



BARTHLOMEW COUNTY, INDIANA BOARD OF ZONING APPEALS

DEVELOPMENT STANDARDS VARIANCE FINDINGS OF FACT

Docket Number: B/DS-2024-002
Applicant: Keith Bassett
Filing Date: January 16, 2024
Hearing Date: January 23, 2024
Property Location: 785 West 625 South, in Wayne Township.

Variance(s) Requested:

A Variance from Zoning Ordinance Section 6.1(A) to allow an accessory structure to be located on a property before a primary in a AG (Agriculture: General Rural) zoning district.

Board Action Taken:

Request Denied by a Vote of: 3 to 2.

The Bartholomew County Board of Zoning Appeals acted under the authority of Indiana law as follows: IC 36-7-4-918.5: a board of zoning appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the zoning ordinance.

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

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

Finding: Allowing the pole barn on a property without a house will not be injurious to the public health, safety, morals, and welfare of the community. The proposed pole barn is going to be setback greater than the 35 foot minimum required front setback and does not cause any visibility issues along the adjacent road. The pole barn also will meet the appropriate side setback standards. The County Highway, Code Enforcement, and Health Departments indicated no concerns with the proposed variance. *This criterion has been met*

Criteria #2: *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(1)(b), the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

Finding: The use and value of the area adjacent to the property would not be

negatively impacted by the presence of the pole barn on the property. The character of the pole barn is consistent with other accessory buildings in this rural setting. *This criterion has been met.*

Criteria #3: *Columbus & Bartholomew County Zoning Ordinance, Section 12.3(D)(1)(c), 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.*

Finding: There is no reason, no unique feature of the property or its location that necessitate the pole barn being placed on the subject property prior to the construction of a home. Though the applicant has stated they have no intention of building a house, there is no practical difficulty that necessitates placement of an accessory structure (pole barn) prior to a primary structure (house). If the applicant would like to use this lot as a larger yard space for their adjacent home, they may simply combine the two lots, eliminating the need for this variance. *This criterion **has not** been met.*

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

Chairperson

Secretary