

**CITY OF LEBANON
PLANNING AND ZONING DEPARTMENT**

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

Case Number:	Docket #23-8
Applicant:	Sunbelt Rentals, Inc.
Location:	The subject property is located at 540 Ransdell Road, Lebanon, Indiana 46052.
Acreage and Zoning	The subject property is zoned General Industrial (ID) and within the Interstate Overlay District and comprised of 1.77 acres.
Property History:	History of Property: This is the first time the requested Variance has appeared before the City of Lebanon Board of Zoning Appeals. The subject property currently contains an approximately 20,000 square foot building with associated parking area.
Variance Request(s):	Applicant Request: Variance Request Variance Request – Outdoor Storage in the Interstate Overlay District UDO Section 6.1.H Lebanon Planning Staff Determination: The petitioner, Sunbelt Rentals, is considering leasing the subject property for a load bank rental operation. The nature of a load bank rental operation requires the load banks to be temporarily stored outside on the property to allow for post-rental testing and, thereafter, customer rental turnover. The applicant is proposing to make improvements to the property to include additional asphalt paving, an 8-foot wood privacy fence for screening, and establishing the required Type B 30-foot buffer along the interstate. Type B plantings include 6 trees and 15 large shrubs every 100 lineal feet. Outdoor storage is not a permitted use within the Interstate Overlay District, so Lebanon Planning Staff determined that a Variance application was necessary.
Variance Evaluation:	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:

Statutory Criteria

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

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.

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 Evaluation of Variance of Use

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

Staff Analysis

The variance to permit outdoor storage will not be injurious to the public health, safety, morals, and general welfare of the community. The proposed use is similar and complementary to many other industrial businesses on this corridor.

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 would not affect the use and value of the area adjacent to the property included in the variance in a substantially adverse manner. The proposed use and storage needs are similar to other uses adjacent to the interstate on Ransdell Road. In terms of visibility from the interstate, Staff would recommend the installation of the proposed improvements (8-foot wood privacy fence and Type B buffer) to reduce the potential impact.

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. The property is in a business/industrial park where many sites, including this site, include improvements and provisions for outdoor storage of some type. The use of the property to store load banks on trailers for testing and distribution to customers would not be significantly dissimilar to a user parking trailers for business use, which would be permitted in this zoning district.

Staff Recommendation:

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The City of Lebanon Planning Staff recommends approval of the Variance request to permit outdoor storage within the Interstate Overlay District subject to the following conditions:

1. That the applicant installs an 8-foot wood privacy fence per the submitted site plan to completely enclose and screen the proposed storage area.
2. That the applicant installs a Type B buffer along the Interstate 65 frontage according to the Interstate Overlay District buffer requirements.