

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

January 8, 2014

Members Present:

Tim Holmes	President
Phil Barrow	Vice-President
Jim Martin	Secretary
Brian Alsip	Member
Rev. Richard Martin	Member

Others Present:

Joanna Myers	Senior Planner
Alex Getchell	Associate Planner
Lynn Gray	Legal Counsel
Jaime Shilts	Recording Secretary

Call to Order:

Tim Holmes called the meeting to order at 7:00 p.m.

Election of Officers:

Brian Alsip made a motion to nominate Tim Holmes as President. Phil Barrow seconded the motion. Nominations were closed. The motion passed unanimously.

Jim Martin made a motion to nominate Phil Barrow as Vice President. Tim Holmes seconded the motion. Nominations were closed. The motion passed unanimously.

Phil Barrow made a motion to nominate Jim Martin as Secretary. Brian Alsip seconded the motion. Nominations were closed. The motion passed unanimously.

Appointment of Legal Counsel:

Jim Martin made a motion to reappoint Lynn Gray as the BZA attorney. Phil Barrow seconded the motion. The motion passed unanimously.

Approval of Minutes:

Lynn Gray noted that on page 2 in the 4th paragraph from the bottom, the word “at” should be “a”. Rev. Martin made a motion to approve the December 4, 2013 minutes with the noted correction. Phil Barrow seconded the motion. The members voted unanimously to approve the minutes as corrected.

Swearing In:

Lynn Gray swore in the audience en masse.

Old Business:

None.

New Business:

ZB 2013-22 (V) Wilson:

The property is located at 844 E. Hospital Road and is located within the buffer zone. The request is for a developmental standards variance to allow a front porch within the front setback in the RR zoning district. A variance is needed because the required setback is 50 feet and the applicant wishes to construct a 8’x18’ porch off the front of the residence and encroach 20 feet into the front setback. The existing structure is legal non-conforming, as it currently has a setback of 38 feet from the right-of-way. The applicant is requesting a reduced setback of 30 feet.

Ms. Gray stated that the petitioner submitted an accurate legal description and notice to the Daily Journal but the Daily Journal printed only part of the notice. She stated they left out what kind of a variance was to be at the meeting but did include the meeting date, time and location. She stated that the petitioner had met the notification requirements.

Diana Wilson, 844 E. Hospital Road, stated that the house was originally a one bedroom property. She stated that there was a porch on the house but her father closed it in to make it a three season room. She stated that she has added extra room by incorporating the 3 season room as part of the house. She stated that she lives in the buffer zone and would like to put on a porch again. The porch would face the south and also the street. She stated the addition will bring the structure back to how it used to be and will add the porch onto the front of the house. Ms. Wilson stated it would be cost prohibitive to add the porch onto the west side of the house as her gas pipes are buried there and the structure of the house is different on that side.

Ms. Wilson stated the approval will not be injurious to the public. She stated the house is far enough away from the road and there will not be any safety or traffic concerns.

Ms. Wilson stated that her neighbors do not have any issues with the addition and are excited for it as it will increase their property values.

Ms. Wilson stated the practical difficulty is that she became the owner of a home that is non-conforming and has had to do a remodel to make the house livable. She wishes to restore the porch to the actual configuration of the home. She stated that on the east side she had air conditioning that will not allow her to build there and gas pipes on the west side of the house. She stated it will be constructed as an open porch.

Staff recommends approval with the following condition:

1. Obtain all permits/approvals from the City of Franklin and Johnson County prior to construction.

Action taken on ZB 2013-22 (V) Wilson:

Jim Martin made a motion to approve the variances with the following condition:

1. Obtain all permits/approvals from the City of Franklin and Johnson County prior to construction.

Brian Alsip seconded the motion. The motion carried.

Other:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 5th day of February, 2014.

Tim Holmes, Chairman

Jim Martin, Secretary