



CITY OF COLUMBUS, INDIANA BOARD OF ZONING APPEALS

DEVELOPMENT STANDARDS VARIANCE FINDINGS OF FACT

Docket Number: CDS-2024-009 (Jacob Koressel)
Applicant: Jacob Koressel
Filing Date: 4/24/2024
Hearing Date: 5/28/2024
Property Location: 1902 Lafayette Avenue, in the City of Columbus.

Variance(s) Requested:

A Variance from Zoning Ordinance Section 9.3 (D)(2) to allow a 6-foot privacy fence in a front yard (19th Street frontage).

Board Action Taken:

Approved 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 city department/agency expressed any concern about this variance request. It will not be injurious to the public health, safety, morals, and general welfare of the community. The applicant has accounted for needed sight visibility at the alley / 19th Street intersection. 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 privacy fence would be located in the 19th Street frontage and would stay outside of the sight visibility triangle of vehicle traffic along the street and in the alleyway. No homes in this block face the 19th Street and the fence in place across the street is evidence that the character of the area will not be

hard, nor would it affect the adjacent properties in a substantially adverse manner. 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: The home on the property is uniquely setback further from both the Lafayette Avenue and 19th Street frontages, which limit the area considered to be back yard or side yard, where a fence like this would otherwise be permitted. This creates a practical difficulty in the use of the property. This criterion has been met.

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

Chairperson

Secretary