



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(April 23, 2024 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/CU-2024-004 (Lisa Roberts)
Staff: Noah Pappas
Applicant: Lisa Roberts
Property Size: 45,500 square feet
Zoning: RS2 (Residential: Single-Family 2)
Location: 1621 Rocky Ford Road, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed conditional use will allow an 800 square foot (20 feet by 40 feet) accessory dwelling unit.

Preliminary Staff Recommendation:

Approval, all criteria have been met.

Zoning District Intent:

The intent of the RS2 (Residential: Single-Family 2) zoning district is as follows: to provide areas for moderate density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods.

| Current Property Information: | |
|--------------------------------------|---|
| Land Use: | Single-Family Residential |
| Site Features: | None |
| Flood Hazards: | None |
| Vehicle Access: | Rocky Ford Road (Minor Arterial, Residential, Suburban) |

| Surrounding Zoning and Land Use: | | |
|---|---|--|
| | Zoning: | Land Use: |
| North: | RS3 (Residential: Single-Family 3) P (Public / Semi-Public Facilities) | Single-Family Residential Parkside Baptist Church |
| South: | RS2 (Residential: Single-Family 2) | Single-Family Residential |
| East: | RS2 (Residential: Single-Family 2) | Single-Family Residential |
| West: | RS2 (Residential: Single-Family 2) | Single-Family Residential |

| Interdepartmental Review: | |
|----------------------------------|--|
| City Engineering: | No comments. |
| City Utilities: | No concerns. |
| City Fire: | The addition of an accessory structure at this location will not pose a safety concerns in the event of an emergency response. |
| Code Enforcement: | No response. |

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The proposal is to build an 800 square foot (20 feet by 40 feet) accessory dwelling unit. It will be a standalone structure, located on the property approximately 100 feet behind the existing house.
2. Zoning Ordinance Section 6.1(D)(1) permits accessory dwellings by conditional use and includes additional development standards as follows:
 - a) Location on the Property: The accessory dwelling may be (i) attached to, and designed and constructed as part of the primary structure, (ii) attached to or included within a detached garage or other accessory structure, or (iii) a separate and distinct accessory structure on the property. *The proposed accessory dwelling would be a separate and distinct accessory structure on the property.*
 - b) Primary Use of the Property: An accessory dwelling may only be established on a property on which the primary use and structure is a single-family dwelling (or where a single farm dwelling is present). *There is an existing single-family residence on the property.*
 - c) Living Area: In residential zoning districts, the living area of any accessory dwelling shall not exceed 1,000 square feet or an amount equal to 65% of the primary residence on the property, whichever is less. Further, no accessory dwelling shall be less than 400 square feet in living area. *The primary structure is 1318 square feet per the Bartholomew County GIS, allowing the accessory dwelling unit to be as big as 856.7 square feet. The applicant's proposed size of 800 square feet would be compliant with this standard.*
 - d) Maximum Number of Units: A maximum of 1 accessory dwelling may be permitted on any property. *The applicant is only requesting the 1 accessory dwelling as part of this application. There are no other accessory dwellings on site.*

- e) Driveway Access: The accessory dwelling shall not require the establishment of an additional driveway. *The applicant is planning to use an existing drive access, paving an extension around the side of the house to the location of the accessory dwelling.*
 - f) Parking Requirements: In instances where on-street parking is allowed on either side of a street in a block where the subject property has frontage, no off-street parking for the accessory dwelling shall be required. Where the on-street parking described above is not available, one off-street parking space, in addition to those required for the primary residence by Chapter 7.1 of (the Zoning) Ordinance, shall be provided for the accessory dwelling. All off-street parking spaces provided shall meet all applicable design and circulation standards for the zoning district in which the property is located by Article 7 of (the Zoning) Ordinance. *Adequate parking is being provided on site.*
 - g) Waste Disposal: Both the primary residence and the accessory dwelling shall either (i) be served by a public sewer system or (ii) be served by one shared or two individual septic systems approved by the Bartholomew County Health Department. The waste disposal method shall also comply with the Utility Requirements established for each zoning district by Article 3 of (the Zoning) Ordinance. *The applicant has confirmed that this location is served by City Sewer and the Accessory Dwelling Unit would be as well.*
 - h) Architectural Design: The accessory dwelling unit should make use of exterior materials consistent with or complimentary to the primary residence on the property. *Noah – this is really for the Board to decide. Please describe the exterior of the existing home, as well as what is proposed for the ADU.*
3. The area is made up of single-family residential homes on large and medium sized lots. Parkside Baptist Church is located northeast of the site.
 4. Per Zoning Ordinance Section 3.9(C), in the RS2 (Residential: Single-Family 2) zoning district, accessory structures must maintain a minimum side and rear setback of 5 feet, and be a minimum of 95 feet from the centerline of Rocky Ford Road (a 45 foot half right of way plus a 50 foot minimum front setback). Currently the intended accessory dwelling location appears to be at least 200 feet from the Rocky Ford Road centerline and has adequate room to provide the minimum required side/rear setbacks.
 5. All driveways must maintain a minimum side setback of 4 feet per Zoning Ordinance Section 7.2(Part 3)(A)(2)(b). The applicant has indicated they believe they can comply with this requirement.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Residential.

The Comprehensive Plan includes this property in the Western Rocky Ford Neighborhoods character area. The following planning principles for that character area apply to this application:

1. Single-family housing should continue to be the dominant land use in the area.
2. Multifamily housing should be considered where the street system is adequate to accommodate the traffic without lowering the level of service.

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

1. Policy A-10: Keep residential neighborhoods at a “human” scale, preventing high-rise or massive buildings.
The character of a neighborhood can be destroyed by introducing a building that doesn’t fit, such as a five-story apartment building in a neighborhood of one-story, single-family houses.
2. Policy A-2-11: Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood by neighborhood basis.
New development should be designed in a manner that is sensitive to the surroundings.
3. Goal D-1: Develop new housing where adequate public services can be provided economically
4. Policy D-1: Promote orderly housing expansion in locations where the city’s infrastructure and services have the capacity to accommodate the growth
New neighborhoods should have adequate infrastructure and services. Road networks should be safe, there should be adequate sewage disposal and a safe drinking water supply, and there should be adequate police and fire protection and trash pick-up. The city should guide new development to areas where these services will be available at reasonable cost.

3. Goal D-2: Encourage development of a sufficient supply of diverse housing types, sizes and price ranges in the community.
4. Policy D-2-1: Encourage housing which is affordable to those whose incomes are below the median, particularly those significantly below the median.
A thriving community needs socio-economic diversity which in turn requires a range of housing prices. The city should encourage the development of housing in a variety of price ranges so that all citizens will have decent, safe, and sanitary housing at prices they can afford.
5. Policy D-2-2: Allow for various housing types
A diverse population needs diverse housing. The city should encourage a variety of housing types including single-family detached houses, townhouses, and apartments.

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 accessory dwelling is set back significantly from the road, is setback adequately from the side and rear property lines, and does not inhibit visibility on the street nor access to property. It does not represent any public health hazard. *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 accessory dwelling will be compliant with all development standards that are applicable for building a new accessory dwelling and extending the driveway. *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: The accessory dwelling will not pose any risk to nearby property or uses. This proposed building has adequate room to meet the minimum required side/rear setbacks, can accommodate the driveway extension with sufficient setback, and does not inhibit other users in the area from accessing or using their property. *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 primary use of this property is and remains residential. With the building of an accessory dwelling unit the use will continue to be residential. Adding the accessory dwelling unit, while not common in this area, is not uncommon in a residential setting. It is consistent with the current use and will not alter the character of the area. Further the Comprehensive Plan recommends various types of housing, including accessory dwellings. *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. If questions, please call: 812.376.2550.
Submittal instructions available at <https://www.columbus.in.gov/planning/applications-forms/>.

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|---|--|
| To be Completed by the Planning Department | |
| Pre-submittal Meeting on (date): | <u>2/28/24</u> by (initials): <u>KB/NP</u> |
| Application Received on (date): | <u>3/19/24</u> by (initials): <u>NP + JAM</u> |
| Jurisdiction: | <input checked="" type="checkbox"/> Columbus <input type="checkbox"/> Bartholomew County <input type="checkbox"/> Joint District |
| Hearing Procedure: | <input type="checkbox"/> Board of Zoning Appeals <input type="checkbox"/> Hearing Officer |
| Docket No.: | <u>C/CU-2024-004</u> Zoning District: <u>RS2</u> |
| Property Owner Name (from GIS): | <u>Lisa Roberts</u> |

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: Lisa Roberts

Representative's Company Name: _____

Mailing Address: 1621 Rocky Ford Rd Columbus IN 47203
(number) (street) (city) (state) (zip)

Phone No.: 8123748758 E-mail Address: lr5555@hotmail.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: Lisa Roberts

Business, Institution, Etc. Contact Person Name: _____

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

Phone No.: _____ E-mail Address: _____

Property / Location Information:

Property Address: Same
(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 6.1 (D)(1) of the Zoning Ordinance to allow the property to be used for the following (as defined by the zoning ordinance):

Allow an Accessory Dwelling Unit on RS2 property

Please describe the proposed use further:

To provide Accessory Dwelling for adult sibling of limited income. Size 20 x 40

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?

No harm and no public safety issues. It would be created according to city guidelines.

It would not hinder first responders, or fire department.

We would not need a separate address.

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?

Will meet all requirements, no variance requested.

Will not be encroaching set backs, and will meet parking requirements.

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 RS 2. 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?

Will not cause harm to neighbors or disrupt their use and enjoyment.

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.

Will not change the character of the area. It will not change character of area, as there

are similar dwellings in the community. Property is already zoned RS2

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.

Lisa Roberts
(Representative's Signature)

3/19/24
(Date)

Lisa Roberts
(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.

Lisa Roberts
(Property Owner's Signature)

3/19/24
(Date)

Lisa Roberts
(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)



**Blau 20x40 Acc. Dwelling
Silver Drive + Parking**

