



# TOWN OF Edinburgh

Administrative Offices: 107 South. Holland Street, Edinburgh, IN 46124 Wade D. Watson, Building Commissioner, Email: wwatson@edinburgh.in.us

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## BZA Staff Report

**To:** *BOARD OF ZONING APPEALS MEMBERS*  
**From:** Wade D. Watson, Building Commissioner  
**Date:** May 6, 2015  
**Re:** *Case BZ 2015 (01) VARIANCE REQUEST*

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### ***GENERAL INFORMATION:***

Applicant: Kokomo Grain Co. Inc.  
6672 E 650 S  
Edinburgh, IN 46124

Property Address: 6672 E 650 S, Edinburgh, IN 46124

Property Owner: Brad Ortman  
1002 West Morgan  
Kokomo, IN 46903

Property Number: 41-12-21-013-002.003-004  
Parcel Acreage: 27.65 Acres  
Zoning: EI – Enclosed Industrial  
Land Use: Enclosed Industrial  
FEMA Flood Plain: Subject Property does not exist in a designated flood area

### **SURROUNDING ZONING**

North: R1- Suburban Residential  
South: EI - Enclosed Industrial  
East: EI - Enclosed Industrial  
West: R1- Suburban Residential

### **SURROUNDING LAND USE**

Agricultural  
Agricultural  
Agricultural  
Industrial

***REQUEST:***

**Case BZ 2015-01** Petitioner requests a Variance from Developmental Standards from the Town of Edinburgh Zoning Ordinance Division 2, Article 156.037 - Lot and Yard Requirements, Table 2, to allow the construction of a grain dryer and the associated equipment to load and unload the dryer, on property known as 6672 E. 650 S., Edinburgh, IN 46124. This equipment is greater than 50' (fifty feet) tall, less than 150' (one hundred fifty feet) tall.

***DOCUMENTATION AND PUBLIC NOTIFICATIONS:***

Petitioner has satisfied all documentation requirements, legal and public notifications specified in the Town of Edinburgh Zoning Board of Appeals Application Packet for Variance/Special Exception.

***PURPOSE OF STANDARDS:***

The districts designated for industry uses provide suitable space for existing industries and their expansion as well as for future industrial development. Performance standards, parking specifications, and yard regulations are set forth in this Article in order to ensure safe industrial development that is compatible with adjacent uses.

***CASE CONSIDERATIONS:***

1. Division 2, Table 2 of §156.037 of the Edinburgh Zoning Ordinances establish the following district standards for accessory structures constructed on property designated as Enclosed Industrial:
  - Minimum Front Depth of 60' (sixty feet)
  - Minimum side set back of 5' (five feet)
  - Minimum rear set back of 5' (five feet)
  - Maximum height of 50' (fifty feet)
2. The proposed structure is a 24' diameter, 97'- 10" tall Grain Dryer which is to be constructed adjacent to the existing structures on site.
3. As recorded by the Johnson County Assessor's Office, the first corrugated metal structures on this site were constructed in or around 1964 and concrete silos were constructed in or around 1983. Additional metal and concrete structures were added in or around 2005, 2008 and 2010. Consistent with the requirements of this type of industry, several of these structures were permitted to be constructed to exceed 150' (one hundred fifty feet) in height.

**CRITERIA FOR DECISIONS:**

In taking action on all variance requests, the Board may grant a variance from the development standards of the Ordinance (such as height, location, bulk, area) if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5), that:

1. **General Welfare:** The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

**Staff Findings:**

The approval of this variance will not be injurious to the public health, safety, morals, or general welfare.

2. **Adjacent Property:** The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

**Staff Findings:**

Adjacent properties to the subject property will not be affected in a substantially adverse manner.

3. **Practical Difficulty:** The strict application of the terms of the ordinance will result in a practical difficulty in the use of the property. (This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.)

**Staff Findings:**

The strict application of the ordinance will result in a practical difficulty in the use of this property.

**STAFF RECOMMENDATION**

Based on these investigation findings, staff recommends approval of the petition for a Variance from Developmental Standards from the Town of Edinburgh Zoning Ordinance Division 2 Article 156.037, to allow the construction of a grain dryer and the associated equipment to load and unload the grain dryer as proposed.

Respectively Submitted,



Wade D. Watson  
Building Commissioner  
Town of Edinburgh