

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

**BOARD OF ZONING APPEALS
CONDITIONAL USE STAFF REPORT
JANUARY 3, 2023 PUBLIC HEARING**

A. Case Number:	Docket #23-4
B. Applicant:	Indiana Association of Seventh-Day Adventists, Inc.
C. Location:	The location of the subject property is 804 S Lebanon Street, Lebanon, IN 46052.
D. Acreage and Zoning	The subject property is approximately 0.62 acres in size. The subject property is currently zoned Neighborhood Business (NB) and in the Thoroughfare Overlay District.
E. Property History:	Board of Zoning Appeals This is the first time this petition has appeared in front of the City of Lebanon Board of Zoning Appeals. The subject property is the former home of the Otterbein United Methodist Church. The Otterbein Church last held a church service on the property on May 23, 2021. The property includes the existing church building and associated parking.
F. Conditional Use Determination:	Petitioner Request: Conditional Use The applicant is seeking a Conditional Use approval to allow the subject property to once again be used as a church. Because the Otterbein Church last held a service on the property in May 2021 (over one year ago) and it has been unused since that time, the property has lost its legally existing non-conforming use status. Given this condition, any proposed use must meet the standards of the UDO. In this case, churches are a conditional use within the NB zoning district, thus requiring a Board of Zoning Appeals hearing. The Indiana Association of Seventh-Day Adventists is in the process of purchasing the subject property to serve as a church home for one of their congregations. The property will be used in a very similar manner as it was when Otterbein was the owner.
G. Conditional Use Evaluation:	Conditional Use Evaluation Criteria Unified Development Ordinance Section 9.5. B-Procedures The following evaluation criteria must be complied with prior to the issuance of any Conditional Use approval: Evaluation Criteria-1 The proposed use is listed as a Conditional Use for the particular zoning district of the subject site Per the Unified Development Ordinance (UDO), the Land Use Matrix in Section 4.2 requires a conditional use application for church uses in the Neighborhood

Business zoning classification. The applicant is seeking Conditional Use approval to permit the placement of a church use on the subject property.

Evaluation Criteria-2 The established, maintenance, or operation of the Conditional Use will not be determined to or endangered the public health, safety, morals, or general welfare of the community.

The applicant's proposal for a church use will not be detrimental to the public health, morals, or general welfare of the community. The subject property has previously been used for a church use and it is anticipated it will be used in a similar manner for the proposed user.

Evaluation Criteria 3-The Conditional Use will not be injurious to the use and enjoyment of the other property in the immediate vicinity for lawfully-permitted purposes, nor substantially diminish or impair property values within the neighborhood and zoning district.

The applicant's proposed church use will not impair the use and enjoyment of other properties in the immediate vicinity or the property values in the neighborhood and zoning district. The proposed use fits within the context of the surrounding community as it has historically.

Evaluation Criteria 4-The establishment of the Conditional Use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The proposed church use will not impede or substantially alter the normal and orderly development and improvement of surrounding property. The church property is self-contained given it has adequate parking for its patrons. The church property will continue to allow the use of adjacent properties for approved residential and commercial uses.

Evaluation Criteria 5-Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.

All required utilities and transportation infrastructure is already provided to this site.

Evaluation Criteria 6-The proposed use is not in conflict with the goals of the Comprehensive Plan or the Unified Development Ordinance.

The proposed church use is not in conflict with the City of Lebanon Comprehensive Plan or Unified Development Ordinance. The Comprehensive Plan identifies this corridor as appropriate for a mix of institutional, commercial and residential uses.

**H. Staff
Recommendation:**

Staff Recommendation

In review of the requested Conditional Use for the allowance of a church use in the Neighborhood Business (NB) zoning classification, Lebanon Planning Staff Recommends approval.