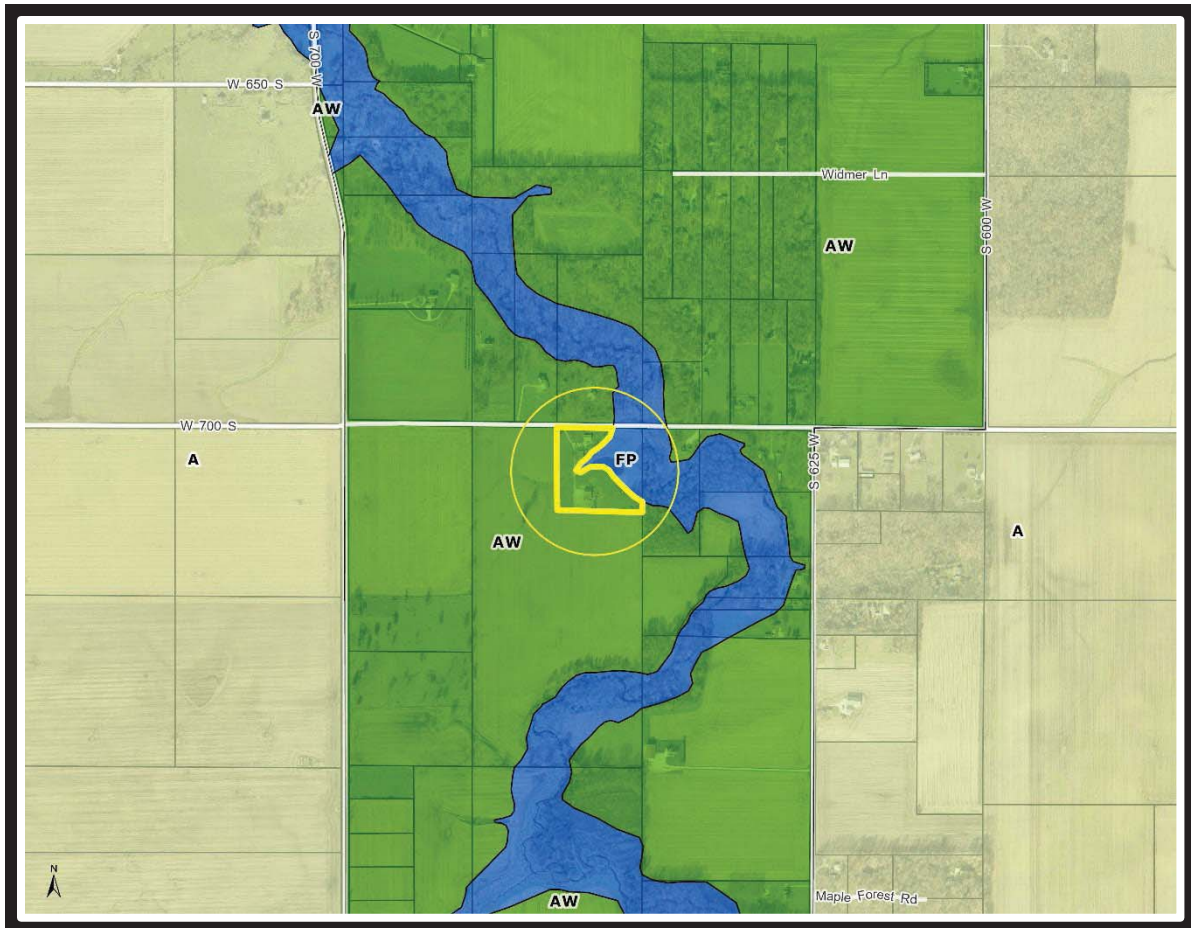

**BZA-2091
AMBER E. KING
(special exception)**

**STAFF REPORT
January 19, 2023**



**BZA-2091
AMBER E. KING
Special Exception**

**Staff Report
January 19, 2023**

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the owner and represented by Chris Shelmon of Gutwein Law, is requesting a special exception for an agricultural rental hall on 6.44 acres of land zoned Agricultural Wooded. The maximum occupancy load of the rental hall will be 200 guests and the proposed hours of operation are 8am – 10pm, Sunday through Thursday, and 8am – 12am on Friday and Saturday. The property is located at 6537 W 700 S, Wayne 31 (NW) 22-5.

AREA ZONING PATTERNS:

Except for the Flood Plain zoning immediately east of petitioner’s buildings, all land in the area is zoned Agricultural Wooded. There have been no variances or special exceptions granted in the vicinity.

AREA LAND USE PATTERNS:

The petitioner’s 10-acre tract (of which 6.44 acres is out of the Flood Plain and the subject of this request) contains their home, two accessory structures and a pond. A row of mature evergreens lines the western 2/3 of the road frontage. The southernmost accessory building will be expanded to include the rental hall. Wooded areas along Flint Run are located to the east and north across CR 700 S and farm fields are located to the west and south. The closest off-site home is about 700 feet to the northeast.

TRAFFIC AND TRANSPORTATION:

The site has access to CR 700 S, a rural local road, via an existing driveway at the northwest corner of the property. The County Highway Department requires a permit to install a commercial driveway to ensure the entrance meets its standards for this use.

The current parking requirement for this use specifies 1 parking space per four occupants. With a maximum occupancy of 200 guests, 50 spaces are required; 51 spaces are shown exceeding this requirement by one. A grassed area just west of the parking lot meets the UZO required overflow parking and would accommodate an additional 61 parking spaces.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

A commercial septic system will serve the facility.

STAFF COMMENTS:

Petitioner is requesting a special exception to operate an agricultural rental hall on their

homesite. Their 10-acre tract includes both AW and FP zoning, however the area zoned FP was excluded from this petition because agricultural rental halls are not permitted in that zone. The home is located near the county road on the north side of the property and the rental hall will be near the southern property line. An existing barn will be remodeled and expanded to include a warming kitchen for catering, bathrooms and event space. A new large covered porch measuring 1,476 square feet will also be attached to this building. A second new structure will include changing rooms with bathrooms for brides and grooms and will be built in a style to mimic a grain silo paying homage to the agricultural nature of the area. Just to the north of this structure is an area shown on the site plan for outdoor ceremonies. No amplified music will be permitted in the outdoor areas of the facility.

The venue is proposed to operate 7 days per week with hours of operation from 8am - 10pm, Sunday through Thursday and from 8am - midnight, Friday and Saturday. These hours are like those of past agricultural rental halls approved by the Board. The petition limits the number of attendees to 200. Parking standards for this use require one parking space per 4 guests, requiring 50 parking spaces. The site plan shows 51 parking spaces. Additional overflow parking for 61 vehicles is shown west of the parking lot.

An amendment to the zoning ordinance (#109) was passed by The Area Plan Commission at its January 2023 meeting that made changes to some of the requirements for agricultural rental halls. Of note, the parking standard was increased to 1 parking space per 2.5 patrons, plus 1 space per full-time employee. While this new standard cannot and will not apply to this special exception, the standard could still be met if the overflow parking is included. Other proposed changes include a 1000' separation requirement from off-site dwellings, limitations on hours of operation, capping the maximum capacity to 300 guests, and adding buffering requirements between the parking areas and adjacent residences. NOTE: While this amendment will affect future special exceptions for agricultural rental halls, it has no bearing on the subject approval.

At its meeting on January 4, 2023 the Executive Committee of the Area Plan Commission voted that granting this request would not substantially adversely affect the Comprehensive Plan.

Regarding the ballot items:

1. Section 3.1 of the Unified Zoning Ordinance **DOES** authorize the special exception for this use in the Agricultural Wooded zoning district.

And it is staff's opinion that:

2. The requirements and development standards for the requested use as prescribed by the Unified Zoning Ordinance **WILL** be met. The site has been designed with sufficient parking areas required by the ordinance. Additionally, lot coverage, vegetative coverage and building setbacks will be met.

3. Granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance. This request would not harm the public health, safety, or inhibit the general welfare of the community.
4. Granting the special exception **WILL NOT** materially and permanently injure other property or uses in the same district and vicinity because of:
 - a. Traffic generation: CR 700 South is a paved two-lane road with a very low traffic count (81 vehicles per day on average in 2020). The vehicular traffic generated by this use can easily be accommodated by the county road facilities.
 - b. Placement of outdoor lighting: According to the petition, lights will be located at the building entrances, parking lot and entrance to the facility. All lighting will be hooded or directed in a manner to not escape the property line.
 - c. Noise production: Amplified music for events will only be permitted inside the building. Any outdoor events will not be permitted to use amplified music.
 - d. Hours of operation: 8am - 10pm, Sunday through Thursday, and 8am – midnight, Friday and Saturday. These hours are consistent with other approved agricultural rental halls (and would meet the new rental hall requirements).

STAFF RECOMMENDATION:

Approval, contingent on the following commitment and conditions:

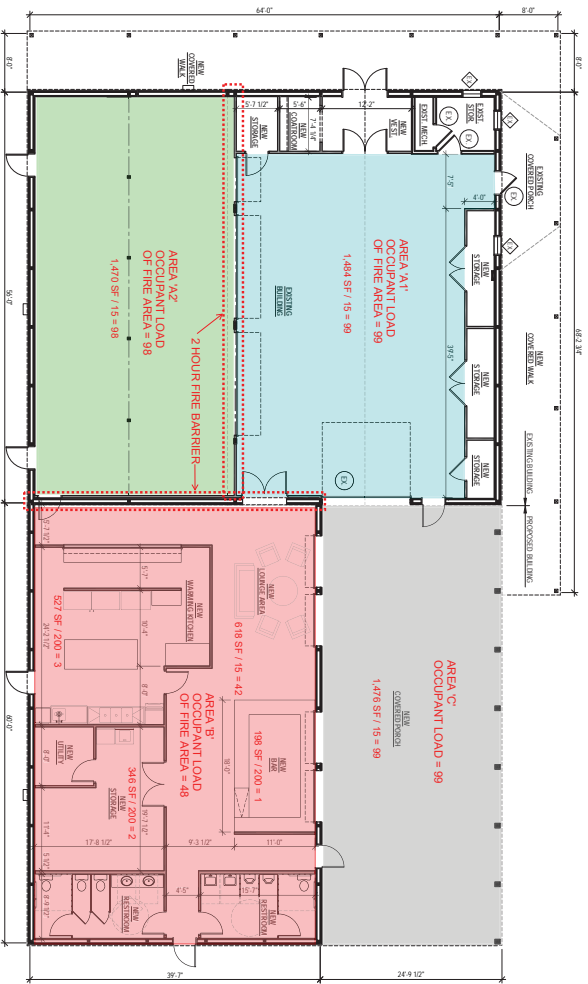
Commitment:

1. Limit the number of attendees to 200 guests;
2. Prohibition of any outdoor amplified music.

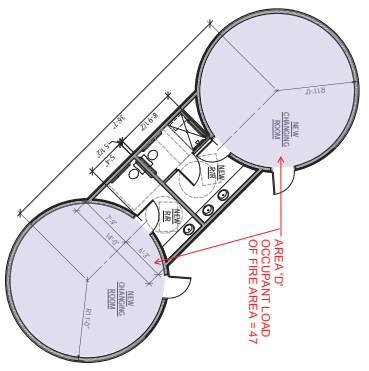
Conditions:

1. Approval from the County Surveyor's Office;
2. Approval from the County Highway Department;
3. Approval from the Indiana Department of Health and the Tippecanoe County Health Department;
4. Approval from the County Building Commissioner for building design approval and permit coordination;
5. Any revisions to the site plan needed because of any of the above approvals must be filed with APC staff.

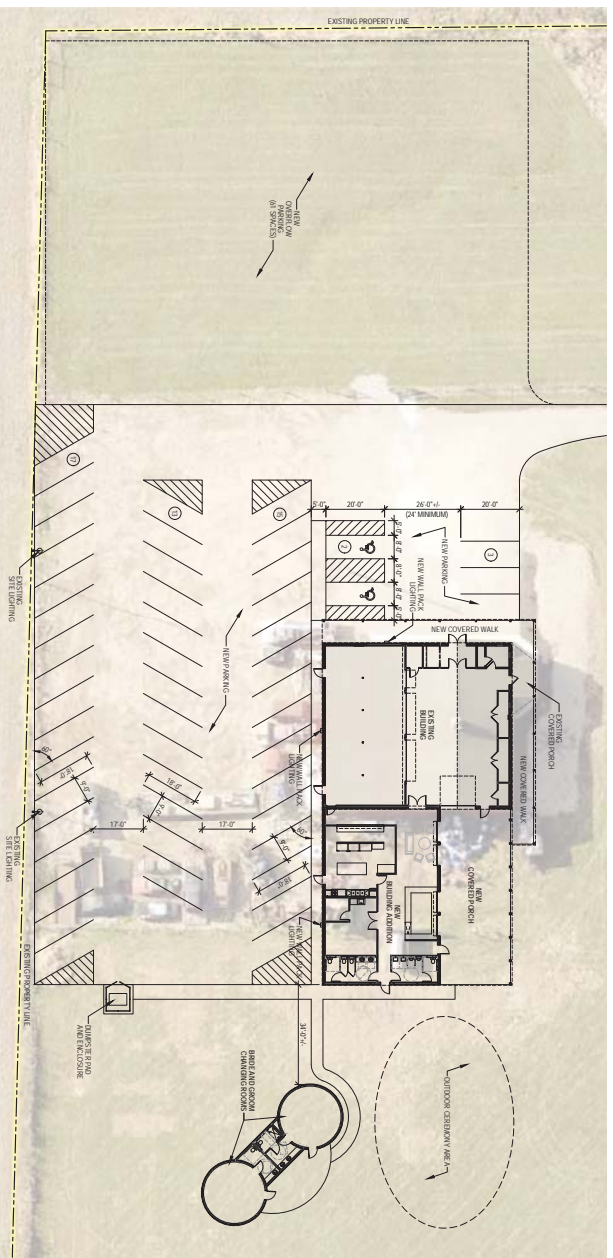
Note: A special exception approval ceases to be valid if the use is not established (open for business) within one year of the date that the special exception was granted.



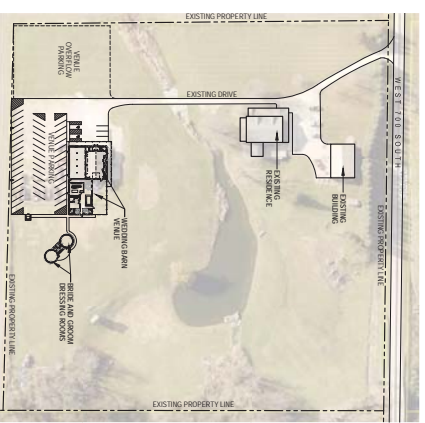
WEDDING BARN FLOOR PLAN
SCALE: 1/8" = 1'-0" (OVER SHEET)



BRIDE & GROOM CHANGING ROOMS
SCALE: 3/8" = 1'-0" (OVER SHEET)



WEDDING BARN ARCHITECTURAL SITE PLAN
SCALE: 1/4" = 20'-0" (OVER SHEET)



OVERALL ARCHITECTURAL SITE PLAN
SCALE: 1/4" = 100'-0" (OVER SHEET)

SITE PLAN INFORMATION
 ZONE: AN AGRICULTURE AND WOODS ZONE
 USE: RECREATION, CULTURAL, RENTAL HALL, COMMERCIAL
 PARKING CAPACITY: 200 (100 PARKING SPACES TO THE EAST AND 100 PARKING SPACES TO THE WEST)
 PARKING: ASPHALT PAVED (100 SPACES TO THE EAST AND 100 SPACES TO THE WEST)

OCCUPANCY CALCULATIONS (PARKING)
 AREA A: 15 OCCUPANTS
 AREA B: 15 OCCUPANTS
 AREA C: 15 OCCUPANTS
 TOTAL OCCUPANTS TO OCCUPANCY PERMITS: 45
 TOTAL OCCUPANTS TO OCCUPANCY PERMITS: 45

BUILDING INFORMATION
 OCCUPANCY: A-10
 ALLOWED FLOOR AREA HEIGHT: 4000 S.F. / 3000 S.F.
 FLOOR AREA: 11,000 S.F. / 11,000 S.F.
 EXISTING FLOOR AREA: 11,000 S.F. / 11,000 S.F.
 TOTAL FLOOR AREA: 11,000 S.F. / 11,000 S.F.
 BRIDE AND GROOM CHANGING: 400 S.F.

OCCUPANCY CALCULATIONS (BUILDING)
 EXISTING BUILDING: 11,000 S.F. / 15 = 733 OCCUPANTS
 NEW BUILDING: 11,000 S.F. / 15 = 733 OCCUPANTS
 TOTAL OCCUPANTS: 1466 OCCUPANTS

ARKOR
 ARCHITECTURAL
 1000 W. 10TH ST. SUITE 100
 WEST POINT, IN 47992
 TEL: 317.846.1000
 WWW.ARKORARCHITECT.COM

CUBE
 CONSTRUCTION
 1000 W. 10TH ST. SUITE 100
 WEST POINT, IN 47992
 TEL: 317.846.1000
 WWW.CUBECONSTRUCTION.COM

**PRELIMINARY PLANS
 NOT FOR CONSTRUCTION**

**CHAFFEE-KING
 WEDDING BARN**
 6537 W. 700 S.
 West Point, Indiana 47992

REV.	DATE	REV. BY	DESCRIPTION

PROJECT: CHAFFEE-KING WEDDING BARN

SHEET NUMBER: AS101

ARCHITECTURAL SITE PLAN

PC-22051

DATE: 01/15/2021

DESIGNED BY: CHAFFEE-KING

CHECKED BY: CHAFFEE-KING