



## CITY OF COLUMBUS, INDIANA BOARD OF ZONING APPEALS

### CONDITIONAL USE FINDINGS OF FACT

**Docket Number:** CCU-2023-019  
**Applicant:** J&D Services  
**Filing Date:** December 19, 2023  
**Hearing Date:** January 23, 2024  
**Property Location:** 1371 South 525 West, Harrison Township

**Conditional Use(s) Requested:**

A Conditional Use per Zoning Ordinance Section 3.20(B) to allow a contractor's office for a property management business in a CC (Commercial: Community) zoning district.

**Board Action Taken:**

Approved by a Vote of: 5 to 0

**Conditions of Approval:** The approval was subject to include the following conditions, which shall be satisfied prior to the occupancy of the property for the contractor's office:

1. Vehicle access to the property shall be limited to a single drive on Goeller Road and a single drive on 525 West, with both meeting the width requirements of the Zoning Ordinance. The driveways shall be no closer to the Goeller Road/525 West intersection than 100 feet along 525 West and 50 feet along Goeller Road, both measured from the centerlines of the roads. Existing stone areas in the right-of-way no longer used as driveways shall be removed and replaced with grass.
2. The necessary approvals from the Indiana Department of Health for the commercial septic system shall be obtained.
3. The fence enclosing the outdoor storage area shall be repaired to be structurally sound and provide a 100% opaque screen to a height of 6 feet from ground level.

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:** A residential property management contractor's office will not cause problems for public health as the majority of the work done by the company will be done

off-site. Any negative impact of commercial trucks or equipment entering / exiting the site would be negated with the clarification / modification of the driveway access to the property. Further, review and approval of the septic system by the Indiana Department of Health would ensure its suitability for the proposed use. If the driveways are modified to provide clear, more-limited access with greater separation from the 525 West / Goeller Road intersection and the septic system is found and/or made to comply with applicable requirements, *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:** The property has legal non-conforming site features. The applicant states that no new construction is planned by the contractor who will be using the site. Parking is based on the number of employees for the contractor office. The site could accommodate at least 14 parking spaces. Provided there are fewer than 14 employees, *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 proposed conditional use will not cause permanent injury to neighboring property uses in the vicinity as most work will be done off-site and the subject property will primarily be used for clerical and office tasks related to the business and storage of equipment and vehicles. If the fence enclosing the outdoor storage area is repaired and made to be 100% opaque, *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 Comprehensive Plan encourages small businesses in order to diversify the economy and encourages the growth of locally owned businesses. A property management contractor's office will be consistent with the intensity of other commercial uses in the CC (Commercial: Community) zoning district. *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