

METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF USE
STORAGE CONTAINERS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed variance allows for this C5 zoned property to utilize two on-site storage containers for the purpose of storing materials for the auto service and tire repair business. One container will be stored on-site on a long term basis, while the other is utilized on a short term basis when larger shipments of materials are received. The containers are in good repair and water tight condition and will not impact clear site triangles or impact safety of those on or off-site.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The storage containers are located in a way which they are shielded from Keystone Avenue. The use of the containers on a more than thirty (30) day basis will allow for materials to be stored indoors, preventing unsightly stacking of materials and preserving the life of materials while awaiting sale and installation. The areas where the containers are located are already paved, so no additional impervious surface will be required for their use. The containers are generally in good repair.

3. The need for the variance arises from some condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood because:

The property has a single-story structure on site which has been repurposed for the existing auto and tire use, but which has design and access challenges for the volume of use typically associated with these uses. The use of these storage containers, which would be permitted if they stayed less than thirty (30) days will allow for the existing site to continue to be used for a productive and active business.

4. The strict application of the terms of the zoning ordinance constitutes an unusual and unnecessary hardship if applied to the property for which the variance is sought because:

The zoning ordinance does not differentiate between a storage container which can be used on a semi-permanent basis in the same way that an accessory building (e.g. shed) could be utilized and a temporary use for a storage container. The use of the storage container as a long term on-site storage solution will allow for easier reuse of the property if/when the current business ceases.

5. The grant does not interfere substantially with the Comprehensive Plan because:

The small size of the containers in relationship to the size of the property does no impair the on-going use of the property in line with the Comp Plan recommendation of Community Commercial.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

