



**CITY OF COLUMBUS  
BOARD OF ZONING APPEALS  
(September 27, 2016 Meeting)**

**STAFF REPORT**

**Docket No. / Project Title:** C/UV-16-03 (Marcus & Pamela Taulman)  
**Staff:** Melissa Begley  
**Applicant:** Marcus & Pamela Taulman  
**Property Size:** 11.77 Acres  
**Current Zoning:** AP (Agriculture: Preferred)  
**Location:** 10335 S 400 W, in Wayne Township

**Background Summary:**

The applicant has indicated that the proposed use variance from Zoning Ordinance Section 3.5(A) is for the purpose of allowing a recreation use (medium scale) wedding/banquet facility in the AP (Agriculture: Preferred) zoning district. The applicants will utilize 3 existing agricultural structures located on the property for the banquet facility use.

**Preliminary Staff Recommendation:**

Denial, Criteria #2 and #3 have not been met. If approved, the following condition shall be included: Install a staggered row of 5 foot tall evergreen trees, fifteen feet on center, along the south property line beginning at the northwest corner of the adjoining property and ending at a point 150 feet to the east.

**Zoning Ordinance Considerations:**

**District Intent:** The intent of the AP (Agriculture: Preferred) zoning district is as follows: 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. Residential development in this zoning district is intended to be limited. In no instance shall this zoning district be considered a large-lot residential zone. This district is further intended to protect the use and value of both agricultural and non-agricultural property within the community

**Permitted Uses:** The following uses are permitted in the AP (Agriculture: Preferred) zoning district.

1. Farm - County Jurisdiction
2. Farm (general) - City Jurisdiction
3. Dwelling, single-family
4. Nature preserve / conservation area

**Permitted Locations:** The proposed use is permitted in the following zoning districts...

1. CD (Commercial: Downtown)
2. CDS (Commercial: Downtown Support)
3. CC (Commercial: Community)
4. CR (Commercial: Regional)

<b>Current Property Information:</b>	
<b>Land Use:</b>	Agriculture
<b>Site Features:</b>	3 agricultural structures, fields, and a pond
<b>Flood Hazards:</b>	No flood hazards exist at this location.
<b>Vehicle Access:</b>	400 West (Collector)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	AP (Agriculture: Preferred)	Agricultural fields
<b>South:</b>	AP (Agriculture: Preferred)	Woods, Single Family Residential
<b>East:</b>	AP (Agriculture: Preferred)	Agricultural fields, woods
<b>West:</b>	AP (Agriculture: Preferred)	Agricultural fields, farm

<b>Interdepartmental Review:</b>	
<b>County Highway:</b>	<p>Both drives locations have good visibility and access. I have no issues with this request. I do not have any concerns with the additional traffic on 400 West. It was an old state highway and is straight with sufficient width.</p> <p>Owner may want to know, there are 2 bridges, just north of this location on 400 West that are on my short list for replacement. So in the next few years, 400 West will need to be closed for about 6 months.</p>
<b>Code Enforcement:</b>	<p>This venue would be regulated by the Indiana Building Code, Indiana Fire Code and the Bartholomew County Health Dept. regulations. Some of the building code criteria for this operation would be the proper number and sizes of exits from the building, sufficient number of restrooms to serve 300 people, accommodations for persons with disabilities such as accessible restrooms and hard surface parking. The structure would also be required to meet the requirements of the Indiana Fire Code. This is by no means meant to be an all-inclusive list of items.</p> <p>I would encourage the owner to meet with Bartholomew County Fire Inspector Gene Wever (812-379- 1535)(gene.wever@bartholomew.in.gov) and Mark DeBusk (812-379-1535)(mdebusk@bartholomew.in.gov) of the Code Enforcement Department to review this proposal in more detail.</p> <p>An issue to be considered by the BZA and staff about the approval of this request would be any conditions that may be attached to the approval. Code Enforcement staff work M-F, 8-5. As an example, we would not be able to confirm any possible complaints/violations regarding operating hours or number of attendees outside of the staff's normal work schedule.</p> <p>The Bartholomew County Health Dept. (812-379-1550) would need to review and approve all food related and sewage disposal plans.</p>

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Estate/Cluster Residential.

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

1. **GOAL J-10:** Diversity the economy by providing small-business opportunities.
2. **POLICY J-10-1:** Create a positive business climate characterized by flexibility.  
*The needs of businesses are continuously changing and the city needs to have sufficient flexibility in its regulatory system to respond to these changes and to encourage and nurture new businesses.*

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application: None

### **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 a use variance to operate a medium scale recreation use, more specifically a wedding /banquet facility on the subject property. The applicants have indicated that they will operate year-round and are available to host events 7 days a week, although the majority of the rentals will be on Saturdays. Events will begin no earlier than 7am and will end by 12am. On site security and parking attendees will be present to ensure safety of the neighbors and guests. The maximum number of guests will be 300.
2. The applicants own an additional 190 acres to the east of the subject property that is comprised of agricultural fields and woodlands, an 82 acre property to the north, comprised of agricultural fields and live across the road on 400 West.
3. The property is currently being used for agriculture. There are 3 existing barns located on the property. The nearest barn is over 475 feet from County Road 400 West. The applicants have indicated that one of the buildings is a utility building and the other 2 buildings can be used for weddings and other events. There is also a pond and a dock that is available for ceremonies.
4. The property is accessed from 400 West, which is a Collector road. The County Highway Department has indicated that there is adequate sight visibility from the existing gravel drive. The drive runs along the southern property line and is approximately 15 feet from the property line.
5. The zoning ordinance requires 1 parking space for every 3 persons by seating capacity in the largest assembly area, for 300 guests, this requires 100 parking spaces. Defined parking spaces have not been provided, however gravel has been placed between and around the barns, which provides a significant amount of parking. Overflow parking can be accommodated in the adjacent field.
6. The closest residential property is located directly south of the subject property and the house sits approximately 42 feet from the property line, 425 feet from the nearest barn and just over 60 feet from the existing gravel drive.
7. The applicants have indicated they do not plan to install any signage for the banquet facility.
8. The County Fire Inspector has met with the petitioner and has given the applicants a list of requirements that are need to meet fire safety regulations.

### **Provisional Findings of Fact / Decision Criteria**

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 subject property has an existing driveway onto 400 West, which is classified as a Collector and can accommodate the increased traffic from the proposed use. The existing drive has sufficient visibility, according to the County Highway Department and the site will have sufficient on-site parking spaces. *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 property is located in a rural area and is similar in character to surrounding properties. The adjoining property owners house is located approximately 60 feet from the drive that would be used for the wedding/banquet facility. The applicants have stated that the adjoining property owner to the south is okay with the proposal, however, if the wedding venue is used to its fullest capacity, increased noise, dust and headlights as cars enter and exit the site would create a nuisance and negatively impact the adjoining property owner. *This criterion **has not** been met.*

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

*Provisional Findings:* The property is located in a rural area and is currently being farmed. Using this site and existing structures for a wedding/banquet facility would allow the applicants diversify the use of the property without significantly changing its agricultural character. There is nothing peculiar to the property that established the need for a wedding/banquet facility. *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:* Strict application of the zoning ordinance would not permit a wedding/banquet facility at this location, which currently is only permitted in commercial zoning districts. The unnecessary hardship is that a wedding event venue at this location is utilizing existing agricultural structures to diversify revenue for an agricultural operation and not permitting the use limits revenue to agriculture. *This criterion has been met.*

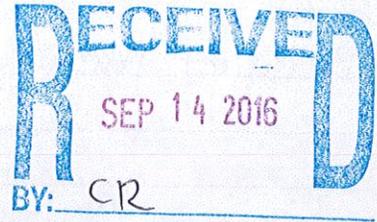
**5. The approval does not interfere substantially with the comprehensive plan:**

*Provisional Findings:* The AP (Agricultural: Preferred) zoning district is intended to provide for agriculture and agricultural related businesses. The wedding/banquet facility will be compatible with the agricultural character of the area and the zoning district and will not interfere with the comprehensive plan. *This criterion has 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.

**Columbus – Bartholomew County Planning Department  
Use Variance Application**



**Planning Department Use Only:**

Jurisdiction:  Columbus  Bartholomew County

Zoning: \_\_\_\_\_  
Docket No.: C/OV-16-03

Hearing Procedure:  Board of Zoning Appeals  Hearing Officer (see IC 36-7-923(a)(3) for use variance eligibility)

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**Use Variance Application:**

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**Note:** It is recommended that all variance applications are reviewed in a meeting with a Planning Department staff member prior to being filed. Please contact the Planning Department at 812.376.2550 to schedule that review meeting.

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

Name: Marcus + Pamela Taulman  
Address: 9732 S. 400 W. Columbus, IN. 47201  
(number) (street) (city) (state) (zip)  
Phone No.: 812-342-3449 Fax No.: \_\_\_\_\_ E-mail Address: lcmt02@msn.com

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

Name: Marcus + Pamela Taulman  
Address: 9732 S. 400 W. Columbus, IN. 47201  
(number) (street) (city) (state) (zip)  
Phone No.: 812-342-3449 Fax No.: \_\_\_\_\_ E-mail Address: lcmt02@msn.com

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

Name: Marcus + Pamela Taulman + Kamie Taulman Ronsheim  
Address: 9732 S. 400 W. Columbus, IN. 47201  
(number) (street) (city) (state) (zip)  
Phone No.: 812-342-3449 Fax No.: \_\_\_\_\_ E-mail Address: lcmt02@msn.com  
812-344-2470

How would you prefer to receive official documentation regarding this request (please check one)? If no or multiple selections are made e-mail will be used.  E-mail  Fax  Mail

**Property Information:**

Address: 10335 S. 400 W. 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 3.5(A) of the Zoning Ordinance to allow the property to be used for the following:

Banquet Facility for a Wedding Venue

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**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 use variance to be approved. Describe how the variance request meets each of the following criteria.

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

The facility has ample parking and is easily accessible when entering or exiting the roadway. Parking attendants will be on site during hours of operation. The facility is located far from the road so noise, traffic or security will not be an issue.

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.**

The property will remain the same as it currently is. It is a barn and fits in to the agricultural farming look of the area. Marcus + Pamela Tawlman own all property adjacent to this location with the exception of one side and the owner of that property is fine with the planned use

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

The property is zoned for agricultural use and we would like to use the barn on the property as a banquet facility for weddings. The farmland surrounding the barn will not be affected and will still be used as farmland

4. **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.**

The unnecessary hardship would be loss of revenue and the inability to share the beauty of the farmland and country living with the community. The nature of this venue will not change any of the environment around it, It will allow others to enjoy and appreciate the farmland as it currently exist.

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

This variance would not interfere with the Comprehensive Plan because the area would still look the same as it does today. Our customers would be renting our barn for a few hours at a time for a wedding venue or meeting facility.

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: Marcus Taulman
Address: 9732 S. 400 W. Columbus, IN. 47201
(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.

Marcus D Taulman (Applicant's Signature) 9/13/16 (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.

Marcus D Taulman (Owner's Signature) 9/13/16 (Date)

Pamela A Taulman (Owner's Printed Name)

If the person signing as the "owner" is not specifically listed as such in the records of Bartholomew County please indicate their relationship to that officially listed person, corporation or other entity.



We are requesting a variance to use our barn that is located on agricultural property as a banquet facility and wedding venue. The property is located on 95 acres. We also own property to the North, East and West of the proposed location. The property owner to the South of our location supports our plan to host weddings and events at this location.

We plan to be open 52 weeks a year. The majority of the rental days will probably be on Saturdays but we would be open all 7 days. Events could range from 2 hours to all day. We plan on having a maximum occupancy of 300 people.

Our plan will not affect the environment or current farmland use. The barn is already in existence along with the parking and driveway. We will not be changing anything that would change the appearance of this location. The farmland will be preserved and will be used for growing crops. Farming operations will continue. Our only request is to use the barn for people instead of tractors or equipment.

The barn itself is an enclosed structure, and is located pretty far off the road so noise should not be a negative factor. No events will begin before 7am and will end by 12am. We will have on site security and parking attendees to ensure the safety of the neighbors and guests. Our 95 acres exceeds the county's parking requirements of having 1 parking space per every 3 persons by seating capacity. The grounds are well maintained and will be kept that way.

Please consider this final thought. Wineries are considered agricultural use but are known to also host weddings and events. We own another property that is a mile north of this site that had already been approved for use as a winery before we purchased it. We are not asking to change the property's appearance in any way. We just want to rent out our barn to potential customers so that they may enjoy the peaceful country setting and scenic beauty that our farm offers.



400 W.





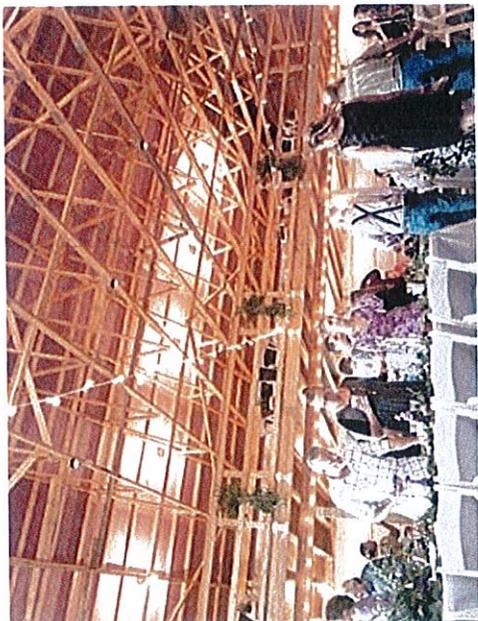
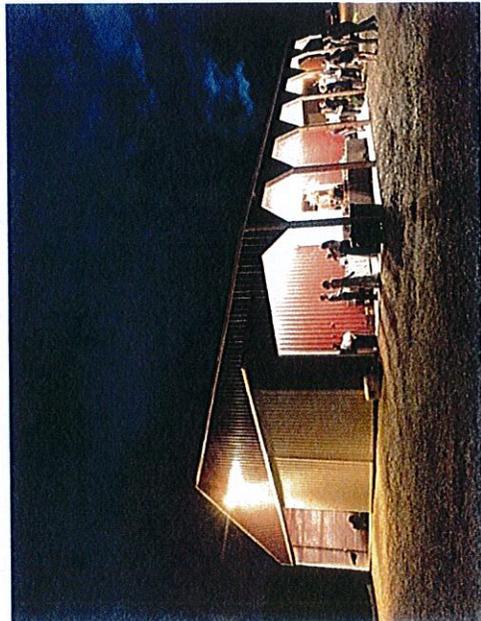
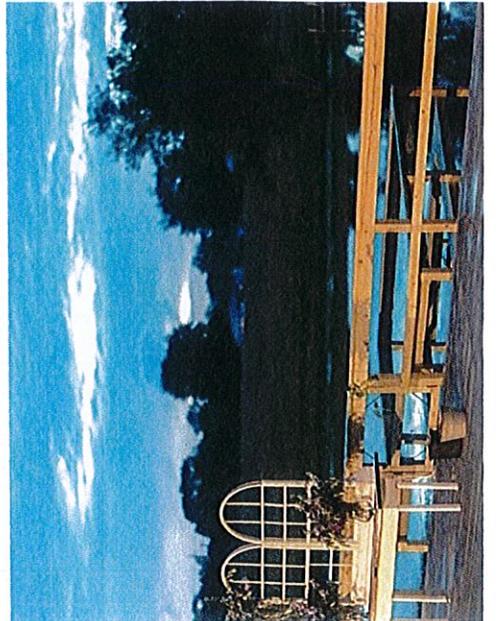
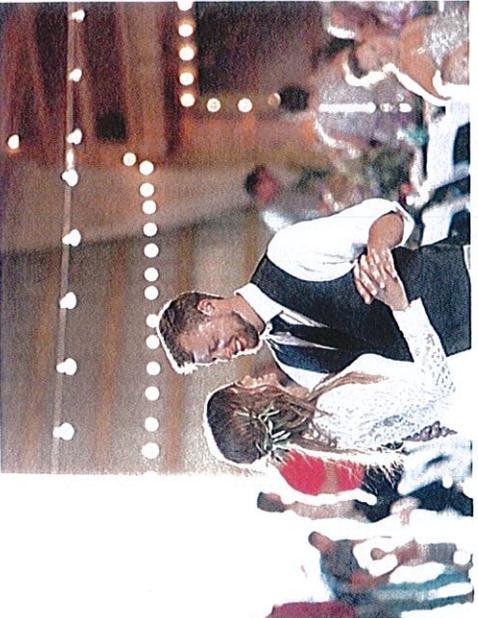
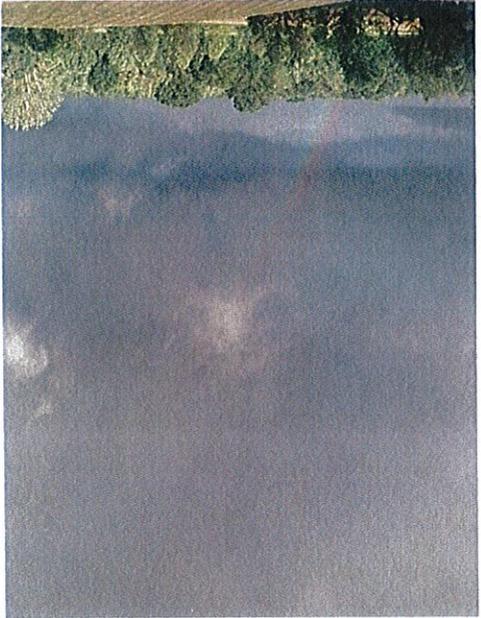
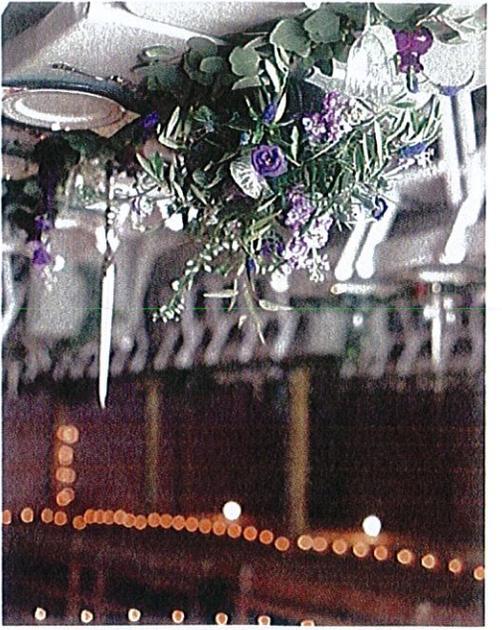
UTILITY BUILDING

RECEPTION SITE

CEREMONY SITE









# RECEIPT COLUMBUS PLAN COMMISSION

No 9071

General FUND

COLUMBUS IN., Sept. 14 2016  
RECEIVED FROM Indiana Custom Machining (Marcus Taulman) \$ 250.00  
THE SUM OF two hundred fifty <sup>00</sup>/<sub>100</sub> DOLLARS  
ON ACCOUNT OF use variance

PAYMENT TYPE & AMOUNT

CASH \_\_\_\_\_  
 CHECK 11123 M.O. \_\_\_\_\_  
E.F.T. \_\_\_\_\_ C.C./BC \_\_\_\_\_ OTHER \_\_\_\_\_

[Signature]  
AUTHORIZED SIGNATURE

