

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**BOARD OF ZONING APPEALS
STAFF REPORT
JANUARY 4, 2021 PUBLIC HEARING**

Case Number:	Docket #21-5
Applicant:	CrossRoad Engineers representing City of Lebanon Street Department
Location:	The subject property is located at 316 N Mount Zion Road, Lebanon, Indiana, 46052.
Acreage and Zoning	The subject property is zoned Planned Business Industrial (PBI) and comprised of 13.6 acres.
Property History:	<p>History of Property: This is the first time the requested Development Standard Variances have appeared before the City of Lebanon Board of Zoning Appeals. The subject property is the site of the Gene Haas Training Center. The proposed street garage would be constructed on the undeveloped portion of the property behind the center.</p> <p>Lebanon Planning Staff Determination: The applicant, CrossRoad Engineers, presented the intent to construct a new street garage on the subject property. The applicant filed for Development Plan approval from the Plan Commission and a review of the civil plans identified additional Variance requests that were necessary.</p>
Variance Request(s):	<p style="background-color: #e0e0e0;">Applicant Request: Development Standard Variance Request</p> <p>Variance Request #1 – 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 requesting relief from the curb requirement for the equipment/materials area behind the building.</p> <p>Variance Request #2 – Parking Lot Perimeter Landscaping UDO Section 7.8.J.3 The UDO requires all parking areas to include parking lot perimeter landscaping. The application is proposing to meet this requirement for the visitor parking lot but has requested relief from the requirement for the equipment/materials area behind the building.</p> <p>Variance Request #3 – Parking Lot Interior Landscaping UDO Section 7.8.J.2 The UDO requires all parking areas to include interior parking lot landscaping. The applicant is requesting relief from this requirement to allow the equipment/materials area behind the building to be constructed without interior islands.</p>

<p>Variance Evaluation:</p>	<p>Evaluation of Variance(s)</p> <p>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;">Statutory Criteria</p> <p>Criteria-1 <i>The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p>Criteria-2 <i>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>Criteria-3 <i>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>Variance #1:</p>	<p>Staff Evaluation of Development Standard Variances</p> <p>Variance Request – Parking Area Curbing UDO Section 7.5.C.3</p> <p>The UDO requires that all parking areas for non-residential uses shall be completely curbed. The applicant is requesting relief from the curb requirement for the equipment/materials area behind the building.</p> <p style="text-align: center;">Staff Evaluation of Development Standard Variances</p> <p>Criteria-1 <i>The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i></p> <p>Staff Analysis The relief from the parking area curb requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. The applicant is proposing to sheet drain from this area to the adjacent detention basin.</p> <p>Criteria-2 <i>The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.</i></p> <p>Staff Analysis The requested variance for relief from the parking area curb requirement will not affect the use and value of the area adjacent to the property in an adverse manner. Curb has been provided for the visitor parking area adjacent to the street frontage which is most visible. The elimination of curb for the truck areas is consistent with other uses in the park.</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. Requiring curbing in the truck access areas would create issues with the constant truck maneuvers resulting in the potential for damage to the curb.</p>
Staff Recommendation:	<p>Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking curb requirements of the Unified Development Ordinance.</p>
Variance #2:	<p>Variance Request – Parking Lot Perimeter Landscaping UDO Section 7.8.J.3</p> <p>The UDO requires all parking areas to include parking lot perimeter landscaping. The application is proposing to meet this requirement for the visitor parking lot but has requested relief from the requirement for the equipment/materials area behind the building.</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 perimeter landscaping requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community.</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 relief from the perimeter landscaping requirement will not affect the use and value of the area adjacent to the property in an adverse manner. The request to eliminate landscaping adjacent to truck access areas is consistent with other uses in the business park. These areas are also to the rear of the building where they will be less visible to neighboring properties in the park.</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. Landscaping placed along the perimeters of truck access areas are susceptible to damage because of the constant truck maneuvers.</p>

Staff Recommendation:	Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the perimeter landscaping requirement of the Unified Development Ordinance.
Variance #3:	Variance Request – Parking Lot Interior Landscaping UDO Section 7.8.J.2 The UDO requires all parking areas to include interior parking lot landscaping. The applicant is requesting relief from this requirement to allow the equipment/materials area behind the building to be constructed without interior islands. Staff Evaluation of Development Standard Variances <i>Criteria-1 The approval will not be injurious to the public health, safety, morals, and general welfare of the community.</i> <i>Staff Analysis</i> The relief from the interior landscaping requirement poses no imminent threat to the public health, safety, morals, or general welfare of the community. <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> <i>Staff Analysis</i> The requested variance for relief from the interior landscaping requirement will not affect the use and value of the area adjacent to the property in an adverse manner. The request to eliminate landscaping within truck access areas is consistent with other uses in the business park. These areas are also to the side and rear of the building where they will be less visible to neighboring properties in the park. <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> <i>Staff Analysis</i> The strict application of the terms of the UDO will result in practical difficulties in the use of the property. Landscaping placed within truck access areas are susceptible to damage because of the constant truck maneuvers and have the potential to restrict movement through the site.
Staff Recommendation:	Staff Recommendation: The City of Lebanon Planning Staff recommends approval of the Development Standards Variance request to permit relief from the parking lot interior landscaping requirement of the Unified Development Ordinance.