City of Columbus – Bartholomew County
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CITY OF COLUMBUS, INDIANA

BOARD OF ZONING APPEALS

DEVELOPMENT STANDARDS VARIANCE FINDINGS OF FACT

Case Reference Number: BZA-26-13

Applicant: Doc Chumley's

Filing Date: February 17, 2026

Hearing Date: March 24, 2026

Location: 8030 West Goeller Road, in Harrison Township

Variance Requested:
A variance from Zoning Ordinance Section 7.2(Part 4)(B)(1) to allow parking spaces to encroach approximately 37 feet into the minimum required 55-foot parking front setback along Goeller Road in a CC (Commercial: Community) zoning district.

Board Action Taken:
Request Denied by a Vote of: 3 to 2

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.

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: Neither the County Fire Inspector nor County Highway Department have concerns regarding allowing the parking lot to encroach into the parking front setback off Goeller Road. The parking encroachment would not interfere with intersection sight visibility along the adjacent streets and wouldn't create any access problems for emergency services. 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: Allowing 4 parking spaces and the golf cart parking area to encroach into the required 55-foot front setback along Goeller Road would not negatively impact

the neighbors' ability to use their properties. The parking area would not interfere with other's driveways nor encroach into any setbacks along other's property lines. 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 building was constructed in 1939, prior to the adoption of current setback requirements. The existing parking area also pre-dates the current zoning ordinance and encroaches into now-required minimum setbacks. However, the property is approximately 1 acre in size with a grass lawn to the east of the building and existing parking area that could accommodate a parking lot expansion with no or minimized encroachment into the Goeller Road setback. The applicant's submitted site plan shows no barriers to extending the parking to the east. This criterion **has not** been met.

Variance Requested:
A variance from Zoning Ordinance Section 7.2(Part 1)(B)(Table 7.6) to allow parking spaces on-site parking spaces to be 8 feet in width, 1-foot smaller than the 9-foot requirement in a CC (Commercial: Community) zoning district.

Board Action Taken:
Request Approved by a Vote of: 3 to 2

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.

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: No City or County Department expressed any concerns regarding allowing the parking spaces on the subject site to be 8 feet in width, 1 foot less than the required 9-foot requirement, indicating no concerns for public health, safety morals, or general welfare. 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: Allowing parking spaces to be 8 feet in width would not negatively impact the neighbors' ability to use their property. While this reduced space size may have impacts on circulation within the parking lot, it will not affect adjoining 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: Criteria #3 has been met based on the applicant's testimony that, because of the site's square footage and the building's proximity to the road, a 9-foot width does propose a practical difficulty. 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