



**BARTHOLOMEW COUNTY
BOARD OF ZONING APPEALS
(April 26, 2016 Meeting)**

STAFF REPORT

Docket No. / Project Title: B/UV-16-01 and B/DS-16-05 (Driftwood Utilities)
Staff: Emilie Pinkston
Applicant: Driftwood Utilities
Property Size: 27,878 Square Feet
Current Zoning: CC (Commercial: Community Center)
Location: 9560 Depot Street, in German Township (Taylorsville)

Background Summary:

The applicant has indicated that the proposed use variance from Zoning Ordinance Section 3.20(A) is for the purpose of allowing the expansion of a utility storage facility in the CC (Commercial: Community Center) zoning district. Driftwood Utilities has operated a utility storage facility on the subject property for approximately 15 years. At this time, the applicant wishes to expand this use with the construction of a 30 foot by 60 foot (1,800 square foot) storage building. This building is intended to provide indoor storage for a work vehicle and various other supplies. The construction of the additional storage building results in a significant modification of the subject property, resulting in the requirement that all site features meet the current standards of the Zoning Ordinance. With respect to the development of the site, the applicant has proposed the following development standards variances:

1. A development standards variance from Zoning Ordinance Section 8.2(Table 8.4) to waive the requirement to install a Landscape Buffer Type A along the north and west property lines of the subject property.
2. A development standards variance from Zoning Ordinance Section 7.2(Part 4)(A)(1) to waive the requirement to pave access drives, drive aisles, and parking spaces.
3. A development standards variance from Zoning Ordinance Section 7.3(Part 1)(D)(1) to waive the requirement to install curbing at the driveway entrance to John Street.
4. A development standards variance from Zoning Ordinance Chapter 8.1 to waive the requirement to install all landscaping on the subject property.

Preliminary Staff Recommendation:

Use Variance: Denial, Criteria 3 and 4 have not been met.

Development Standards Variance #1 (Landscape Buffer Type A): Denial, Criteria 1, 2, and 3 have not been met.

Development Standards Variance #2 (Paving): Denial, Criteria 1 and 3 have not been met.

Development Standards Variance #3 (Curbing): Denial, Criteria 1 and 3 have not been met.

Development Standards Variance #4 (Landscaping): Denial, Criteria 1, 2, and 3 have not been met.

Zoning Ordinance Considerations:

District Intent [CC (Commercial: Community Center) zoning district]: The intent of the CC (Commercial: Community Center) zoning district is as follows: This district is intended to establish appropriate locations for a variety of businesses providing a variety of goods and services to (1) community-wide consumers and (2) those who travel through or visit the area. This zoning district is not intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.

Permitted Uses: The following uses are permitted in the CC (Commercial: Community Center) zoning district:

- 1. Communications / Utility Uses
 - o Communication Service Exchange
 - o Utility Substation
 - o Water Tower
- 2. Public / Semi-Public Uses
 - o Clinic
 - o Community Center
 - o Day-Care (Adult or Child)
 - o Funeral Home
 - o Government Office
 - o Police, Fire, or Rescue Station
 - o Post Office
 - o Trade or Business School
 - o Worship Facility
- 3. Park Uses
 - o Nature Preserve / Conservation Area
 - o Park / Playground
- 4. Commercial Uses
 - o Auto-Oriented Uses (Small, Medium, and Large Scale)
 - o Auto Rental (Includes Truck, RV, etc.)
 - o Builder’s Supply Store
 - o Equipment Rental
 - o Health Spa
 - o Hotel / Motel
 - o Instructional Center
 - o Liquor Store
 - o Office Uses
 - o Personal Service Uses
 - o Recreation Uses (Small and Medium Scale)
 - o Restaurant
 - o Retail Uses (Small, Medium, and Large Scale)

Permitted Locations: The proposed use is neither permitted nor conditional in any zoning district.

Current Property Information:	
Land Use:	Utility Storage Facility
Site Features:	Existing 26 foot x 28 foot (728 square foot) storage building and a gravel driveway and parking area.
Flood Hazards:	No flood hazards exist on the subject property.

Vehicle Access:	The subject property gains access from John Street (Local Street) and Depot Street (Local Street).
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Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	RE (Residential: Established)	Single-Family Residential
South:	CC (Commercial: Community Center)	Retail (Taylorsville Resale Shoppe), Multi-Family Residential
East:	CC (Commercial: Community Center)	Louisville and Indiana Railroad
West:	RE (Residential: Established)	Single-Family Residential

Interdepartmental Review:	
County Highway Engineer:	County Highway does not have an issue with adding an entrance off of John Street. The location of the new structure is fine assuming that it conforms to all required building setbacks from the right-of-way.
County Fire Inspector:	There are no unusual concerns with this proposal. A fire inspection will be required prior to occupancy.
Code Enforcement:	Code Enforcement does not have any issues with this proposal from a building code standpoint.
Eastern Bartholomew Water Corporation:	Eastern Bartholomew Water Corporation has a water main on this property that comes off of John Street, turns 90 degrees south, runs to the property line, turns 90 degrees to the east heading toward Depot Street and runs about half the length of the south property line where it turns 90 degrees south again and extends off the property. A utility easement is not currently provided for this water line so Eastern Bartholomew Water requests a utility easement to cover the water main.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates this property as a development district.

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

1. **POLICY 3-D:** Encourage infill development and redevelopment in existing towns and villages.
2. **POLICY 3-HG:** Require appropriate buffer areas between different land uses.
3. **POLICY 3-IH:** Require new development to be in scale with its surroundings.
4. **POLICY 4-F:** Require neighborhood business areas that are compatible with their surroundings, properly buffered and appropriately located.
5. **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.

Planning Consideration(s):

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

1. Driftwood Utilities is proposing to expand an existing utility storage facility with the construction of a 30 foot by 60 foot (1,800 square foot) storage building. The new structure is intended to provide indoor storage for a work vehicle and various supplies. Driftwood Utilities has been operating a utility storage facility on the subject property for approximately 15 years. The site currently includes a 26 foot by 28 foot (728 square foot) storage building and a gravel parking area. The applicant has indicated that the short term plans for the existing structure include remodeling for storage purposes but long term plans include the addition of office space.
2. In 2001, the approximate year that Driftwood Utilities began utilizing the subject property for utility storage purposes, the development and use of this property was regulated by the former Bartholomew County Zoning Ordinance. At that time, the subject property was zoned C1, a local business zoning district. Due to a previous use on the subject property, Driftwood Utility's utility storage facility was a grandfathered use, and thus allowed, at this location. When the former Bartholomew County Zoning Ordinance was repealed in 2008 the site was subsequently zoned to CC (Commercial: Community Center) with the adoption of the current Zoning Ordinance. Because Driftwood Utilities is planning to expand the existing use in the CC zoning district, a use variance is required.
3. A utility storage facility is not included in the Zoning Ordinance's list of land uses. Zoning Ordinance Section 3.2(B) states that any use not listed as a permitted use or conditional use is considered prohibited. The Planning Director may determine into which category any questionable use is placed if it is not specifically listed but is similar to another use that is a permitted or a conditional use. In this particular case, the proposed use is not similar to any other listed land use; therefore, the applicant is required to request a use variance.
4. The applicant has indicated that the anticipated traffic at the subject property will be, on average, 6 vehicles per day, which would include Driftwood employees and customers who visit the facility to utilize the payment drop box.
5. The Zoning Ordinance does not specify a required number of on-site parking spaces for utility storage facilities. Therefore, if approved, the Board of Zoning Appeals must determine the appropriate number of spaces based on the intensity and characteristics of the proposed use. The striping of on-site parking is currently not proposed. The applicants intend to utilize an existing gravel area for any current parking needs and plan to assess the need for parking at a later date. Nonetheless, the Board of Zoning Appeals has the authority to determine an appropriate number of parking spaces based on the current proposal. For comparison purposes, Table 7.2 of the Zoning Ordinance lists the following parking requirements:
 - o For office uses, the Ordinance requires 3 parking spaces for every 1,000 square feet of gross floor area, and
 - o For government facilities, the Ordinance requires 1 parking space for every 300 square feet of usable floor area, plus 1 parking space for every vehicle stored on-site, plus 1 parking space for every employee.
6. The applicant has indicated that no outdoor storage of materials will occur on the site.
7. The context of the area includes a mix of residential and commercial uses. To the north and west is a single-family residential neighborhood. The properties to the south include a multi-family residential structure and a small-scale retail establishment. Approximately 200 feet south of the subject property is Tannehill Road / County Road 650 North, a collector road that serves as the primary east-west route through Taylorsville. To the east of the subject property and across Depot Street is an existing rail line operated by the Louisville and Indiana Railroad.
8. The subject property is located within the 5-year time-of-travel of the Wellfield Protection Overlay District. The Zoning Ordinance lists a number of development standards that apply in this overlay district, the most relevant of which is that all vehicle and auto repair facilities shall be located within an enclosed building that includes a floor constructed of material that forms an effective barrier to prevent the migration of fluids or other materials into the ground water. The applicant has indicated that no servicing or repair of vehicles or equipment will occur in the proposed structure.

9. If the Board of Zoning Appeals approves this use variance, the applicant's next step will be to submit a Zoning Compliance Certificate Application to the Planning Department for site plan review. During this review, Planning Department staff will examine all relevant development standards to ensure that the development complies with the Zoning Ordinance.
10. Zoning Ordinance Section 11.4(B)(3)(b) states that if the use of, or structure present on, a property is expanded by an amount equal to or greater than 100% (cumulative from the effective date of this ordinance), all site features shall be brought into conformance with all requirements of this Ordinance. That is the case with this proposal and all site features, including but not limited to landscaping, parking, paving, and lighting are required to come into compliance with the current standards of the Zoning Ordinance.
11. With respect to the requirement that all site features be brought into compliance with current Zoning Ordinance standards, the applicant is requesting the following development standards variances:
 - o A development standards variance from Zoning Ordinance Section 8.2(Table 8.4) to waive the requirement to install a Landscape Buffer Type A along the north and west property lines of the subject property.
 - o A development standards variance from Zoning Ordinance Section 7.2(Part 4)(A)(1) to waive the requirement to pave access drives, drive aisles, and parking spaces.
 - o A development standards variance from Zoning Ordinance Section 7.3(Part 1)(D)(1) to waive the requirement to install curbing at the driveway entrance to John Street.
 - o A development standards variance from Zoning Ordinance Chapter 8.1 to waive the requirement to install all landscaping on the subject property.
12. In Bartholomew County's jurisdiction, a Landscape Buffer Type A is required between the CC (Commercial: Community Center) zoning district and the RE (Residential: Established) zoning district. Therefore, this buffer is required along the north and west property lines of the subject property. A Landscape Buffer Type A consists of a minimum width of 25 feet in addition to the minimum setback otherwise required by the Ordinance. The landscaping shall be a dense buffer consisting of a fence or wall with landscaping, an opaque tree screen, or a combination of both. If the opaque tree screen was utilized, for example, conical evergreen varieties (such as White Pines and Spruces) must be planted in two staggered rows and spaced 8 to 10 feet apart, on center. The north and west property lines that abut the RE zoning district consist of a total of 320 (approximately) feet, which would require the installation of approximately 32 to 40 evergreen trees. The proposed variance seeks relief for the plantings, as well as the additional 25 foot building setback.
13. The applicant intends to construct a driveway from John Street to directly access the proposed structure. The Zoning Ordinance requires that all entrances from streets serving uses other than farms and single- and-two family residences shall be curbed from the beginning of any acceleration or deceleration lane, taper, or turning radii up to and including any landscaping area that separates the entrance from parking and loading areas.
14. In addition to landscape buffers, the Zoning Ordinance requires landscaping in a number of designated areas as described in Chapter 8.1. The applicant is requesting relief from installing all landscaping required in Chapter 8.1. The relevant landscape areas and the approximate landscaping required is listed in the table below:

Landscape Area	Description	Planting Requirement	Minimum Planting Requirement for Subject Property
Area #1 – Parking Lot Public Street Frontage	This landscape area refers to all setback areas for parking spaces, drive aisles, and loading/unloading areas.	For every 50 linear feet of frontage a minimum of 1 large tree or 1.25 medium trees, plus 7.5 ornamental trees or shrubs, shall be provided	1 large/medium tree and 8 shrubs along the John Street frontage
Area #2 – Parking Lot Interior	This landscaping is provided by landscaped islands and peninsulas within parking areas containing 25 or more parking spaces.	Landscaped islands and peninsulas with a surface area equal to 5% of the paved surface must be provided. A minimum of 1 large or medium tree and 6 shrubs shall be provided for every 300 square feet of landscaped area required.	Unless 25 or more parking spaces are required, no landscaping is required within the parking lot interior.
Area #3 – Front Setback	This landscape area refers to any portion of a front yard setback that is not included in Area #1.	The amount of landscaping is determined by multiplying the linear feet of lot frontage by 0.6.	Approximately 9 landscape points (2 shrubs)
Area #4 – Lot Interior	This landscape area refers to areas interior to the lot not included in any other landscape area.	The amount of landscaping is determined by multiplying the linear feet of outer wall perimeter of the primary structure by 0.25.	45 landscape points (approximately 6 shrubs or 2 large deciduous trees)
Area #5 – Freestanding Signs Exceeding 6 Feet	This landscape area refers to the base of all freestanding signs exceeding 6 feet in height.	A minimum of 40 landscape points is required at the base of freestanding signs exceeding 6 feet in height.	A freestanding sign is not currently proposed.

Use Variance 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: As indicated by the applicant, with an average of 6 vehicle trips per day, the proposed use will have minimal impact on the existing traffic patterns along Depot and John Streets, particularly relative to the amount of traffic that could be generated by other commercial uses permitted in the CC (Commercial: Community Center) zoning district. Furthermore, the subject property has adequate space for on-site parking so no overflow parking is expected within the adjacent right-of-way. *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: Traffic associated with the proposed use will be minimal so neighboring property owners should not experience a significant change in traffic patterns along Depot and John Streets. Also, the subject property has adequate area to provide on-site parking to serve the proposed use. Finally, the applicant has indicated that no outdoor storage is proposed, so all storage will take place within an enclosed building. *This criterion has been met.*

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

Provisional Findings: Although the utility storage facility is an existing use on the subject property, there is nothing peculiar about the subject property that makes it unsuitable for uses that are permitted in the CC (Commercial: Community Center) zoning district. The subject property exceeds the minimum lot area listed in the Zoning Ordinance for properties in the CC zoning district and could very practically be developed with a permitted land use. *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: There are several uses permitted within the CC (Commercial: Community Center) zoning district that could be accommodated on the subject property. Although the utility storage facility is an existing use on the subject property, the Zoning Ordinance does not create an unnecessary hardship on this property that would warrant the expansion of this non-conforming use at this location. *This criterion **has not** been met.*

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

Provisional Findings: The Comprehensive Plan encourages economic growth through the location of businesses that are compatible with their surroundings. The Plan also encourages appropriate buffer areas between different land uses. Therefore, if a Landscape Buffer Type A is installed as required by the Zoning Ordinance, *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.

Development Standards Variance #1 Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Bartholomew County Zoning Ordinance. The Board 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:

Variance Request #1 (Landscape Buffer Type A): A request for relief from the requirement that a Landscape Buffer Type A be installed along the north and west property lines.

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

Provisional Findings: Although landscape buffers are largely absent in the Taylorsville area where commercial uses border residential uses, waiving the requirement to install this buffer yard is a detriment to the property owners to the north and west, as well as a detriment to the character of the entire residential neighborhood. Exacerbating the lack of landscape buffers in this area, which provide a transition for dissimilar land uses, is not in the best interest of the neighborhood. *This criterion **has not** 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 Landscape Buffer Type A required by the Zoning Ordinance will act as a transition between the single-family residential uses to the north and west and the more intensive land use proposed on the subject property. Although the proposed use will have minimal activity initially, the applicant's long term plans may increase the intensity of the use and waiving this buffer requirement could impact the use and enjoyment of the adjoining residential properties. *This criterion **has not** 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: The installation of the Landscape Buffer Type A, including the plant material and the additional building setback, will not create difficulties in the development of the subject property. The property is of adequate size to accommodate the buffer and the proposed structure. *This criterion **has not** been met.*

Development Standards Variance #2 Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Bartholomew County Zoning Ordinance. The Board 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:

Variance Request #2 (Paving): A request for relief from the requirement that access drives, drive aisles, and parking areas be paved.

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

Provisional Findings: The Zoning Ordinance requirement to pave parking areas and access drives is intended to prevent the dust generated by gravel parking areas. The traffic expected at the subject property is minimal, and the dust generated from this parking area is unlikely to become a nuisance. However, granting this request is a detriment to other commercial

developers across Bartholomew County who are expected to pave their parking areas and access drives. Waiving this requirement is not in the best interest of the community. *This criterion **has not** 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 dust generated from the proposed gravel parking area should be minimal given the applicant's anticipated traffic volume. Adjoining property owners should not be negatively affected by the gravel parking area and should not experience a change in the use of their properties. *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: Paving the parking area and access drives does not present a practical difficulty in the use of this property. There is nothing peculiar about this property that warrants relief from this Zoning Ordinance standard. *This criterion **has not** been met.*

Development Standards Variance #3 Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Bartholomew County Zoning Ordinance. The Board 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:

Variance Request #3 (Curbing): A request for relief from the requirement to install curbing at the entrance to the subject property from John Street.

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

Provisional Findings: Curbing is required around entrances to protect required landscape areas and to prevent rutting and ponding near the turning entrance radii. Although traffic expected at the subject property is minimal, granting this request is a detriment to other commercial developers across Bartholomew County who are expected to curb their entrances. Waiving this requirement is not in the best interest of the community. *This criterion **has not** 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: Curbing is largely absent at commercial developments in the Taylorsville area. The lack of curbing is not expected to affect how neighboring property owners currently use their properties. Furthermore, the value of adjacent properties should not be affected by a lack of curbing. *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: Curbing the entrance from John Street does not present a practical difficulty in the use of this property. There is nothing peculiar about this property that warrants relief from this Zoning Ordinance standard. *This criterion **has not** been met.*

Development Standards Variance #4 Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the Bartholomew County Zoning Ordinance. The Board 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:

Variance Request #4 (Landscaping): A request to waive the requirement to install landscaping on the property per Zoning Ordinance Chapter 8.1.

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

Provisional Findings: Landscaping on commercial properties is largely absent in the Taylorsville area. However, exacerbating this lack of landscaping by granting this request is not in the best interest of the surrounding residential area. The Zoning Ordinance requires redeveloped properties to comply with the landscape requirements in order to improve areas that don't currently experience the benefits provided by landscaping. *This criterion **has not** 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 landscape ordinance is intended to protect the character of surrounding neighborhoods, control wind-blown dust and debris, shield adjacent properties and streets from light and glare, and break up large expanses of paved areas. Commercial developments affect the character of nearby residential areas, and landscaping is a method of minimizing this impact. Allowing the use without the required landscaping could have an impact on the enjoyment and use of neighboring properties. *This criterion **has not** been met.*

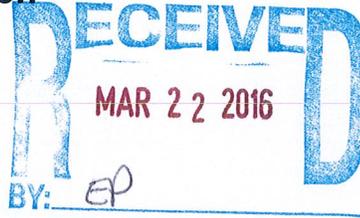
- 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: Installing landscaping consistent with Chapter 8.1 of the Zoning Ordinance does not present practical difficulties in the use of this property; the required landscaping is minimal. There is nothing peculiar about this property that warrants relief from installing the required landscaping. *This criterion **has not** been met.*

Board of Zoning Appeals Options:

In reviewing a request for development standards 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: CC
Docket No.: B/UV-16-01

Use Variance Application:

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

Name: Driftwood Utilities Inc.
Address: 9560 Depot Street Taylorsville IN 47280
(number) (street) (city) (state) (zip)
Phone No.: NA Fax No.: _____ E-mail Address: _____

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

Name: SAME
Address: _____
(number) (street) (city) (state) (zip)
Phone No.: _____ Fax No.: _____ E-mail Address: _____

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

Name: Jason Newton - Driftwood Utilities INC
Address: PO Box 446 Columbus IN 47202
(number) (street) (city) (state) (zip)
Phone No.: (812)350-0175 Fax No.: (812)379-2635 E-mail Address: JNewton@BCREMC.NET
How would you prefer to receive information (please check one): E-mail Phone Fax Mail

Property Information:

Address: 9560 Depot Street Taylorsville IN 47280
(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):

Parcel # 03-05-23-230-004. 500-009

Variance Requested:

I am requesting a variance from Section 3.20 (A) of the Zoning Ordinance to allow the property to be used for the following:

To add another building to accommodate
Necessary equipment and records for utility.
(a Utility Storage Facility) EP 3-22-14

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.

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

No, this building will not contain any materials
that are injurious to the public.

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 use will not have a negative impact
to adjacent properties.

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

Property is zoned CC but granting variance
is consistent with how property is
currently being used and how property
has always been used.

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.

Not approving this variance will not allow us to
continue to use property and add office area
in the future. customers have used this location
as a payment drop for over 16 years and
we would like to stay in this location.

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

No - Granting will be consistent with
surrounding area.

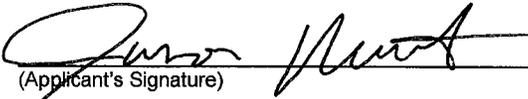
Application Fee Refund Information:

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: Driftwood Utilities INC.
Address: PO Box 446 Columbus IN 47202
(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.


(Applicant's Signature)

3/22/14
(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.

 President
(Owner's Signature)

3/22/14
(Date)

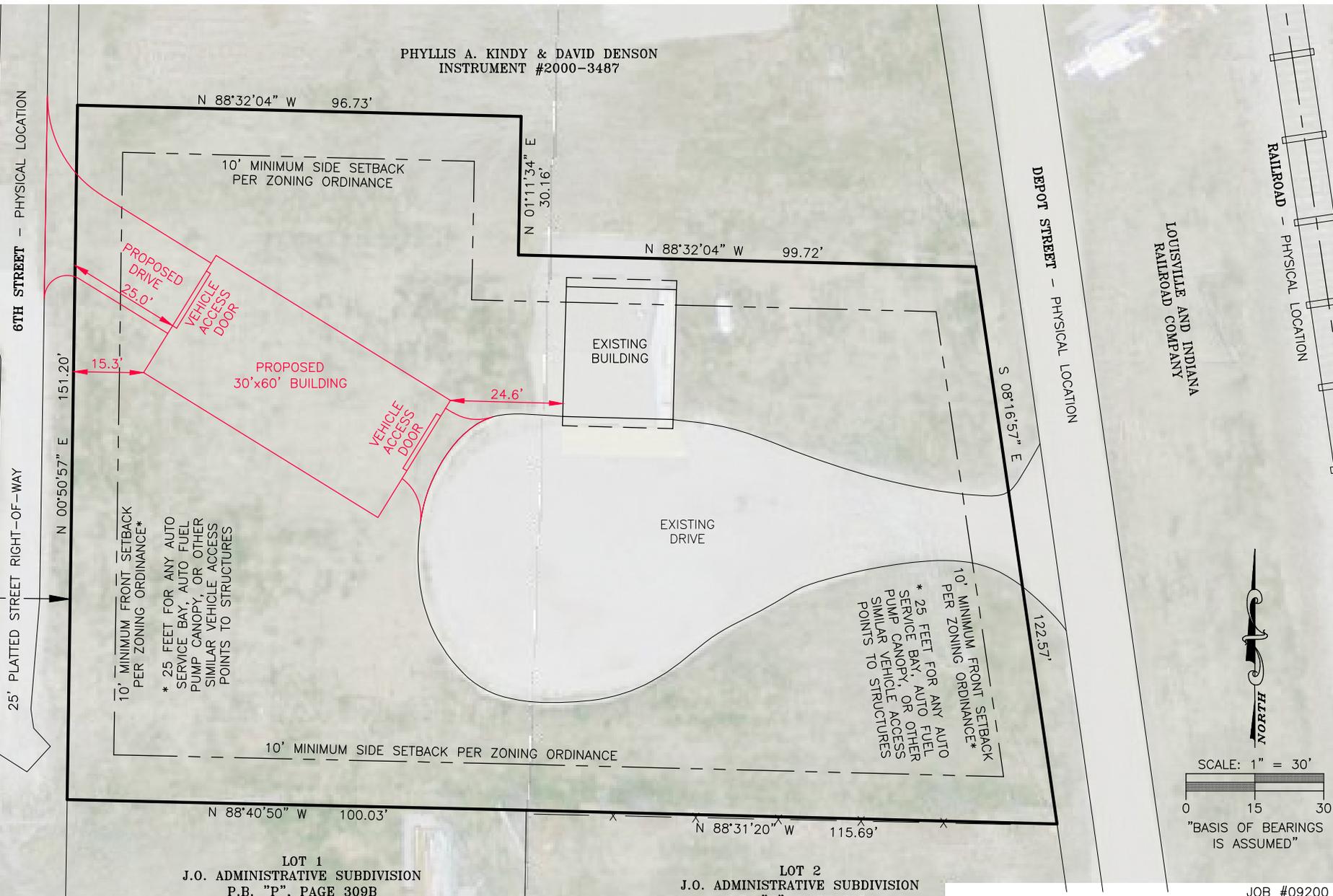
(Owner's Signature)

(Date)

LOT 18
 PLAT OF NORTH
 PARK ADDITION TO
 TAYLORSVILLE, IND.
 P.B. "E", PAGE 116

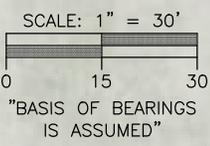
REPLAT OF LOT 19 NORTH PARK ADDITION MINOR PLAT
 P.B. "H", PAGE 67

PHYLLIS A. KINDY & DAVID DENSON
 INSTRUMENT #2000-3487



LOT 1
 J.O. ADMINISTRATIVE SUBDIVISION
 P.B. "P", PAGE 309B

LOT 2
 J.O. ADMINISTRATIVE SUBDIVISION
 P.B. "P", PAGE 309B



CURRENT ZONING: COMMERCIAL: COMMUNITY (CC)

FLOOD INFORMATION: SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE
 "X"-UNSHADED ON FEMA FIRM MAP NUMBER
 18005C0037E, DATED DECEMBER 9, 2014.

BOUNDARY INFORMATION: THE BOUNDARY OF SUBJECT PROPERTY IS SHOWN
 PER A BOUNDARY SURVEY TITLED "DRIFTWOOD
 UTILITIES, INC. BOUNDARY SURVEY" AND RECORDED
 IN PLAT BOOK "Q", PAGE 348C IN THE OFFICE OF
 THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA.

**DRIFTWOOD UTILITIES
 PROPOSED BUILDING EXHIBIT**

PART OF MILL LOT 2 -
 ORIGINAL PLAT OF THE
 TOWN OF TAYLORSVILLE

SEC. 23, T-10-N, R-5-E
 BARTHOLOMEW COUNTY, IND.

www.ilsurveying.com

SHEET: 1/1	SCALE: 1" = 30'
DWG REVISION DATES	
DRAWN BY: BAS	- -
DWG DATE: 3/31/16	- -
DWG NAME: 09200 NEW BLDG CONCEPT.dwg	

414 South Main Street
 Brownstown, Indiana 47220
 Phone: 812-358-2882
 Fax: 812-358-2605

3640 Commerce Drive
 Columbus, Indiana 47201
 Phone: 812-372-0996
 Fax: 812-372-6160

JOB #09200