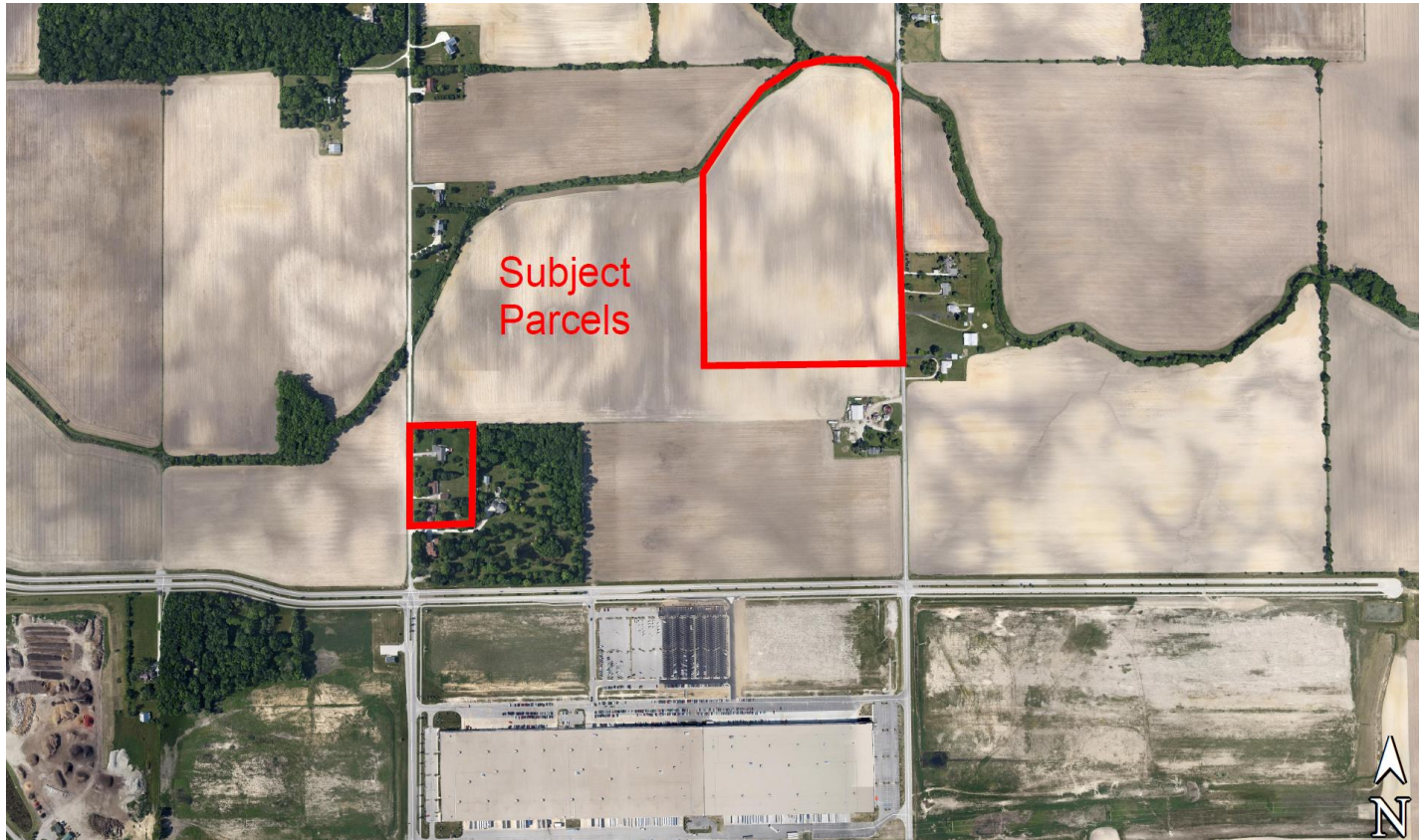




Staff Report BZA20-002-VA

Fishback Creek Building 3 and Fleet Shop Variance

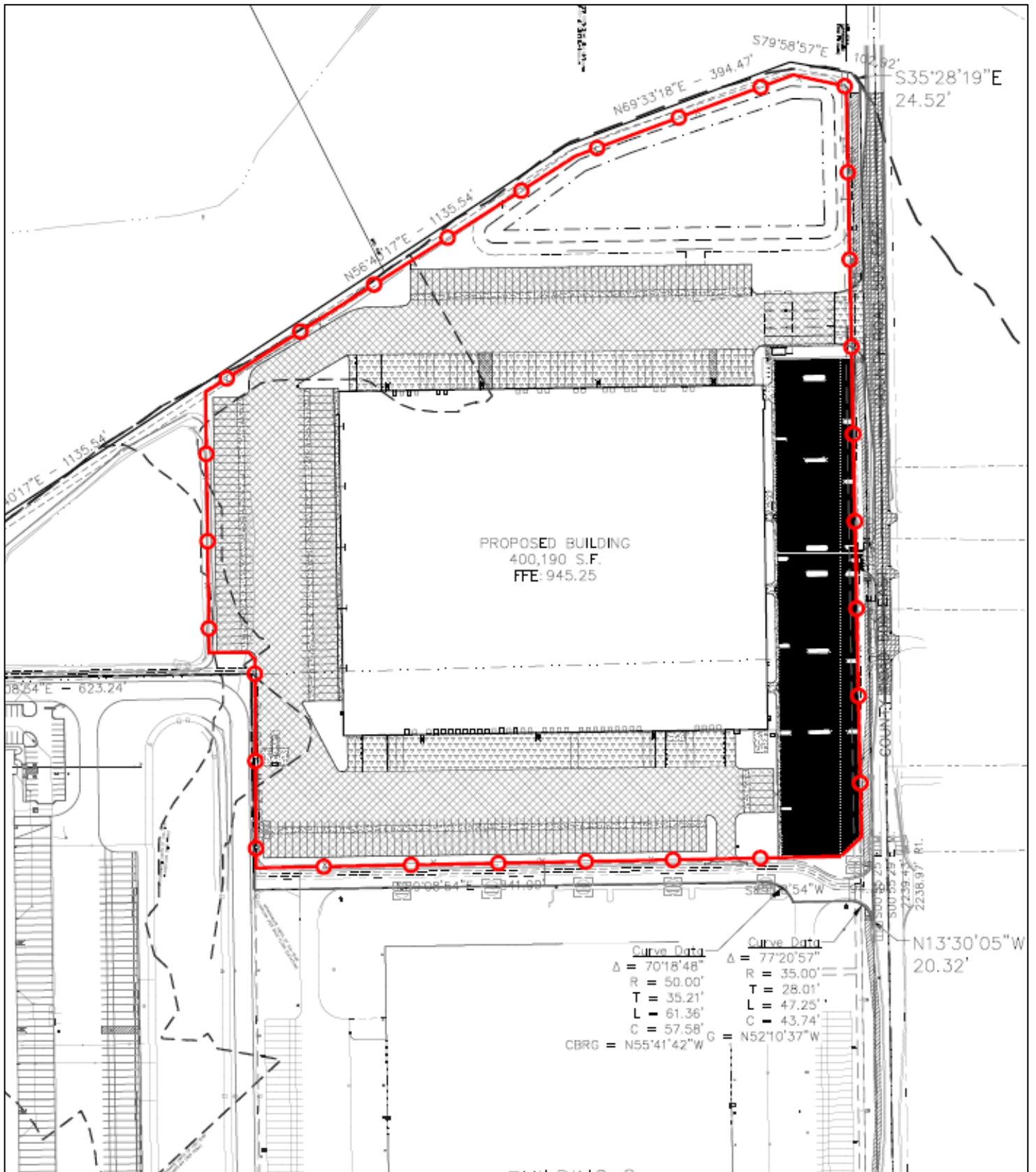
Docket BZA20-002-VA Fishback Creek Building 3 and Fleet Shop Variance. The petitioner is requesting approval of a variance for two properties known as Fishback Creek Building 3 and Fishback Creek 3 Fleet Shop to allow barbed wire fencing. The owner is Indhland, LLC and the petitioner is American Structurepoint, Inc.

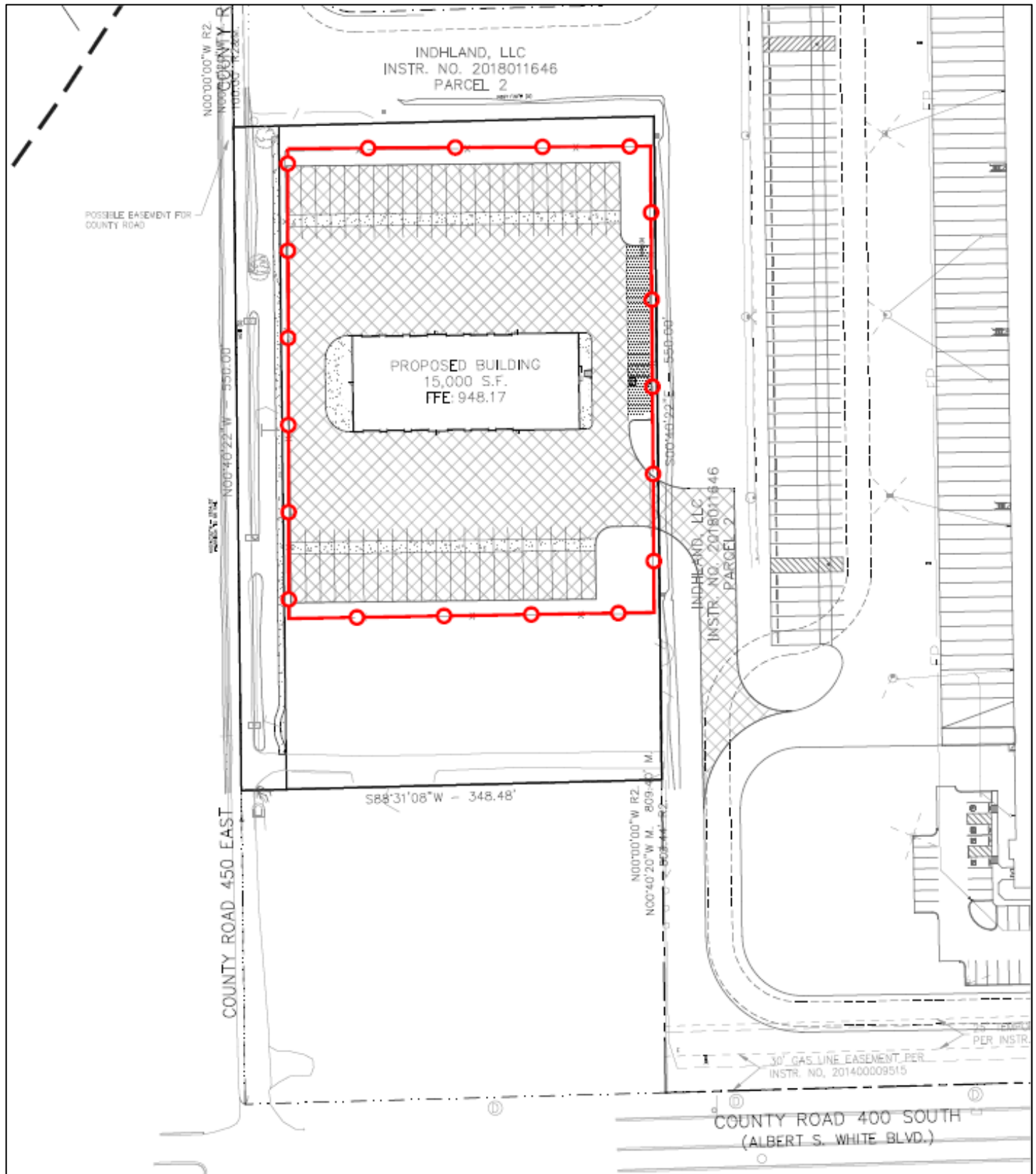


Site Location

The scope of this project is to request a variance from the fence regulations listed in Section 4.3 of the Unified Development Ordinance. The two sites are located north of Albert S White Drive and bounded by CR 500 E to the east and CR 450 E to the west. The surrounding area is characterized by industrial, agriculture, and rural residential uses.

The northeastern site, Fishback Creek Building 3 is zoned Industrial-One (I-1). The southwestern site, Fishback Creek 3 Fleet Shop is zoned Industrial-One (I-1) and a portion of the site is zoned I-65 South Corridor Overlay.



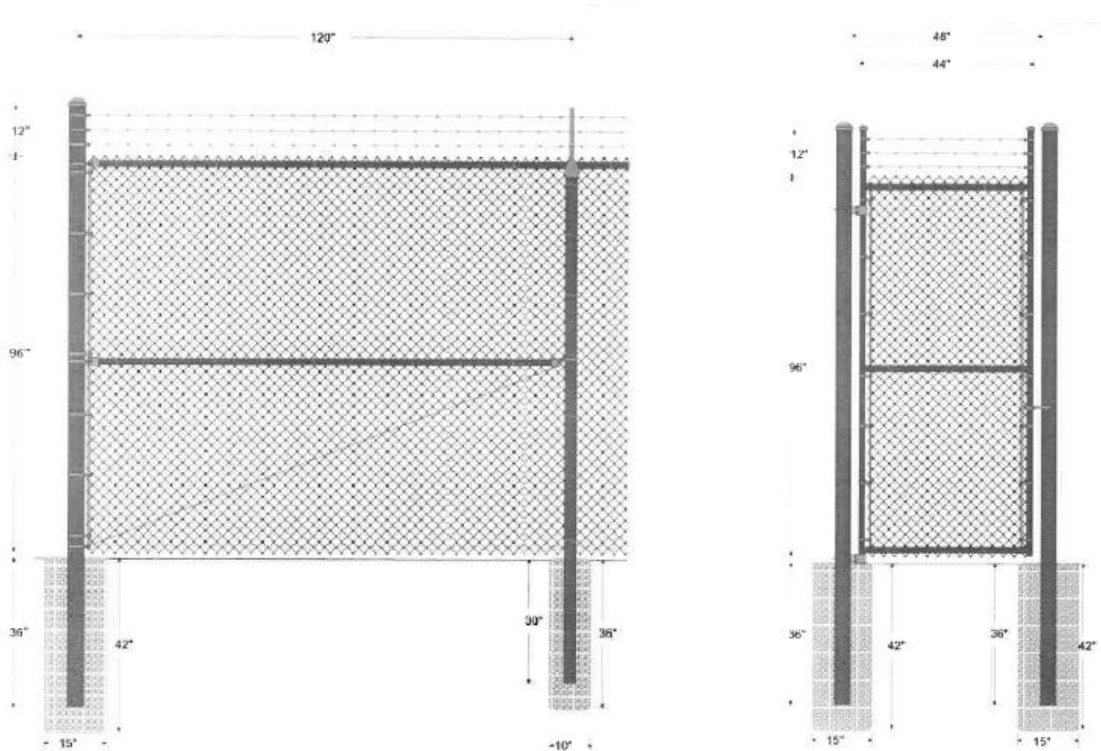


Unified Development Ordinance

Section 4.3 F: Chain link fencing is prohibited in all Zoning Districts except industrial districts. Barbed wire and razor wire are prohibited in all districts.

Petitioner Request

The petitioner requests a variance from the fence regulations to permit barbed wire fencing surrounding the sites of Fishback Creek Building 3 and Fishback Creek 3 Fleet Shop. The proposed fence is black chain link with three lines of barbed wire along the top length of the fence.



Decision Criteria

Per the Zoning Ordinance, *Section X.C.5.a(3)* the Board of Zoning Appeals shall use the following three decision criteria, consistent with the requirements of the Indiana Code IC 36-7-4-918.5, when taking action on all variance requests:

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

The proposed fence will not be injurious to the public health, safety, morals, or general welfare of the community.

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

Industrial developments in the surrounding area do not utilize barb wire fencing as a material. Using barb wire fence on the two Fishback properties will negatively affect the aesthetic of the sites and the value of the surrounding area.

3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variances are sought.

The site faces no unusual or physical hardships applied to the property. There are no hardships present that would require barbed wire fence to be an acceptable material.

Staff Recommendation

In order to preserve the aesthetic design and character of the surrounding area, Staff recommends that the Board of Zoning Appeals deny Docket BZA20-002-VA, Fishback Creek Building 3 and Fleet Shop Variance.