



**BARTHOLOMEW COUNTY
BOARD OF ZONING APPEALS
(March 28, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: B/CU-16-03 (White Diamond Farms)
Staff: Melissa Begley
Applicant: Steve Webb
Property Size: 10.02 Acres
Zoning: AP (Agriculture: Preferred)
Location: 9415 East 800 North, in Flatrock Township

Background Summary:

The applicant has indicated that the proposed conditional use will allow an agri-tourism facility. Specifically, the applicants would like to plant up to 51% of the property with lavender, with the remaining property to continue to be planted with corn and soybeans. The applicants would convert a portion of an existing agricultural structure that was previously used as a shrimp farming operation to sell lavender and lavender products.

Preliminary Staff Recommendation:

Approval, all criteria have been met and shall include the following conditions:

1. The parking area shall be enlarged to accommodate a minimum of 3 more parking spaces.
2. 75 percent of the products sold shall be produced on-site.
3. Other than educational tours, no events shall be held on-site, such as weddings, retreats, birthday parties, etc.

Zoning District Intent:

The intent of the AP (Agriculture: Preferred) zoning district is intended to provide an area suitable for agriculture and agriculture-related uses. This district is further intended to preserve the viability of agricultural operations, and limit nonagricultural development in areas with minimal, incompatible infrastructure.

Current Property Information:	
Land Use:	Agriculture, former shrimp farm
Site Features:	A barn, cultivated field
Flood Hazards:	No flood hazards exist on the property.
Vehicle Access:	800 North (Collector)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	AP (Agriculture: Preferred)	Agricultural field
South:	AP (Agriculture: Preferred)	Agricultural field
East:	AP (Agriculture: Preferred)	Agricultural field
West:	AP (Agriculture: Preferred)	Agricultural field, Rural single-family residential

Interdepartmental Review:	
County Engineer:	County highway has no issues with the application.
Code Enforcement:	Code Enforcement does not have any issues with the proposal. Further, if a barn is used for sales for more than 8 consecutive months per year, permanent restrooms and a sewer or septic system would be required.

Planning Consideration(s):

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

1. The applicants are requesting to establish an agri-tourism facility at this location. According to the applicant up to 51% of the property will be planted with lavender. The remainder of the property will be maintained as agricultural fields planted with corn and soybeans. There is an existing 7,800 square foot building that was formerly used for an aquaculture operation (shrimp farm) on the property. The applicant has indicated they will use 35% of the building to sell lavender and lavender products. 65% of the building will be used for equipment storage and demonstration space. Lavender products will be made on site and some products will be brought in to sell at this location. The applicants have also indicated they allow visitor to pick lavender in the fields and they will also offer occasional educational tours.
2. The hours of operation will be mostly on weekends or by appointment and portable restroom facilities will be provided for customers.
3. The property is located off of 800 North. 800 North is a Collector Road according to the Bartholomew County Thoroughfare Plan and is able to handle additional traffic. The gravel drive that accesses the property has good sight visibility.
4. The applicant is proposing to install a 32 square foot freestanding sign at the entrance to the property. Zoning Ordinance Section 10(Table 10.1) allows by conditional use a freestanding sign, a maximum of 50 square feet and 15 feet in height.
5. An agri-tourism facility is defined as, "An accessory use to a farm that provides entertainment, education, and/or recreation for the public. An agri-tourism facility shall involve primarily those events and activities that directly relate to the on-site agricultural operations. Examples of agri-tourism facilities include a crop maze, farm tours, a petting zoo of farm animals, hay rides, harvest festivals, ranch vacation facility, etc. In no instance shall an agri-tourism facility be interpreted as including camping, ATV or dirt bike facilities, archery or gun clubs, or any other facilities that make commercial use of rural property that is unrelated to the on-site agricultural production."
6. There is an existing drive and gravel parking area that could accommodate approximately 7 customers. Per Zoning Ordinance Section 7.1 (Table 7.1), 1 parking space is required for every 250 square feet of retail useable floor area. This operation will therefore require 11 parking spaces.

7. There is a small cluster of 7 residential properties to the west of the subject property. The nearest residential property is approximately 800 feet to the west of the subject property.

Comprehensive Plan Consideration(s):

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

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

1. **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.
2. **POLICY 4-F:** Encourage neighborhood business areas that are compatible with their surroundings, properly buffered and appropriately located.
3. **GOAL 18:** Promote economic growth in the county by encouraging the location and expansion of businesses and industries that are compatible with their surroundings and provided with adequate services.
4. **GOAL 18-O:** Encourage rural-related businesses of a scale appropriate to their surroundings, such as agriculture products and services stores, seasonal produce markets, hobby and craft stores, wineries, greenhouses, small engine repair. Where these types of businesses are of a suitable scale and in appropriate rural locations, encourage them as home-based businesses.

Provisional Findings of Fact/Decision Criteria

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

1. **The proposal will not be injurious to the public health, safety, and general welfare of the community.**

Provisional Findings: The existing drive has good sight visibility and will not be injurious to the public from traffic entering and exiting the site. The operation will not create any noxious smells, sounds or sights that could be injurious to the general welfare of the public. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

Provisional Findings: The proposed use with the existing building meets all of the development standards established by the Zoning Ordinance. They will meet the parking requirement and the proposed sign will meet the zoning ordinance standards for a freestanding sign. *This criterion has been met.*

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

Provisional Findings: The nearest residential structure is approximately 800 feet to the west of the proposed agri-tourism facility. The property will still primarily be used as an agricultural operation and the traffic generated by the agri-tourism facility will be low and will not negatively impact the adjoining properties. *This criterion has been met.*

4. **The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

Provisional Findings: The Comprehensive Plan promotes development of businesses such as value-added agricultural industries that enhance agriculture and agribusiness while protecting the character and environmental quality of the county. Further it encourages rural-related

businesses of a scale appropriate to their surroundings, such as agriculture products and services stores, seasonal produce markets, therefore the proposed use will be consistent with the character of the zoning district and the Comprehensive Plan. *This criterion has been met.*

Board of Zoning Appeals Options:

In reviewing a request for conditional use 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.

Columbus – Bartholomew County Planning Department
Conditional Use Application

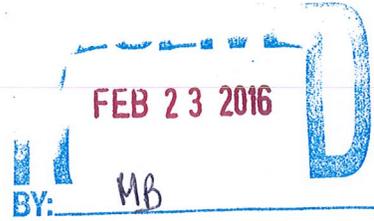
Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: Ap

Docket No.: B/CU-16-03

Hearing Procedure: Hearing Officer Board of Zoning Appeals



Conditional Use Application:

Applicant Information (the person or entity that will own and/or execute what is proposed):

Name: White Diamond Farms

Address 9415 E. 800 N. Hope Indiana 47246
(number) (street) (city) (state) (zip)

Phone No.: 812-344-0143 Fax No.: N/A E-mail Address: whitediamondfarms@gmail.com

Property Owner Information (the "owner" does not include tenants or contract buyers):

Name: Steve Webb

Address 1536 N. Meadowland Drive Columbus Indiana 47203
(number) (street) (city) (state) (zip)

Phone No.: 812-344-0143 Fax No.: N/A E-mail Address: whitediamondfarms@gmail.com

Notification Information (list the person to whom all correspondence regarding this application should be directed):

Name: Steve Webb

Address 1536 N. Meadowland Dr. Columbus Indiana 47203
(number) (street) (city) (state) (zip)

Phone No.: 812--344-0143 Fax No.: N/A E-mail Address: whitediamondfarms@gmail.com

How would you prefer to receive information (please check one): Email Phone Fax Mail

Property Information:

Address 9415 E. 800 N. Hope Indiana 47246
(number) (street) (city) (state) (zip)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):

Conditional Use Requested:

I am requesting a conditional use as listed by Section 3.5B of the Zoning Ordinance to allow the following:

See attached document.

Conditional Use Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

The approval of the conditional use will not be injurious to the public health, safety, and general welfare of the community.

See attached document.

The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

See attached document.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

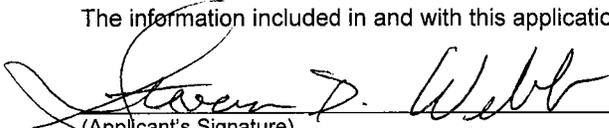
See attached document.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

See attached document.

Applicant's Signature:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



(Applicant's Signature)

2-23-16

(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers):

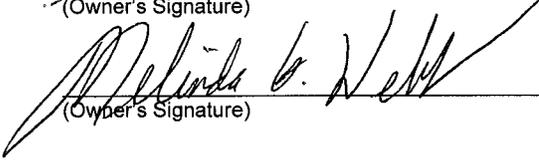
I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.



(Owner's Signature)

2-23-16

(Date)



(Owner's Signature)

2/23/2016

(Date)

Conditional use request:

We are requesting a conditional use as listed by Section _____ of the Zoning Ordinance to allow the following:

We are requesting an Agri-tourism facility be granted. In addition to the several acres that are already farmed with corn or soybeans, we plan to set aside some land to incorporate growing harvesting and selling lavender. We plan to have a small area inside the barn to sell lavender and lavender products. Visitors may pick lavender from the field, purchase plants and lavender type products. Eventually we plan to offer occasional educational tours.

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

There will not be anything from this agritourism business that would be injurious to the public health, safety, morals and general welfare of the community. There will not be an issue with large semi trucks making deliveries, and there would not be a noise issue that would be unusual from the normal noises one may hear from farm equipment. There would not be an issue with noxious odors from the property. The hours of operation will be mostly on the weekends or by appointment. This should not create excessive traffic from visitors. Portable restroom facilities will be provided with a handwashing station nearest to the bathroom facilities. There is an existing gravel entrance and parking area for visitors to safely visit the property. There is an existing gravel entrance to the property that has already been approved for safety when the original structure was built.

The development of the property will be consistent with the intent of the development standards by the zoning ordinance for similar uses.

The intentions are to maintain the land as agricultural, but offering a safe place for the visitors to enjoy a farm up close and personal while generating income for the owners. We recognize a need to diversify our operations and supplement farm income. Likewise, there is a growing public desire to engage in rural experiences and outdoor recreational activities. By combining the two we acknowledge agriculture as a land use and a business. Our property is the perfect setup to combine the two. Once we are established we will welcome schools to visit for educational purposes.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity

Granting this conditional use will not be contrary to the general purposes as explained above and will not permanently injure other property or uses in the same zoning district and vicinity. There would not be a noise issue that would be unusual from the normal noises one may hear from farm equipment. There would not be an issue with noxious odors from the property. This business would not be detrimental or permanently injure other properties in the district or vicinity. Crops in the field would create a natural barrier to keep others from intruding on the adjacent property. A property manager will be on site during normal hours to ensure no trespassing to adjacent property would occur.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive plan.

Our proposal is consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive plan. The Comprehensive plan calls for agriculture zoned land to promote the community's values and further the goals and policies for Columbus. This opportunity will only enhance what the city of Columbus and the town of Hope has to offer. There are no other lavender farms in Bartholomew County. While visiting our farm one may make a stop or two at other nearby restaurants, and wineries. We will protect the land for agricultural use while upholding the goal for Columbus and Bartholomew County.

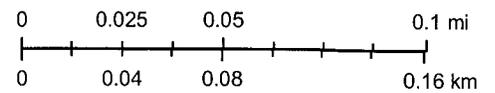
Bartholomew County, IN

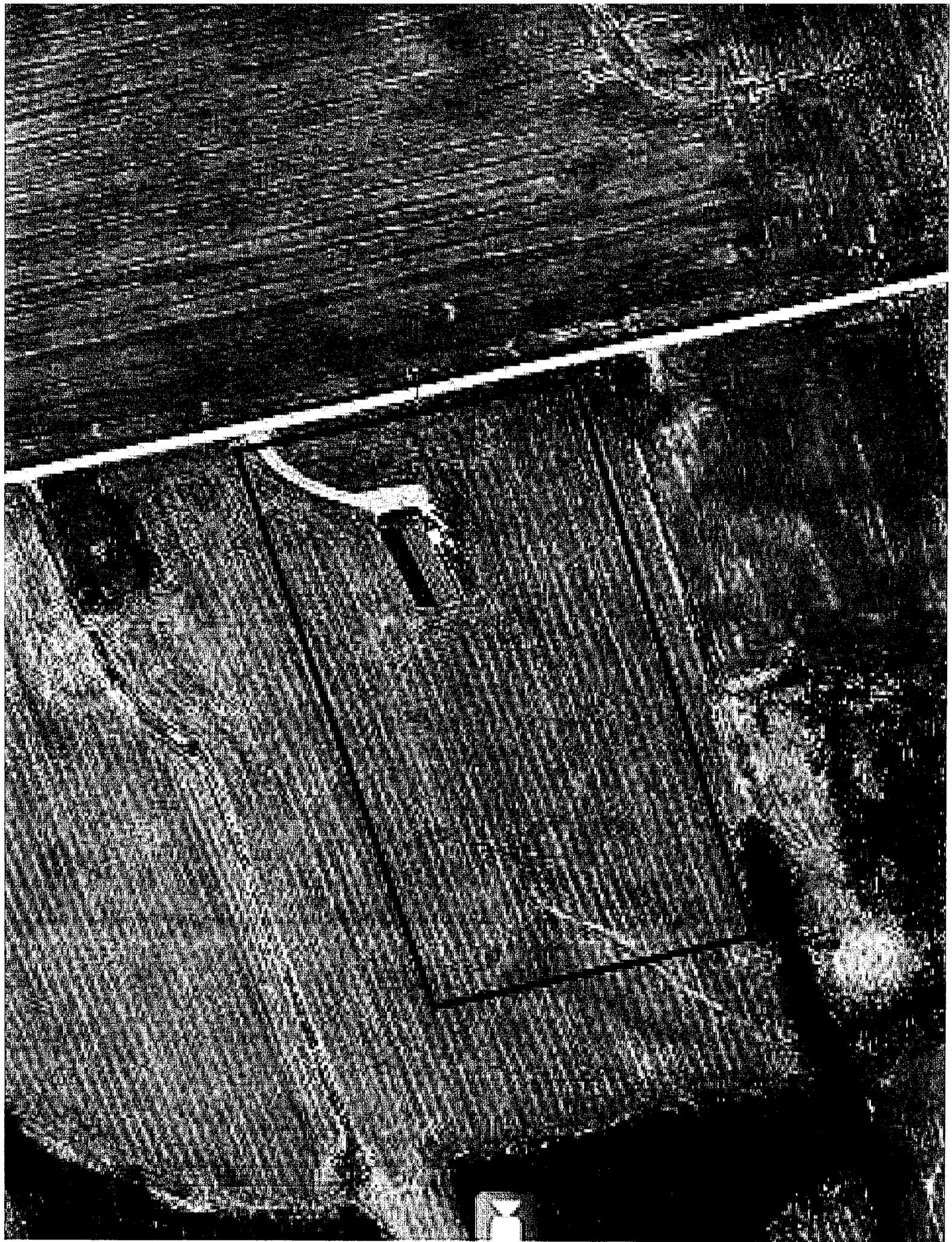


January 5, 2016

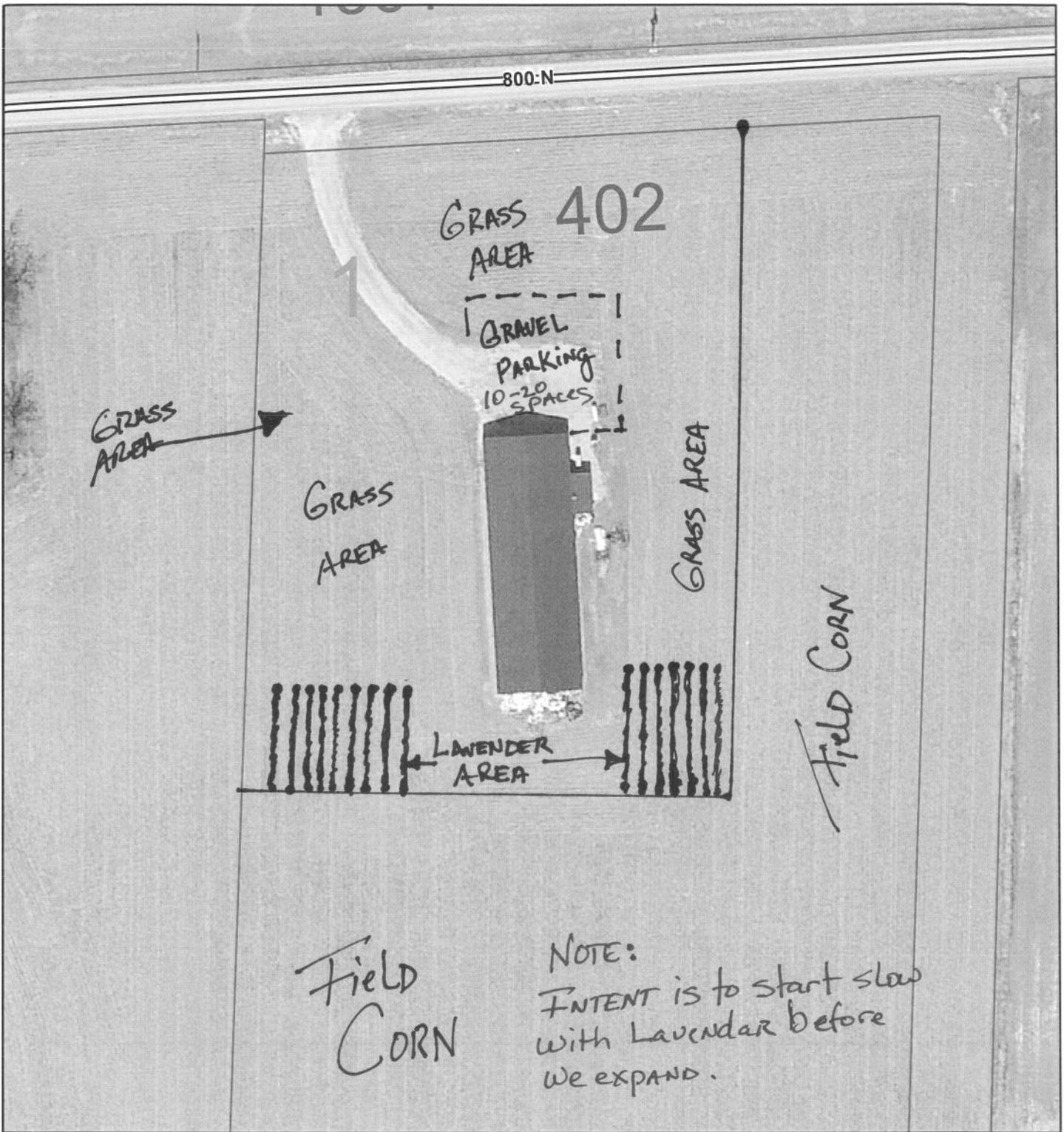
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-  Hospitals and Rural Health Clinics (ISDH)
-  Libraries
- Road Names
- Roads
- Functional Class**
-  Major Roads
-  Minor Roads
-  Corporate Boundaries
-  County Boundary
-  Parcels
- Aerials_2014_4in
- RGB**
-  Red: Band_1
-  Green: Band_2
-  Blue: Band_3





Bartholomew County, IN



March 22, 2016

