

Detailed Statement of Reasons

Plan of Operation Statement

Overall Explanation of Conditions

The reason for a Special Exception is due to a recent change in UDO The site is surrounded on 3 sides by I2 zoning and on the east by R2. The buffer yards for this side are 100'. Affiliated entity of Petitioner owns the adjacent property to the south and is conducting recycling & selling crushed materials for sale at that site but, there is not enough space to do this effectively due to space constraints.

This subject property is required to improve operational efficiency by having more space to efficiently crush and store these materials for sale to the local construction market. Petitioners currently must truck off to clean landfill when they can't keep up with the crushing and storage on site. Recycling is more environmentally sound and efficient, while also allowing for maintaining a line of business. Petitioners attempted to purchase only a portion of this subject property but, the owners would only consider a complete sale.

Immediate Site Development Plans

This Special Exception being granted will trigger petitioners purchasing and developing the west half of the property ASAP. The benefit will be to improve operational efficiency by having more space to efficiently crush and store materials for sale to the local construction market. In the current process and for a long time Petitioners have had to truck off to clean landfill when they can't keep up with the crushing and storage on site. Currently, the eastern portion of the subject property will likely be grass or native planting mix and remain empty for the foreseeable future. Farming would no longer be feasible on the portion planning to be undeveloped currently.

Use of Site

The west end would be graded and balanced to allow for the gravels surface to be set. The dry detention needed for this change will improve the existing drainage in the area and meet the drainage board and development plan requirements. Petitioners will likely move and improve the access drive that currently exists to go over the ditch. Our early connections the subject site will be from the existing site as noted by the arrows. Ready-mix trucks would return from a delivery and go to this area to pour out. After a short period of drying a loader would pushup these pour outs into a pile. This would continue until enough product was built up to contract with the crusher to come to site and crush and process into smaller stone (53's, 2's and other desirable recycled stone). This process would likely occur one to two times per year and last approximately 7-14 days dependent on weather. These operations would occur during daytime hours of operation. The quantity of the product would diminish with the sales and the cycle would repeat. The volume of trucking off the site today would stay approximately the same as

the material leaves the site now via truck. A slight increase could occur dependent on the volume of sales.

Findings of Fact

The proposed Special Exception Use is consistent with the purpose of the zoning district and the Brownsburg Comprehensive Plan.

The use is permitted with the grant of a special exception in its zoning classification. The Comprehensive Plan calls for this to be Industrial/Manufacturing uses, the most intense use included in the Future Land Use map. The proposed utilization of the property is in line with the uses on the adjacent property and will be under common ownership.

The proposed Special Exception Use will not be injurious to the public health, safety, morals and general welfare of the community.

The use will largely be a storage use. The ability to store on-site until sufficient product is available for recycling and/or reuse is an environmentally friendly and responsible use which benefits the community at large. The limited on-site activity (crushing on a few occasions each year) is a use which can and will be done in a way which does not negatively impact the environment of the property or the community at large.

The proposed Special Exception Use is in harmony with adjacent land uses.

Adjacent uses to the area proposed to be utilized under this special exception are largely similar Industrial/Manufacturing uses with similar or greater intensity. The site will be appropriately landscaped from dissimilar uses as contemplated by the UDO.

The proposed Special Exception Use will not alter the character of the district;

This area of the Town carries the most intense future land use designation in the Comp Plan. The area is intended to have uses located nearby of similar intensity as classified by the UDO. The scope of the proposed initial use is in line with the adjoining property owned by common ownership as petitioner and where activities similar to the proposed activities here have been conducted for a number of years without negative impact.

The proposed Special Exception Use will not substantially affect property value in an adverse manner.

The property is surrounded on three sides by industrial/manufacturing uses. Because of an existing on site ditch and other existing easements on the property, the parcel cannot be developed in a comprehensive manner. The proposed site plan seeks to utilize the portion of the property which is located adjacent to an existing similar use and to locate at the farthest point on the property from other users who may be impacted by the use. The use of a parcel with significant existing encumbrances upon it has significant barriers, which are overcome through utilization of an adjacent property owner.