

TOWN OF PLAINFIELD BOARD OF ZONING APPEALS REPORT

DATE: January 18, 2024

CASE NO.: [BZA-23-091](#)

PETITIONER: ABC Distributors/Kevin Jones

REQUESTED ACTION: To allow the continued use of trailer parking on a gravel surface zoned AG Agriculture and I-1 Research / Office Industrial District.

SITE INFORMATION: **2198 Reeves Road**



EXISTING ZONING AND LAND USE:	COMPREHENSIVE PLAN:
Site: I-1 Research/Office Industrial & AG Agricultural District	Site: Light Industrial
North: I-2 Office/Warehouse Distribution District; OD Office District	North: Light Commercial / Park Open Space
South: I-2 Office/Warehouse Distribution District C-1 Commercial Industrial	South: Light Industrial / Heavy Commercial
East: I-2 Office/Warehouse Distribution District	East: Light Industrial
West: GC General Commercial District	West: Single Family Detached

PLANNING OVERVIEW

From the Ordinance: **I-1: RESEARCH/OFFICE INDUSTRIAL § 2.12 INTENT.**
 The Research/Office Industrial Districts are established to promote the development of research facilities, testing laboratories and administrative facilities that are office-like in physical appearance and service requirements. This district is used as a transitional use or buffer between residential areas and more intense industrial uses.

From the Comprehensive Plan:

LIGHT INDUSTRIAL AND WAREHOUSING

The Light Industrial and Warehousing category is intended to accommodate low-impact manufacturing, warehousing and distribution uses, and professional offices within a campus-like setting. Uses may include material assembly, storage and distribution, low intensity fabrication operations, and professional offices. These uses are generally buffered from other uses with operations contained within a closed setting. Access management and truck routing are key elements that could be considered with regard to the warehousing and distribution land use category. Business parks could incorporate heavy landscaping and buffers, incorporating large tree stands and other environmental features into the site design.

Board of Zoning Appeals - Variance of Use History for this site:

- 2008 (BZA-08-023) 4-year temporary approval
- 2012 (BZA-12-019) 4-year renewal temporary approval
- 2016 (BZA-16-018) 4-year renewal temporary approval
- 2020 (BZA-19-214) 4-year renewal temporary approval

During the construction of the SR267/Quaker Boulevard highway project the Indiana Department of Transportation used the site as a temporary concrete mixing plant location. For this use, the site had been graded and gravel was poured. After the completion of the road project, in 2008, the petitioner sought the temporary use of the area for trailer parking as the site conditions and location were conducive to providing that service to the nearby warehouse district.

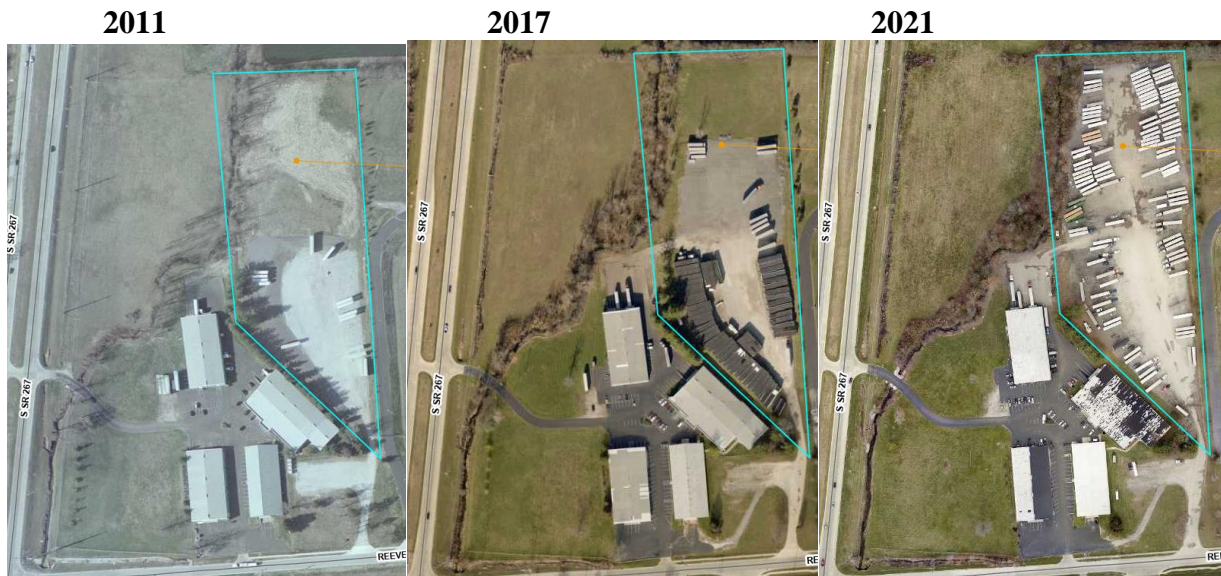
LAND USE / COMPATIBILITY:

Trailer storage is not allowed in any zoning district as a Primary or Special Exception Use, therefore an approved Variance of Use or rezone to Planned Unit Development would be required for this purpose.

When the portion fronting Reeves Road was annexed, the zoning defaulted to AG; that is still it's current zoning.

To the west are two properties. On the southern property are a cluster of small warehouse buildings under the ownership of the petitioner. These buildings and the mature landscaping on the property provide some screening of the use from Quaker Boulevard.

STAFF COMMENTS:



It appears that since the 2020 Variance of Use was approved, there has been an expansion of the trailer parking operation to the northern property line. This expansion conflicts with previous understandings and approvals.

- A quote from the 2016 Staff Report and repeated in the 2020 Staff Report: *“Only about half of the portion zoned I-1 is used for the trailer parking. The remainder is left in a natural vegetative state, providing screening to the north.”* In 2020 the temporary use was allowed to expand north into what was the natural vegetative state which would provide screening to the north.
- From the January 23, 2020, Board of Zoning Appeals Minutes:

“Mr. Cavanaugh: To make sure I understand correctly, there's no increase in the area planned for use or expansion of use area?”

Mr. Banning: No, they keep inching forward, you know, to the north. But really, it's all within that confined area that we've talked about from the very beginning.”
- Board of Zoning Appeals Motion to approve January 23, 2020:
Conditioned on: “Substantial compliance with site plan submitted file date January 17, 2020.”

Site Plan Submitted January 17, 2020, by Applicant



 **BZA-19-214 DAMON JONES VARIANCE OF USE**

As for the two rows of trailer parking in the area closest to Reeves Road, shown on the Site Plan, were ruled out of the request by the applicant during their presentation:

- From the January 23, 2020, Board of Zoning Appeals Minutes:

“Mr. Banning: It’s kind of interesting; the southern portion of this property, which has really never been used, as shown on the previous drawing, is the old park for a residential subdivision, that is now gone. Mr. Jones took care of that for the HOA back in the day because they wouldn’t take care of it, and then ultimately bought it through a tax sale. That’s where previously there has been a concrete plan and a lot of other things happening. I talked with Mr. Jones this morning, he’s down in Florida. The people who want to operate on this parcel of ground, they want to have a 7-year lease, he said “Nope, we’ve been doing 4- years, we’re going to stick to that.” They wanted to park trailers in that particular area, and he said, “No, we’re going to go north of there like we’ve been doing all along.” And he’s held to that for all the years... I see Rich shaking his head.”

In 2008 and over subsequent four-year anniversaries this use was presented and viewed simply as a “temporary use”. After 16 years and this request of an additional 4 more years, it would appear temporary use status has been exceeded. Initially the use was thought to be temporary, “not to last more than four years” (2008 Staff Report), the Gateway Corridor development standards were considered to not be relevant even though the site is within 600’ from SR 267.

Relaxing development and design standards for what is truly a temporary request many times is appropriate; however, Staff would suggest this requested temporary use has run its course. Staff recommends a one-year extension for the property owners be allowed, this provides time for users of the site to find relocation accommodations, after the one year, it ceases operation.

If there is further consideration for continuing this use at this site, Staff would recommend that the site be restored to the area and condition approved in 2020 by the Board of Zoning Appeals and that full site review be given equivalent to that of a Development Plan within the Gateway Corridor. It would be up to the Board of Zoning Appeals whether to require Development Plan Approval through the Plan Commission.

MOTION

(To allow one year and then cease operation)

I move that the Board of Zoning Appeals **approve / deny / continue** BZA-23-091, as filed by ABC Distributors/Kevin Jones for Variance of Use to allow to allow the continued use of trailer parking on a gravel surface zoned AG Agriculture and I-1 Research / Office Industrial District located at 2198 Reeves Road for an additional one (1) year period from today's date, finding that:

- (1) the approval **will not / will** not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use and value of the area adjacent to the property included in the variance **will not / will** be affected in a substantially adverse manner;
- (3) the need for the variance **arises / dose not arise** from conditions peculiar to the property involved;
- (4) the strict application of the terms of the zoning ordinance **will / will not** constitute an unnecessary hardship if applied to the property for which the variance is sought; and
- (5) the approval **will not / will** interfere substantially with the comprehensive plan for the Town of Plainfield, Indiana.

(To allow four-year extension as requested)

I move that the Board of Zoning Appeals **approve / deny / continue** BZA-23-091, as filed by ABC Distributors/Kevin Jones for Variance of Use to allow to allow the continued use of trailer parking on a gravel surface zoned AG Agriculture and I-1 Research / Office Industrial District located at 2198 Reeves Road for four (4) years, from today's date, finding that:

- (1) the approval **will not / will** not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use and value of the area adjacent to the property included in the variance **will not / will** be affected in a substantially adverse manner;
- (3) the need for the variance **arises / dose not arise** from conditions peculiar to the property involved;
- (4) the strict application of the terms of the zoning ordinance **will / will not** constitute an unnecessary hardship if applied to the property for which the variance is sought; and
- (5) the approval **will not / will** interfere substantially with the comprehensive plan for the Town of Plainfield, Indiana.

Subject to (if to approve):

1. That the site be restored to the area and condition approved in 2020 by the Board of Zoning Appeals.

2. That full site review be conducted, equivalent to that of a Development Plan within the Gateway Corridor and be returned to the Board of Zoning Appeals once reviewed for final approval.
3. Substantial compliance with site plan submitted file date October 17, 2008.
4. The terms of this variance of use shall be for four (4) years from the date of grant upon which time this variance of use shall expire. In the event petition wishes to continue the granted use of trailer parking, another variance of use shall be petitioned for and granted.