



## BARTHOLOMEW COUNTY, INDIANA BOARD OF ZONING APPEALS

### CONDITIONAL USE FINDINGS OF FACT

**Docket Number:** B/CU-2023-014  
**Applicant:** Thomas & Jacqueline Yeager  
**Filing Date:** December 11, 2023  
**Hearing Date:** January 22, 2024  
**Property Location:** 12404 West 50 South in Harrison Township

**Conditional Use(s) Requested:**

A Conditional Use per Zoning Ordinance Section 6.1(D)(1) to allow an accessory dwelling unit up to 1978 square feet in size in a AG (Agriculture: General Rural) zoning district.

**Board Action Taken:**

Request Approved by a Vote of: 5 to 0.

The Bartholomew County Board of Zoning Appeals acted under the authority of Indiana law as follows: IC 36-7-4-918.2: a board of zoning appeals shall approve or deny all conditional uses. 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 12.4(D)(1), the proposal will not be injurious to the public health, safety, and general welfare of the community.*

**Finding:** Allowing an accessory dwelling unit to be built will not be injurious to the public health, safety, morals and welfare of the community. The building would not cause any visibility issues along 50 South. The existing drive will be utilized, there is adequate parking, and conditional septic site approval has been obtained. *This criterion has been met.*

**Criteria #2:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.4(D)(2), the development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.*

**Finding:** Accessory dwelling units are allowed as a conditional use in the AG (Agriculture: General Rural) zoning district. The proposed structure would comply with all development standards provided in the zoning ordinance. *This criterion has been met.*

**Criteria #3:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.4(D)(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.*

**Finding:** The accessory dwelling will not pose any risk to nearby property or uses. This building is set back approximately 300 feet from the road, does not impact visibility, and does not inhibit other users/property in the area. *This criterion has been met.*

**Criteria #4:** *Columbus & Bartholomew County Zoning Ordinance, Section 12.4(D)(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.*

**Finding:** The primary use of this property is and will remain residential. With the building of the accessory dwelling unit, the use will continue to be residential. Adding the accessory dwelling unit will be consistent with the current use and will not alter the character of the area. The Comprehensive Plan recommends various types of housing, including accessory dwelling units. *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