



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

STAFF REPORT

Docket No. / Project Title: B/CU-16-11 (Travis Anderson)
Staff: Charles Russell
Applicant: Travis Anderson
Property Size: 3.5 Acres
Zoning: AG (Agriculture: General)
Location: 2123 N 500 W, in Harrison Township

Background Summary:

The applicant is requesting to operate an in-home pet care business. The business will cater to dogs of all sizes and breeds.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is an in-home pet care business for multiple dogs appropriate at this location?

Preliminary Staff Recommendation:

Approval – All criteria have been met with commitments.

Commitments:

- Existing opaque fencing along the north and south property lines in the rear yard shall be maintained to provide adequate buffering between the outdoor play area and neighboring properties.
- No outdoor kennels or other accessory structures for the purpose of housing dogs shall be constructed.
- Pick-up and drop-off of the animals shall predominately be provided by the applicant. Incidental pick-up and drop-off of dogs at the property by clients is permitted.

Zoning District Intent:

The intent of the AG (Agriculture: General) zoning district is as follows: This district is intended to provide areas for a mixture of agricultural and residential land uses. This mixture is intended to support the long-term viability of agricultural operations, while also allowing non-agricultural development adjacent to developed infrastructure.

Current Property Information:	
Land Use:	Single-Family Residential

Site Features:	2/3rds of the property is heavily wooded, including the front yard A 40,000 square foot field is located behind the house
Flood Hazards:	No mapped flood hazards.
Vehicle Access:	500 West (Minor Arterial, Rural, Residential)

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	AG (Agriculture: General)	Large-lot single-family residential Camp Atterbury Wooded and agricultural areas
South:	AG (Agriculture: General) AP (Agriculture: Preferred)	Large-lot single-family residential Wooded and agricultural areas
East:	AG (Agriculture: General)	Large-lot single-family residential Wooded and agricultural areas
West:	AG (Agriculture: General)	Large-lot single-family residential Wooded and agricultural areas

Interdepartmental Review:	
Code Enforcement:	No issues with this request.

Planning Consideration(s):

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

1. The applicant is requesting conditional use approval for a home-based business involving the in-home pet care of dogs. The applicant currently fosters dogs as part of the non-profit Community Animal Rescue Effort (C.A.R.E.) network and would like to expand to commercial pet-care.
2. The proposed home-based business would include pet sitting, grooming, house visits, walking, jogging, and transporting. The applicant indicated during meetings with staff that they would provide transportation for the pets, and customer visits to the property would be minimal.
3. The applicant indicated they anticipate 3-5 dogs daily during the week, with up to 20 dogs during weekends and holidays.
4. Dogs are kept in the home unless outside for supervised play. There are currently no outdoor kennels.
5. The property has access from 500 W. The house is setback 280 feet from the road, and the front yard area is heavily wooded. Behind the house is a large field approximately 40,000 square feet in size. This area has perimeter fencing. Additionally the property has a large wooded area to the south of the field.

6. The property to the north of the applicant is heavily wooded and is used for single-family residential. It is located 98 feet from the closest dog area. The property to the south is also residential, but is not wooded. The surrounding area is rural in character with houses located both on and setback from 500 W. The area is a mixture of large-lot single-family residential, farmland, and wooded areas.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as General Rural.

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

1. POLICY 3-HG: Require appropriate buffer areas between different land uses.
2. POLICY 4-F: Encourage neighborhood business areas that are compatible with their surroundings, properly buffered, and appropriately located.
3. POLICY 12-A: Protect ground and surface water from contamination by chemicals, industrial waste, septic systems, animal waste, human waste, and sludge.
4. POLICY 13-A: Encourage proper maintenance of buildings and grounds, to promote economic stability, health, and safety. This maintenance includes but is not limited to discouraging the outdoor accumulation of inoperable or unlicensed vehicles, use appliances, furniture, and debris.
5. POLICY 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, and 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 area of the property that will be used for the pet-care is setback 280 feet from 500 W, and has fencing around the perimeter. Additionally the property is buffered from adjacent neighbors by wooded areas. *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 outside area is fenced-in with a double fence at entry/exit points. Additionally, the dogs are kept inside, and there are no intentions to build kennels outside the house for the business. For this property the development taking place is not out of character for similar residential uses. *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: Fencing is not out of character for rural properties, especially where the purpose is for animal containment. The property is heavily wooded, providing a sufficient buffer for adjacent properties. Additional traffic is expected to be minimal, as pick-up and drop-off of pets will be provided by the applicant. *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 surrounding area is largely rural residential with dense wooded areas and farmland. The character of the house would remain residential, with some additional

fencing in the rear yard. Additional fencing in rural areas is not uncommon, especially for the purpose of animal containment. *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

\$125
15 copies

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: B/CW-16-11
Docket No.: B/CW-16-11

Hearing Procedure: Board of Zoning Appeals Hearing Officer



Conditional Use Application:

Note: It is recommended that all conditional use 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 meeting.

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

Name: TRAVIS ANDERSON
Address: 2123 N 500 W Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No: (812) 350-5460 Fax No.: _____ E-mail Address: tbanderson@ymail.com

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

Name: TRAVIS ANDERSON
Address: 2123 N 500 W Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No: (812) 350-5460 Fax No.: _____ E-mail Address: tbanderson@ymail.com

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

Name: TRAVIS ANDERSON
Address: 2123 N 500 W Columbus IN 47201
(number) (street) (city) (state) (zip)
Phone No: (812) 350-5460 Fax No.: _____ E-mail Address: tbanderson@ymail.com

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: 2123 N 500 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):

Conditional Use Requested:

I am requesting a conditional use as listed by Section 6.6 (B) of the Zoning Ordinance to allow the following:

TO PROVIDE A FUN AND SAFE PLACE FOR BUSINESS CLIENT AND C.A.R.E.
FOSTER DOGS TO PLAY AND SOCIALIZE WHILE RECEIVING 24 HOUR CARE.
TO ALLOW IN-HOME PET CARE FOR MULTIPLE DOGS.

Conditional Use Criteria:

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

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

6 FT. PRIVACY FENCING SURROUNDS THE PERIMETER OF THE OUTSIDE PLAY YARDS.
6 FT. SECONDARY FENCING ALSO PROVIDES A DOUBLE GATE ENTRY/EXIT SYSTEM,
ENCLOSURE TO THE INGROUND POOL, AND DIVISION OF THE YARD AND ACTIVITY FIELD.
ALL OUTSIDE PLAYTIME IS SUPERVISED.

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

THE HOME-BASED BUSINESS WILL REMAIN RESIDENTIAL IN CHARACTER. NO ADDITIONAL
BUILDINGS, PARKING AREAS, OR SIGNS WILL BE CONSTRUCTED. THE BUSINESS PLANS
TO MAINTAIN THE RESIDENTIAL APPEARANCE WHILE ENSURING A FUN AND SAFE
ENVIRONMENT FOR THE PETS.

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.**

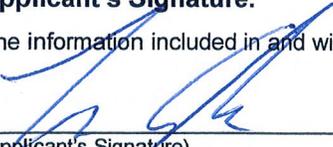
THE PROPERTY AND HOME WILL BE WELL KEPT AND MAINTAINED TO A PRESENTABLE
STANDARD. ALL PET WASTE WILL BE REGULARLY DISPOSED OF. DOG BARKING WILL
BE MANAGED AND HELD TO A MINIMAL LEVEL. TREES, LANDSCAPING, AND PRIVACY
FENCING WILL CONTINUE TO BE MAINTAINED ALONG THE PROPERTY'S PERIMETER TO ENSURE
SOUND AND VISUAL BARRIERS OF BUSINESS USE.

4. **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.**

THE HOME-BASED BUSINESS WILL ENSURE A SAFE AND HEALTHY ENVIRONMENT TO THE
NEIGHBORHOOD. THE ECONOMIC VALUE OF THE NEIGHBORHOOD WILL NOT BE NEGATIVELY
EFFECTED BY THE ACTIVITIES OF THIS BUSINESS. THE GOAL OF THE OWNERS IS TO PROVIDE
AN OUTSTANDING SERVICE TO THE COMMUNITY WHILE IMPROVING THE RESIDENTIAL
APPEARANCE OF THE NEIGHBORHOOD.

Applicant's Signature:

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



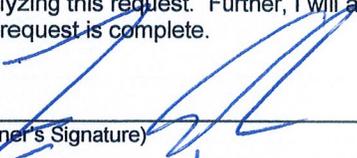
(Applicant's Signature)

10/21/16

(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.



(Owner's Signature)

10/21/16

(Date)

TRAVIS ANDERSON

(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.