

**BZSE-22-1 | Main Street Self-Storage Expansion
Special Exception Use to Permit
"Self-Storage Warehouse"**

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

In compliance with the appropriate provisions of the Brownsburg Unified Development Ordinance, the Board of Zoning Appeals (the "Board") held a public hearing pursuant to notice at 6:00 p.m. on April 11, 2022, to hear Docket No. BZSE-22-1, an application for a Special Exception Use from Art. 5 § 5.81 SE-01 Special Exception Standards as it applies to Art. 2 § 2.29, to permit a "Self-Storage Warehouse" use within the Moderate Intensity General Commercial (C2) District. The Applicant, Russell Brown, Clark, Quinn, Moses, Scott & Grahn, appeared and presented testimony and evidence in support of the application.

FINDINGS OF FACT

The Board, having this matter presented at a public hearing on April 11, 2022, having considered the arguments of the Applicant, and being duly advised in the premises, now finds and makes the following Findings of Fact:

- (1) That the location of the real estate subject to the application is N/A, Brownsburg, Indiana, and is further identified as part of Indiana Parcel Numbers 32-07-11-415-014.000-016 (the "Property").
- (2) That the Property to which the application is addressed is within the Town of Brownsburg, Hendricks County, Indiana, and is subject to the terms and provisions of the Town of Brownsburg Unified Development Ordinance.
- (3) That LESLIE JOHN ALLEN REVOCABLE TRUST is the current owner(s) of the Properties subject to the application.
- (4) The Property to which the application is addressed is zoned Moderate Intensity General Commercial (C2) pursuant to the Official Zoning Map of the Town of Brownsburg and the Brownsburg Unified Development Ordinance.
- (5) The Applicant is requesting a Special Exception Use for the subject property to permit a "Self-Storage Warehouse" use within the Moderate Intensity General Commercial (C2) District.
- (6) The applicant requests Special Exception use approval to permit the expansion of the adjacent (to the east) Main Street self-storage facility. The existing business comprises

approximately 15,360 square feet on 0.8 acre. This proposal would add about 21,400 square feet, to be operated as a separate but affiliated entity.

- (7) In the Moderate Intensity General Commercial (C1) District, self-storage warehouses are allowed only by special exception. This process provides an opportunity to review the request in respects to the area around it to review the compatibility between the development and surrounding area.
- (8) Pursuant to Article 9, Section 9.10 of the Brownsburg Unified Development Ordinance and statutory regulations of Ind. Code 36-7-4-918.6, The Board of Zoning Appeals shall make findings of fact on the following criteria. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the reason for non-compliance.
- (9) These Findings of Fact are based, in whole or in part, on the Applicant's Special Exception Use Application and Detailed Statement of Reasons submitted March 14, 2022, and the same is hereby incorporated herein, by reference.
- (10) Staff prepared a Project Synopsis, dated April 4, 2022, and the same is hereby incorporated herein, by reference.

CONCLUSIONS OF LAW

Based upon the above Findings of Fact and pursuant to Indiana Code the Board does now conclude:

- (1) The proposed Special Exception Use is consistent with the purpose of the zoning district and the Brownsburg Comprehensive Plan. Self-storage is a permitted use in a C1 district with a Special Exception. This property is in a "tier two" position in the area which has a corridor commercial and E. Main Street Corridor overlay, which encourages commercial activity immediately adjacent to the "front door" of the Town. While this designation applies to the property at issue in the petition, this parcel, with no direct access to Main Street right of way has difficulties in meeting the vision of the Comprehensive Plan or overlay. The use is not new to these lots which are sandwiched between traditional development along Main Street and the railroad as it would be an expansion of an existing facility located to the east where the project would gain ingress and egress for future customers. The approval of this project, in total, will provide economic activity on a parcel which has locational challenges which are difficult to overcome by a user who is not already active on an immediately adjacent parcel.
- (2) The approval of the Special Exception Use will not be injurious to the public health, safety, morals and general welfare of the community. Self-storage is a use which has minimal impacts on surrounding land uses and the community. It is a low traffic generator, a low utilizer of utilities or natural resources and can be maintained in a clean and orderly fashion

by experienced local operators, such as the applicants here. Self-storage is a consumer demand driven business. As residential uses and small commercial uses nearby increase, the demand for self-storage units also increase. Users desire locations which are convenient and nearby to access, and as such locating the use in areas where demand exists (and has been proven through successful operations of the nearby property) traffic within the Town can be lessened by users driving fewer miles round trip to a convenient and safe facility.

- (3) The proposed Special Exception Use is in harmony with all adjacent land uses because like mentioned before, they offer very similar services. The proposed project site is sandwiched between two adjoining self-storage uses, one of which will be affiliated with this development. It is located between the rail line and an alley which does not provide direct access to Main Street. The ability to expand the existing facility will allow for enhancements more in line with current zoning expectations and will allow for the creation of more storm water drainage infrastructure, which would otherwise be difficult to construct on a parcel of small size where no adjacent storm water drainage infrastructure currently exists.
- (4) The proposed Special Exception Use will not alter the character of the district. The second-tier position of this property will not alter the ability of the goals of the comp plan to be achieved. This project parcels does not have any direct access to adjacent non-alley right of way. This prohibits the ability of this parcel to directly contribute to the overall goals of those plans/documents. The proposed development will be in line with adjoining self-storage uses, with changes in design necessary to come more closely into compliance with current zoning standards. The use will not alter development patterns on adjacent parcels or in the uses focused on E. Main Street.
- (5) The proposed Special Exception Use will not substantially impact property value in an adverse manner. The use of the project parcels as requested here will not impact surrounding properties as the use is consistent with adjacent and adjoining users. The use will be designed more in line with current zoning standards than adjoining uses and will buffer users from the Main Street corridor from the railroad line to the north. The use of self-storage is a clean and quiet adjoining user, allowing for commercial use with minimal commercial traffic implications. The proposed project will improve area drainage infrastructure and will not place strain on Town resources.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Board does now **APPROVE** the Special Exception Use, requested by Russell Brown, Clark, Quinn, Moses, Scott & Grahn known as Docket No. BZSE-22-1 located on parcel 32-07-11-415-014.000-016, within Brownsburg, Indiana, subject to and conditioned upon the following:

- (1) That the storage of hazardous materials and storage of boats be prohibited;
- (2) The approval of the Findings of Fact and Conclusions of Law.

By: _____
Marlon Webb, President

Attest: _____
Jodi Dickey- AICP, Administrator