



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
HEARING OFFICER
(April 12, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/DS-16-10 (Faurecia)
Staff: Melissa Begley
Hearing Officer: Melissa Begley

Applicant: Faurecia
Property Size: 73 Acres
Current Zoning: I-3 (Industrial: Heavy)
Location: 950 West 450 South & 830 West 450 South, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed variance from Zoning Ordinance Section 3.25(C) is for the purpose of allowing a new covered walkway to be constructed between two of their buildings that also crosses a property line. The covered walkway is considered an accessory structure and is required to meet building setback, which is 20 feet from the side property line. The applicants would like to waive the 20 foot setback requirement to allow one continuous walkway across the property line from building to building. The applicants are also asking for a variance from Zoning Ordinance Section 9.3(D)(2) to allow a 6 foot chain link fence to be installed around their new building, part of which is located along 450 South. The 450 South frontage is considered a front yard and fences in the front yard shall not exceed 42 inches (3.5 feet) in height. The variance would allow them to place a 6 foot chain link fence around the entire property.

Preliminary Hearing Officer Decision:

Variance #1 (Setback – 950 West 450 South): Approval, all criteria have been met.
Variance #2 (Setback – 830 West 450 South): Approval, all criteria have been met.
Variance #3 (Fence Height): Approval, all criteria have been met, with the condition that the fence shall be located behind the existing landscaping located along the 450 South frontage, and outside of the likely future right-of-way for the north-south drive to the east of the Faurecia site.

Zoning Ordinance Considerations:

District Intent: The intent of the I-3 (Industrial: Heavy) zoning district is as follows: To provide locations for industrial manufacturing, production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate a variety of high intensity industrial uses in locations that minimize land use conflicts and provide necessary supporting infrastructure.

Development Standards:

Zoning Ordinance Section 3.25(C): Minimum side setback for an accessory structure: 20 feet.

Zoning Ordinance Section 9.3(D)(2): No fence or wall shall exceed a height of 42 inches in any front yard.

Current Property Information:	
Land Use:	Faurecia Emission Controls
Site Features:	950 West 450 South: 3 industrial buildings, a parking lot, a detention pond, 9 accessory buildings, and outside storage 830 West 450 South: 1 industrial building, a parking lot, and a guard house
Flood Hazards:	Portions of both properties are located in the floodway, the 100-year floodway fringe, and the 500-year floodway fringe.
Vehicle Access:	450 South (Principle Arterial, Industrial, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	I-3 (Industrial: Heavy)	Undeveloped industrial land / Airport Property
South:	I-3 (Industrial: Heavy) AP (Agriculture: Preferred)	Undeveloped industrial land Agricultural fields
East:	I-3 (Industrial: Heavy)	Undeveloped industrial land / Airport Property, AK Tube
West:	I-3 (Industrial: Heavy)	Undeveloped Industrial land / Airport Property, Fire Station #6

Interdepartmental Review:	
City Engineering:	Engineering does not have any issues with the proposed variances. There is already an existing fence around the airport property. We would like the fence to not be placed in the future right-of-way along the drive off of 450 South.
Airport:	The airport does not have any issues with the variances requested, however they would like to have the fence moved to the north side of the landscaping along 450 South.
Fire Department:	No comments
Code Enforcement:	No comments

Planning Consideration(s):

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

1. The two subject properties are located directly adjacent to each other on 450 South. There are three industrial buildings located on 950 West 450 South and there is one large newly constructed industrial building located on 830 West 450 South. Both properties are used by Faurecia. For the convenience of their employees, the applicant would like to construct a covered walkway over a sidewalk that connects two of the Faurecia buildings that are separated by a property line. There is approximately 245 feet of distance between the buildings and the walkway is located approximately 495 feet from 450 South.
2. Zoning Ordinance Section 3.25(C) requires accessory structures to have a setback of 20 feet from the side property line.
3. The subject properties are located on the former Walesboro Airport. Faurecia does not own either of the parcels of land. The two parcels on which Faurecia is located is owned by separate entities, meaning that vacating the intervening lot line is not a possible solution to resolving the setback issue for the covered walkway.
4. The applicants are also requesting to construct a 6 foot tall chain link fence along the frontage of the new Faurecia building located at 830 West 450 South. There currently is an existing 6 foot chain link fence around the existing Faurecia building and they would like to continue the fence around the new building. The applicants have indicated that the purpose of the 6 foot tall fence is to maintain security for the new building.
5. Zoning Ordinance Section 9.3(D)(2) requires fenced located in a front yard to not exceed a height of 42 inches in any front yard.
6. There is an existing row of flowering Bradford pear trees that are located along the frontage of 450 South, extending along the existing Faurecia property, across the new Faurecia property and across the adjacent parcel to the east.
7. The property located to the north of the subject properties is vacant industrial land that is owned by the Columbus Board of Aviation. The properties to the south are also vacant. The nearest buildings are Fire Station #6 to the west and the AK Tube industrial facility to the east of the subject properties.

Provisional Findings of Fact/Decision Criteria (Variance #1 – Setback for 950 W 450 S):

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

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

Provisional Findings: Constructing the covered walkway up to the property line will not obstruct sight visibility for any vehicle traffic. The walkway will be located approximately 495 feet from 450 South. Further, it will not create any fire hazards to either structure. *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 covered walkway is located between two Faurecia buildings. Constructing the walkway to the side property line will not negatively affect any adjoining properties. The nearest structure other than the Faurecia building is Fire Station #6, which is located over 1,900 feet to the west of the proposed location of the walkway. *This criterion has been met.*

3. **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.**

Provisional Findings: Faurecia has constructed several buildings on the 950 West 450 South

property and has recently constructed a new building on the 830 West 450 South property, however they do not own either property. The Faurecia campus is not located entirely on one large property, which results in the practical difficulty in constructing the covered walkway between the buildings. The strict application would require a 20 foot setback from each side that would create a 40 foot gap in the covered walkway. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria (Variance #2 – Setback for 830 W 450 S):

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

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

Provisional Findings: Constructing the covered walkway up to the property line will not obstruct sight visibility for any vehicle traffic. The walkway will be located approximately 495 feet from 450 South. Further, it will not create any fire hazards to either structure. *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 covered walkway is located between two Faurecia buildings. Constructing the walkway to the side property line will not negatively affect any adjoining properties. The nearest structure other than the Faurecia building is Fire Station #6, which is located over 1,900 feet to the west of the proposed location of the walkway. *This criterion has been met.*

- 3. 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.**

Provisional Findings: Faurecia has constructed several buildings on the 950 West 450 South property and has recently constructed a new building on the 830 West 450 South property, however they do not own either property. The Faurecia campus is not located entirely on one large property, which results in the practical difficulty in constructing the covered walkway between the buildings. The strict application would require a 20 foot setback from each side that would create a 40 foot gap in the covered walkway. *This criterion has been met.*

Provisional Findings of Fact/Decision Criteria (Variance #3 – Fence Height):

The Board of Zoning Appeals Hearing Officer may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Hearing Officer may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

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

Provisional Findings: The proposed fence will not be located within the sight visibility triangle or the public right-of-way. Therefore, visibility for drivers near the subject property will not be obstructed by the placement or height of the fence. *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: If the fence is placed behind the landscaping as requested by the Airport Director it will be obscured from view from the properties to the south of 450 West and will not negatively affect the adjacent properties in an adverse manner. *This criterion has been met.*

3. **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.**

Provisional Findings: It is not unreasonable that a large industrial operation wants to install a fence for security purposes. The strict application of the zoning ordinance would require the fence to be constructed at 42 inches (3.5 feet) in height, which could easily be climbed. This would reduce the needed level of security to the site and therefore creates the practical difficulty. *This criterion has been met.*

Hearing Officer Options:

In reviewing a request for development standards variance the Hearing Officer may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Hearing Officer, (4) deny the petition (with or without prejudice), or (5) forward the petition to the full Board of Zoning Appeals.

Columbus – Bartholomew County Planning Department
Development Standards Variance Application

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: I3
Docket No.: 2105-16-10

Hearing Procedure: Hearing Officer Board of Zoning Appeals

RECEIVED
MAR 14 2016
BY: AEK

Development Standards Variance Application:

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

Name: Landmark Columbus LLC (FAURECIA)
Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)
Phone No.: 815-639-0034 Fax No.: 815-639-0029 E-mail Address: dane@mcos.com

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

Name: Landmark Columbus LLC
Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)
Phone No.: 815-639-0034 Fax No.: 815-639-0029 E-mail Address: dane@mcos.com

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

Name: DAN ERICSON
Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)
Phone No.: 815-378-2641 Fax No.: 815-639-0029 E-mail Address: dane@mcos.com

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

Property Information:

Address: 830 West 450 South Columbus IN 47201
(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):

Variance Requested:

I am requesting a variance from Section 3.25C of the Zoning Ordinance to allow the following:

To construct a shelter over the sidewalk which connects the adjacent Fauvecia building to the new building which they also occupy.

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

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

This shelter is inside the property lines and will not affect the general 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.

The adjacent property is occupied by Fauvecia also. They are requesting this variance.

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.

This shelter will allow dry access for the adjacent property to the new building and its cafeteria.

Variance Requested:

I am requesting a variance from Section 9.3DZ of the Zoning Ordinance to allow the following:

A six foot tall chainlink fence with barb wire.

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

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

Favreia is the tenant in this building and has requested this security fence to tie into the existing fence on the property next door, which they also occupy. They have the same six foot fence on the existing property.

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

This property is located on airport property on two sides and Favreia's existing industrial building with test track on another, so the adjoining properties will not be affected in a substantially adverse manner.

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.

Favreia needs the six foot fence to maintain security on the new building and the existing building.

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of application fees for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom the refund should be provided:

Name: Landmark Construction Management LLC
Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)

Applicant's Signature:

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

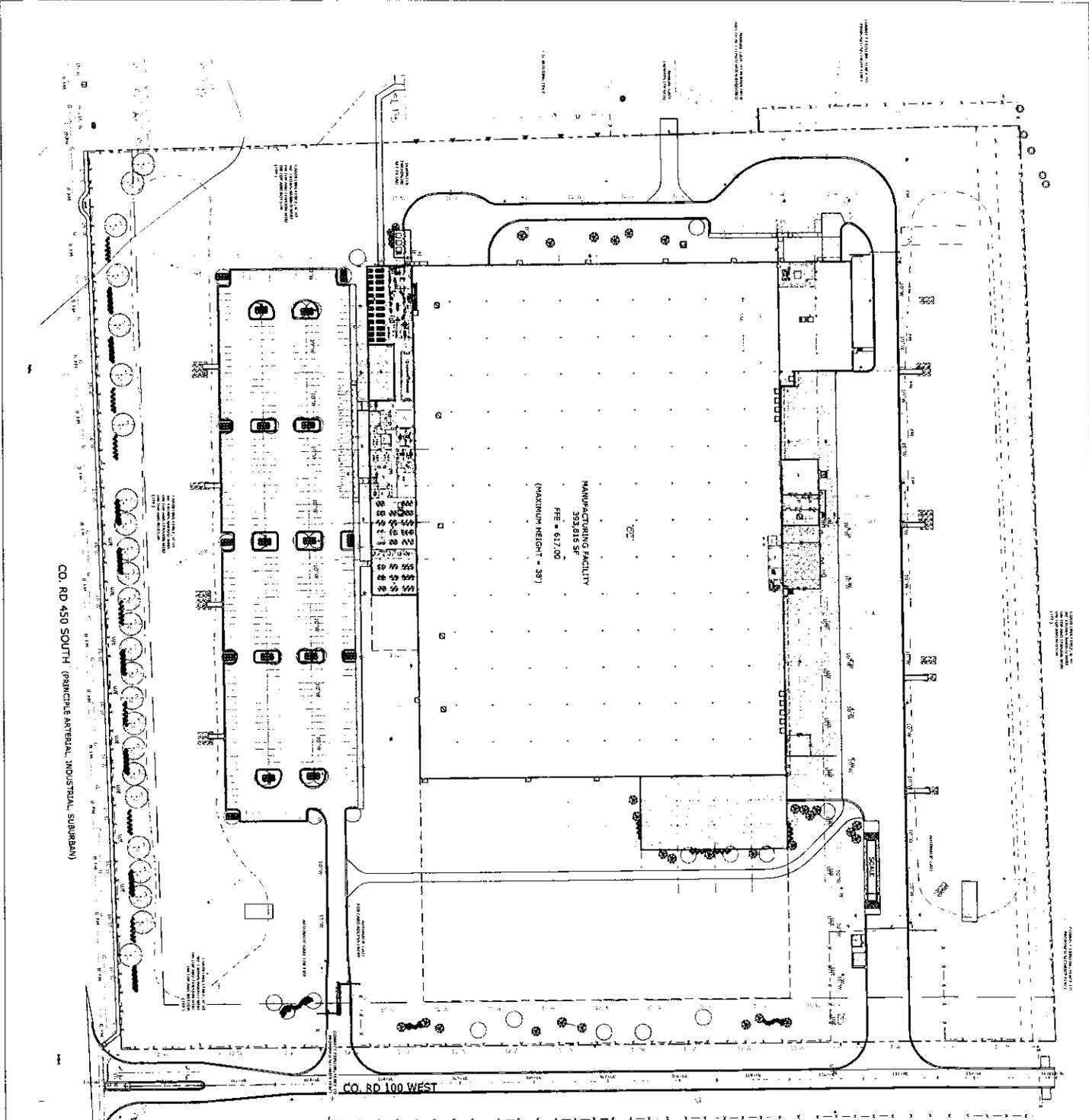
[Signature] 3/7/16
(Applicant's Signature) (Date)

Property 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.

[Signature] 3/9/16
(Owner's Signature) (Date)

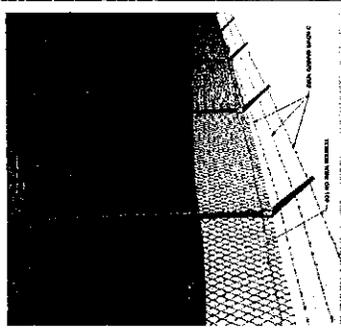
(Owner's Signature) (Date)



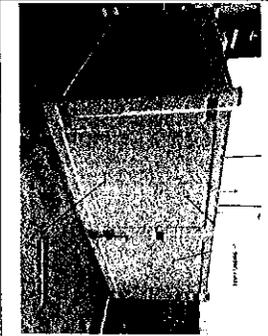
LEGEND

- HATCHED TYP.
- FENCE WITH 3 ROWS OF BARB
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SECURITY FENCE W/ 3 ROWS BARBED WIRE



DUMPSTER ENCLOSURE - SAMPLE MATERIAL



**Columbus – Bartholomew County Planning Department
Development Standards Variance Application**

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: I-3

Docket No.: C/DS-16-10

Hearing Procedure: Hearing Officer Board of Zoning Appeals

Development Standards Variance Application:

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

Name: Landmark Columbus LLC

Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)

Phone No.: 815-639-0034 Fax No.: 815-639-0029 E-mail Address: dane/mcos.com

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

Name: City of Columbus Board of Aviation

Address: 4770 RayBoll Blvd. Columbus IN 47203
(number) (street) (city) (state) (zip)

Phone No.: 812-376-2519 Fax No.: _____ E-mail Address: bpayne@colombus.in.gov

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

Name: Dan Ericson

Address: 6735 Vistagreen Way Rockford IL 61107
(number) (street) (city) (state) (zip)

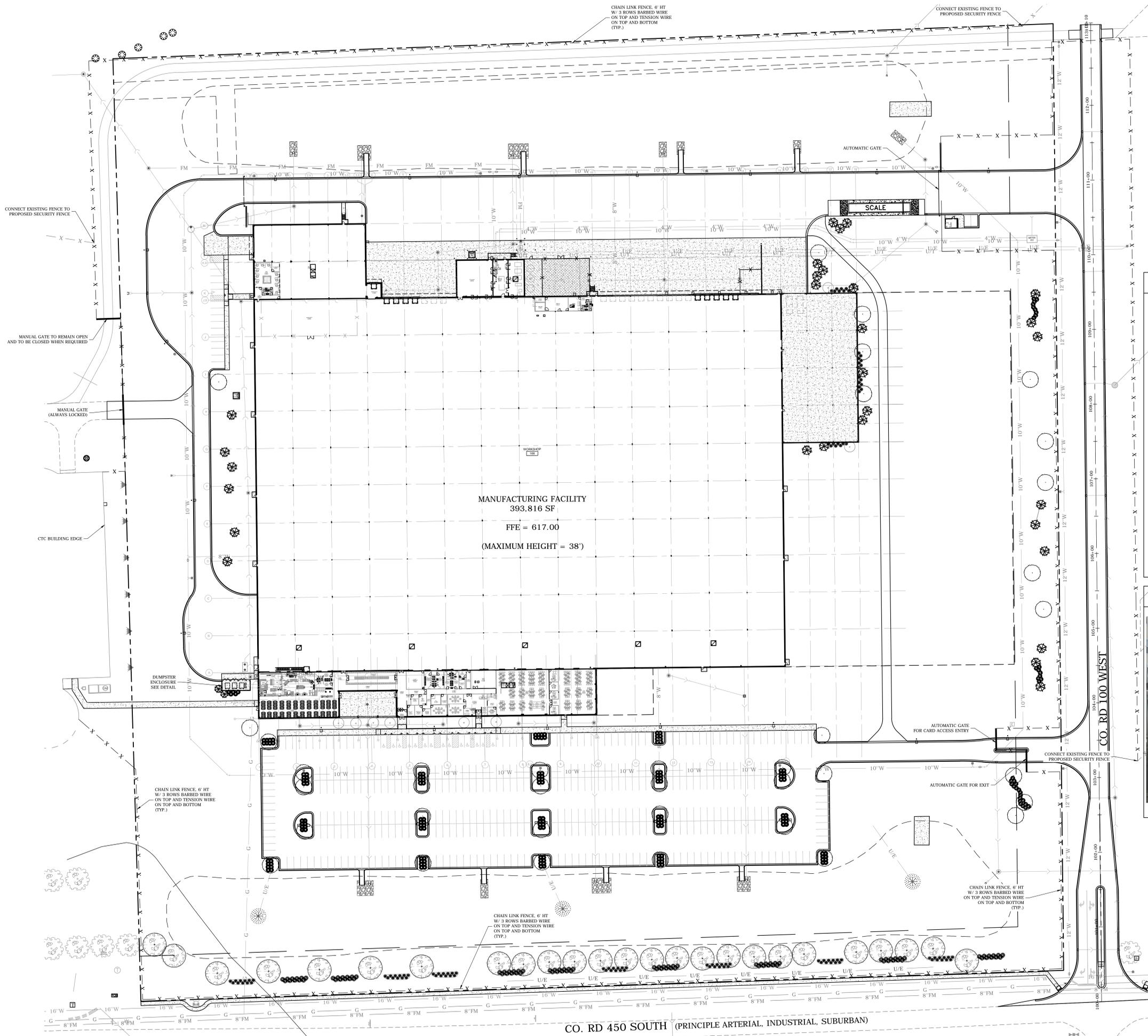
Phone No.: 815-378-2641 Fax No.: 815-639-0029 E-mail Address: dane/mcos.com

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

Property Information:

Address: 950 W 450 N Columbus IN 47201
(number) (street) (city) (state) (zip)

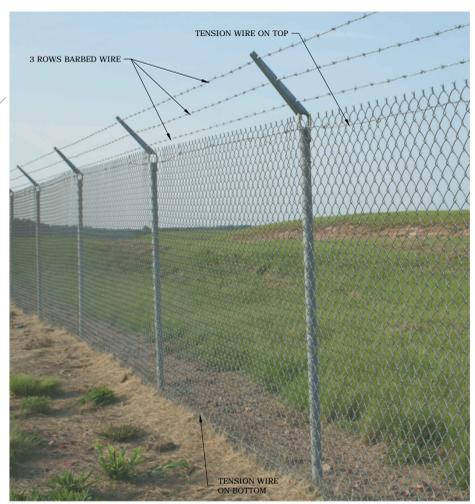
or General Location (if no address has been assigned provide a street corner, subdivision lot number, or attach a legal description):



LEGEND

- PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- LIGHT OR HEAVY DUTY ASPHALT PAVEMENT, AS NOTED
- CONCRETE PAVEMENT, 8" - TRUCK DOCKS
- CONCRETE PAVEMENT, 5" - SIDEWALKS
- SPECIAL CONCRETE PAVEMENT PER DETAIL
- PROPOSED 2' CURB AND GUTTER
- EXISTING CONCRETE 2' CURB AND GUTTER
- PROPOSED SECURITY FENCE
- NUMBER OF PROPOSED PARKING SPACES PAINTED YELLOW STRIPES
- PROPOSED HANDICAP PARKING SYMBOLS
- PROPOSED PARKING (PAVEMENT MARKING)
- PROPOSED SIGN
- PROPOSED LIGHT POLE

SECURITY FENCE W/ 3 ROWS BARBED WIRE



DUMPSTER ENCLOSURE - SAMPLE MATERIAL



Revisions:

No.	Date	Description

Sheet Info:
FENCE EXHIBIT

Drawn By: JGS
Checked By: JSL
Commission: JRA
Date: 2016 02-19