



**CITY OF COLUMBUS, INDIANA
BOARD OF ZONING APPEALS**

**DEVELOPMENT STANDARDS VARIANCE
FINDINGS OF FACT**

Case Reference Number: CDS-2025-002

Applicant: KLS Holdings

Filing Date: January 21, 2025

Hearing Date: February 25, 2025

Location: 1549 Southpark Court

Variance Requested:

The following 3 variances to allow a new industrial building in an I-2 (Industrial: General) zoning district.

1. Zoning Ordinance Section 7.3(Part 1)(C)(3)(c)(iii), To allow the north drive to be 20.34 feet from another drive, 79.66 feet less than the required 100 foot separation requirement.
2. Zoning Ordinance Section 7.3(Part 1)(C)(3)(c)(iii) To allow the south drive to be 44.10 feet from another drive, 55.90 feet less than the required 100 foot separation requirement.
3. Zoning Ordinance Section 7.3(Part 2)(A) To waive the requirement to install a sidewalk along the frontage of the property along Southpark Court.

Board Action Taken:

Variance #1 – North Drive Separation: Request Approved by a Vote of: 5-0

Variance #2 – South Drive Separation: Request Approved by a Vote of: 5-0

Variance #3 – Sidewalk Waiver: Request Approved by a Vote of: 5-0

The Columbus Board of Zoning Appeals acted under the authority of Indiana law as follows: Indiana Code Section 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.

North Drive Separation (Variance #1)

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: Southpark Court is a dead end and low volume street and the drive will not create a public safety issue. The City Engineer's office has provided no comment, indicating no concern with the drive location. *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: Southpark Court is a low volume street. Having a driveway access point that does not meet the driveway separation requirement onto Southpark will provide little conflict and will not affect the adjoining properties in an 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: Orienting the building to have vehicular access on both sides of the building is important and, due to the size of the property, this necessitates two drives. Due to the location of the drives on the adjacent properties, there are no locations at which two drives can be provided on this property that would meet the separation requirement, which therefore results in a practical difficulty. *This criterion has been met.*

South Drive Separation (Variance #2)

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: Southpark Court is a dead end and low volume street and the drive will not create a public safety issue. The City Engineer's office has provided no comment, indicating no concern with the drive location. *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: Southpark Court is a low volume street. Having a driveway access point that does not meet the driveway separation requirement onto Southpark will provide little conflict and will not affect the adjoining properties in an 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: Orienting the building to have vehicular access on both sides of the building is important and, due to the size of the property, this necessitates two drives. Due to the location of the drives on the adjacent properties, there are no locations at which two drives can be provided on this property that would meet the separation requirement, which therefore results in a practical difficulty. *This criterion has been met.*

Public Sidewalk Waiver (Variance #3)

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: The absence of sidewalks along the frontage of the subject property will not be injurious to the public health or safety of the community. The nearest sidewalk is .66 miles away and therefore omitting a sidewalk at this location will not create a gap in the existing pedestrian system. . *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: Adjacent properties on Southpark Court do not have public sidewalks. An absence of a sidewalk will therefore not create a gap in the existing sidewalk network. The use and value of the adjacent properties will not be affected. *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 existing developed properties do not have sidewalks, therefore the installation of sidewalks in this area will only likely be established with a comprehensive street or trail improvement project. *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