



Board of Zoning Appeals Staff Report
Department of Planning and Building
Town of McCordsville

June 3, 2020

Project: Vail Grain Bin, BZA-20-004

Petitioner: Dan Vail

Location: 6549 W 800N, McCordsville, IN 46055

Request: The petitioner's request seeks a Special Exception to allow an expansion of legal, non-conforming agricultural use.

Staff Review: Background: This property is part of legacy family farm operation. The property features a single-family home, barn, grain bins, and various other accessory structures used in the operation of the farm. The property is zoned R-1, which does not allow agricultural uses. However, the farm has been in operation since well before the enactment of the Town's Zoning Ordinance in 2011, and therefore is considered a legal, non-conforming land use. The legal, non-conforming land use may remain on the site, permitted in its current state, for as long as the land use remains in operation. The land use is itself, is not in question, the matter for the Board's consideration is just the expansion of that land use, by way of the request to add a grain bin.

Surrounding Land Use & Zoning: All properties immediately surrounding this parcel are undeveloped, used agriculturally, zoned R-1, and owned by the Vail family, with two exceptions. The property which lies to the southeast is used as headquarters for local landscape business. The property that lies to the north east, across CR 800N, is owned by the Vail family and used agriculturally, but is zoned as part of the Villages at Brookside PUD.

Special Exception Request – Section 9.05

This section prohibits enlarging, expanding, increasing, extending, construction, reconstructing, moving, or structurally altering a non-conforming use, or structures associated with the non-conforming use. The petitioner seeks to add a grain bin to the property, which would be an expansion of the legal, non-conforming agricultural land use.

Staff Comments: The petitioner wishes to continue operating the farm for the foreseeable future. Agricultural land uses are low intensity, as compared to developed properties.

They produce little in the way of 24-hour generated trips, produce little impact to the schools, and other government services. The addition of this grain bin is not expected to adversely impact any of the above noted items, nor is it expected to have an impact on utilities, roads, drainage, or other necessary facilities. The addition is not expected to involve any element or cause a condition that may be dangerous, injurious, or noxious to any other property or persons. It is expected to comply with all other development standards of the Town's Zoning Ordinance. The proposed location for the grain bin is shown in the petitioner's packet. The location is approximately 100' south of the south edge of pavement of CR 800N. It essentially will lie in between the other bins and structures on the property. This location was selected by the petitioner and in staff's opinion represents a logical location with minimal, if any, visual impact to nearby properties.

Staff has not received any public comments or remonstrance as of the writing of this staff report.

Staff is in supportive of this petition for the reasons stated above, and following a public hearing, recommends approval of this petition.

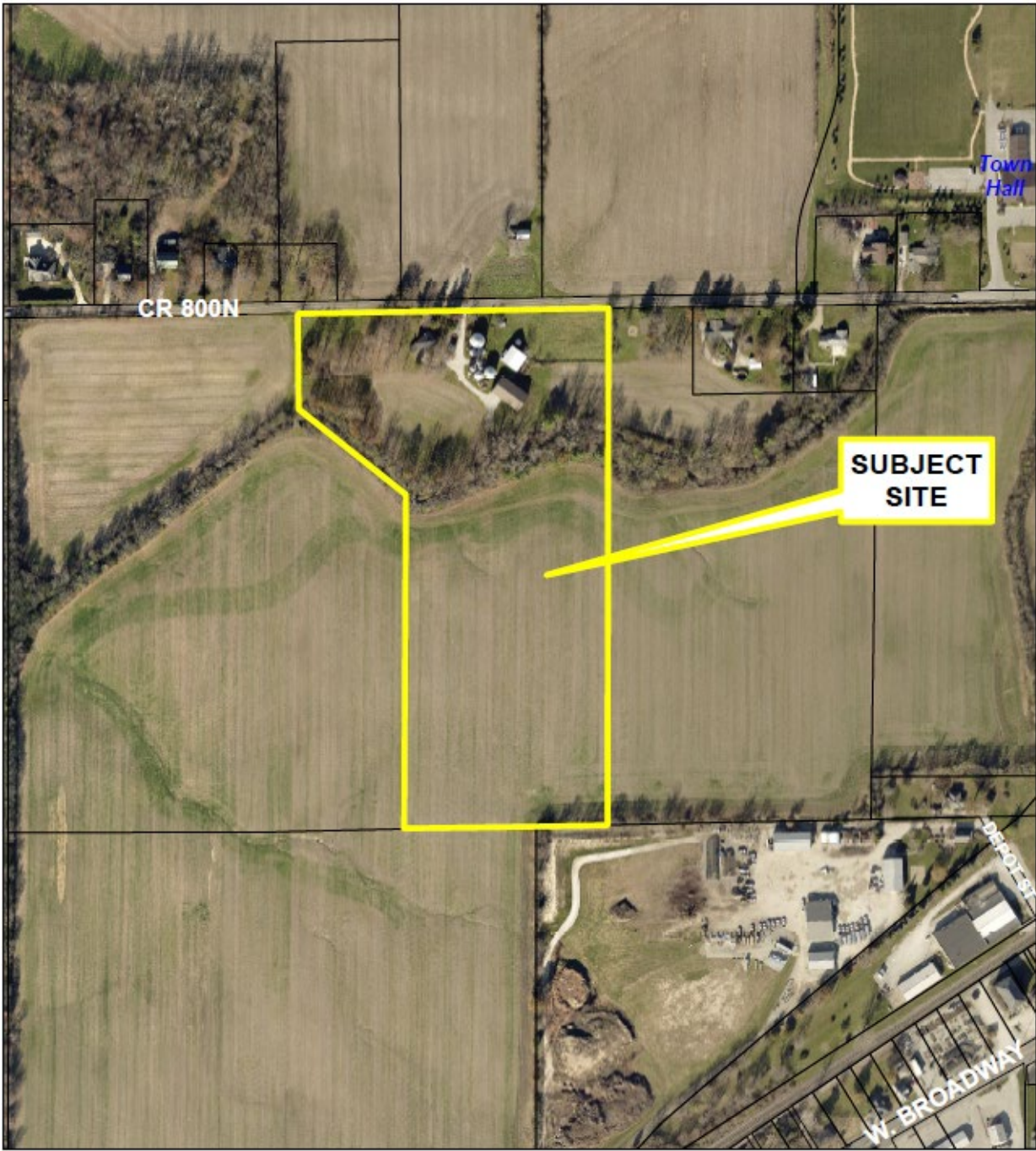
Currently, staff does not have any recommended conditions of approval, but we reserve the right to highlight those prior to or during the meeting.

The BZA may include conditions of approval, and if so, those conditions should be incorporated into the ballots. They may be amended, added to, or removed by the BZA. The petitioner also has the right to request them to be amended, added to, or removed until the time the BZA has made a motion on the conditions.

Decision Criteria:

The BZA has four (4) options in considering this request; the Board may approve, approve with modifications, deny, or continue this petition.

Existing Conditions



Zoning

