

**CITY OF FRANKLIN BOARD OF ZONING APPEALS
FRANKLIN, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed variances do not involve any requests that would result in injury to the community. The relief sought does not compromise vehicular or pedestrian movements.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The property is proposed to be developed and improved in such a way, resulting in an overall benefit to the immediately surrounding uses and the overall benefit of the community.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

***Lot area** – The site is just over the maximum lot area and the space is needed for the proposed improvements, without the additional space the Marketplace Store could not be developed here.*

***Lot Coverage** – The site has many challenges in terms of rights of way, easements and underground utilities that limit the area that can be pervious. While accommodating the challenges, the applicant has provided outdoor seating, landscaping and accommodated all cross access and drives required.*

***Loading** – The site is constricted by two street frontages, the location of the loading docks must be oriented towards a public street in order to accommodate truck traffic. They have been buffered with landscaping as much as possible*

***Display windows** - The elevations provide 41.74 % window space. Due to the nature of a grocery, it is difficult to maintenance safety and interior layouts and also provide all aesthetic architectural requests.*

***Customer Entrance on Mallory** - The south façade serves as the pharmacy drive through component and providing an additional entrance on this façade would be unwise in terms of mixing pedestrian and vehicular traffic as well as security for the store having an additional ingress / egress point.*

***Façade Walls** – Applicant is working to enhance the south and north walls to meet the spirt, if not the requirements of the ordinance. Additional details and designs are being developed.*

***Foundation Plantings:** Applicant has asked not to do planting areas adjacent to the building walls because that creates a habitat for pests that are not desirable for the operation of a grocery store.*

***Entrance Separation** – Applicant has requested a reduction in the separation of entrances on a local road to facilitate the Kroger access to align with the entrance on the south side of Mallory Parkway and also to provide a separate and safer access to the cinema to the west.*
