

PLANNING COMMISSION

TOWN OF EDINBURGH
107 S. HOLLAND ST.
EDINBURGH, IN 46124

STAFF REPORT

Wade Watson
PC 2022 – 03
June 21, 2022

STAFF REPORT

CASE NUMBER: PC 2022-03
CASE NAME: HORIZON FREIGHT REZONING

GENERAL INFORMATION:

Affected Property: 6579 S. US 31, Edinburgh, IN 46124

Applicant: Horizon Freight Lines, Inc.
6579 S. US 31
Edinburgh, IN 46124
(812) 526-3380

Agent: Eric W. Prime, Esq
Van Valer Law Firm LLP
225 S. Emerson Ave., Suite 181
Greenwood, IN 46143

Property Owner: Horizon Freight Lines, Inc. & James E. & Linda L. Satter
6579 S. US 31, Edinburgh, IN 46124 &
30 Fieldstone Way, Newnan, GA 30265

Area: 21 +/- Acres

Existing Zoning: EI - Enclosed Industry

Current Land Use: Motor Freight Terminal & Storage

Parcel Numbers: 41-12-33-014-002.000-002 & part of 41-12-21-031-032.000-001

FEMA Flood Plain: Subject Property does not exist within a designated flood area

REQUEST:

Case PC 2022-03 Horizon Freight Rezoning. A request by Horizon Freight Lines Inc. to rezone approximately 21 acres from Enclosed Industry (EI) to Open Industry (OI) to allow for expansion of existing parking area and potential boat and RV storage

SURROUNDING ZONING:

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

SURROUNDING LAND USE:

Commercial & Vacant
 Commercial & Agricultural
 Agricultural
 Commercial & Single-Family Residential

DOCUMENTATION REQUIREMENTS, LEGAL AND PUBLIC NOTIFICATIONS:

Petitioner has satisfied all documentation requirements, legal and public notifications specified in the Town of Edinburgh Plan Commission Application Packet.

CURRENT ZONING:

"EI", the enclosed industrial district, provides space for industries which do not cause conditions that would be objectionable to adjoining uses. The "EI" district permits manufacturing, fabricating, processing, repairing, dismantling, or storage of equipment, raw materials, or manufactured products, provided that the activity is conducted entirely within enclosed buildings. Motor Freight Terminal & Storage are not a permitted use in districts zoned "EI".

PROPOSED ZONING:

"OI", the open industrial district, permits manufacturing, fabricating, processing, extraction, repairing, dismantling, storage, or disposal of equipment, raw materials, manufactured products, or wastes in a combination of enclosed buildings and open areas. Greater separation is required between the industries in the "OI" district and residential or business uses than is necessary in the "EI" district.

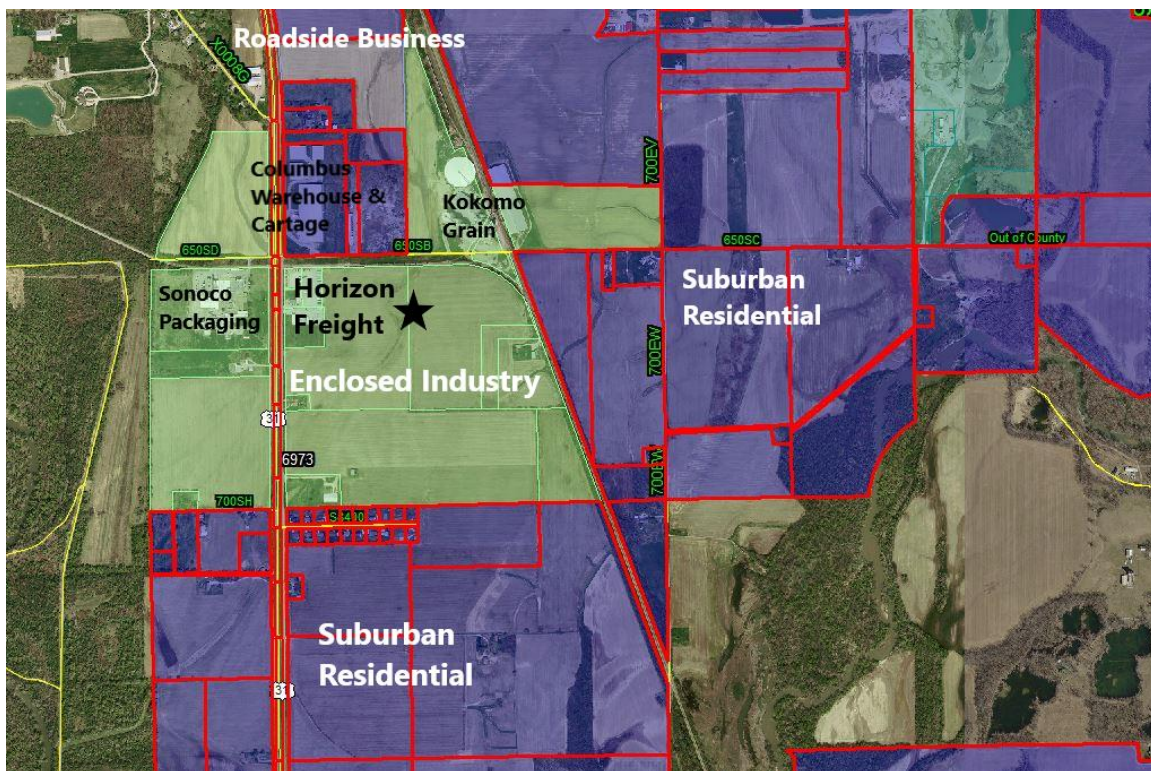
HISTORY:

1. This property exists outside the corporate limits of the Town of Edinburgh but is within its two-mile territorial jurisdiction for the purpose of planning, zoning and land uses. The two-mile territorial jurisdiction was established by Ordinance No. 6 on July 13, 1987.
2. The current Zoning Ordinance, Subdivision Code and Zoning Maps were approved and adopted by Edinburgh Town Council on September 27, 1993. This Ordinance established zoning districts for the areas within all of Edinburgh's jurisdiction including the two-mile territorial jurisdiction.
3. Staff found no records confirming when the subject property was first developed as a Motor Freight Terminal. Transfer information on Johnson County GIS indicates it was owned/operated by Central Trucking Inc. prior to May of 1996.
4. Since Motor Freight Terminal & Storage are not a permitted use in districts zoned "EI", the current use on this property is considered existing non-conforming. As such, no modifications to the land or structures for enlargement, extensions, construction,

reconstruction, or structural alterations “except in changing the use of the land or structure to a use permitted in the district in which it is located, except as permitted by the Board of Zoning Appeals.”

CONSIDERATIONS

1. Horizon Freight Lines Inc. is requesting that approximately 21 acres located at the southeast corner of US 31 and CR 650S be rezoned from Enclosed Industry (EI) to Open Industry (OI) to allow for expansion of existing parking area and potential boat and RV storage.
2. The petitioner provided a “Detailed Statement of Reasons” for this rezoning request. See the attached document identified as “Attachment A”.
3. The 2011 Town of Edinburg Comprehensive Plan stated objectives is to improve the appearance of the industrial areas, buildings and parking areas. To ensure that all uses are effectively screened from adjacent properties and public right-of-way, through the effective use of buffering with landscape, fencing, or a combination of the two.
4. This property is within and mostly surrounded by an area designated as “EI”. The majority of land uses in this area are industrial. The property immediately north of the subject property is zoned Suburban Residential, however, is being used by Columbus Warehouse & Cartage. As such, this property is also existing non-conforming.



5. The approval by the Edinburgh Town Council, to change the zoning of this property from “E1” to “O1” will change the status of this non-conforming use to a permitted use in an “O1” zoning district.

PLAN COMMISSION ACTION

For the rezoning process making amendments to the zoning map, the Plan Commission has the responsibility to review the petition and make a recommendation for approval or disapproval to the Edinburgh Town Council, which takes action on the rezoning petition.

STAFF RECOMMENDATIONS

Based on the case investigation, staff recommends a *Favorable Recommendation* be forwarded to the Edinburgh Town Council.

Respectfully Submitted,



Wade Watson
Town of Edinburgh Planning Director