



**CITY OF COLUMBUS, INDIANA
BOARD OF ZONING APPEALS**

**DEVELOPMENT STANDARDS VARIANCE
FINDINGS OF FACT**

Case Reference Number: BZA-26-32

Applicant: England Property Management

Filing Date: March 24, 2026

Hearing Date: April 28, 2026

Location: 1521 California Street

Variance Requested:

A variance from Zoning Ordinance Section 3.12(C) to allow an accessory structure to be 26 feet in height, 5 feet taller than the 21 feet in height of the primary structure and Zoning Ordinance Section 3.12(C) to allow the minimum living area of a multi-family structure to be 434 square feet, 66 feet smaller than the 500 minimum square footage in a RE (Residential: Established) zoning district. See attached Exhibit.

Board Action Taken:

Variance #1 – Accessory Structure Height: Request Approved by a Vote of: 4-0

Variance #2 – Minimum Living Area: Request Approved by a Vote of: 4-0

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 (Accessory Structure Height)

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: The structure will be built to current building code, so approval of the additional height would not create a health or safety risk for the general community. Neither the Fire Department nor County Code Enforcement reported any concerns with the proposed accessory structure height. 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 accessory structure will not impede the residential use of adjacent properties. The additional 5 feet in building height will not likely be noticeable with the existing tree vegetation and other two story structures in the area and will not negatively affect the property values of 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 proposed accessory dwelling provides garage spaces below the dwelling units, which in addition to a minimal roof slope, adds additional height to the building. The primary structure is a single story building and the garage spaces are considered highly desirable by residents. The strict application of the ordinance would not allow a two unit structure with a garage on this site. This criterion has been met.

Variance #2 (Minimum Living Area)

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: The dwelling units will each have a full kitchen and separate bathroom. Neither the Fire Department nor County Code Enforcement reported any concerns with the proposed dwelling unit living area. 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 dwelling units will each have a full kitchen and separate bathroom. The 434 square feet, rather than the minimum 500 square feet, of living area will likely attract single residents and help expand the housing offerings in the area and not affect the adjacent 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 strict application of the terms of the zoning ordinance would not allow two dwellings to be constructed or would require the applicant to construct an additional 200 square feet of livable area onto the building. The additional 200 square feet would be practically difficult in order to provide space for the off-street parking and meet the setback requirements. The size of the accessory dwelling is proportional to the primary dwelling and is in context with the area. The dwelling units will meet all necessary living needs with a full kitchen and separate bathroom and will meet all building codes. The applicant has indicated that the one bedroom is the most in-demand sized unit and that

there is an economic benefit for two units in order for the project to be financially feasible and therefore the strict application of the ordinance creates a practical difficulty in providing additional density to the property. 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