City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

BARTHOLOMEW COUNTY
BOARD OF ZONING APPEALS
(April 27, 2026 Meeting)

STAFF REPORT

Docket No. / Project Title:	BZA-26-15 (Use Variance) / PAF Excavation & Dredging
Staff:	Melissa Begley
Applicant:	PAF Excavation & Dredging
Property Size:	4.6 Acres
Current Zoning:	AG (Agriculture: General)
Location:	7682 South 500 West, in Ohio Township

Background Summary:
The applicant has indicated that the proposed use variance is for the purpose of allowing a contractor's office / workshop, a location where equipment and materials are stored, in the AG (Agriculture: General) zoning district. This use has been operating without receiving approval from the Board of Zoning Appeals and is currently in violation of the zoning ordinance.

Preliminary Staff Recommendation:
Denial, criteria #2, 3, 4, and 5 have not been met.

Zoning Ordinance Considerations:
District Intent: The intent of the AG (Agriculture: General) zoning district is as follows: to provide areas for a mixture of agriculture and residential land uses. This mixture is intended to support the long-term viability of agricultural operations while also allowing increased non-agricultural development in areas adjacent to developed infrastructure. This district should be used to provide unique, rural housing options and the future ability to extend urban infrastructure.

Permitted Uses: The following uses are permitted in the AG (Agriculture: General) zoning district.
1. Farm
2. Single-Family Dwelling
3. Nature Preserve / Conservation Area

Permitted Locations: The proposed use is permitted in the following zoning district(s): I2 (General Industrial), I3 (Industrial: Heavy)

Current Property Information:	
Land Use:	Construction contractor's equipment and materials storage yard
Site Features:	Storage of equipment and aggregate materials

Flood Hazards:	None
Vehicle Access:	500 West (Local Road)

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	AG (Agriculture: General)	Single Family Residential
South:	AG (Agriculture: General)	Agriculture
East:	AP (Agricultural: Preferred)	Single Family Residential, Woods
West:	AG (Agriculture: General)	Agriculture

Interdepartmental Review:	
County Engineer:	They need to redefine the ditch that was filled in where the drive will no longer be located. They will need to have something in place to keep the County Road cleaner than prior projects (mud and debris cannot be left on the roadway for the traveling public to drive through). Drive location must be placed where the Highway Department had discussed previously with Mr. Percival.
County Fire:	No issues regarding accessibility for emergency response vehicles as submitted.
Code Enforcement:	No comments provided.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Agricultural Preferred.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Goal 1:** Preserve productive farmland and maintain the productive capacity for a strong county agricultural industry.
2. **Policy 1-D:** Require appropriate buffers to allow the continued full use of adjoining farmland and to reduce conflicts between neighboring uses.
3. **Policy 1-J:** Require development to take place in a manner that allows for preservation and conservation of farmland, open land and significant natural features.
4. **Policy 1-P:** Encourage new or expanded development, both residential and non-residential, to be compact and to be served by public water, sewer and other needed infrastructure and services.
5. **Policy 1-Q:** Promote development of businesses such as value-added agricultural industries that enhance agriculture and agribusiness while protecting the character and environmental quality of the county.
6. **Goal 22:** Provide suitable locations for junk or scrap yards, salvage yards, and other unsightly uses.
7. **Policy 22-A:** Require buffering to screen the view of unsightly uses.
8. **Policy 22-C:** Establish minimum setback distance from all roads for junk, scrap and salvage yards and other similar uses.

Planning Consideration(s):

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

1. The applicant proposes to use the property for outdoor storage of equipment, materials and aggregate for their excavating business. This site is proposed to only be used for storage and no structures will be constructed for an office or for indoor storage. They also own the adjacent property to the west, but are not proposing to use it for outdoor storage.
2. The applicant is proposing to construct a berm that is 6 feet in height and approximately 588 feet in length along the north property line to screen the use from the residential neighbor immediately to the north of the site. They are also proposing to install 15 evergreen trees, 5 feet in height, spaced 20 feet on center along the north property line. There is an existing tree line along the south property line and no natural or proposed buffering along the 500 West frontage.
3. The road access to the property, 500 West, is a local county road and has approximately 18 feet of pavement width.
4. The proposed use of the property is permitted in the I2 and I3 zoning districts. Industrial zoning districts in the County jurisdiction are intended for use only in coordination with concentrations of other comparatively high density development where services can efficiently be provided.
5. The nearest neighboring home is located directly to the north and is approximately 66 feet from the property line. This neighbor shares a 588 foot long property line with the proposed outdoor storage area. There is also a home located across 500 West and is approximately 85 feet from the property line.

Provisional Findings of Fact / Decision Criteria (Use Variance):

The Board may approve a variance of use from the provisions of the zoning ordinance upon finding that each of the following is true.

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

Provisional Findings: The business will generate additional traffic and noise to the area, however the County Highway Department and the County Fire Inspector do not have any concerns with the use. *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 proposing a 6 foot tall berm and 15 evergreen trees along a portion of the north side of the property that will help obscure the materials and equipment from the neighbor immediately to the north. No such screening is proposed to nearby neighbors across 500 West. All neighbors will likely be impacted by noise, dust, and the appearance of the property. The character of the property will be notably different from the current residential / agricultural character along 500 West. *This criterion **has not** been met.*

3. The need for the variance arises from some condition peculiar to the property involved:

Provisional Findings: The subject property has been previously used for agriculture. This property is not unique in any way nor does it present any peculiar characteristics or conditions that would justify the proposed use. *This criterion **has not** been met.*

4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

Provisional Findings: The subject property is suitable for continued farming, and / or as a residence. The application of the Zoning Ordinance will not impose any hardship on the use of the property. *This criterion **has not** been met.*

5. The approval does not interfere substantially with the comprehensive plan:

Provisional Findings: Granting this variance will interfere with the Comprehensive Plan, which recommends the preservation of farmland, the screening of unsightly uses, and the expansion of value-added agricultural businesses that do not detract from the character of the county. *This criterion **has not** been met.*

Board of Zoning Appeals Options:

In reviewing a request for a *use 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-26-15

Board of Zoning Appeals (BZA) Application

Status: Active

Submitted On: 2/17/2026

Primary Location

7682 S 500W
COLUMBUS, IN 47201

Owner

PERCIVAL JEREMIAH M & BRITTANY M
E 50 S 5013 SEYMOUR, IN 47274

Application Information

Application Type*

Use Variance

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.

Pre-Application Meeting

Have you had a pre-application meeting with the Planning Department?*

Yes

What staff member did you meet with?*

Melissa Begley

When did you meet?*

05/12/2025

Use Variance Request

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

3.6.A.

Please Describe the Proposed Use:*

The property would be used primarily for light industrial support activities related to PAF Excavation operations. This includes short term storage of equipment between active jobs and construction material stockpiling (aggregate, topsoil, etc.) as necessary to support nearby project work. The site is not intended to function as a permanent yard or full-time processing facility.

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?*

Approval will not be injurious to public health and safety of the community. The property is zoned AG and the proposed use has many similarites to agricultural uses. Occasional land disturbance and short term earth moving equipment storage is quite common on agricultural lands. Traffic to and from the site will be minimal and intermittent. Vehicle activity will primarily consist of company owned equipment and trucks mobilizing between jobs, with no regular customer traffic and no continuous daily hauling operations. Typical operating hours would be Monday through Friday, 7:00 AM to 5:00 PM. Occasional Saturday use may occur on an as needed basis, with no planned Sunday operations. These parameters are proposed to help safeguard the wefare of the community.

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 use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. As previously stated, occasional land disturbance and short term earth moving equipment storage is quite common on agricultural lands. In addition, to mitigate any perceived visual and noise concerns to adjacent residential properties, berms have been installed along shared residential property boundaries. In addition, a dedicated gated site entrance was constructed, along with a culvert and drainage ditch line in accordance with county requirements to manage stormwater and traffic flow.

The need for the variance arises from some condition peculiar to the property involved. For example: Is there some unique problem with the site that limits how it can be used? If so, what is that problem (size or configuration of the site, layout, topography, availability or location of utilities, etc.)?*

The site is unique in that it is (1) strategically located on a county road in the southwest quarter of the county in close proximity to existing and potential job sites for the operator (2) is relatively flat with manageable topography and limited existing tree cover (3) is not impacted by floodplain or other known environmental concerns and (4) has a willing property owner that is open to the proposed use.

The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship as they are applied to the property for which the variance is sought. For example: What are the reasons the property cannot be used as it is currently zoned? What would prohibit the property from being the location of any of the permitted or conditional uses (existing structure is not usable for permitted uses, size or configuration of the lot, etc.)?*

The property is zoned AG but it is relatively small in size being just over 4.3 acres. It is adjacent to another small parcel the owners control but in total they barely exceed 10 acres. As such, its value for traditional row crops is relatively limited and requires potential farmers to travel to a small field for preparation, planting, spraying and harvesting operations. The applicant feels that use as a short-term construction equipment storage and construction material (aggregate and topsoil stockpile) storage location for PAF Excavation is reasonable with such operations similar to those found in many agricultural functions.

The granting of the variance does not interfere substantially with the Comprehensive Plan. *

The granting of this request would not interfere substantially with the Comprehensive Plan. Given the size of the parcel, its strategic location and the use proposed being similar to agricultural uses and functions the applicant feels the request is reasonable.

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/.

Application Fee Refund Information

Name*

Nick Likens

Address*

4840 Progress Drive

City*

Columbus

State*

IN

Zip*

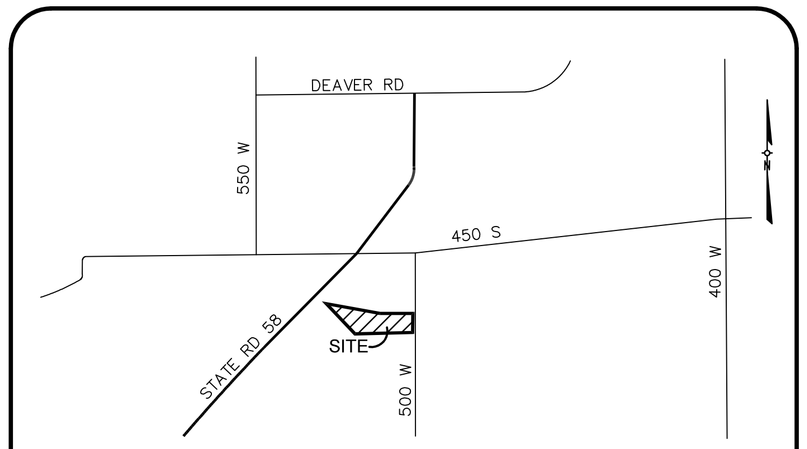
47201

Applicant Signature

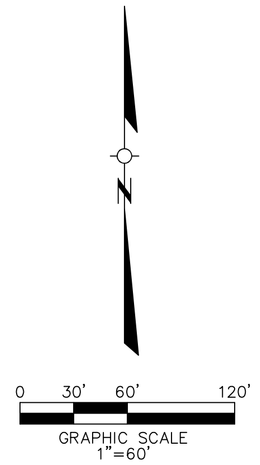
The undersigned acknowledges that the information included in and with this application is completely true and correct to the best of his/her knowledge and belief. * Denotes a required field

Signature*

Timothy D Thomas
Feb 17, 2026



LOCATION MAP
NO SCALE



PROJECT SUMMARY

EXISTING ZONING:	AG (AGRICULTURE: GENERAL)
EXISTING USE:	VACANT
PROPOSED USE:	SHORT-TERM EQUIPMENT STORAGE AND CONTSTRUCTION MATERIAL (AGGREGATE, TOPSOIL. ETC.) STOCKPILING
EXISTING SITE ACREAGE:	4.3 AC. ±
PROPOSED TOTAL BUILDING S.F.:	N/A (NO STRUCTURES PROPOSED)

NOTES:
1. AREA OF OUTDOOR STORAGE TO BE LIMITED TO 4.3 ACRE PARCEL AS SHOWN BELOW.

2. THE SITE SHALL BE SECURED WITH A GATE AT THE ENTRANCE. AT THIS TIME A FULL PERIMETER FENCE IS NOT PLANNED.

3. VEGETATION WILL BE ESTABLISHED ALONG THE PROPOSED BERM (SEED AND STRAW). ADDITIONALLY A TOTAL OF 15 EVERGREEN TREES (MIN. 5' HT. AT PLANTING) SHALL BE INSTALLED BETWEEN THE PROPOSED BERM AND THE NORTHERN PROPERTY LINE AS SHOWN.

4. AGGREGATE MATERIALS WILL BE PILED ON SITE. ENCLOSURES ARE NOT CURRENTLY PLANNED FOR THE AGGREGATE STORAGE AREAS.

5. PROPERTY OWNER SHALL COORDINATE WITH COUNTY HIGHWAY DEPARTMENT TO DETERMINE ACCEPTABLE LOCATION FOR SITE ENTRANCE. ANY EXISTING ENTRANCES SHALL BE REMOVED WITH THE ROADSIDE DITCH RESTORED.

6. THE PROPOSED ENTRANCE SHALL CONSIST OF STONE SUFFICIENT TO ALLEVIATE ISSUES WITH MUD OR DEBRIS TRACKING ONTO THE COUNTY ROAD. OWNER UNDERSTANDS THE IMPORTANCE OF MAINTAINING A CLEAN ROADWAY FOR THE TRAVELING PUBLIC AND WILL ENSURE APPROPRIATE MEASURES ARE IN PLACE AT ALL TIMES.



UTILITY PROTECTION NOTE

ALL UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. INDIVIDUAL SERVICE LINES ARE NOT SHOWN. THE CONTRACTOR OR SUBCONTRACTOR SHALL NOTIFY THE UTILITY PROTECTION CENTER "INDIANA 811" 48 HOURS IN ADVANCE OF ANY CONSTRUCTION ON THIS PROJECT. THIS NUMBER WAS ESTABLISHED TO PROVIDE ACCURATE LOCATION OF EXISTING BELOW GROUND UTILITIES (I.E. CABLES, ELECTRIC WIRES, GAS AND WATERLINES). WHEN CONTACTING THE "INDIANA 811" CALL CENTER, PLEASE STATE THAT THE WORK TO BE DONE IS FOR A PROPOSED SEWER OR DRAINAGE FACILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING FAMILIAR WITH ALL UTILITY REQUIREMENTS SET FORTH ON THE PLANS, TECHNICAL SPECIFICATIONS AND SPECIAL PROVISIONS.

OWNER:

JEREMIAH M. & BRITTANY PERCIVAL
5013 E. 50 S. SEYMOUR, IN 47274
INSTRUMENT #2024-4308

DEVELOPER:

PAF EXCAVATION & DREDGING
4840 PROGRESS DR
COLUMBUS, IN 47201
CONTACT: NICK LIKENS
812-565-8233
nlikens@crosstowncaptialpartners.com

26509varexh.dwg

Milestone design group
1428 Lafayette Avenue Columbus, IN 47201
502.327.7073 www.milestonedesign.org

PAF EXCAVATION & DREDGING
USE VARIANCE

7682 S. 500 W. COLUMBUS, IN 47201
PARCEL #03-85-18-410-002.000-016
PARCEL #03-85-18-410-001.502-016

DATE: 02/16/26
DRAWN BY: Z.A.M.
CHECKED BY: T.D.T.
SCALE: 1"=60' (HORZ)
SCALE: _____ (VERT)

REVISIONS	
1	3/8/26 PLANNING REV
2	
3	
4	
5	
6	
7	

TIMOTHY D. THOMAS
REGISTERED
No. 11800497
STATE OF
INDIANA
PROFESSIONAL ENGINEER
3/8/26

JOB NUMBER
26509

V1

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
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MEMORANDUM

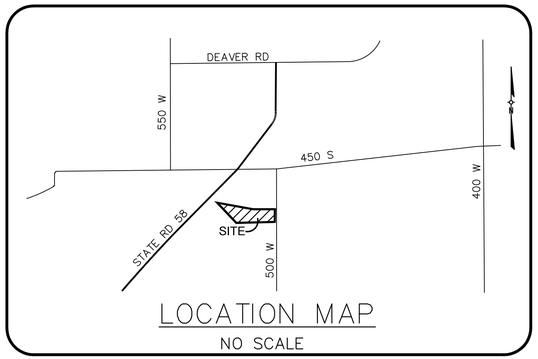
TO: County Board of Zoning Appeals

FROM: Melissa Begley

DATE: April 24, 2026

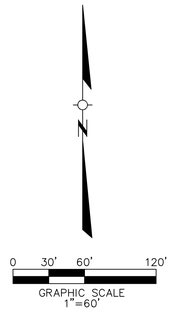
RE: PAF Excavating Use Variance (Case #BZA-26-15)

Please see the attached materials that were provided by the applicant. These were provided after revised filing deadline and is not in the staff report.



LOCATION MAP

NO SCALE

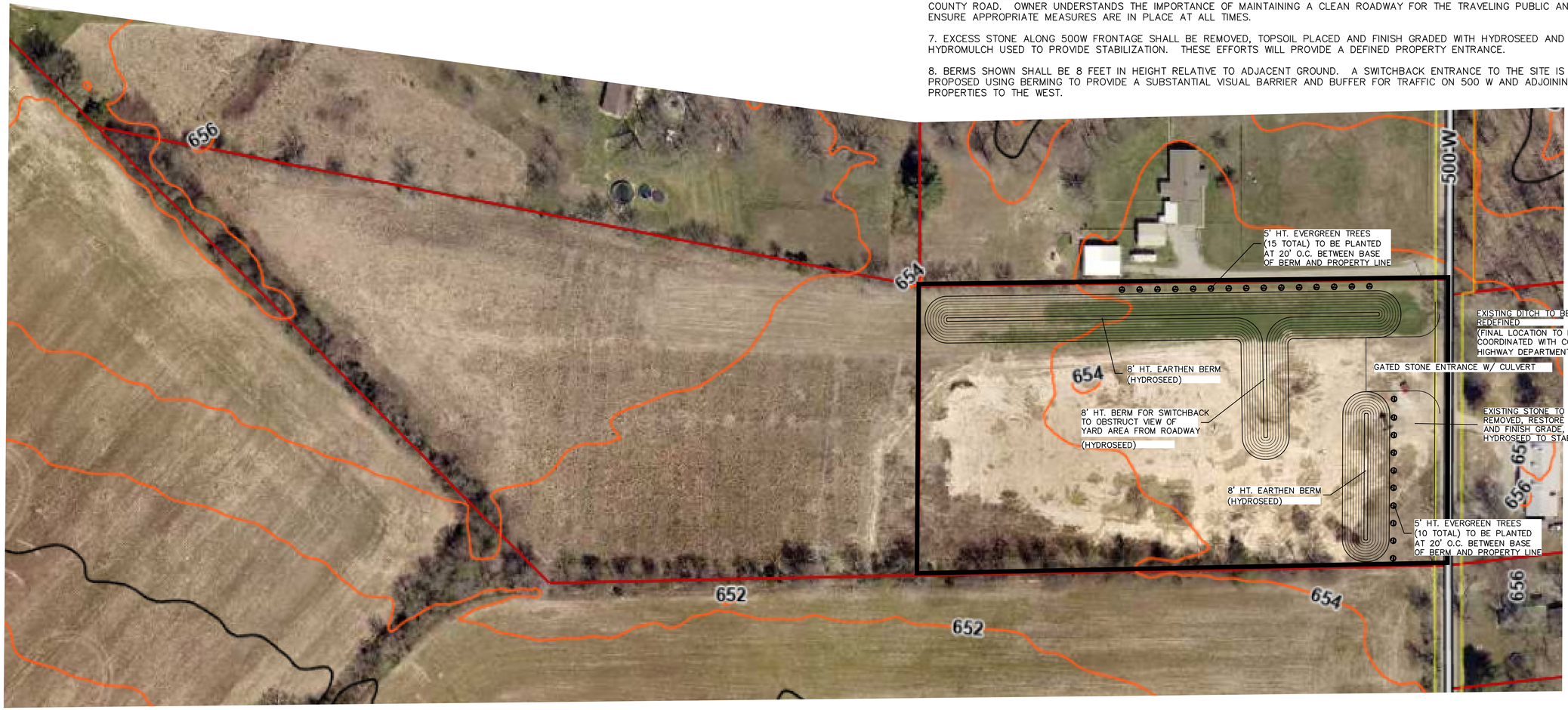


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NOTES:

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4. AGGREGATE MATERIALS WILL BE PILED ON SITE. ENCLOSURES ARE NOT CURRENTLY PLANNED FOR THE AGGREGATE STORAGE AREAS.
5. PROPERTY OWNER SHALL COORDINATE WITH COUNTY HIGHWAY DEPARTMENT TO DETERMINE ACCEPTABLE LOCATION FOR SITE ENTRANCE. ANY EXISTING ENTRANCES SHALL BE REMOVED WITH THE ROADSIDE DITCH RESTORED.
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7. EXCESS STONE ALONG 500W FRONTAGE SHALL BE REMOVED, TOPSOIL PLACED AND FINISH GRADED WITH HYDROSEED AND HYDROMULCH USED TO PROVIDE STABILIZATION. THESE EFFORTS WILL PROVIDE A DEFINED PROPERTY ENTRANCE.
8. BERMS SHOWN SHALL BE 8 FEET IN HEIGHT RELATIVE TO ADJACENT GROUND. A SWITCHBACK ENTRANCE TO THE SITE IS PROPOSED USING BERMING TO PROVIDE A SUBSTANTIAL VISUAL BARRIER AND BUFFER FOR TRAFFIC ON 500 W AND ADJOINING PROPERTIES TO THE WEST.



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PAF EXCAVATION & DREDGING
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PARCEL #03-85-18-410-001.502-016

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REVISIONS
1 3/8/26 PLANNING REV
2 4/16/26 PLANNING REV
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TIMOTHY D. THOMAS REGISTERED No. 11800497 STATE OF INDIANA PROFESSIONAL ENGINEER
4/16/26

JOB NUMBER 26509

V1










FINN
T-30 Hydro Seeder
Kubota




FINN
T-30




812-376-2550


NOTICE OF HEARING
WHAT'S HAPPENING HERE?
812-376-2550
www.columbusin.gov/planning/
812-496-4669




428
FINN
T-30 Hydro Seed
Pro® | High Performance Mulch

ANN C. CORIDEN
ann@anncoridenlaw.com

445 5th Street, Suite 110
Columbus, IN 47201
812-375-9850

March 17, 2026

VIA EMAIL
Melissa Begley
Planning Department
123 Washington Street
Columbus, Indiana 47201
mbegley@columbus.in.gov

Re: BZA-26-15 (PAF Excavation & Dredging 7682 S. 500 W., Columbus, Indiana, 47201)

Dear Ms. Begley,

I represent Sheryl Moore regarding the use variance application submitted by PAF Excavation & Dredging ("PAF") for the property located at 7682 S. 500 W., Columbus, Indiana ("the Property"). Ms. Moore owns and resides at the property immediately adjacent to the Property, sharing a property line of approximately 580 feet.

PAF has been conducting operations at the Property since March of 2020. Because of this, Ms. Moore can speak to how the Property has actually been used by PAF and how the use of the Property as a dumpsite has impacted her property. Ms. Moore respectfully requests the Board consider the following points:

PAFS'S INTENDED USE
PAF has indicated that the Property would be used for "light industrial support," involving the short-term storage of equipment between jobs and the stockpiling of aggregate and topsoil. However, PAF is not using the Property in this manner. Instead, PAF has been excavating on the site and has used the Property as a dumping ground, resulting in frequent dump truck traffic. PAF also regularly uses heavy equipment on the Property to move material. Additionally, Ms. Moore has witnessed the stockpiling of trash and debris on the Property. Contrary to PAF's assertions, these activities are not consistent with agricultural use.

ADVERSE IMPACT ON MOORE'S PROPERTY

PAF suggests that adjacent properties will not be impacted by its "occasional land disturbance" and short-term equipment storage. However, because PAF is already operating its business on the Property, the impact on adjacent property owners is not speculative. PAF's operations have created noise, odors, and visual disturbances and impacted drainage.

- Noise. PAF is conducting operations on a regular and ongoing basis. The noise created by this activity, whether in the form of persistent backup warnings, diesel engines, or the clanging of dump trucks, regularly interferes with Ms. Moore's enjoyment of her property and can be heard from inside her home. PAF's proposed hours of operation would effectively allow PAF to operate all day, every day, except Sunday.

- Odor. PAF has used the Property to dump materials from other locations, including material dredged from local lakes, which resulted in noxious odors and an influx of animals, like turtles and snakes, onto Ms. Moore's property.

- Visual. PAF has attempted to conceal its operations by building a large dirt wall along the property line immediately adjacent to Ms. Moore's driveway. Now, in addition to heavy equipment and piles of debris, Ms. Moore is forced to look at the dirt wall that does not adequately obstruct PAF's activities.

- Drainage. PAF's activities have changed the drainage patterns, resulting in an influx of standing water on Ms. Moore's property.

- Road Damage. The use of heavy equipment on the county roads has caused increased deterioration, resulting in additional wear and tear to Ms. Moore's vehicles.

PAF's operations have already negatively impacted Ms. Moore's enjoyment of her property. This has also reduced the monetary value of her property, which was once adjacent to a farm field and is now an active dumpsite.

OWNER INVITED HARDSHIP

PAF provides several reasons why it wants to use the property for its excavating and dumping activities but provides no explanation as to why the Property is uniquely suited for this use. In fact, PAF describes most agriculturally zoned properties in the area.

Moreover, although PAF points to the small parcel size as a justification for its request, the Property was purchased by the current owners in 2024, and they were well aware of the size of the parcel and the current zoning classification when the Property was acquired. The Property owners' choice to purchase the Property is not a basis for approving the variance request. In fact, the small parcel size

is a reason to deny the request, because the parcel is not large enough to permit PAF's operations on some but not all of the Property.

CONCLUSION

Because of PAF's existing use of the Property as a dumpsite, the Board does not have to speculate as to the manner in which the Property will be used or its impact on adjacent property owners. Ms. Moore respectfully requests the Board deny the use variance application.

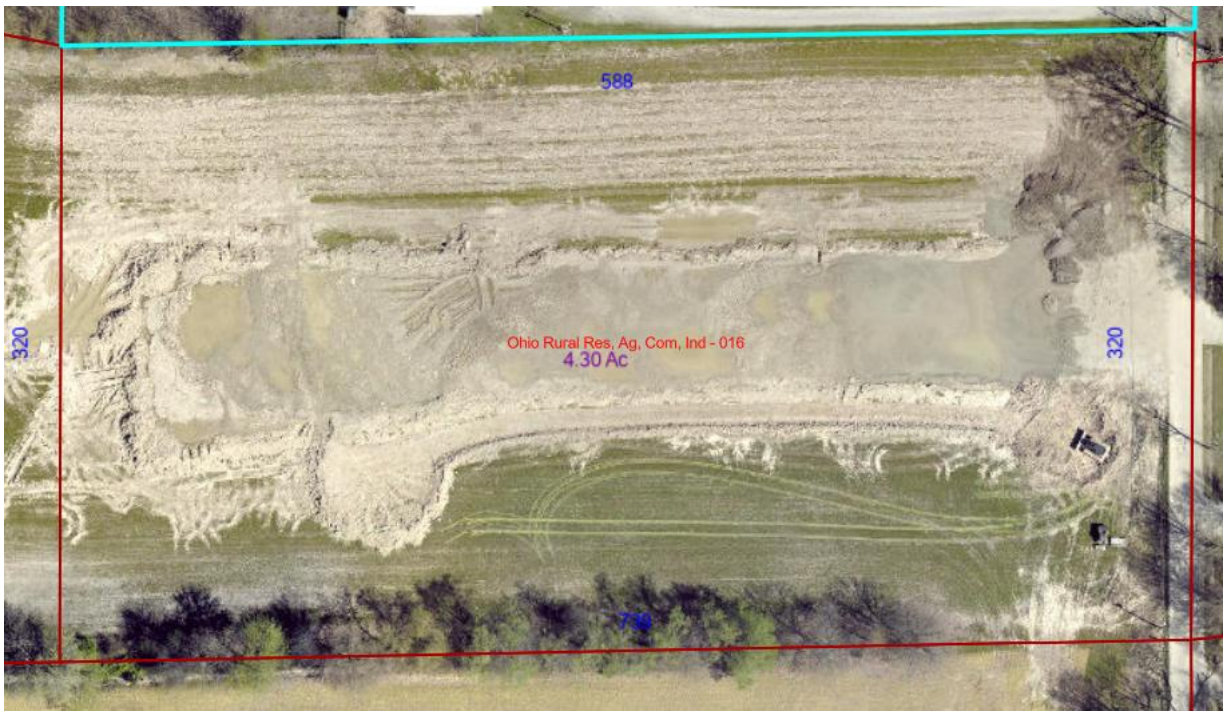
Sincerely,



Ann C. Coriden

Enclosures

2020 GIS AERIAL



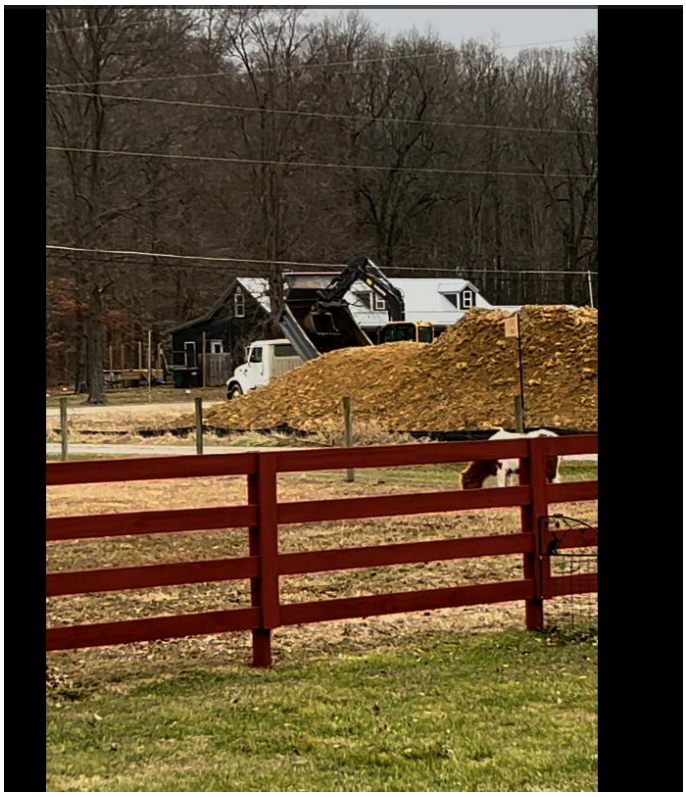
2021 GIS AERIAL



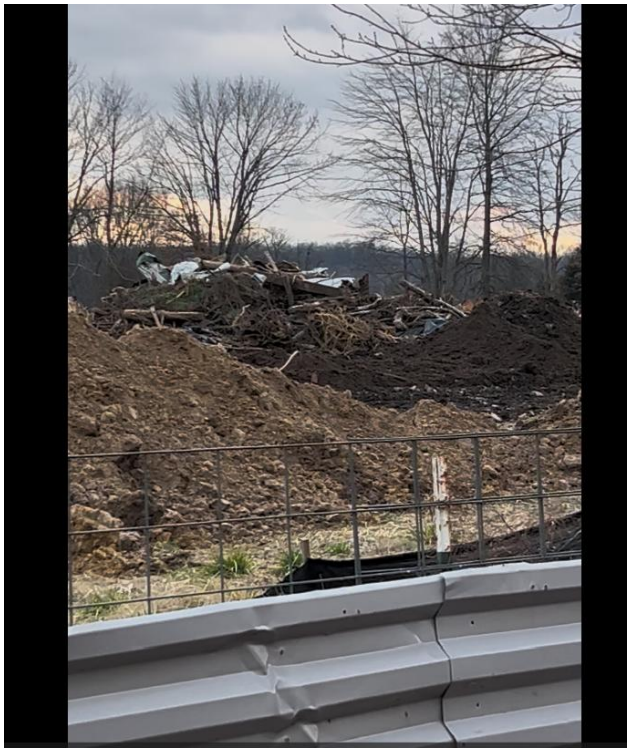
March 2026



Fall 2025



Fall 2025



Fall 2025



Neighbor Photos







Neighbor Photos









Neighbor Photos









Neighbor Photos









Neighbor Photos





3/27/2026

Regarding Code Variance Application

PAF EXCAVATING and DREDGING 7682 S 500 W, Columbus, IN 47201

TO WHOM IT MAY CONCERN:

My name is Steven Newland. My wife and I live at 7492 S 500 W. Our property is three hundred feet north of PAF's location. My sister and I also own farm ground nearby.

Ours was a quiet farming and residential community until PAF Excavation and Dredging moved in.

Some of our concerns are using the property as a dumping ground, noise, dust and dirt on the road.

Therefore we ask that PAF's request for a variance be denied.

Steven and Caroline Newland

Steven W. Newland
Caroline Newland

Melissa Begley
123 Washington Street
Columbus, IN 47201

DATE: April 4, 2026

REGARDING CODE VARIANCE APPLICATION:

PAF EXCAVATING and DREDGING 7682 S 500 W Columbus, IN 47201

TO WHOM IT MAY CONCERN:

Name: James + Robina Miller

Address: 8405 South 500 west
Columbus, Indiana 47201-9124

My concerns are

1. We do not want industrial purposes
2. noise
3. enviorment
4. Dirt and mud on the road
5. looks like a dumping ground
6. Drainage, standing water

Concerned property owner,

Signed: James B. Miller
Robina R. Miller

ANN CORIDEN LAW

ANN C. CORIDEN
ann@anncoridenlaw.com

445 5th Street, Suite 110
Columbus, IN 47201
812-375-9850

April 23, 2026

VIA EMAIL
Melissa Begley
Planning Department
123 Washington Street
Columbus, Indiana 47201
mbegley@columbus.in.gov

Re: OBJECTION TO ANY FURTHER REQUEST FOR CONTINANCE—BZA-26-15 (PAF Excavation & Dredging 7682 S. 500 W., Columbus, Indiana, 47201)

Dear Ms. Begley,

I represent Sheryl Moore regarding the use variance application submitted by PAF Excavation & Dredging ("PAF") for the property located at 7682 S. 500 W., Columbus, Indiana ("the Property"). Ms. Moore owns and resides at the property immediately adjacent to the Property, sharing a property line of approximately 580 feet. Ms. Moore is submitting this letter to the Board as her objection to any further requests for continuance by PAF.

PAF's use variance was on the March 23, 2026 County BZA agenda. My client and several neighboring property owners attended the meeting to voice their objections to PAF's application. At that meeting, PAF requested a continuance in order to respond to submissions provided to the Planning Department in opposition to its application. As of April 22, 2026, PAF has not provided any written response or updated materials to the Planning Department.

PAF, however, has continued, and even expanded, its use of the Property as a dumpsite. PAF now consistently operates on Saturdays and Sundays and well into the evenings most nights. PAF has continued to operate the dumpsite for more than a year since the Bartholomew County Department of Technical Code Enforcement issued a Cease and Desist Order on April 15, 2025. Ex. A. PAF's operations directly and adversely impact my client's property.

Because PAF continues to operate in violation of the Zoning Ordinance, any requests for continuances should be denied. Additionally, because PAF has made no effort to submit a written response since the last meeting, another request for a continuance would not be supported by showing of "good and sufficient cause" and should be denied. In any event, my client requests that PAF's application be presented and the matter opened for public comment before the Board votes on any request for continuance.

Sincerely,

Ann C. Coriden

Ann C. Coriden

Enclosure

COLUMBUS/BARTHOLOMEW
Department of Technical Code Enforcement
440 Third St. Room 302
Columbus, IN 47201

April 15, 2025
Jeremiah and Brittany Percival
5013 E 50 S
Seymour, IN 47274

Final Notice

Greetings,

In January of this year, you were notified of a Zoning violation at your property in the 7500 block of Bartholomew County Road 500 West. During a phone conversation on January 31, you indicated that you would be contacting the Columbus/Bartholomew County Planning Department to apply for a Conditional Use Permit. I spoke with personnel from the Planning Department on 4/14/25 and found that you have not applied for a Variance or a Conditional Use Permit.

This letter will serve as a Cease and Desist Order. All business activities must cease immediately and all business related items and equipment must be removed. An inspection of the property will take place on or after **May 15, 2025**. If at that time the violations still exist, fines of $200 per day will commence.

If you have questions regarding this notice or the violations, please contact me.

Regards,

David A. (Tony) Darnall
Assistant Code Enforcement Officer
Zoning and Ordinance Enforcement
Bartholomew County Code Enforcement
tdarnall@bartholomew.in.gov
812-379-1535

EXHIBIT A