

Town of Brownsburg Board of Zoning Appeals

Project Synopsis

TO: Board of Zoning Appeals; Tricia Leminger; Maggie Smith

CC: Russell Brown | Clark, Quinn, Moses, Scott & Grahn

FROM: Jenna Wertman, AICP

DATE: May 2, 2022

RE: CASE # BZSE 22-2 | Unaddressed, north of 10770 E CR 300 N | Special Exception Use

GENERAL INFORMATION:

CASE NUMBER:

BZSE 22-2

APPLICANT:

Russell Brown | Clark, Quinn, Moses, Scott & Grahn

LOCATION:

The subject property is located to the north of 10770 E CR 300 N. The parcel is approximately 400' north of the intersection of CR 300 N and Raceway Road.



PARCEL SIZE:

Approximately 11.86 acres

LAND USE AND ZONING:

Zoned High Intensity Industrial (I2)

Direction:	North	West	East	South
Zoning:	I2	I2	D4 (Indianapolis)	I2
Use:	Industrial	Industrial	Residential	Industrial

ACTION REQUESTED:

The applicant requests Special Exception use approval for a materials recycling use to store and crush concrete to recycle as various sizes of stone products.

SITE HISTORY:

The subject property is currently unimproved.

STAFF ANALYSIS:

The applicant requests Special Exception use approval to allow materials recycling in the I2 – High Intensity Industrial District. Shelby Gravel is requesting approval to allow them to utilize a portion of the site to the north to store concrete materials that will later be crushed and recycled. As of the most recent update to the UDO, this use is a Special Exception through the BZA.

The applicant notes in their submission that the primary use is storage of materials, and that recycling/crushing will happen a few times each year on site. Crushing would be started when the storage space on the site is filled and would continue until the crushing is done, which can typically occur over a few days depending on weather. A condition that limits the amount of times per year per staff’s request, while remaining cognizant of the start-stop that can happen due to weather, has been provided by the applicant and is included as part of the recommendation on this report.

The project would include a mound and landscaping along Raceway Road to comply with the UDO. Per the UDO, Outdoor Storage Screening Standards, mounds and heavy landscaping are required for new or expanded outdoor storage areas in industrial districts. The request is for Special Exception approval, which provides the avenue for the use to proceed. Additional steps such as Platting and Development Plan Review would follow separately through the Plan Commission.

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.

Criterion 1: The proposed Special Exception Use is consistent with the purpose of the zoning district and the Brownsburg Comprehensive Plan.

The Applicant states in their detailed statement of reasons that the Comprehensive Plan notes this area as Industrial/Manufacturing and the heavier uses that come with that.

This is a complementary use to the property to the south. The surrounding area has similarly intense uses.

Staff believes this criterion has been met.

Criterion 2: The proposed Special Exception Use will not be injurious to the public health, safety, morals and general welfare of the community.

The Applicant notes that the use is predominantly storage, with material crushing happening only a few times per year. They also note the environmental benefits of recycling the materials for use in other projects. The applicant is proposing to use the west portion of the site for the recycling/storage use and provide a mound and landscaping along the frontage road.

The applicant also notes that their materials crushing for recycling would only occur during the daytime hours. The BZA should determine if a formal condition should be included that limits the hours for crushing materials. Generally, the Town has a standard that applies to construction and similar activities that restricts such occurrences to the hours of 7am to 11pm. Staff has included a proposed condition that restricts the proposed material crushing activities to 8am-8pm.

Staff believes this criterion has been met.

Criterion 3: The proposed Special Exception Use is in harmony with adjacent land uses.

The use is consistent with the surrounding area. The applicant notes that it is predominantly similar to existing uses and there are other heavier uses around the area. It will also be heavily landscaped and buffered from residential properties to the east.

Staff believes this criterion has been met.

Criterion 4: The proposed Special Exception Use will not alter the character of the district;

The Applicant notes that the use is similar to other uses in the district, and that there are higher intensity uses nearby. They note that it is also in line with the Comprehensive Plan. This use will provide better landscaping along Raceway Road than many of the previously established uses.

Staff believes this criterion has been met.

Criterion 5: The proposed Special Exception Use will not substantially affect property value in an adverse manner.

The Applicant states the proposed use will not substantially affect property values in an adverse manner because the proposed use is consistent with the current uses in the area. As noted previously, there is significant mounding and landscaping required with the project that exceed existing development in the area.

Staff believes this criterion has been met.

RECOMMENDATIONS:

Upon reviewing the materials provided by the Applicant, a review of the site, and the applicable Town regulations, we recommend the Board of Zoning Appeals **APPROVE** the Special Exception Use request with the following conditions:

1. On no more than four occasions in a calendar year, applicant will conduct the recycling process for the material stored on-site. The recycling process shall be considered complete when all material stored on-site has been crushed. Each recycling process is estimated to take seven to ten days of operation and is weather dependent. A recycling process will not be considered complete until all material stored on-site has been crushed.
2. Material crushing should generally occur in the daytime hours, beginning not before 8 a.m. nor extending passed 8 p.m.

Board of Zoning Appeals
MOTION
WORKSHEET



61 North Green Street | Brownsburg, Indiana 46112
Tel 317.852.1128 | Fax 317.852.1134

Docket # BZSE-22-2

Name: Shelby Gravel – Materials Recycling Special Exception Use

Proposed Motion:

I move to **APPROVE / DENY** the Special Exception sought by Russell Brown, Clark, Quinn, Moses, Scott & Grahm Docket # BZSE-22-2, Shelby Gravel – Materials Recycling Special Exception Use. The subject property is Parcel Number 32-08-20-400-010.000-016 in Lincoln Township.

I believe the petition has **SATISFIED / NOT SATISFIED** the requirements for Special Exception Approval as prescribed in Article 9 of the Unified Development Ordinance for the following reasons:

1)

2)

3)

4)

5)

I further move that this approval be made subject to and conditioned upon the following conditions of approval: