



CITY OF COLUMBUS, INDIANA BOARD OF ZONING APPEALS

DEVELOPMENT STANDARDS VARIANCE FINDINGS OF FACT

Case Reference Number: BZA-25-10 and BZA-26-2 (Rollins Property Development)

Applicant: Rollins Property Development

Filing Date: December 16, 2025

Hearing Date: February 24, 2026

Location: 851 Werner Avenue, in the City of Columbus

Variances Requested:

- 1) A variance from Zoning Ordinance Section 3.14(C) to allow the balconies on the north façade of the building to encroach 24.5 feet into the front setback of 10th Street, and to allow the front wall on the north façade of the building to encroach 19.5 feet into the front setback of 10th Street in an RM (Residential: Multi-Family) zoning district.
- 2) A variance from the Zoning Ordinance Section 8.2(B) to allow a parking space to encroach 7.25 feet into the required Type B Buffer yard on the south property line in an RM (Residential: Multi-Family) zoning district.
- 3) A variance from Zoning Ordinance Section 7(Part 4)(B)(1) to allow the parking spaces (3) to encroach 19.5 feet into the front setback of 10th Street in an RM (Residential: Multi-Family) zoning district.

The applicant is proposing to construct a 2-story 6-unit apartment building on the site. The building footprint will be approximately 44.6 feet by 75.03 feet with three 5 foot bx 8 foot balconies on the north façade. The development also includes 9 on-site parking spaces and will have a Type B Buffer yard, which includes a 6-foot-tall fence with 14 arborvitaes along the south property line.

Board Action Taken:

- **Variance #1** - Request Approved by a Vote of: 5 to 0
- **Variance #2** - Request Approved by a Vote of: 5 to 0, with 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).
- **Variance #3** - Request Approved by a Vote of: 5 to 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.

Variance #1 - Building in Front Setback

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: 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.*

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 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.*

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 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.*

Variance #2 – Parking in Buffer Yard

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: 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.*

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 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.*

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 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.*

Variance #3 - Parking in Front Setback

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: 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.*

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 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.*

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 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.*

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

Chairperson

Secretary