productive capacity for a strong county agricultural industry.
2. **POLICY 1-Q:** Promote development of businesses such as value-added agricultural industries that enhance agriculture and agribusiness while protecting the character and environmental quality of the county.
3. **Goal 2:** Protect open space such as woodlands, flood plains, and wetlands for environmental, recreational, scenic, and life-style benefits.
4. **Policy 2-B:** Ensure that development occurs in a manner that preserves farmland, wildlife habitat, woodland, and significant natural features.
5. **POLICY 4-F:** Encourage neighborhood business areas that are compatible with their surroundings, properly buffered and appropriately located.
6. **POLICY 3-H:** Require appropriate buffer areas between different land uses.



7. **POLICY 13-A:** Encourage proper maintenance of buildings and grounds, to promote economic stability, health, and safety. This maintenance includes but is not limited to discouraging the outdoor accumulation of inoperable or unlicensed vehicles, used appliances, furniture and debris.
8. **GOAL 18:** Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services.
9. **POLICY 18-O:** Encourage rural-related businesses of a scale appropriate to their surroundings, such as agriculture products and services stores, seasonal produce markets, hobby and craft stores, wineries, greenhouses, small engine repair. Where these types of business are of a suitable scale and in appropriate rural locations, encourage them as home-based businesses.

### **Provisional Findings of Fact/Decision Criteria**

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

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

*Provisional Findings:* The property is located on a collector road. The County Highway Department has no objections to the request. Additionally, the retreat center would have to comply with any applicable Bartholomew County Health Department and Department of Technical Code Enforcement requirements for the change to a commercial use. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

*Provisional Findings:* The proposed retreat center is compliant with all development standards for an agricultural zoning district. The structures comply with the appropriate building setbacks, the parking areas are graveled as allowed by the zoning ordinance, and the site would exceed the minimum required number of parking spaces. *This criterion has been met.*

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

*Provisional Findings:* This property gains access from Bellsville Pike which is a collector road. The County Highway Department has no objections to the request. The proposed retreat center building is located 330 feet from the road, sits at a lower elevation than the adjoining properties, and the property is heavily wooded. The nearest adjoining homes are over 500 feet away and are also on wooded properties. The applicants have indicated there will be no live music or DJ equipment and there will be no open bars/cash bars, minimizing any noise concerns. It does not appear the adjacent areas will be negatively affected by a retreat center at this location. *This criterion has been met.*

4. **The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

*Provisional Findings:* The Comprehensive Plan identifies this area as being within the General Rural District. The Comprehensive Plan encourages rural-related businesses of a scale appropriate to their surroundings and to further protect open space such as woodlands, flood plains, and wetlands for environmental, recreational, scenic, and life-style benefits. A retreat center with a capacity of 50 people operating mostly during daytime hours would be generally consistent with the character of the zoning district and will also preserve the 55 acres of woods as recommended by the Comprehensive Plan. *This criterion has been met.*

**Board of Zoning Appeals Options:**

In reviewing a request for conditional use 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.

## City of Columbus - Bartholomew County Planning Department

### Conditional Use Application

Submit applications and materials by e-mail to [planning@columbus.in.gov](mailto:planning@columbus.in.gov). If questions, please call: 812.376.2550.  
Submittal instructions available at <https://www.columbus.in.gov/planning/applications-forms/>.

#### To be Completed by the Planning Department

Pre-submittal Meeting on (date): 6/15/23 by (initials): msb  
Application Received on (date): 6/20/23 by (initials): msb  
Jurisdiction: ☐ Columbus ☒ Bartholomew County ☐ Joint District  
Hearing Procedure: ☒ Board of Zoning Appeals ☐ Hearing Officer  
Docket No.: BCU-2023-006 Zoning District: AG  
Property Owner Name (from GIS): Henry Chateau, LLC

#### To be Completed by the Applicants

**STOP! All conditional use applicants must meet with a Planning Department staff member before completing this application.** Please contact the Department at 812.376.2550 at least 1 week prior to the applicable Board of Zoning Appeals application deadline to schedule a review meeting. The Department cannot guarantee a timely review meeting if contacted less than 1 week prior to the deadline and is not responsible for any missed deadline that may result.

#### Representative / Notification Information:

*The contractor, surveyor, attorney, or other person authorized to act on behalf of the project owner (or the project owner if no other representative will be used) and to whom all correspondence regarding this application should be directed.*

Representative Person's Name: Jeffrey C. Rocker

Representative's Company Name: Beck Rocker & Habig, LLC

Mailing Address: 432 Washington Street, Columbus, IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 812.372.8858 E-mail Address: jrocker@beckrocker.com

**All correspondence will be by e-mail unless another method has been agreed upon by the Planning Department.**

#### Project Information:

*The home owner, business, institution, etc. that is making the request – NOT the contractor, surveyor, or other representative (see above). If the project owner will be representing themselves, their information should be entered above and "same as above" may be entered below.*

Home Owner, Business, Institution, Etc. Name: Henry Chateau, LLC

Business, Institution, Etc. Contact Person Name: Max Henry

Mailing Address: 11510 W. Maple Drive, Columbus, IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 812.343.5637 E-mail Address: mahenrymd@comcast.net

#### Property / Location Information:

Property Address: 13200 W. Bellsville Pike, Columbus, IN 47201  
(number) (street) (city)

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

## Conditional Use Requested:

I am requesting a conditional use per Section 3.6 of the Zoning Ordinance to allow the property to be used for the following (as defined by the zoning ordinance):

a retreat center

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Please describe the proposed use further:

The project will provide use as a corporate retreat for professional, educational or religious meetings and conferences during which meals and recreation will be provided and for which housing shall be available.

## Conditional Use Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that each must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

1. **The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.** For example: What harm could come from approving the conditional use? Would it create any public safety issues? Why or why not?

See attached.

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.** For example: Will the conditional use be able to meet minimum building setbacks, parking standards, and other requirements? If not, are variances being sought to address those items?

See attached.

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.** For example: The property is zoned AG. Are there risks that the conditional use will cause harm to the neighbors ability to use and enjoy their property? Is there reason to believe that the conditional use will cause harm to neighboring property values?

See attached.

4. **The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.** Will the conditional use change the character of the area? Will it involve a building, operation, or features that are significantly different than what is common to the zoning district? If the property is located in the jurisdiction of the City of Columbus visit <https://www.columbus.in.gov/planning/comprehensive-plans/>. If the property is in the jurisdiction of Bartholomew County visit <https://www.columbus.in.gov/planning/comprehensive-plans/comprehensive-county-plans/>. Include statements or concepts that support the request.

See attached.

**Representative's Signature / Acknowledgement:**

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

  
(Representative's Signature)

6/20/23  
(Date)

Jeffrey C. Rocker  
(Representative's Printed Name)

**Property Owner's Signature:**

*The owner DOES NOT include a tenant or contract buyer. Applications submitted without the property owner's signature will not be processed.*

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. I understand that a public notice sign may be placed and remain on the property until the processing of the request is complete.

  
Max Henry (Jun 20, 2023 15:29 EDT)  
(Property Owner's Signature)

Jun 20, 2023  
(Date)

Henry Chateau, LLC by Max Henry  
(Property Owner's Printed Name)

**Signer's Ownership Role or Representation:**

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

Member

(Signer's Ownership Role or Representation)

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### **General Information:**

The applicant proposes to use the property for corporate, educational or religious conferences. Typical events will be 20-50. No bands or DJ services will be involved in these retreats and no outdoor music of any kind will be had. As predominantly daytime corporate events, the majority of these events will have food and non-alcoholic refreshments. Recreational opportunities for attendees include hiking (on applicant's 140 acres of property only); exercise opportunities such as spin classes or ballroom dancing lessons; pickleball, etc. Occasional evening meals may provide wine with dinner but that is expected to be a rare circumstance. No "open bar" events will be held on site. Housing for guests remaining on site may be provided by a combination of the neighboring homesite located at 13550 Bellsville Pike, bunkhouses and/or yurts onsite.

### **Conditional Use Criteria:**

1. **The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.**
  - a. The property is on Bellsville Pike, which is identified as a collector road. The property has one access along a section of well-maintained roadway which has clear access and good visibility. In this area, Bellsville is approximately 19 feet wide with 2-9.5' travel lanes and is generally straight.
  - b. The traffic generated from the proposed use would not create a health or safety hazard. The 8th Additional ITE Trip Generation Manual shows this venue generating less 114 trips per day based upon 5,000 square feet of conference space.
  - c. In addition, conferences would be of limited duration and would not occur each and every day of the week so all traffic would be intermittent when conferences occur.
  - d. The property in question has ample capacity to handle all potential parking needs without impacting traffic on Bellsville. All parking will be contained completely on site. All conferences will include on-site staff to assist with directing parking on site.
  - e. Of course, the building will comply with necessary fire codes
  - f. The county engineer estimates the vehicles per day on Bellsville Pike to be 850 to 875 and does not object to this project. The impact on traffic would be very minimal based on service levels of that road which remain at the highest level ("A").
2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**
  - a. The property will comply with all applicable building and fire codes and Applicant will apply for and receive a state design release should this application be approved.
  - b. The site meets all zoning standards applicable to this use, including applicable setbacks, drive access and parking.
  - c. The proposed building will not in any way limit the ability of nearby property owners to continue using their properties as they currently do.
  - d. The property has an approved commercial septic suitable to handle the proposed use at the proposed number of guests.
  - e. The property has onsite parking sufficient to handle the use without any offsite parking. Events will be staffed with parking attendees to ensure parking on site.



- f. All lighting will have no more than 0.1 foot-candles at the property line. Exterior lighting is limited to sufficient lighting to create safe vehicular and pedestrian travel on site. All exterior fixtures shall be 90-degree cut off.
  - g. There is currently a small sign located at the entrance that says “Henry Chateau”. According to Zoning Ordinance Section 10(D)(2) public, commercial, or industrial uses with a vehicle entrance shall be permitted one supplemental free-standing sign for each vehicle entrance to the property from a public street or road. Each sign shall be limited to a maximum of 6 square feet in area and 4 feet in height. The existing sign located on the property is 4.58 feet tall and the sign is 4 square feet in size. No additional signage is being requested.
3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**
- a. The proposed use is fully screened from view by a significant established forest such that no neighboring homes can see the use or be seen from the use.
  - b. The nearest homes are approximately 450' away from the location and, as such, light and sound would not impact the neighboring residents.
  - c. Testing has been completed to confirm noise levels on and off site are not going to impact neighbors. The property is approximately 56 acres and is bounded on the east and north by the common area buffer of the Grandview Lake Lot Owners Association.
  - d. The proposed use sits at a lower elevation, sheltered by the contours of the property, with hills ranging from 20-40' higher than the structure, while the Grandview Lots beyond range between 40-60' lower than the hills. The range of elevation provides additional sound and light buffering.
  - e. Meetings will be held primarily during daytime hours when traffic counts are lower. In addition, the property will be easier to find during daylight hours, minimizing the likelihood of travelers impacting Grandview properties.
  - f. No late-night events will be held.
  - g. Noise should not be a concern as only ambient music will be provided on site. No bands or DJ equipment will be in use. Meeting rooms should have decibel levels of no more than 35-40db. [https://www.engineeringtoolbox.com/nc-noise-criterion-d\\_725.html](https://www.engineeringtoolbox.com/nc-noise-criterion-d_725.html) Events on site will be limited to non-amplified sounds, other than microphones for speakers. Noise will be limited to no more than 75db.
    - i. At end of drive (approximately 325') = 25db (equivalent to a whisper)
    - ii. At corner of Poplar/Bellsville (approximately 532' as the crow flies) = 21db (equivalent to a quiet natural area with no wind)
    - iii. At 11510 Maple Drive (Grandview Lake-approximately 2,225 feet from barn) (note ambient road traffic adding to noise levels, music imperceptible) = 8db (less than the sound of someone breathing)
    - iv. **NOTE:** none of this takes into consideration the impact of the closure of doors, the fully foam insulated building, the elevation differences, the hillside, or the more than 350' of dense wooded area, all of which would dramatically reduce the sound levels experienced offsite.

- v. **Noise Levels Today:** As is true everywhere, these uses do not exist in a vacuum but rather exist in an environment with its own existing ambient noises. For instance:
  1. Ambient noise levels at the properties entrance from Bellsville Pike range from 39 (a quiet library) to 47db (a quiet suburb) according to testing done during daylight hours.
  2. Ambient noise levels at the corner of Poplar and Bellsville Pike range from 40 (a quiet library) to 68db (a vacuum cleaner) according to testing done during daylight hours.
  3. Ambient noise levels at Grandview Lake ranged from 44 (indoor schools) to 62db (background music) according to testing done during daylight hours.
  4. Interestingly, a Grandview Lake motorboat with an above-water exhaust system would be louder at applicants building than any sound emanating from that building. (75db at 1,600'). Even a boat with an underwater exhaust would be 60db at 1,600' which would exceed any sound from this applicant audible from any other property. As such, the impact of Grandview noise levels are greater on the site in question than this site's noise impact on Grandview.
4. **The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**
  - a. The comprehensive plan identifies this area as being in the general rural district is intended to protect and provide for a mixture of agriculture and residential use, while also allowing increased non-agricultural development in areas adjacent to development in areas adjacent to developed infrastructure. The property is not currently used for agriculture but is located in the area of Grandview Lake where developed infrastructure exists. The proposed use will not alter the character of the area and would not interfere substantially with the Comprehensive Plan. There are presently no retreat centers (either religious or secular) in Bartholomew County with the exception of Camp Lakeview. In addition, there are limited locations in Bartholomew County to hold corporate meetings which we believe is a critical need due to the abundance of corporate citizens here. Finally, the following Comprehensive Plan goals and policies apply to this application:
    - i. **Policy 3-HG:** Require appropriate buffer areas between different land uses.
    - ii. **GOAL J-10:** Diversify the economy by providing small-business opportunities.
    - iii. **POLICY J-10-1:** Create a positive business climate characterized by flexibility.
    - iv. **POLICY C-1-3:** Require adequate green space in new developments.
    - v. **Goal 13:** Preserve and enhance the beauty of Bartholomew County.
    - vi. **Goal 16:** Ensure that new development has adequate utility services.
    - vii. **Goal 17:** Ensure the safe, efficient movement of traffic.
    - viii. **Goal 18:** Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services.





## GRANDVIEW LOT OWNERS ASSOCIATION

[www.grandviewlake.org](http://www.grandviewlake.org)

5150 S 650 W  
COLUMBUS, IN 47201-8813

Fax & Telephone: 812-342-1219  
Email: [gloa@grandviewlake.org](mailto:gloa@grandviewlake.org)

July 18, 2023

Ms. Melissa Begley  
Assistant Director  
Columbus Indiana – Bartholomew County Planning Department  
123 Washington Street  
Columbus, IN 47201

Dear Ms. Begley:

This letter is being sent in opposition to the proposed Conditional Use Variance application submitted on behalf of Henry Chateau, LLC, Docket BCU-2023-006. The Board of the Grandview Lot Owners Association opposes commercial development of any property adjacent to the Grandview Woods that surrounds our lake.

A primary concern with this Conditional Use application is that the use will likely expand beyond the conditions outlined in the General Information included with the application. Specifically, the ABC Stewart Montessori Gala Fundraising Gala scheduled to be held at the Henry Chateau on September 8, 2023 specifies that the ticket price includes an open bar, contradicting the applicant's statement that "No "open bar" events will be held on site."

The January 25 – 26, 2023, corporate event held at the Henry Chateau is another example of the applicant's disregard for zoning rules and regulations. As my letter of February 3, 2023 to Michelle Cox indicated, this two-day event had a substantial number of attendees and vehicles were parked along both sides of Bellsville Pike near the entrance to the event center. Were events of this type to be permitted with up to 250 people in attendance, the capacity listed on [www.HenryChateau.com](http://www.HenryChateau.com), we anticipate that we would see this type of congestion on a routine basis.

Thus, it is difficult to accept that the applicant would adhere to any guidelines that would make the proposal acceptable to the Grandview Lot Owners Association or individual lot owners. We strongly encourage that this Conditional Use Application be denied.

Sincerely,

Margaret Powers  
Board President  
Grandview Lot Owners Association

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## GRANDVIEW LOT OWNERS ASSOCIATION

[www.grandviewlake.org](http://www.grandviewlake.org)

5150 S 650 W  
COLUMBUS, IN 47201-8813

Fax & Telephone: 812-342-1219  
Email: [gloa@grandviewlake.org](mailto:gloa@grandviewlake.org)

February 3, 2023

Ms. Michelle Cox  
Bartholomew County Code Enforcement  
440 Third Street  
Columbus, IN 47201

Dear Ms. Cox:

On behalf of the Board of the Grandview Lot Owners Association (GLOA), I'm writing to express concern about recent activity at the Henry Chateau. GLOA owns a wooded area that abuts the land owned by Max Henry on which sits the Henry Chateau Event Venue.

The property at 13200 Bellsville Pike on which the Henry Chateau sits is currently zoned Ag General. Mr. Henry had submitted requests for a variance to allow use of the property for meetings, weddings and other activities. The requests were denied in December 2020 and again in July 2021. Despite those denials, the Henry Chateau is now being promoted on a website, in magazines and through mailings as a place for these types of activities. In fact, there was a two day event at the venue on January 25 – 26, 2023 creating a hazardous road constriction due to the number of vehicles parking along Bellsville Pike. Examples of the marketing materials are enclosed for your review.

GLOA, representing the 306 lot owners around Grandview Lake, has several concerns:

1. The type of activity being marketed is in violation of the current zoning for that property.
2. GLOA owns a large wooded area that abuts Mr. Henry's property. We are concerned that, if zoning is not enforced, this type of activity may expand in the future by both the Henry Chateau and potentially by owners of other neighboring properties. This would have an adverse impact on the watershed for Grandview Lake. Grandview Lake is one of the cleanest lakes in Indiana, thanks in large part to the lack of commercial activity in the watershed.
3. As mentioned in the Board of Zoning meetings at which the variance requests were heard and denied, we have concerns about the traffic and road congestion such an event venue would generate as was demonstrated by the January 25-26 event.

Ms. Michelle Cox

Page 2

February 3, 2023

We ask that steps be taken to ensure that the marketing and holding of non-compliant activities on this property ceases.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Powers".

Margaret Powers

Board President

Grandview Lot Owners Association

Enclosures

cc: Tony Darnall, Zoning Enforcement Officer, Code Enforcement  
Jeff Bergman, Planning Director, Bartholomew County Planning Department  
Larry Kleinhenz, County Commissioner  
Tony London, County Commissioner

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To: Melissa Begley  
cc: Jeff Bergman

Re: BCU-2023-006 (Henry Chateau) - Henry Conditional Use Variance Request

While we strongly disagree with Mr. Henry on whether his application meets the 4 criteria for “conditional use”, we feel the criteria are so generic that arguing either side is possible. The Comprehensive Plan and Land Use Plan provide the following examples which provide counterpoints for criteria 1, 3 and 4 of Mr. Henry’s Conditional Use application:

**Policy 2-B:** Ensure that development occurs in a manner that preserves farmland, wildlife habitat, woodland, and significant natural features.

**Policy 2-C:** Protect from development unique areas of the county with special natural features, for open space, parks, and wildlife habitat, for the benefit of present and future generations, while avoiding competition with private property ownership.

**Goal 4:** Create stable residential neighborhoods that are safe, healthy, socially satisfying and retain their economic value.

**Goal 18:** Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services.

**Land Use Plan Section II:** Make land use decisions that protect and improve community resources and the environment.

After our conversation Monday, we felt there was value in focusing our efforts on accepting Mr. Henry’s application at “face value” and devising conditions we could all accept to make coexistence palatable. All the while, we were answering angry lot owner’s questions as to why we have to fight this issue again. The conditions we had come to agreement on included:

1- CONDITIONS OFFERED BY APPLICANT:

- Small groups with a maximum of 50 people
- No outdoor music, DJ’s or outdoor amplification
- No open Bar offered

## 2- CONDITIONS REQUIRED by NEAR-BY RESIDENTS:

- Operating hours limited to 10:00 PM
- No ATV or Rifle/Gun range offered to guests
- Remove all advertising for large event venue
- Limit yurts to maximum 5 on site
- Remedies for violation of conditions would include cease and desist order, fines commensurate with violations, and eventual revocation of the conditional use variance

Then BOOM, we were made aware of the upcoming “ABC Stewart Fundraiser” to be held Friday, September 8, 2023 at the Henry Chateau. By booking this event, Mr. Henry willfully and knowingly commits to violating the existing “cease and desist” order. Just as importantly, he also violates all of the conditions that he is using for his “Conditional Use” zoning request. No longer do you have to take the Conditional Use application at face value (assuming he will behave in accordance) because he has entered into a legal contract to break every condition he offered.

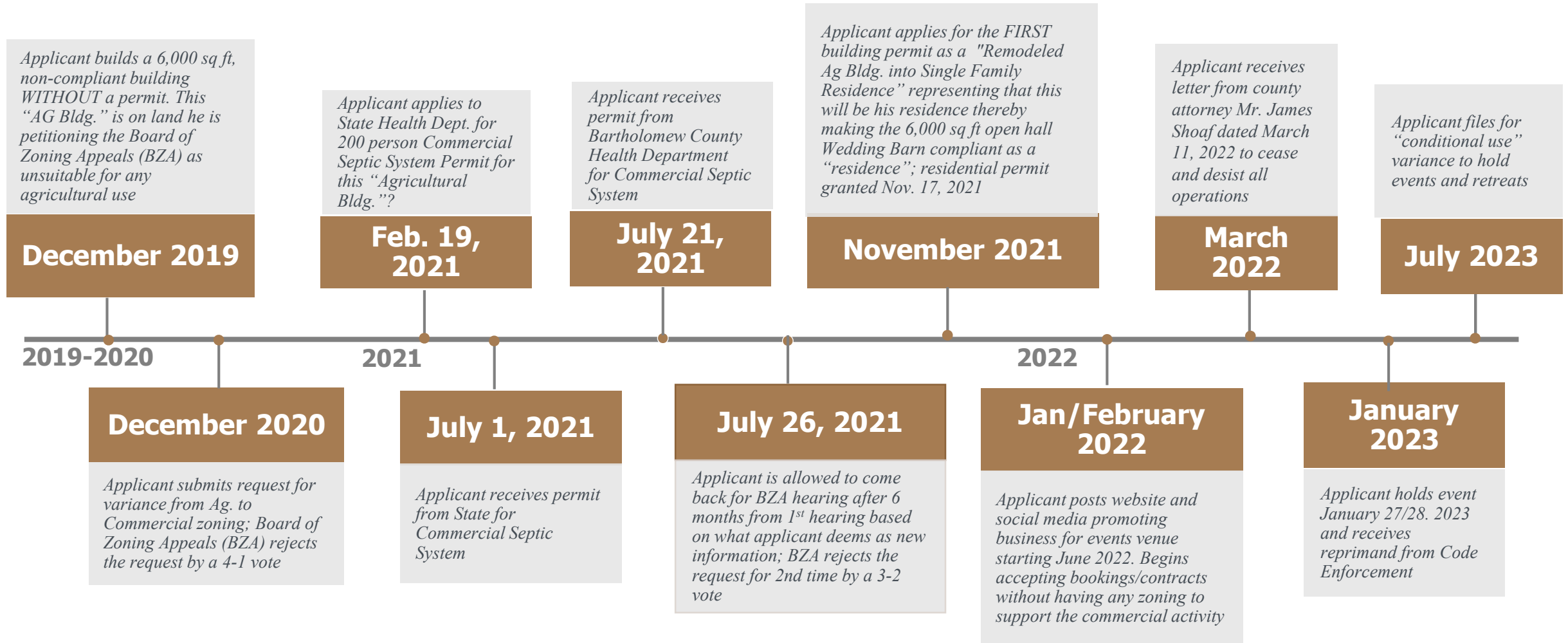
It would be hard to envision how any BZA board member or Planning Dept employee could approve, in good conscience, a zoning request where the applicant has clearly and knowingly violated the terms of his own application in advance.

The outcome of this conditional use application will clearly not be in the best interests or safety of the citizens who live in this area and pay taxes to Bartholomew County. The Grandview Lot Owners Association (representing 305 lot owners) supports the denial of the application. It is our hope the Zoning Board will make their decision based upon sound planning & land-use policies, not subtle manipulations that are not in the best interests of residents. We ask that the Planning Dept recommend to deny the application as well and provide the BZA with pertinent information regarding the applicant’s inability to follow county ordinances.

Sincerely,

Concerned Grandview Residents

# History Timeline - Henry Event Venue



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## Begley, Melissa

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**From:** Thomas King <thomasaking@me.com>  
**Sent:** Wednesday, July 19, 2023 3:30 PM  
**To:** Begley, Melissa; Bergman, Jeffrey  
**Cc:** fjreindl@hotmail.com; J Bergman  
**Subject:** External Message: Henry Chateau Zoning Variance

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to thomasaking@me.com. If you are unsure this is correct please contact the helpdesk.

Melissa Begley -

I am writing to express my opposition to the zoning variance for the Henry Chateau at 13200 Bellsville Pike in Ohio Township in Bartholomew County. My reasons for opposing the variance are:

1. The dangers associated with people who have been partying driving around on the narrow roads in and around the Henry Chateau venue,
2. Recognition of the fact that the topography of the land on which the venue is located does not lend itself to high density gatherings of people and cars, and
3. There is a reason that the land was zoned for agriculture in the first place.

Aside from these material arguments, I and others are concerned about the negative lifestyle impact such a venue will have on our properties on Grandview Lake and the resulting negative impact on the property values. I encourage the Zoning Board to consider whether requesting a "conditional variance" is simply a veiled attempt to establish a precedent for the property owner's larger agenda of establishing a party venue on the property? I am writing to encourage the Zoning Board to evaluate this variance request and make their decision based upon sound planning and land-use policies and not subtle manipulations that are not in the best interests of the majority of citizens who live and pay taxes in the area surrounding the Henry Chateau.

Thomas A. King  
5421 S. Poplar Drive  
Columbus, IN 47201

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## Begley, Melissa

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**From:** Patricia Hannasch <patty.haha@hotmail.com>  
**Sent:** Wednesday, July 19, 2023 2:17 PM  
**To:** Begley, Melissa  
**Subject:** External Message: Zoning change for Henry Property

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to patty.haha@hotmail.com. If you are unsure this is correct please contact the helpdesk.

I am a property owner at 5441 S Poplar. I would like to encourage you to vote no for any zoning changes at the Henry property. I feel any change in zoning will result in large events with increased noise.

Patty Hannasch



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## Begley, Melissa

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**From:** Planning Department  
**Sent:** Wednesday, July 19, 2023 2:16 PM  
**To:** Begley, Melissa  
**Subject:** Henry Conditional Variance application

-----Original Message-----

From: Tom Crandall <t\_crandall@comcast.net>  
Sent: Wednesday, July 19, 2023 2:03 PM  
To: Planning Department <planning@columbus.in.gov>  
Subject: External Message: Henry Conditional Variance application

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to t\_crandall@comcast.net. If you are unsure this is correct please contact the helpdesk.

Mr. Jeff Bergman,  
Ms. Melissa Begley,

I strongly oppose the Henry Chateau conditional use variance application. Further, I am disappointed that you continue to allow the Henry variance application to be considered time after time. Lastly, I am angered that Mr. Henry consistently thumbs his nose at the Bartholomew County Planning Dept., Health Dept. & OSHA.  
Sincerely, Tom Crandall

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## Begley, Melissa

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**From:** Bruce Agan <aganb@allfire-solutions.com>  
**Sent:** Thursday, July 20, 2023 12:18 PM  
**To:** Begley, Melissa  
**Cc:** Lucinda; ggpowers@comcast.net  
**Subject:** FW: Henry Chateau Materials

Hi Melissa,

Max Henry's website is still up and advertising a significantly different picture of Henry Chateau than the staff report you sent me. The following are bullet points of my concern and objection to this request.

- If Max Henry's website reflect his true vision of Henry Chateau his application is misleading and deceptive.
- His site says up to 250 guests. Your preliminary staff recommendation says 20-50 guests.
- The application states that there is 5,000 square feet of conference space. The website states 6,000 square feet. Group A-2 Assembly occupancies – International Building Code, (which this building is) require fire protection when the building exceeds 5,000 square feet. Is the building equipped with an automatic fire sprinkler system?
- The signage language does not make sense: 6 square feet in area and the sign is 4 feet in height. The existing sign is 4.58 feet tall and 4 square feet.
- The sound generated from this venue will adversely affect Grandview Lake home owners.
- The report states events end at by 10 pm. The website states by 11 pm. Which is true?
- The report states that alcohol will be a "rare circumstance", the website shows people drinking on most of the site's pages.
- Help me understand why the board is leaning toward approval when Max Henry violated your decision to deny his zoning request twice? (Once on December 14, 2020 and July 16, 2021) it appears that he is operating Henry Chateau anyway. It appears that Max Henry will do what he wants to do regardless of zoning involvement. I object to awarding his bad behavior with your approval of this request.
- My preference is the board deny the petition (with or without prejudice). Absent the decision to deny, continue the petition for a year to gain clearer picture of Max Henry's intent as shown on his active website versus the current application.

Bruce and Cindy Agan  
Lot 112 Grandview Lake  
(317) 403-5876

**Sent:** Wednesday, July 19, 2023 2:53 PM  
**To:** Begley, Melissa <mbegley@columbus.in.gov>  
**Subject:** RE: Henry Chateau Materials

Thanks Melissa!!

**From:** Begley, Melissa <[mbegley@columbus.in.gov](mailto:mbegley@columbus.in.gov)>  
**Sent:** Wednesday, July 19, 2023 2:08 PM  
**To:** Bruce Agan <[aganb@allfire-solutions.com](mailto:aganb@allfire-solutions.com)>  
**Subject:** Henry Chateau Materials

Please see the attached materials and staff report for the Henry Chateau request.

Feel free to contact me if you have any questions.

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## Begley, Melissa

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**From:** bradarthur@comcast.net  
**Sent:** Thursday, July 20, 2023 6:45 PM  
**To:** Begley, Melissa  
**Cc:** Brad Arthur  
**Subject:** External Message: BCU-2023-006: Henry Chateau

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to bradarthur@comcast.net. If you are unsure this is correct please contact the helpdesk.

Dear Melissa Begley,

Regarding the Max Henry application for conditional use permit:

As past president of the Grandview Lot Owners Association and a lot owner within sight of the subject property, I continue to oppose rezoning. My justification for this position is based on the facts that have been clearly outlined in previous attempts at rezoning and which are supported by a clear majority of the Grandview lot owners. Increased traffic on marginal roads, safety of numerous walkers, cyclists and runners around Grandview and noise pollution that we already have experienced are but a few issues. Noise, which lake residents are required to control, will be beyond control at the party venue. We know this because it has already been experienced.

Grandview properties have exponentially increased in value because of the uniqueness of the rural/agricultural environment. If the rezoning is approved, there will surely be a negative impact on the investments of residents and likewise this lucrative tax base.

Allowing this zoning change seems counter to the zoning board's policies and procedures and if allowed sets a dangerous precedent. Therefore, I respectfully ask that this and future variance requests for this property continue to be denied.

Thank you for your consideration.

Bradford H. Arthur



## Begley, Melissa

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**From:** Jared Combs <flycombs@yahoo.com>  
**Sent:** Sunday, July 23, 2023 4:44 PM  
**To:** Begley, Melissa  
**Subject:** External Message: Henry Chateau

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to flycombs@yahoo.com. If you are unsure this is correct please contact the helpdesk.

Melissa

We oppose the change in zoning to allow Max Henry to operate a retreat center on the property located at 13200 Bellsville Pike. Our objections follow:

The property is currently zoned (Agriculture: General) and the roadways were built to support that activity. Additional traffic generated by the "retreat center" would cause these roads to deteriorate more rapidly.

The additional traffic on these rural roads increases the risk to all drivers.

The "retreat center" is a broad term that could cover many activities such as a shooting range, off-road vehicles or campgrounds. These type activities are not compatible with local residential communities.

One of the reasons property owners choose to live in this area is the current zoning does not allow "commercial operations". Allowing the zoning change sets a bad precedent. We should keep the zoning Agriculture, it has worked for a long time.

Thank You,  
Jared and Adonna Combs  
4901 S Cedar Drive  
Columbus, IN



## Begley, Melissa

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**From:** Bill Donaldson <Bill@4dgi.com>  
**Sent:** Friday, July 21, 2023 10:31 AM  
**To:** Bergman, Jeffrey; Begley, Melissa  
**Subject:** External Message: Conditional Use Variance

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to Bill@4dgi.com. If you are unsure this is correct please contact the helpdesk.

Jeff, Melissa,

I am a Grandview Lot owner and will be out of town for the hearing on Monday, so I am sending you this message in that regard. **PLEASE, PLEASE DO NOT APPROVE THIS CONDITIONAL USE VARIANCE!** Surely you and the Zoning committee are aware that once Max Henry gets an inch, he will no doubt take a mile. Non-compliance with rules is his proven MO. He most certainly believes that the county will not be present from start to finish of every event, so he will not enforce any of the provisions and no one will stop him. Why should the Grandview Lot owners be burdened with policing his non-compliance? Why would Max continue to host a website for the venue that offers the public many services that would be in violation of the conditional variance?

Please listen to the GLOA board and the Grandview lot owners and **VOTE AGAINST** this conditional variance.

Bill Donaldson  
Lot 19R

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## Begley, Melissa

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**From:** Ryan Kitchell <rkitchell74@gmail.com>  
**Sent:** Friday, July 21, 2023 9:22 PM  
**To:** Begley, Melissa; Bergman, Jeffrey  
**Subject:** External Message: Monday's zoning hearing

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to rkitchell74@gmail.com. If you are unsure this is correct please contact the helpdesk.

My name is Ryan Kitchell and we live at 5331 S. Poplar Drive. I write to encourage you to again deny the Henry petition. We have chosen to live here because of the peace and quiet that Grandview offered. When we came here 13 years ago, we never would've imagined that an open-bar-shooting-range-Great Wolf Lodge would become our neighbor. The noise and traffic that Mr. Henry already illegally brings to our neighborhood is highly disruptive to the peaceful hikes, strolls around the lake, and otherwise quiet afternoons we've come to enjoy. I can't imagine what more he will do if this is approved. Approving this zoning petition will also lower property values as the reason many people have chosen to live here goes away. Lower assessed values obviously lead to less property tax revenues for the county and schools.

Thank you for your time and consideration.

Ryan Kitchell

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## Begley, Melissa

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**From:** Gary Kotterman <gkotterman@comcast.net>  
**Sent:** Saturday, July 22, 2023 10:10 AM  
**To:** Begley, Melissa; Bergman, Jeffrey  
**Subject:** External Message: Henry Chateau

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to gkotterman@comcast.net. If you are unsure this is correct please contact the helpdesk.

Ms. Begley and Mr. Bergman-

I want to register my disapproval of the proposed zoning changes for the Henry Chateau. Commercial operations at this site would be detrimental to the rural character of the Grandview community. Any required approvals for this property should have been secured before construction. An approval at this stage would serve to encourage similar underhanded actions in the future.

Gary Kotterman

4851 S. Poplar Dr.

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To: Melissa Begley  
cc: Jeff Bergman

Re: BCU-2023-006 (Henry Chateau) - Henry Conditional Use Variance Request

While we strongly disagree with Mr. Henry on whether his application meets the 4 criteria for “conditional use”, we feel the criteria are so generic that arguing either side is possible. The Comprehensive Plan and Land Use Plan provide the following examples which provide counterpoints for criteria 1, 3 and 4 of Mr. Henry’s Conditional Use application:

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**Goal 4:** Create stable residential neighborhoods that are safe, healthy, socially satisfying and retain their economic value.

**Goal 18:** Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services.

**Land Use Plan Section II:** Make land use decisions that protect and improve community resources and the environment.

After our conversation Monday, we felt there was value in focusing our efforts on accepting Mr. Henry’s application at “face value” and devising conditions we could all accept to make coexistence palatable. All the while, we were answering angry lot owner’s questions as to why we have to fight this issue again. The conditions we had come to agreement on included:

1- CONDITIONS OFFERED BY APPLICANT:

- Small groups with a maximum of 50 people
- No outdoor music, DJ’s or outdoor amplification
- No open Bar offered

## 2- CONDITIONS REQUIRED by NEAR-BY RESIDENTS:

- Operating hours limited to 10:00 PM
- No ATV or Rifle/Gun range offered to guests
- Remove all advertising for large event venue
- Limit yurts to maximum 5 on site

Then BOOM, we were made aware of the upcoming “ABC Stewart Fundraiser” to be held Friday, September 8, 2023 at the Henry Chateau. By booking this event, Mr. Henry willfully and knowingly commits to violating the existing “cease and desist” order. Just as importantly, he also violates all of the conditions that he is using for his “Conditional Use” zoning request. No longer do you have to take the Conditional Use application at face value (assuming he will behave in accordance) because he has entered into a legal contract to break every condition he offered.

It would be hard to envision how any BZA board member or Planning Dept employee could approve, in good conscience, a zoning request where the applicant has clearly and knowingly violated the terms of his own application in advance.

The outcome of this conditional use application will clearly not be in the best interests or safety of the citizens who live in this area and pay taxes to Bartholomew County. The Grandview Lot Owners Association (representing 305 lot owners) supports the denial of the application. It is our hope the Zoning Board will make their decision based upon sound planning & land-use policies, not subtle manipulations that are not in the best interests of residents. We ask that the Planning Dept recommend to deny the application as well and provide the BZA with pertinent information regarding the applicant’s inability to follow county ordinances.

## Begley, Melissa

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**From:** Tony Miller <tony.miller@toyotatmh.com>  
**Sent:** Friday, July 21, 2023 6:36 AM  
**To:** Begley, Melissa  
**Cc:** Bergman, Jeffrey  
**Subject:** External Message: BCU-2023-006 (Henry Chateau) - Henry Conditional Use Variance Request

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to tony.miller@toyotatmh.com. If you are unsure this is correct please contact the helpdesk.

Melissa,

Good morning. As a home owner at Grandview Lake with a lot adjacent to the Henry Chateau property, I want to go on record to voice my opposition to BCU-2023-006.

As you are aware, Max has continued to operate this event venue in violation of the zoning ordinance.

I cannot imagine that he will abide by any of the commitments laid out in the conditional use variance and the surrounding property owners will be left to deal with the issues created by his lack of respect for laws, community, and people. I respectfully request that the BZA not give him an inch, because he will take a mile.

Thank you for your consideration.

Best Regards,

Tony Miller  
(812) 350-4106

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## Begley, Melissa

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**From:** Clark Millman <clarkmillman@aol.com>  
**Sent:** Thursday, July 20, 2023 11:28 PM  
**To:** Begley, Melissa  
**Subject:** External Message: Henry Chateau, LLC, Docket BCU-2023-006 -- Opposed to Variance Request

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to clarkmillman@aol.com. If you are unsure this is correct please contact the helpdesk.

Ms. Melissa Begley  
Assistant Director  
Columbus Indiana – Bartholomew County Planning Department  
123 Washington St.  
Columbus, IN 47201

Dear Ms. Begley:

I am opposed to the proposed Conditional Use Variance application submitted on behalf of Henry Chateau, LLC, Docket BCU-2023-006. I own a home on Grandview Lake and I am opposed to all commercial development on any property adjacent to the Grandview Woods that surrounds Grandview Lake. This is our 10th summer on Grandview Lake and we frequently refer to our place as a "cabin in the woods that happens to be on a lake". We certainly don't want any sort of party barn, open bar, retreat center, shooting range, ATV course, campground, or *any commercial venture* in our close proximity. There are safety concerns coming from unnecessary traffic on country roads, especially when guests have been served alcohol. Further, we certainly don't want our peaceful place in the woods to be disturbed by noise coming from bands, gun shooting, ATVs/other motorized vehicles, etc. We are also concerned that such commercial development will adversely affect our property value and the property values of others on Grandview Lake.

Please deny this Conditional Use Variance application.

Thank you for your consideration.

**Clark M. Millman**  
**Grandview Lake Property Owner**

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## Begley, Melissa

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**From:** Nancy <nanaolson01@gmail.com>  
**Sent:** Saturday, July 22, 2023 6:16 PM  
**To:** Begley, Melissa  
**Subject:** External Message: New Henry Chateau Retreat request

\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Warning: Replies to this message will go to nanaolson01@gmail.com. If you are unsure this is correct please contact the helpdesk.

We are perplexed as to why Dr. Henry is asking for a new permit for holding "Retreats" at Henry Chateau. And we're asking that he define "Retreat". On his Henry Chateau website he is already booking weddings which he was denied with his original requests. He also put in a large sewer system to accommodate 250 people which we hope he received the correct permits for. Why would someone put in a system this size if it wasn't planned to be used commercially? He continues to put money into this building to follow his plan of holding wedding receptions. It is explained on his website as we viewed on 7/19/23. The red flag is if "retreat" is a cover-up for weddings and other events to be held. Our concern is the many drunk drivers along with the noise a wedding reception produces. He has also said he would offer his lake home as a place for the weddings to take place. This then becomes a problem for Grandview Lake and will cost the residents money hiring attorneys to fight a public venue on the lake. We believe this request, just like the last one, should be denied. This is an agriculture/leisure area. We bought on Grandview Lake 34 years ago for the peacefulness of the area and the safe place it provided for our kids to play. It was an area zoned Agriculture then and it should stay that way today. If one person is granted business zoning in this area it most definitely opens a can of worms for many more businesses to receive the same special treatment, where do you draw the line? We ask that you please deny Dr. Henry's request for special treatment in an area that should stay zoned agriculture for his "retreat". Thank you, Larry and Nancy Olson, Roger and MaryAnn Pardieck, Summit Lane, Grandview Lake, Columbus, IN

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## Begley, Melissa

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**From:** jdsasse@comcast.net  
**Sent:** Thursday, July 20, 2023 4:43 PM  
**To:** Begley, Melissa; jbergman@columbus.in  
**Subject:** External Message: Henry Event Center

**\*\*\* ATTENTION \*\*\* This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Warning: Replies to this message will go to jdsasse@comcast.net. If you are unsure this is correct please contact the helpdesk.

Dear Ms. Melissa Begley,  
Dear Mr. Jeff Bergman,

As a Grandview Lake resident for 52 years, I urge you to leave the zoning for the proposed Henry Event Center property as agricultural, according to Bartholomew County regulations. The thought of increased traffic, increased noise, the presence of alcohol/possibly firearms and other related issues have all been fairly discussed, and is widely opposed by the lot owners and the surrounding neighbors.

Whatever regulations you might establish to allow such an event center, there likely will be an ongoing effort to bend and/or ignore county regulations.

Thank you for looking out for the well-being of Bartholomew County.

John and Donna Sasse  
Lot 245A  
11159 W. Grandview Dr.  
Columbus, IN 47201-9798  
812-447-0074  
jdsasse@comcast.net

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VIA EMAIL – [mbegley@columbus.in.gov](mailto:mbegley@columbus.in.gov)

August 21, 2023

Melissa Begley, AICP  
Assistant Planning Director  
City of Columbus – Bartholomew County  
Planning Department  
123 Washington Street  
Columbus, Indiana 47201

RE: Henry Chateau Zoning Variance Request

Dear Ms. Begley,

I currently own real estate at 5471 South Poplar, Columbus, IN (2020+) and previously owned property at 11621 W. Grandview Drive, Columbus, IN (2016-2022). Both properties are in very close proximity to the subject property (Henry Chateau). I believe seven years of real estate ownership across two properties in the vicinity of the subject property has provided more than a sufficient understanding of the property uses and values of land in this area. **While a property owner retains some rights to use one's own property, those rights are limited to the extent the uses do not harm other property owners.**

- Without hesitation, the proposed variance to allow the Henry Chateau to operate as a commercial operation would likely cause significant, long-term, and irreparable damage to my property and other residential properties in the area.
- Furthermore, the approval of this or any other commercial use variance will likely create a negative change to other property uses in the area, transforming a well-established residential and recreational area of Bartholomew County into a bustling mecca of commercial operations. Once begun, this tidal wave of change cannot be undone and the beauty and peacefulness of rural Bartholomew County will be gone. **Commercial operations should, by design and definition, be retained to only a central commercial district with other commercial uses – not in rural communities adjacent to a high density of residential homes and recreational area.**

**Most importantly, the use of the subject property for commercial purposes would cause significant, long-term, and irreparable damage to the neighboring properties.**

- **Property Values** – There is a high density of high-value residential real estate adjacent to the subject property that likely will be negatively affected by commercial operations on adjacent land. I would expect there are few if any other areas in rural Bartholomew County with the density, quantity, and high values like the adjoining properties. It will be harmful to change agricultural land to allow commercial operations after the approved, significant, and long-term investment by residential owners of the surrounding properties. I, along with them, have invested in our residential area with the comfort surrounding areas were zoned only for agricultural use.
- **Safety** - Bellsville Pike is a narrow, two lane road with virtually no lighting or shoulders. Parking vehicles on both sides of the street with pedestrians walking the road at night (which was rumored to occur at the subject property) would be extremely dangerous for passing traffic, guests, and pedestrians. Even if

parking was available on the subject property, vehicles and vendors would enter from a small country road and single entrance with no apron, turn lane, or traffic control. Not to mention the dark nights, winding roads, and high probability of alcohol use, this could be a recipe for disaster.

- **Noise** - Many of the neighboring properties (including mine) are only 600 to 1100 feet away from the property. Anyone that has been in rural areas or across a lake can appreciate how easily noise travels. Creating a nightclub environment with caterers, guests, vehicle traffic, vendor trucks, staging equipment, and other party components will certainly disturb the tranquil and peaceful environment of the neighboring properties and Grandview Lake. Even Grandview Lake has a requirement for all boat traffic to be substantially limited at dusk for noise and safety.
- **Unwanted Use** – A petition at Change.org (<https://www.change.org/p/resist-commercial-zoning-at-grandview-surrounding-areas>) lists over 500 unique citizens and approximately 200 or 2/3 of Grandview Residents opposed to the zoning request. It's important to underscore that not just one or three or five property owners find the zoning request harmful, but **200+ property owners** are concerned for the values of their real estate!

This variance request is also the third attempt at substantially the same use by the same applicant for the same property. The purpose of zoning is to regulate and control land to ensure complimentary uses. **Clearly allowing a third request for a commercial operation on agricultural land adjacent to a high concentration of residential properties is detrimental and arguably an abuse of process by the applicant.**

- It is hard to understand how such a request should even be heard by the Board of Zoning Appeals while the owner has continued operating in violation of both the current zoning and the County's cease and desist order.
- The BZA is sending a message that the laws of the land mean nothing, that property owners can ignore the approved uses of their land if they wish, can operate in violation of the County's order, and that owners need only try an unlimited amount of time to request variances until one is finally granted.
- Clearly this is not the way our laws were intended to be used and can very well open the flood gates to others to operate in a similar fashion. We cannot live in a society where property owners can ignore the laws of the State, City, and County because they wish to and suffer no real consequences.

#### **Why should the residential property owners who followed the laws and invested in approved uses be harmed?**

The applicant has owned and used the property for approximately 30 years as agricultural property. The property is virtually identical to most all other property in rural areas of the County. There appears no hardship justifying the zoning change, particularly considering the continued substantial investment in the approved residential areas adjoining the subject property only reinforce the residential nature of the area.

As members of the Bartholomew County Board of Zoning Appeals, I call upon you to uphold the laws of our County, protect property to complimentary uses, and save the neighboring residents from **significant, long-term, and irreparable damage** that will likely be caused by the approval of this variance or any similar variance.

Respectfully,

Matthew Claymon  
5471 S. Poplar Drive  
Columbus, IN 47201

*An  
International  
Affair*

PRESENTED BY ABC-STEWART SCHOOL



The Henry Chateau  
3200 Bellsville Pike, Columbus 47201  
Adults only - 21 and over

SEPTEMBER

8

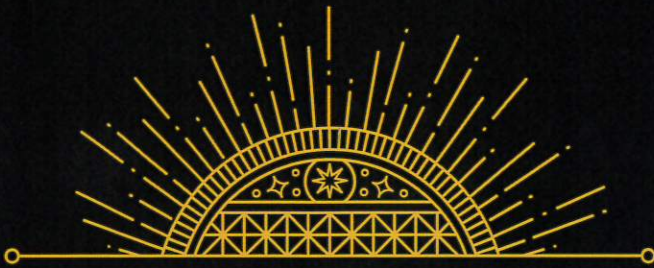
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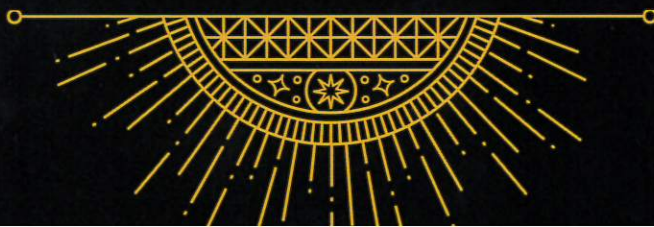
\*\*\*\*\*ECRWSSDDM\*\*\*\*\*

Residential Customer  
Columbus, IN 47201



## HIGHLIGHTS OF THE EVENING INCLUDE:

- GLOBAL FOOD TASTING
- PLATED MEAL
- INCLUSIVE LIBATIONS
- GAMES AND PRIZES
- SILENT AND LIVE AUCTION



## Begley, Melissa

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**From:** Jeff Rocker <jrocker@beckrocker.com>  
**Sent:** Thursday, August 10, 2023 3:23 PM  
**To:** Begley, Melissa; Carrie Nelson  
**Subject:** External Message: FW: Party at Grandview on Saturday, July 22nd

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Melissa: Letter of support for Max's application.

Thanks

Jeff

**From:** Dale Gayman <[dale.gayman@avisystems.com](mailto:dale.gayman@avisystems.com)>  
**Subject:** Party at Grandview on Saturday, July 22nd  
**Date:** August 10, 2023 at 2:52:43 PM EDT  
**To:** "Mahenrymd@comcast.net" <[Mahenrymd@comcast.net](mailto:Mahenrymd@comcast.net)>  
**Cc:** Dale Gayman <[dale.gayman@avisystems.com](mailto:dale.gayman@avisystems.com)>

To Whom it May Concern,

On Saturday, July 22, Kristen and I hosted a party at Grandview Lake. Because our house/lot is not finished, we asked Max Henry if we could host at his house again this year (this was in his backyard facing the lake). We also held the party at his yard last year under the same circumstances.

We paid for all of the entertainment, food and drinks as it was completely our responsibility.

Dale Gayman

**Dale Gayman**  
Area Vice President  
d 812-447-9285 m 812-447-0570  
e [dale.gayman@avisystems.com](mailto:dale.gayman@avisystems.com)



1256 Washington Street  
Columbus, IN 47201  
w [avisystems.com](http://avisystems.com)

AVI Support Helpdesk



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8/22/2023

Melissa Begley – Assistant Planning Director  
City of Columbus – Bartholomew County Indiana  
[mbegley@columbus.in.gov](mailto:mbegley@columbus.in.gov)  
Planning Department  
123 Washington Street  
Columbus Indiana 47201

RE: Henry Chateau Variance Request

Ms. Begley,

I am a property owner at 11671 W Grandview Drive, Columbus Indiana and a member of the Grandview Lot Owners Association. I also serve on the GLOA Board of Directors. My family has owned property on the lake since the early 1980s. I am intimately familiar with the history of Grandview and have witnessed what has and has not changed over the past 35 years.

A couple points for your consideration:

- Allowing the Henry Chateau proposed variance will cause significant, irreparable damage to property values in the area.
- Allowing the Henry Chateau proposed variance will cause significant, irreparable damage to the peacefulness of the area that so many have worked to maintain for decades.
- Allowing the Henry Chateau proposed variance will endanger the public.

This third variance request is clearly a shot in the dark to skirt around whatever available loophole there is to open a commercial event venue. I find it unfathomable that this request is even being heard considering there has been no real substantive changes to the property or the advertising of the venue online and other publications. The message that the BZA is sending by allowing this “show” to continue is that there need not be any concern for laws, permits, inspections or approved uses of land in Bartholomew County. You will be setting precedent that anyone can do whatever they want on their property without regard for the safety or value of others.....any without personal consequences.

There are over 500 unique signatures on a change.org petition requesting that you put an end to this. It is also important to note that two-thirds of the Grandview Lot Owners have signed their names in opposition. This isn't just a handful of people making their voices heard; its 200+ lot owners in what is arguably the highest property-tax assessed community in Bartholomew County bannng together to protect their property values and the safety of the surrounding area.

I ask you to enforce the laws that exist, protect our property values and really consider the impact this venue will have on public safety.

Thank you,

Charlie Laughlin  
11671 W Grandview Dr  
Columbus Indiana 47201

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## Begley, Melissa

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**From:** davemaudlin39 <davemaudlin39@gmail.com>  
**Sent:** Wednesday, July 26, 2023 12:30 PM  
**To:** Begley, Melissa  
**Subject:** External Message: BCU-2023-006:Henry Chateau

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I have lived on Grandview Lake since 1979. Lot 76. I am strictly against changing the zoning of this land. The traffic is bad enough now & the roads are in bad shape. Many people drive 60 mph on Bellsville Pike. Once the zoning is changed the property values will degrade. J. David Maudlin. 4561 S. Poplar Dr. Columbus, IN 47201

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

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## Begley, Melissa

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**From:** Barb <barbarapio@comcast.net>  
**Sent:** Monday, August 21, 2023 9:55 PM  
**To:** Begley, Melissa  
**Subject:** External Message: Henry Chateau

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Ms. Begley,

I writing to you today to voice our view on any zoning changes for the Henry Chateau. We strongly disagree with any zoning changes mainly because we don't want our area around the lake turned into commercialization. If granted to Henry how do you say no to others in the future.

We have lived at our home at Grandview Lake for 28 years and love the peacefulness of the community. When my husband is asked about living at the lake he would say..."it's like driving home to vacation everyday".

On another note.....we are business owners in Columbus and I find myself shaking my head as to how one could even open a business to the public without ALL the proper documentation BEFORE your first customer. The photo below is of an invitation we received in the mail over the weekend I'm a bit surprised.

We are asking you for a no vote on the BZA variance request.

Regards,  
Terry & Barb Piotrowski  
4901 S Poplar Dr. Grandview Lake

