



CITY OF COLUMBUS, INDIANA BOARD OF ZONING APPEALS

DEVELOPMENT STANDARDS VARIANCE FINDINGS OF FACT

Docket Number: CDS-2024-003 (All Phase)

Applicant: All Phase Electric

Filing Date: 1/31/2024

Hearing Date: 3/26/2024

Property Location: 231 Vollmer Street, in the City of Columbus.

Variance(s) Requested:

A Variance from Zoning Ordinance Section 6.1 (E)(3) to allow 2 accessory structures (shipping containers used for storage) in a front yard.

Board Action Taken:

Denied by a Vote of: 4 - 0

The Columbus 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 Columbus 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: No other city department/agency, specifically the city engineer and fire inspector, had any concern with the request. This approval will not be injurious to the public health, safety, morals, and general welfare of the community. 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 location of these two accessory structures are along the 2nd Street frontage of the property, which is a primary corridor in the downtown area. These containers are not only uncommon in the surrounding area, but they are in a highly visible area on the subject property. This variance may affect

the overall appeal and character of the area. This criterion has not 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: The applicant has not demonstrated how other options not requiring variance approval, like a building addition, would not be a viable option for their growth and storage needs. They have demonstrated no practical difficulties in the use of the property. This criterion has not been met.

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

Chairperson

Secretary