



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

STAFF REPORT

Docket No. / Project Title: C/CU-16-14 (David Doty)
Staff: Charles Russell

Applicant: David Doty
Property Size: 5,350 square feet
Zoning: CO (Commercial: Office)
Location: 1007 Central Avenue, in the City of Columbus

Background Summary:

The applicant is requesting conditional use approval to operate an antique shop in a commercial office zoning district. The property is located on the northeast corner of 10th Street and Central Avenue.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is an antique shop appropriate at this location?

Preliminary Staff Recommendation:

Approval – All criteria have been met.

Zoning District Intent:

The intent of the CO (Commercial: Office) zoning district is as follows: This district is intended to establish appropriate locations for professional office centers. Such centers may include both professional offices and complimentary retail uses and support facilities.

Current Property Information:	
Land Use:	Formerly office
Site Features:	The property has a small parking area with 7 spaces served by the alley from 10thh Street.
Flood Hazards:	The entire property is located in the Zone AE 100-year flood hazard area according to maps provided by FEMA. The majority of the property is located in the Haw Creek Flowpath according to the local Haw Creek floodplain map.

Vehicle Access:	Central Avenue (Principal Arterial, Urban, Residential) 10 th Street (Minor Arterial, Urban, Residential)
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Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RS4 (Residential: Single-Family 4)	Single-family homes
South:	CC (Commercial: Community Center)	Office Committee Union Offices
East:	RS4 (Residential: Single-Family 4)	Single-family homes First Assembly of God Church
West:	RE (Residential: Established) RM (Residential: Multi-Family)	Single-family homes Gateway Apartments

Interdepartmental Review:	
City Engineering:	There should be sufficient parking at the rear of the lot to accommodate the antique store. We have no issues with the proposed conditional use.
Code Enforcement:	No issues with request.
Floodplain Admin:	As shown on Flood Insurance Rate Map 18005C0134E, effective December 9, 2014, the subject property is located in Flood Zone AE, the 100-year floodway fringe. The structure on this property is also located in the flow conveyance path of the Haw Creek Flood Hazard Area. The change of use to an antique store has no implications for the floodplain regulations. However, any building addition or improvement to the property would be subject to the floodplain development regulations found in Zoning Ordinance Section 4.7.
City Fire:	Egress paths must be maintained in accordance with fire codes. We do not have any 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 to operate an antique store at this location. They have indicated the hours of operation will be from 9 am until 8 pm. The business will have three employees. Only one employee will be working at a time with rotating shifts throughout the day.
2. The Zoning Ordinance requires 1 parking space for every 250 square feet of usable floor area. The applicant has indicated the structure is 962 square feet in area. 4 parking spaces would be required for this use. 7 spaces are currently provided.
3. Access to the property is available via an alley between 10th and 11th Street.
4. The surrounding area is largely residential in character. Single-family homes are located to the north and east. Additional single-family homes and Gateway Apartments are located to the west. The

Office Committee Union office is located to the south. The subject property is also residential in character with landscaping and architectural features similar to that of nearby residential properties.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Residential.

The Comprehensive Plan includes this property in the Columbus Central Neighborhoods character area. The following planning principles for that character area apply to this application:

1. The city should develop a strategy for encouraging reuse or replacement of empty buildings.
2. Redevelopment for conversion of residential uses to other uses should be considered only for large tracts, such as entire blocks, rather than permitted on a piecemeal basis.
3. General commercial uses such as shopping centers and large retail establishments should be confined to locations on arterial streets and should be only in suburban business centers.
4. Neighborhood commercial uses should be allowed only in neighborhood business centers; spot commercial should not be permitted.
5. Neighborhood commercial uses should be of a scale and design compatible with the residential areas.
6. The traditional grid street pattern should be retained, along with the alley system that serves as a secondary access to many properties.

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

1. **POLICY A-2-9:** Preserve and enhance the character of neighborhoods. *Other neighborhoods have distinctive characteristics which should be retained. These vary from one neighborhood to another, but they include such things as smaller lots, lesser setbacks, service alleys, and a distinctive architectural style.*
2. **POLICY A-2-12:** Encourage the maintenance of buildings and grounds. *Proper maintenance improves and stabilizes property values, while deteriorating buildings, peeling paint, sagging porches, accumulation of trash, and unkept yards do the opposite.*
3. **POLICY A-2-18:** Maintain and enhance neighborhood-scale business areas with special attention to the unique character of each area. *Neighborhoods can be enhanced by convenient shopping areas, provided that these are of a type, size, and design consistent with their surroundings.*
4. **POLICY E-1-12:** Encourage businesses that are consistent in scale and character with the residential neighborhood and which do not detract from the enjoyment of residential properties.

Bicycle & Pedestrian Plan: Sidepaths are recommended on both sides of 10th Street from Central Avenue to US 31.

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 proposal does not represent a significant risk to public health or safety. There is adequate visibility to enter and exit the property from 10th Street. *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 property meets the standards set by the Zoning Ordinance for parking, and is consistent with other similar development in the area. *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 property has limited parking, which prevents high intensity uses from occurring. Additional traffic generated by the proposed use is expected to be minimal. Granting of this request would not interfere with or negatively affect the use or value of adjacent 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 business is located in a house that was converted to an office. The character of the property is still largely residential in terms of landscaping, architectural elements, and minimal signage. *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

15 copies
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AUG 23 2016
BY: AEK

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: repeal CO
Docket No.: C/CU-116-14

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: DAVID L. DOTY
Address: 2710 FRANKLIN DR. COL. IN. 47201
(number) (street) (city) (state) (zip)
Phone No.: 812-447-5616 Fax No.: _____ E-mail Address: dldmechanical@yahoo.com

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

Name: JOEL SPOON
Address: 2070 DOCTORS PARK DR. COL. IN. 47203
(number) (street) (city) (state) (zip)
Phone No.: 812-376-0761 Fax No.: _____ E-mail Address: Spoonrealestateatrealtor.com

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

Name: DAVID L. DOTY
Address: 2710 FRANKLIN DR. COL. IN. 47201
(number) (street) (city) (state) (zip)
Phone No.: 812-447-5616 Fax No.: _____ E-mail Address: dldmechanical@yahoo.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: 1007 CENTRAL AVE COL 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 3.19 (C)^{CR} of the Zoning Ordinance to allow the following:

Antique shop AEK

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.

I would suggest that the approval of the conditional use would not be injurious to the public because the business won't have a lot of traffic. It will be a small operation with a few customers.

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

It should fit well because the business will sell antiques and will match the building and fit with the character of the neighborhood.

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.

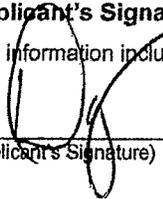
The business will be a quiet business. Everything business related will be contained to the property.

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.

I would suggest this type of zoning is the highest and best use for the property.

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)

8-22-16
(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)

8-22-16
(Date)

Joel Spoon

(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.

1007 Central Ave

