



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(December 20, 2011 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/CU-11-11(Todd Franke)
Staff: Melissa Begley
Applicant: Todd Franke
Property Size: 31,612 square feet
Zoning: CC (Commercial: Community)
Location: 312 South Mapleton Street, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed conditional use will allow a plumbing contractor's office in a CC (Commercial: Community) zoning district.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is the site appropriate for a plumbing contractor's office?

Preliminary Staff Recommendation:

Approval, all criteria have been met.

Zoning District Intent:

The intent of the CC (Commercial: Community) zoning district is as follows: The CC (Commercial: Community) zoning district is to establish appropriate locations for a variety of businesses providing a variety of goods and services to community-wide customers and those who travel through or visit the area. This zoning is not intended for use along high traffic corridors, but should be applied to significant intersections along major transportation routes.

| Current Property Information: | |
|--------------------------------------|--|
| Land Use: | Industrial |
| Site Features: | A two story structure and wood privacy fence along the rear of the property |
| Flood Hazards: | No flood hazards exist on this property |
| Vehicle Access: | State Road 46 (Arterial, Commercial, Suburban), South Mapleton Street (Local, Residential, Suburban) |

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 will not be injurious to the public, health, safety and general welfare of the community. With a commercial property located to the north and an industrial property located to the south of the subject property, a contractor's office would fit well within the context of the area. There is park ground to the west and acts as a buffer to the residential property on Pence Street. There are two existing residential properties to the east. A contractor's office will be less intensive of a use than the previous Tow Truck company that was located on the site. *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: There are no violations on the property. The change in use does not trigger any development standard improvements and will be consistent with similar uses 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 proposal is not contrary to the general purposes served by the zoning ordinance. The building is located on a site which predates the current ordinance, but is compatible with the surrounding area, which is a mix of commercial, residential, and industrial uses. *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 approval of the contractor's office will be consistent with the character of the zoning district, which includes "encouraging property rehabilitation" and Comprehensive plan recommendations, such as "encouraging a business-friendly climate which will foster growth in the commercial sector, while protecting the character of neighborhoods". The contractor's office will be consistent with other uses within this area. *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.

376 2550 - Mellisa

Columbus – Bartholomew County Planning Department Conditional Use Application

Planning Department Use Only:

Jurisdiction: Columbus Bartholomew County

Zoning: _____

Docket No.: _____

Hearing Procedure: Hearing Officer Board of Zoning Appeals

Conditional Use Application:

Applicant Information:

Name: Todd Franke
Address: 5300 South 1100 east Elizabethtown, Ind 47232
(number) (street) (city) (state) (zip)
Phone No.: 372 3797 Fax No.: 372 3550 E-mail Address: _____

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

Name: Jan Nugent
Address: 913 Mockernut court Columb Ind 47201
(number) (street) (city) (state) (zip)
Phone No.: 344-4188 Fax No.: _____ E-mail Address: _____

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

Name: Todd Franke
Address: Same as Above
(number) (street) (city) (state) (zip)
Phone No.: _____ Fax No.: _____ E-mail Address: _____

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

Property Information:

Address: 312 South Mapleton Columbus Ind 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 3.20 (B) of the Zoning Ordinance to allow the following:

A CONTRACTOR'S OFFICE IN A CC (COMMERCIAL: COMMUNITY)
ZONING DISTRICT

Conditional Use Criteria:

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

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

① We will be making big improvement on property NO
Danger if anything it will be a safer and more appealing
piece of property

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

② would like to demo existing building and put up - 8-12000'
sq ft post frame building. Nothing should be stored outside.
We will need 5 to 6 parking spaces for employee's

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.

③ I think our building would fit in fine with
others and fit in with the other contractor office's around
there

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.

④ Property right now has a wooden privacy fence around
the alley side and southern part of property. A landscape
buffer of 25ft would greatly reduce sq footage of property
which is 220 feet long and reduce building size and my turn around
capability in back. There is a muffler shop next door and southern
machine co. to the south and a auto repair business and
a car storage lot. To the west is open field over to Pence
street - The business that left there was a wrecker service for
14 yrs

Applicant's Signature:

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

Todd Frate

(Applicant's Signature)

11-11-11

(Date)

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.

Jan Nugent

(Owner's Signature)

11/14/2011

(Date)

(Owner's Signature)

(Date)