

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**BOARD OF ZONING APPEALS
STAFF REPORT
AUGUST 3, 2020 PUBLIC HEARING**

Case Number:	Docket #20-30
Applicant:	Kent Frandsen for Pratt's Storage LLC
Location:	The subject property is located at 1005 S Indianapolis Rd, Lebanon, Indiana 46052.
Acreage and Zoning	The subject property is zoned Single-Family Residential (SF) and in the Thoroughfare Overlay District and comprised of 3.12 acres.
Property History:	<p>History of Property: The subject property was before the Board of Zoning Appeals on January 6, 2020 and received Use Variance approval to allow Mini-Warehouse Self-Storage Facilities within the SF zoning district.</p> <p>Lebanon Planning Staff Determination: Pratt's Storage presented the intent to construct an additional self-storage building on the subject property. As new construction, the proposed project is required to meet all applicable development standards regardless of the existing improvements on the site. The applicant has been able to meet a number of requirements with this proposed project, but due to the nature of the existing improvements on the property, a number of Variance requests were determined to be necessary.</p>
Variance Request(s):	<p style="background-color: #e0e0e0;">Applicant Request: Development Standard Variance Request</p> <p>Variance Request #1 – Metal Building Construction UDO Section 6.1.L.2 The applicant is seeking to construct the new facility that includes a combination of stucco (permitted material) and vertical metal siding. Buildings constructed of metal are not permitted within the Thoroughfare Overlay District. The applicant is requesting relief from this requirement.</p> <p>Variance Request #2 – Lot Plantings UDO Section 6.1.L.3.d Within the Thoroughfare Overlay District, the building is required to include building base landscape plantings on a minimum 75% of the building's perimeter. Due to the design of the facility and site, the applicant is requesting relief from this requirement.</p>

Variance Evaluation:	<p>Variance Request #3 – Parking Area Curbing UDO Section 7.5.C.3 The UDO requires that all parking areas for non-residential uses shall be completely curbed. The applicant is proposing a paved drive access area to the new building that would not include curb and is requesting relief from this requirement.</p>
	<p>Variance Request #4 – Corridor Buffer UDO Section 6.1.L.3.c The Thoroughfare Overlay District requires a minimum 20-foot corridor buffer along the frontage adjacent to the thoroughfare. Because the subject property is a corner lot, the buffer would be required along both street frontages. The applicant has proposed parking lot perimeter landscaping across the southern property line and a row of evergreen trees along the western property line, providing significant additional landscaping than what currently exists on the property.</p>
	<p>Variance Request #5 – Street Trees UDO Section 6.1.L.3.e The Thoroughfare Overlay District requires street trees planted every 40 feet along the applicable street frontage. On the subject property, trees would be required on both the Indianapolis Road and 100 E frontages. Due to site topography and existing vegetation in these areas, the applicant is requesting relief from the street tree requirement.</p>
	<p>Evaluation of Variance(s) Statutory Authority of BZA for Reviewing Variances. Pursuant to state statute and the Lebanon Unified Development Ordinance, the Board of Zoning Appeals must find that each of the following conditions is satisfied in order to grant a variance from the development standards in the Ordinance. Per Indiana Code (IC) 36-7-4-918.5; No variance in the application of the provisions of the ordinance shall be made by the Board relating to buildings, land or premises now existing or to be constructed, unless after a public hearing, the Board shall find, in writing that each of development standard variances listed above has been reviewed based on the following (3) statutory criteria:</p> <p style="text-align: center;"><i>Statutory Criteria</i></p> <p><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></p> <p><i>Criteria-3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></p> <hr/>

<p>Variance #1:</p>	<p>Variance Request #1 – Metal Building Construction UDO Section 6.1.L.2</p> <p>The applicant is seeking to construct the new facility that includes a combination of stucco (permitted material) and vertical metal siding. Buildings constructed of metal are not permitted within the Thoroughfare Overlay District. The applicant is requesting relief from this requirement.</p> <p style="text-align: center;">Staff Evaluation of Development Standard Variances</p> <p><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p><i>Staff Analysis</i> The relief from the building materials requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The proposal by the applicant is consistent with the other buildings located on the property.</p> <p><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></p> <p><i>Staff Analysis</i> The requested variance for the exterior materials will not affect the use and value of the area adjacent to the property in an adverse manner. The other buildings on the site are 100% metal, so the introduction of stucco on three side of the proposed building is an improvement over the existing conditions.</p> <p><i>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></p> <p><i>Staff Analysis</i> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. While the property is currently within the overlay district thus providing the limitations for the materials, this corridor has historically been used for a variety of commercial and industrial uses with buildings of varying building materials.</p>
<p>Staff Recommendation:</p>	<p>Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the exterior materials requirement of the Thoroughfare Overlay District.</p>
<p>Variance #2:</p>	<p>Variance Request #2 – Lot Plantings UDO Section 6.1.L.3.d</p> <p>Within the Thoroughfare Overlay District, the building is required to include building base landscape plantings on a minimum 75% of the building’s perimeter. Due to the design of the facility and site, the applicant is requesting relief from this requirement.</p>

Staff Recommendation:	Staff Evaluation of Development Standard Variances
	<p><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p><i>Staff Analysis</i> The relief from the lot plantings requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The applicant has proposed an attractive overall site design that will have no impact on surrounding neighbors.</p>
	<p><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></p> <p><i>Staff Analysis</i> The requested variance for lot plantings will not affect the use and value of the area adjacent to the property in an adverse manner. The applicant is proposing improvements to the site that represent a higher standard than that which currently exists. In addition, any landscaping along the west side of the building would have minimal value due to the rapid grade change from 100 E.</p>
	<p><i>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></p> <p><i>Staff Analysis</i> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. Because of the nature of the use and design of the building, it would be impractical to provide a building base landscape area. The east side of the building contains overhead doors for access to storage units, thus there is no room to provide the plantings.</p>
Variance #3:	Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the lot plantings requirement of the Thoroughfare Overlay District.
	Variance Request #3 – Parking Area Curbing UDO Section 7.5.C.3 The UDO requires that all parking areas for non-residential uses shall be completely curbed. The applicant is proposing a paved drive access area to the new building that would not include curb and is requesting relief from this requirement.

Staff Evaluation of Development Standard Variances	
Staff Recommendation:	<p><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p><i>Staff Analysis</i> The relief from the parking area curbing requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The property is proposed to sheet drain all stormwater and the proposed relief will cause no changes to the drainage patterns.</p> <p><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></p> <p><i>Staff Analysis</i> The requested variance for parking lot curbing will not affect the use and value of the area adjacent to the property in an adverse manner. The request for relief from curbing would be consistent with the remainder of the property.</p> <p><i>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></p> <p><i>Staff Analysis</i> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. The remainder of the property sheet drains into dry detention areas, so the introduction of curbing for one particular area of the property would change how the drainage works for just that area. This would be an impractical site design.</p>
	<p>Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking area curbing requirements of the UDO.</p>
	<p>Variance #4:</p>
	<p>Variance Request #4 – Corridor Buffer UDO Section 6.1.L.3.c The Thoroughfare Overlay District requires a minimum 20-foot corridor buffer along the frontage adjacent to the thoroughfare. Because the subject property is a corner lot, the buffer would be required along both street frontages. The applicant has proposed parking lot perimeter landscaping across the southern property line and a row of evergreen trees along the western property line, providing significant additional landscaping than what currently exists on the property.</p>

<p>Staff Recommendation:</p> <p>Variance #5:</p>	<p style="text-align: center;">Staff Evaluation of Development Standard Variances</p> <p><i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p><i>Staff Analysis</i> The relief from the corridor buffer requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The applicant has provided appropriate setbacks along both Indianapolis Road and 100 E.</p> <p><i>Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.</i></p> <p><i>Staff Analysis</i> The requested variance for the corridor buffer will not affect the use and value of the area adjacent to the property in an adverse manner. The request is consistent with setbacks on adjacent properties and the additional of landscaping along the frontage should improve conditions from that which exists currently.</p> <p><i>Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.</i></p> <p><i>Staff Analysis</i> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. The UDO would require both buffer plantings and perimeter parking lot plantings along the Indianapolis Road street frontage and buffer plantings along 100 E. This is a significant amount of landscape with only minimal impact on the site.</p> <p>Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the corridor buffer requirements of the Thoroughfare Overlay district.</p> <p>Variance Request #5 – Street Trees UDO Section 6.1.L.3.e The Thoroughfare Overlay District requires street trees planted every 40 feet along the applicable street frontage. On the subject property, trees would be required on both the Indianapolis Road and 100 E frontages. Due to site topography and existing vegetation in these areas, the applicant is requesting relief from the street tree requirement.</p>

Staff Evaluation of Development Standard Variances

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

Staff Analysis

The relief from the street tree requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The applicant has proposed landscaping along the subject property lines to provide adequate screening from adjacent uses.

Criteria-2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantial adverse manner.

Staff Analysis

The requested variance for street trees will not affect the use and value of the area adjacent to the property in an adverse manner. The proposed improvements to the property are consistent with existing improvements on the property, including existing vegetation along the street frontages.

Criteria -3 The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property.

Staff Analysis

The strict application of the terms of the UDO will result in practical difficulties in the use of the property. With the significant grade change on 100 E, it would be impractical if not extremely difficult to plant street trees in the vicinity of the property line. Along Indianapolis Road, the edge of pavement is approximately 30 feet from the property line, so there is no benefit to providing the trees.

Staff Recommendation:

Staff Recommendation:

The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the street tree requirements of the Thoroughfare Overlay District.