



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(January 27, 2026 Meeting)**

STAFF REPORT

Docket No. / Project Title: BZA-25-10 & BZA-26-2 (Rollins Property Development)
Staff: Kyra Behrman

Applicant: Rollins Property Development
Property Size: 0.29 Acres
Current Zoning: RM (Residential: Multi-Family)
Location: 851 Werner Avenue, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed variances are for the purpose of constructing a 2-story 6-unit apartment building that would encroach into the front setback of 10th Street, to locate parking spaces within the front setback, and to locate parking spaces within the required landscape buffer yard. The applicant has provided a site plan that indicates the proposed building (2nd floor balconies) would encroach up to 24.5 feet into the minimum required 55 foot front setback. The applicant also proposes for parking spaces to encroach up to 19.5 feet into the minimum required 55 foot front setback of 10th Street and to 7.25 feet into the minimum required 20 foot landscape buffer yard, which includes the parking lot setback, along the south property line.

Preliminary Staff Recommendation:

Variance #1: Building Front Setback:

Approval; all criteria have been met.

Variance #2: Parking in Buffer Yard::

Approval; all criteria have been met.

Variance #3: Parking in Front Setback:

Approval; all criteria have been met. Approval should include the condition that the parking be no closer to 10th Street than the 10th Street front wall of the apartment building (based on the structure's front wall itself, not including balconies).

Zoning Ordinance Considerations:

District Intent: The intent of the RM (Residential: Multi-Family) zoning district is as follows: To provide areas for a variety of multi-family uses, such as two-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to Arterial or Collector roads, and direct connections to public open space and convenience goods. This district may be used to provide a transition from regional commercial areas to moderate density single-family residences.

Development Standards: Section 3.14(C) of the Zoning Ordinance requires a 10 foot front setback for arterial streets measured from the street right-of-way prescribed by the Thoroughfare Plan. That setback for this property along 10th Street is 55 feet from the street centerline (30 feet from the existing right-of-way line).

Section 7.2(Part 4)(B)(1) states that all parking spaces shall maintain a minimum setback of 10 feet from the existing or planned right-of-way, whichever is greater. That setback for this property along 10th Street is 55 feet from the street centerline (30 feet from the existing right-of-way line).

Section 8.2(B) states that no proposed ... parking area shall be located in front of or within a required buffer.

Section 8.2(E) states that a Buffer Yard Type B shall include a minimum width of 15 feet, in addition to the minimum setback otherwise required and be required where an RM zoning district is adjacent to an RE zoning district. The total buffer width on this property, as it applies to parking, is 20 feet.

Current Property Information:	
Land Use:	Undeveloped
Site Features:	Vacant lot
Flood Hazards:	The site does not contain any flood hazard areas.
Street/Road Frontage:	10 th Street (Minor Arterial, Urban, Residential) Werner Avenue (Local, Urban, Residential)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	CC (Commercial: Community) RM (Residential: Multi-Family)	Commercial (offices) Multi-family (Ashford Place)
South:	RE (Residential: Established)	Single-family residential
East:	RM (Residential: Multi-Family)	Multi-family (The Lofts at Ashford apartments)
West:	RE (Residential: Established)	Single-family residential

Interdepartmental Review:	
City Engineering:	No comments.
City Utilities:	No comments.
Code Enforcement:	No comments.

Fire Department:	No comments.
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Planning Consideration(s):

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

1. The proposed building will be 75.25 feet by 44.66 (3,361 square feet) and have 2-stories with a total of 6 units. The required on-site parking area will be located along the east property line with access off the alley.
2. The subject site is 103 feet by 120 feet (12,360 square feet). The required setbacks would result in a buildable area that is 73 feet by 105 feet (7,665 square feet).
3. The site for the proposed development will encompass 3 adjoining lots, which are all undeveloped. The applicant will be combining the 3 lots into one lot through an Administrative Subdivision.
4. The Thoroughfare Plan classifies 10th Street as a Minor Arterial, which requires 90 feet right-of-way. The ordinance requires a 10 foot front setback from the edge of the Thoroughfare planned right-of-way for arterial streets; therefore, the minimum building setback is 55 feet from the 10th Street centerline (the 45 foot ½ right of way + 10 foot setback).
5. The face of the proposed building will be setback 35.5 feet from the center line of 10th Street, an encroachment of 19.5 feet into the front setback; the second story balconies will be 30.5 feet from the centerline of 10th Street, an encroachment of 24.5 feet into the front setback. The balconies will be approximately 5.5 feet from the existing right-of-way line.
6. The building, at the reduced setback, would not encroach into any intersection sight visibility areas.
7. According to the City Engineer, there are no plans to widen 10th Street in the foreseeable future; therefore, the large setback, intended to accommodate a future street expansion, is not needed.
8. The zoning ordinance requires this development to provide a minimum of 9 on-site parking spaces (1.5 spaces for each of the 6 dwelling units). The submitted site plan indicates those spaces along the east property line and accessed from the adjoining alley.
9. The submitted site plan indicates the northernmost 2 parking spaces in the proposed parking area will be within the required front setback of 10th Street, encroaching 19.5 feet into the minimum front setback. The resulting setback will be 35.5 feet from the 10th Street centerline 10.5 feet from the existing right-of-way line, approximately matching the setback of the front wall of the apartment building.
10. The submitted site plan indicates the southernmost parking space in the parking area will be within the required buffer along the south property line, encroaching approximately 7.25 feet into the 20 foot buffer yard.
11. The zoning ordinance requires a Type B buffer along the south property line, which abuts RE (Residential: Established) zoning. A Type B buffer requires a minimum width of 15 foot in addition to the required setback, which is 5 feet (for a total buffer width of 20 feet). A buffer yard Type B must include a minimum of 65 "landscaping points" for every 50 feet of its length (the equivalent of 5 shrubs and two medium trees). The buffer must achieve 50% of the required "landscape points" from evergreens. The applicant is proposing to construct a 6 foot tall privacy fence within the buffer with evergreens. This meets the zoning ordinance requirement and will fit in the reduced space resulting from the parking lot encroachment.
12. The existing home to the south of the subject site is setback approximately 4 feet from the side lot line, 50 feet from the alley to the east and 20 feet from Werner Avenue on the west. The proposed opaque fencing and evergreens, along with the required 15 foot width buffer yard and 5 foot side setback, would minimize impacts on this neighboring property.
13. Parking is not permitted on 10th Street, but parking is permitted on both sides of Werner Avenue.
14. The general area contains a mix of uses, primarily single-family and multi-family uses with some commercial uses on the north side of 10th Street.
15. Existing adjacent homes along 10th Street were constructed in the 1920's to 1940's. Those homes are located 25 to 31 feet from the centerline of 10th Street (compared with the applicant's proposed 30.5 foot setback). The Lofts at Ashford apartments, to the immediate east of the site, are setback approximately 45 feet from the 10th Street centerline.

16. The site is considered infill development. Infill development is beneficial to the community because it makes use of vacant or underutilized lots within the center city, strengthens the real estate market and property values in the area, and utilizes existing infrastructure. Developing infill sites is beneficial as an alternative to the continued outward expansion of the City. Meeting all of the development standards of the Zoning Ordinance can be difficult on infill lots. It can be challenging to create a design that is consistent with the existing neighborhood that also meets all requirements of the Zoning Ordinance.
17. Ashford Park Apartments, Lofts at Ashford and Gateway Apartments are other nearby infill multi-family developments.

Provisional Findings of Fact/Decision Criteria - Variance #1: Building in Front Setback

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus 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: Allowing the building to encroach up to 24.5 feet into the front setback would not be injurious to the public's health or safety. The building would not create any visibility concerns for traffic on 10th Street, Werner Avenue or Maple Street. No concerns were expressed by the City's Engineering or Fire Departments. *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 general area contains established residential uses with similar setbacks. This site is considered infill development and would be contextually consistent with the neighboring properties that have already been developed. Allowing the building to encroach up to 24.5 feet into the front setback would not affect the neighboring properties in an adverse manner. *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 subject site is an infill site with 2 street frontages; one being a frontage on an arterial street requiring a larger planned right-of-way and setback. This general area was initially developed in the 1920's. The combination of these required setbacks and the buffer yard along the south property line significantly decreases the buildable area of the property. They would generally necessitate the centering of a building and parking on the property, which would not be consistent with the established character of the neighborhood. Further, the City's Engineering Department has indicated that an expansion of 10th Street into the planned right-of-way is highly unlikely, making this increased setback unnecessary. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria – Variance #2: Parking in Buffer Yard

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus 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: Allowing a parking space to encroach up to 7.25 feet into the required buffer yard would not be injurious to the general welfare of the community. No concerns were expressed by the

City's Engineering or Fire Departments. Further, a buffer fence and landscaping can be provided in the space that remains after the encroachment. *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 applicant is providing a 6 foot tall opaque fence along the south property line, along with the required buffer landscaping, including in the area of reduced buffer width. Allowing a parking space to encroach up to 7.25 feet into the buffer yard would not, therefore, adversely affect the neighboring properties. *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 subject site is an infill site with 2 street frontages; one being a frontage on an arterial street requiring a larger planned right-of-way and setback. This general area was initially developed in the 1920's. The combination of these required setbacks and the buffer yard along the south property line significantly decreases the buildable area of the property. They would generally necessitate the centering of a building and parking on the property, which would not be consistent with the established character of the neighborhood. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria – Variance #3: Parking in Front Setback

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus 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: Allowing parking to encroach up to 19.5 feet into the front setback would not be injurious to the general welfare of the community. The parking would not create any visibility concerns for traffic on 10th Street or using the alley. No concerns were expressed by the City's Engineering or Fire Departments *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 proposed parking will not be any closer to adjoining homes as a result of this variance, nor will it impede any access or visibility for motorists. *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 subject site is an infill site with 2 street frontages; one being a frontage on an arterial street requiring a larger planned right-of-way and setback. This general area was initially developed in the 1920's. The combination of these required setbacks and the buffer yard along the south property line significantly decreases the buildable area of the property. They would generally necessitate the centering of a building and parking on the property, which would not be consistent with the established character of the neighborhood and limit the usability of the adjacent alley for parking access. *This criterion has 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-25-10

Board of Zoning Appeals (BZA)
Application

Status: Active

Submitted On: 12/16/2025

Primary Location

O NO STREET
, 00000

Owner

KLM NATIONAL LLC
STATE ST 1546 COLUMBUS, IN 47201

Additional Application Information

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

Rollins Property Development

Are you the owner of the property?* 

No

Are you filing this application on behalf of someone
else?*

No

Application Information

Application Type*

Development Standards Variance

Property Type*

Residential (4 or More Units)

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):*

3.14(C)

Please provide the details of the variance request:*

Allow 2-story balconies to encroach 24 feet into the front setback of 10th Street, and to allow the building to encroach 19 feet into the front setback of 10th Street

~~Encroach onto front setback 95'~~

Allow the on-site parking area to encroach 19 feet into the front setback of 10th Street

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 set back is consistent with other existing buildings in the surrounding area that are similarly close to the road way. The encroachment does not impede traffic directly onto 10th street because the access to the building will be off of the alley to the east.

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?*

The building we are proposing to build will only increase the property values adjacent to it. The lot is currently vacant and the construction of an apartment building should be seen as urban infill.

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.*

According to the lots current zoning the lot is unbuildable for its intended use due to current building and parking set backs.

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/>.

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

8.2(E)

Please provide the details of the variance request:*

Encroach onto Landscape Buffer 15' for parking adjacent to alley.

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.*

We do not see any harm to the public health, safety, morals, or general welfare because the remaining buffer still provides adequate screening, separation, and visual relief.

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?*

The building we are proposing to build will only increase the property values adjacent to it. The lot is currently vacant and the construction of an apartment building should be seen as urban infill.

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.*

According to the current zoning the lot is unbuildable for its intended use due to its current landscape buffer.

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/>.



Record No: BZA-26-2

Board of Zoning Appeals (BZA)
Application

Status: Active

Submitted On: 1/12/2026

Primary Location

O NO STREET
, 00000

Owner

KLM NATIONAL LLC
STATE ST 1546 COLUMBUS, IN 47201

Additional Application Information

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

Rollins Property Development

Are you the owner of the property?* 

No

Are you filing this application on behalf of someone
else?*

Yes

Application Information

Application Type*

Development Standards Variance

Property Type*

Residential (4 or More Units)

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(Part4)(B)(1)

Please provide the details of the variance request:*

Allow the on-site parking area to encroach 19 feet into the front setback of 10th Street

~~Front set back from 10th st of the parking area~~

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.*

Parking is off the alley and should will not affect traffic on 10th street

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?*

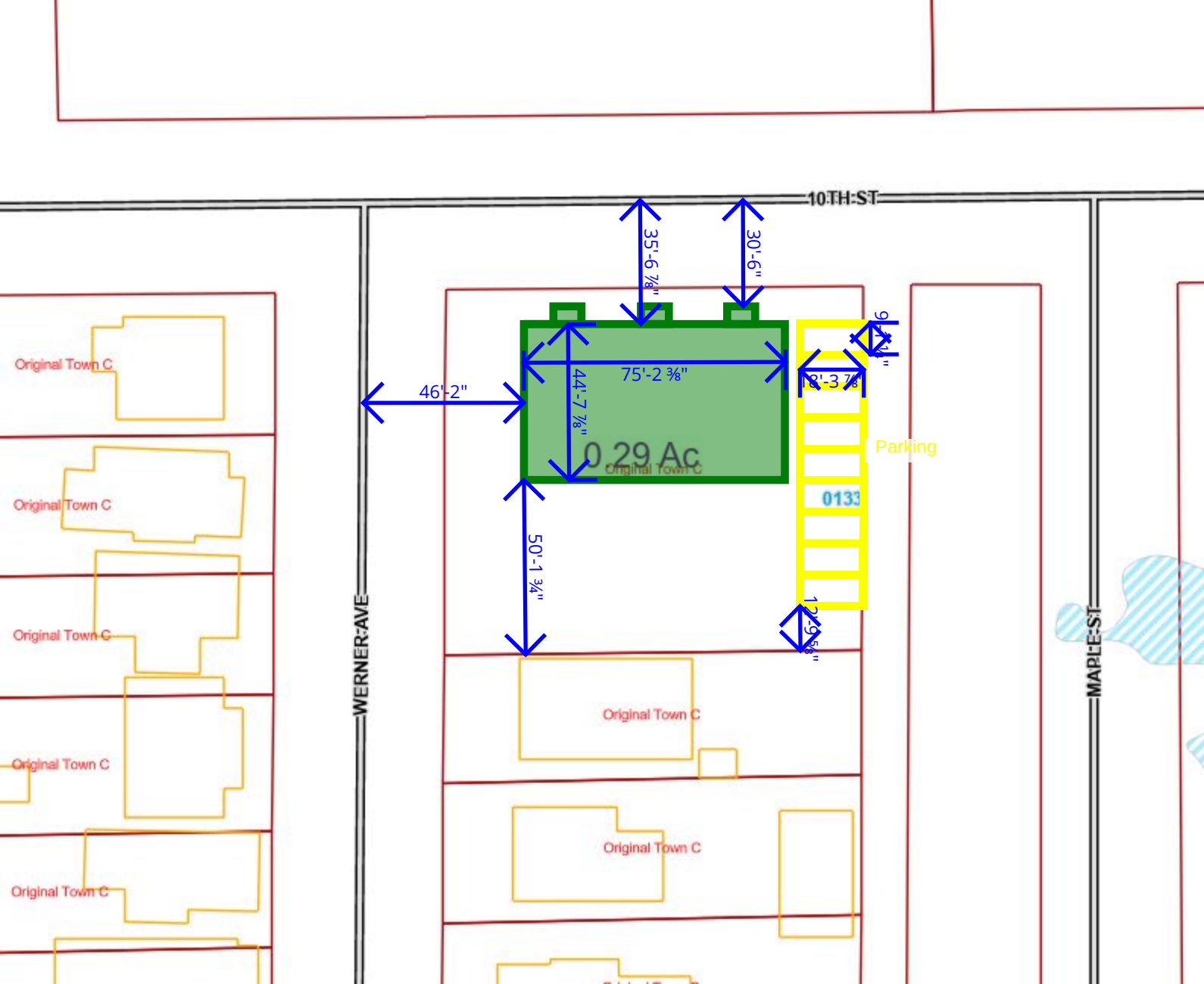
The building we are proposing to build will only increase propert values adjacent to it. The lot is currently vacant and the construction of an apartment building should be seen as urban infill.

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.*

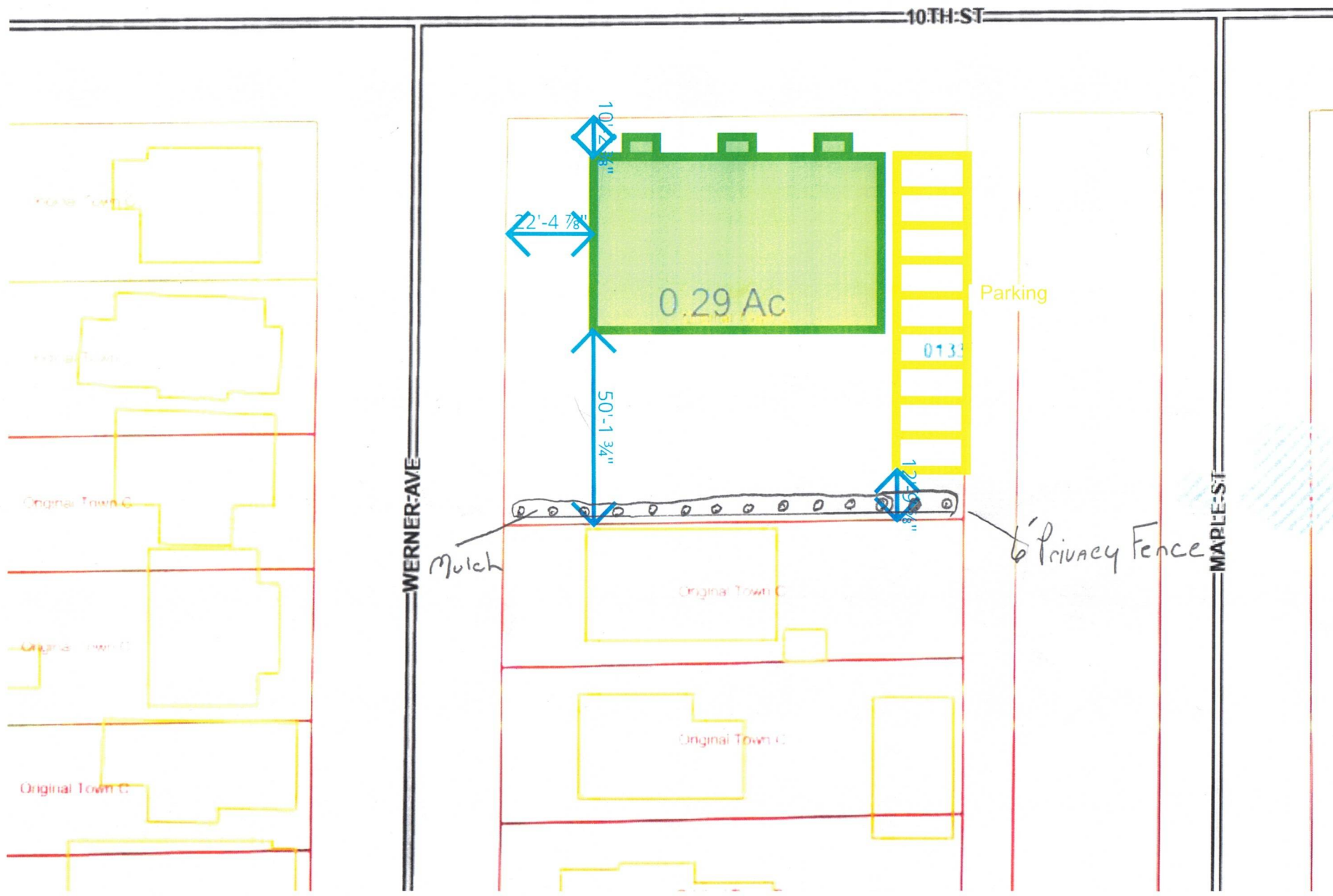
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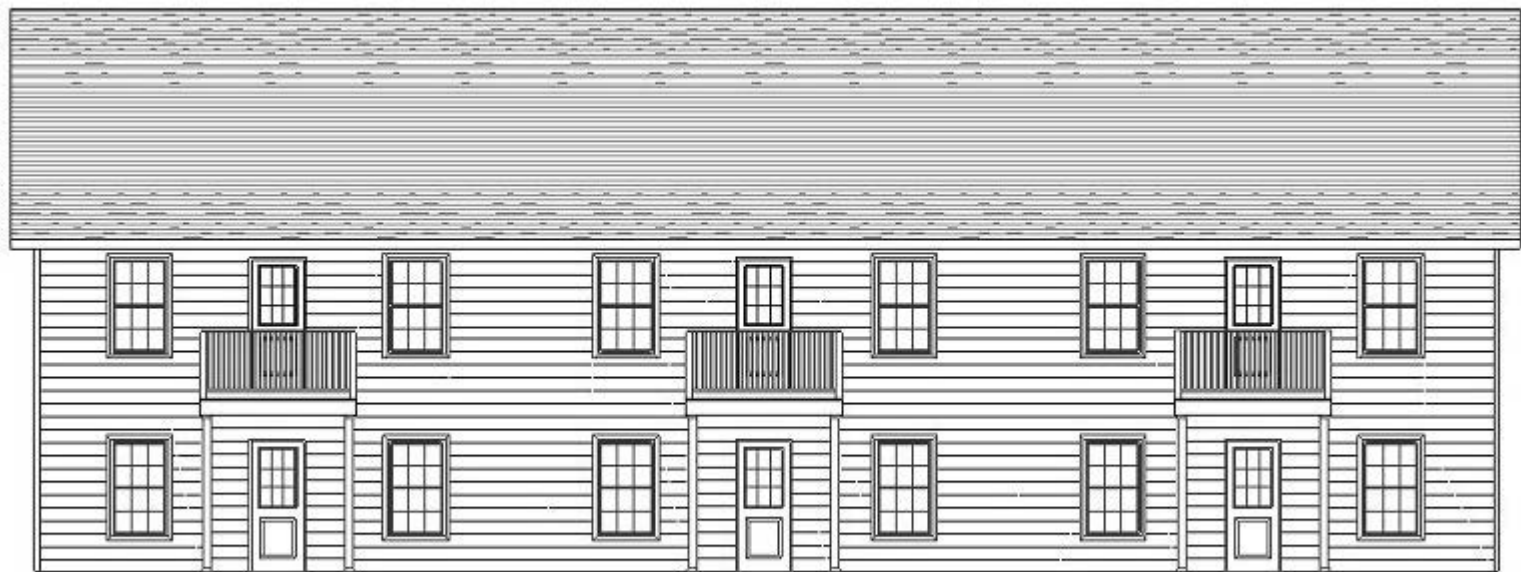
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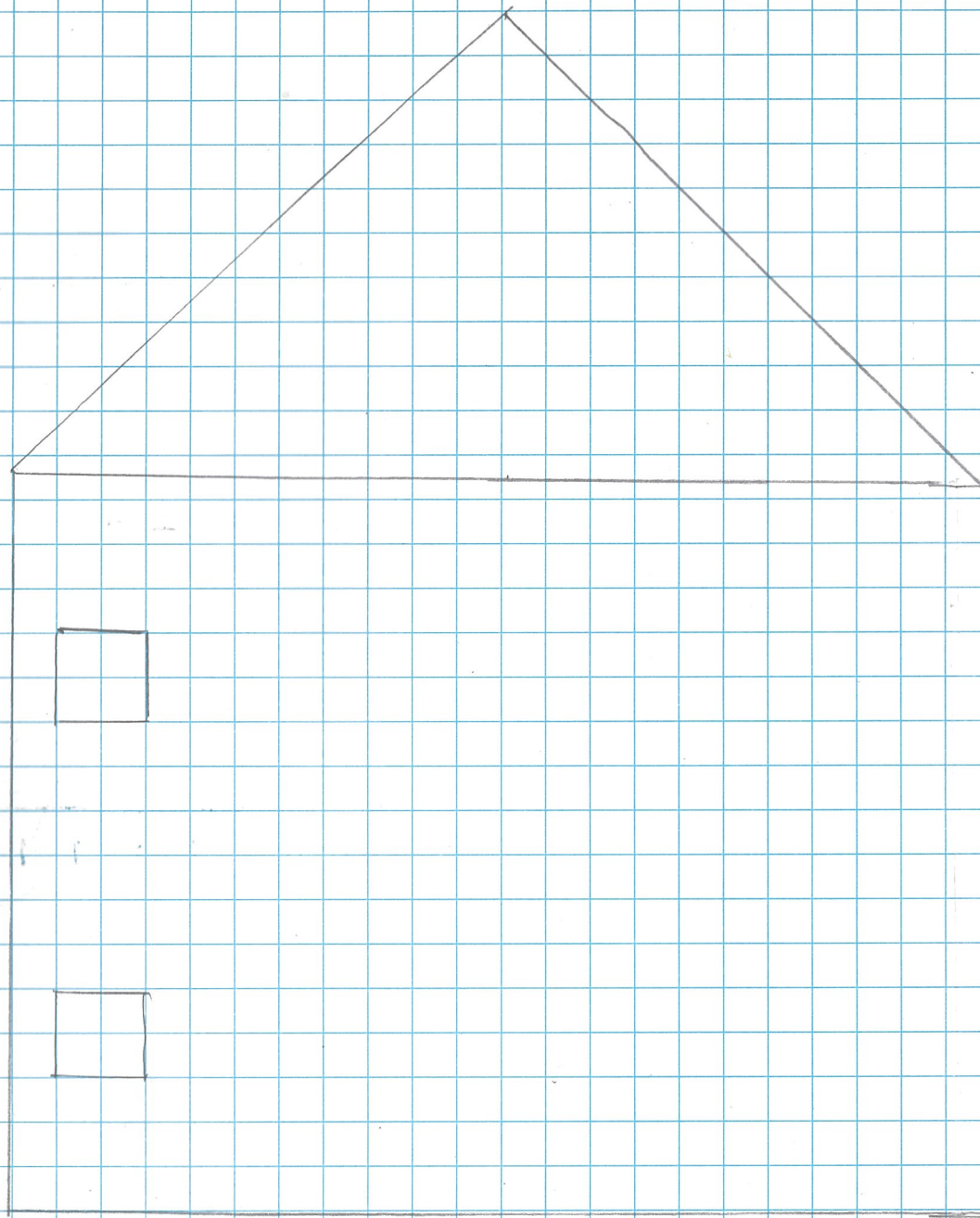


0 - Emerald Green Arborvitae Tree









Werner Ave