



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(February 27, 2024 Meeting)**

STAFF REPORT

Docket No. / Project Title: CDS-2024-001 (William & Angi Meyer)
Staff: Andres M. Nieto
Applicant: Bill & Angi Meyer
Property Size: +/- 15,450 square feet
Current Zoning: RS4 (Residential: Single-Family 4)
Location: 1901 Franklin Street, in the City of Columbus.

Background Summary:

The applicant has indicated that the proposed variance is for the purpose of allowing driveway access to the property from the street where alley access is present. The applicants propose to construct a new “U” shaped drive on the property, with new accesses on Franklin Street & 19th Street, in addition to their current vehicle access from the alley.

Preliminary Staff Recommendation:

Denial; Criteria 2 and 3 have not been met.

Zoning Ordinance Considerations:

District Intent: The intent of the RS4 (Residential: Single-Family 4) zoning district is as follows: To provide areas for high density single-family residences in areas with compatible infrastructure and services. Development in the zoning district should be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods.

Development Standards:

Section 7.3 (Part 1)(C)(3)(b): Street Access to Farm and Single & Two-Family Residential Uses: Unless access is available from an alley, all properties occupied by a single or two-family residential use shall be permitted one access point from any Local or Collector Street (where alley access is available for a single or two-family residential use, access to all streets shall be prohibited).

Section 7.3 (Part 1)(C)(3)(b)(iii): Single family residential properties with accessible frontage on more than one public street shall obtain access from the street with the lowest Thoroughfare Plan classification. A second access may be obtained from a second frontage if that frontage is on a local street and 50 feet of separation between the nearest driveways and intersections can be provided.

Current Property Information:	
Land Use:	Single-family residential
Site Features:	Single-family home, alley access
Flood Hazards:	N/A
Vehicle Access:	Franklin Street (Local, Residential, Urban) 19 th Street (Local, Residential, Urban) Alley (north/south) Alley (east/west)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS4 (Residential: Single-family 4)	Single-family residential
South:	RS4 (Residential: Single-family 4)	Single-family residential
East:	RS4 (Residential: Single-family 4)	Single-family residential
West:	RS4 (Residential: Single-family 4)	Single-family residential

Interdepartmental Review:	
City Engineering:	No response.
City Utilities:	No concerns with the proposed variances.
Fire Inspector:	The construction of this new driveway will not present any challenges in the event of an emergency at this location.
Technical Code Enforcement:	Code Enforcement does not have any issues with this proposal.

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 construct a “U” shaped drive in the front yard of their property. According to the submitted concept plan, this “U” shaped drive would have access points on the Franklin Street frontage and the 19th Street frontage. This proposed new driveway would be in addition to the existing access from the alley.
2. The new access point on Franklin Street does not meet the required 50-foot separation from adjacent drives. According to the applicant’s concept plan, the Franklin Street access would only be separated from the driveway directly across the street (serving 1902 Franklin Street) by approximately 17 feet.
3. While the 1902 Franklin Street property across the street from the subject property has driveway access to Franklin Street, it and all the properties on the west side of the street do not have alley access, nor does the west side of Franklin Street have any sidewalk or pedestrian infrastructure – it exists along the frontage of the subject property (on the east side of Franklin Street).
4. The building on the subject property was built in 1955.
5. Most of the properties in this area of the neighborhood with alley access do not have driveways on their street frontage. They all receive their access from the alley network. Access points from the alley network do not have any separation requirements from each other or nearby alley intersections.
6. This standard that requires alley access when available, and prohibiting additional drives along the street, is intended to preserve the pedestrian infrastructure/experience in established neighborhoods while minimizing vehicle conflict points. This block (just west of Donner Park) maintains this pedestrian infrastructure well, and contributes to the ease-of-access to the park.
7. This block and the block immediately to the north (bordered to the north and south by 22nd Street and 20th Street respectively) have similar lot sizes, residential home developments, and an alley network. Of the 27 residential lots in these two blocks, only 3 properties receive access from the street instead of the alley.
8. The 19th Street frontage of the subject property is located just +/- 200 feet away from one of the main entrances to Donner Park along Lafayette Avenue.
9. Existing street parking is available along both sides of Franklin Street and 19th Street. The creation of this proposed “U” drive would decrease the amount of street parking spaces available in the area.
10. The applicant has indicated that the existing driveway along the alley cannot accommodate large vehicles while providing a “usable” back yard. The house on the subject property seems to have been deliberately designed to have a limited back yard and a large front yard(s).

Development Standards Variance Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

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

Provisional Findings: No City department/agency has expressed any concern about this request. It will not be injurious to the public health, safety, morals, and general welfare of the community. This criterion has been met.

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The driveway access to the street will increase the amount of vehicle/pedestrian conflict points along Franklin Street and 19th Street and interrupt the sidewalk infrastructure, while the zoning ordinance intends to keep this traffic within the alley network. The additional drive accesses will also reduce the amount of street parking available for the neighborhood and nearby Donner Park. This criterion has not been met.

3. **The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The existing driveway along the alley can adequately provide access, but may not provide space for contemporary "back yard". The building on the subject property seems to have been deliberately designed in this way to maximize the front yard and its use, representing a self-imposed situation. This criterion has not been met.

Board of Zoning Appeals Options:

In reviewing a request for development standards variance 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

Development Standards Variance Application

Submit applications and materials by e-mail to 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): _____ by (initials): _____

Application Received on (date): _____ by (initials): _____

Jurisdiction: Columbus Bartholomew County Joint District

Hearing Procedure: Board of Zoning Appeals Hearing Officer

Docket No.: _____ Zoning District: _____

Property Owner Name (from GIS): _____

To be Completed by the Applicants

STOP! All variance 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: _____

Representative's Company Name: _____

Mailing Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ E-mail Address: _____

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 requesting the variance – 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: _____

Business, Institution, Etc. Contact Person Name: _____

Mailing Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ E-mail Address: _____

Property / Location Information:

Property Address: _____
(number) (street) (city)

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

Variance Requested:

I am requesting a variance from Section _____ of the Zoning Ordinance to allow the following:

Please describe the project for which the variance is sought:

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

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

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. For example: What impacts can the neighbors realistically expect to the use of their property and to their property values? Will approval of the variance cause any negative impacts to the neighbors? Why or why not.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain. For example: Is there a reason the property cannot be used without the variance? If so, what is that reason (does a stream, existing building, well, or septic system limit options for new construction)? Explain the reason.

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of the application fee for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom any refund should be provided:

Name: _____

Address: _____
(number) (street) (city) (state) (zip)

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)

(Date)

(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.



(Property Owner's Signature)

(Date)

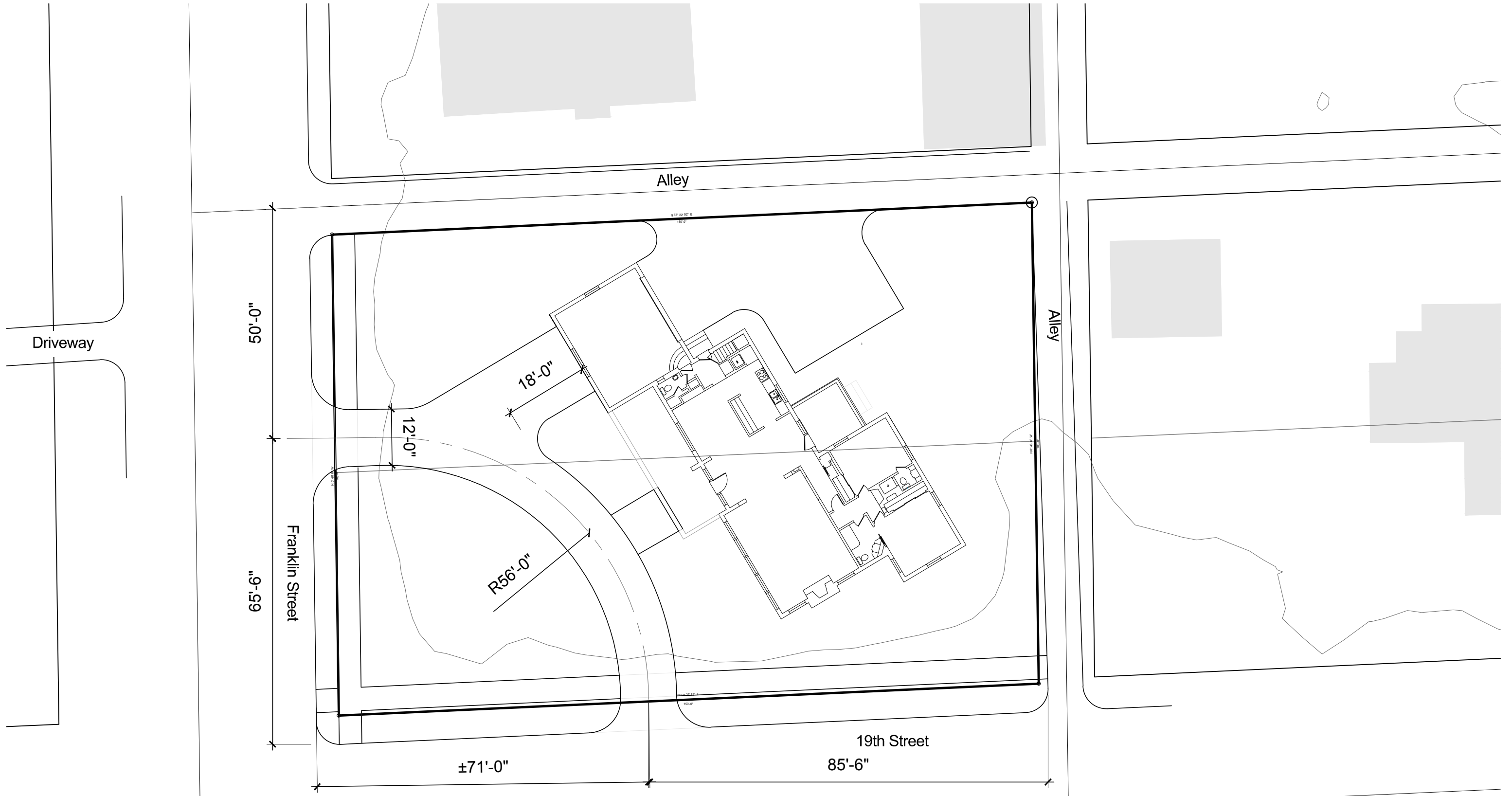
(Property Owner's Printed Name)

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.

(Signer's Ownership Role or Representation)

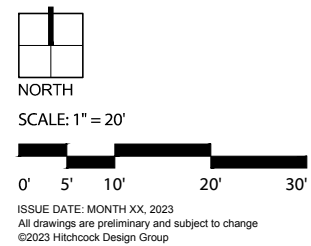
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Drive Concept 2a

Meyer Residence

Columbus, Indiana



PREPARED FOR:
Meyer Residence
IN ASSOCIATION WITH:
bbrewerdesign

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From: [Matt Snyder](#)
To: [Nieto, Andres](#)
Subject: External Message: 1901 Franklin Improvements
Date: Tuesday, February 20, 2024 8:29:28 PM

***** 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 matthewe3003@gmail.com. If you are unsure this is correct please contact the helpdesk.

I, Matthew Snyder, at 1848 Lafayette Ave., do not have any issue with an improvement at 1901 Franklin. Please allow the Meyers to proceed. I appreciate the notification.
Thank you,
Matt Snyder