



**BARTHOLOMEW COUNTY
BOARD OF ZONING APPEALS
(January 26, 2026 Meeting)**

STAFF REPORT

Docket No. / Project Title: BZA-25-5 (Silgas Realty)
Staff: Kyra Behrman

Applicant: James Ogilvie
Property Size: 3 Acres
Current Zoning: I2 (Industrial: General)
Location: 2725 N State Road 9, in Clifty Township

Background Summary:

The applicant has indicated that the proposed variance is for the purpose of allowing an existing parking lot and driveway to remain unpaved. The parking and driveway areas were constructed without the required approvals in approximately 2020, contain approximately 1-acre, and are currently surfaced with gravel.

Preliminary Staff Recommendation:

Denial, criteria #3 has not been met.

Zoning Ordinance Considerations:

District Intent: The intent of the I2 (Industrial: General) zoning district is as follows: To provide locations for general production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate most modern industrial production facilities and should be considered as appropriate for most general industrial developments and uses.

Development Standards: Section 7.2 (Part 4)(A)(1) states that all parking spaces and any driveways shall be paved.

Current Property Information:	
Land Use:	Pipeline Transportation Inc. and Golf Carts of Indy
Site Features:	Existing industrial buildings, large gravel parking lot
Flood Hazards:	No flood hazard areas exist on the site.
Street/Road Frontage:	State Road 9 (Arterial)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	I2 (Industrial: General)	Industrial (Setser Fabricating)
South:	I2 (Industrial: General)	Undeveloped
East:	I2 (Industrial: General)	Industrial (Professional Concrete Cutting & Drilling)
West:	I2 (Industrial: General) CC (Commercial: Community)	Industrial (Stow N Go Self-storage facility and Indy Pack & Material Handling) Commercial (Gilliland's Trailer Sales)

Interdepartmental Review:	
County Engineer:	No issues.
Code Enforcement:	No comments.
Fire Inspector:	No issues as submitted.

Planning Consideration(s):

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

1. The subject 3-acre site is located at the northeast corner of State Roads 9 and 46. The site contains a 13,320 square foot building, which houses 2 businesses: Pipeline Transportation Inc. and Indy Golf Carts.
2. The applicant is proposing to leave the approximate 1-acre parking and driveway area north of the building unpaved and remain gravel.
3. The parking area for the trucking use was expanded on this site to include the gravel drive and parking lot between 2017 and 2020 according to aerial photos on GIS. No Zoning Compliance Certificate was issued for the expansion of the parking area or use. The applicant purchased this parcel in 2022.
4. The property was initially developed in approximately 1978 and originally included two connected industrial buildings and a gravel parking area on the south side of those buildings. The more recent expansion extended a new gravel drive around the east side of the buildings and added a large gravel parking area on the north side of the buildings. The current requirement that driveways and parking areas be paved was included with a 2008 zoning ordinance update.
5. The uses in the general area are primarily industrial and commercial in nature: a concrete contractor to the east; a fabricating company to the north; a materials packaging company, outdoor camper sales and self-storage facility to the west.
6. Parcels to the north, west and east of the subject site have unpaved parking and driveway areas due to a combination of legal non-conformity, variances, and zoning violations. A variance was approved in 2019 (CDS-19-07) for Professional Concrete, east of the subject site, to waive the paving requirement.
7. Zoning Ordinance Section 7.2 (Part 4)(A)(1) states that all parking spaces and driveways, including

any access drives shall be paved. Gravel parking lots tend to create dust that can affect neighboring properties and result in rocks being carried onto the adjacent streets or roads. Approved paving material can include asphalt or concrete. Gravel is not considered a paving material meeting the standards in the Zoning Ordinance.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Bartholomew County Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: Neither the County Engineer nor Fire Inspector expressed any concerns with regard to the gravel surface. *This criterion has been met.*

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: The area is already developed with several gravel parking lots, many of which are present legally through either variances or having been constructed before the paving requirement (legal non-conforming). Allowing this existing gravel parking and driveway area to remain unpaved would not impact the neighboring property use and value negatively. *. This criterion has been met.*

- 3. 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.**

Provisional Findings: The applicant has not indicated any topographic or other feature of the property that necessitates a gravel surface rather than paving for this expanded parking lot and driveway area. *This criterion has not been met.*

Board of Zoning Appeals Options:

In reviewing a request for development standards variance 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.



Record No: BZA-25-5

Board of Zoning Appeals (BZA)
Application

Status: Active

Submitted On: 12/10/2025

Primary Location

2725 N SR9
COLUMBUS, IN 47203

Owner

SILGAS REALTY CORP
E 450 N 7140 COLUMBUS, IN 47203-9403

Additional Application Information

What is your Company/Business/Institution Name 
(if applicable)?

Silgas Realty

Are you the owner of the property?* 

Yes

Application Information

Application Type*

Development Standards Variance

Property Type*

Non-Residential

You may enter multiple requests for the same application type. If you are also requesting a different application type, you will need to submit a separate application.

Development Standards Variance Request

I am requesting a variance from the Zoning
Ordinance Section (insert the ordinance section
number below):*

7.2/ Part 4/ A/1

Please provide the details of the variance request:*

To leave the driveway and circulation area on the north side of the building unpaved

The approval will not be injurious to the public health, safety, morals, and general welfare of the community. For example: What harm could come from approving the variance? Would it create any public safety issues? Why or why not.*

This would not harm public safety, morals or general welfare of the community. Not used by public at all.

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. For example: What impacts can the neighbors realistically expect to the use of their property and to their property values? Will approval of the variance cause any negative impacts to the neighbors? Why or why not?*

There will be no impact on any neighboring properties.

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. For example: Is there a reason the property cannot be used without the variance? If so, what is that reason (does a stream, existing building, well, or septic system limit options for new construction)? Explain the reason.*

There is no public traffic on the property, only private traffic. With large trucks and semis coming in and out on a daily basis, a paved lot would get damaged easily and would need repaired constantly. Parked trailers would destroy blacktop during the summer and heat.

The City of Columbus Comprehensive Plan can be found at:
<https://www.columbus.in.gov/planning/comprehensive-plans/>.

The Bartholomew County Comprehensive Plan can be found at:
<https://www.columbus.in.gov/planning/comprehensive-plans/comprehensive-county-plans/>.

Hwy 46

grass

parking for
seminars &
employees

Building

grass

Lot to park
seminars

St. Rd. 9