

**EXHIBIT: 2**

**CITY OF FRANKLIN BOARD OF ZONING APPEALS**

**PETITION FOR VARIANCE  
(OF USE)**

**COPY**

Donnie Bunch – 1195 US 31  
Case Number ZB 2013-11 (UV)

**FINDINGS OF FACT**

Comes now before the City of Franklin Board of Zoning Appeals and finds that the following must be proven for approval:

1. The approval 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 be affected in a substantially adverse manner.
3. The need for the variance arises from some condition peculiar to the property involved.
4. The strict application of the terms of the ordinance will constitute an unnecessary hardship as they are applied to the property for which the variance is sought.
5. The granting of the variance does not interfere substantially with the Franklin Comprehensive Plan.

It is hereby FOUND AND ORDERED:

1. That the Petitioner has met the requirements set out in numbers 1-5 above. Therefore, the Board of Zoning Appeals of the City of Franklin, Indiana does have the power to authorize the requested variance.
2. The petition for variance, therefore, is hereby approved with the following commitments:
  - a. All parking areas and interior drives will be paved/concrete.
  - b. The vehicle display parking spaces and additional parking spaces shall be identified by the appropriate pavement markings consistent with the attached site plan.
  - c. A maximum of 13 vehicles shall be on display at one time and shall be parked within the delineated parking spaces.
  - d. The interior drives shall be marked with appropriate pavement markings indicating one-way traffic.
  - e. The operation of the produce market would cease.
  - f. No additional outdoor lighting would be provided.
  - g. No additional signage would be provided.
  - h. Three (3) trees consistent with the site development plan will be provided.
  - i. Property will be paved in areas not already paved.
  - j. The legal non-conforming use of the produce stand would be relinquished.
  - k. There will be no auto repair on the property.
  - l. There will be no sales of any other type on the property.
  - m. The existing sign face would be changed but the structure will remain in its current location with no additional lighting added.

DATED this 2<sup>nd</sup> day of October, 2013.

  
Tim Holmes, Chairman  
City of Franklin Board of Zoning Appeals

# CITY OF FRANKLIN BOARD OF ZONING APPEALS

## PETITION FOR VARIANCE (FROM DEVELOPMENTAL STANDARDS)

# COPY

Donnie Bunch – 1195 US 31  
Case Number ZB 2013-11 (V)

### FINDINGS OF FACT

Comes now before the City of Franklin Board of Zoning Appeals and finds that the following must be proven for approval:

1. The approval 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 be affected in a substantially adverse manner; and
3. The strict application of the terms of the Franklin Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

It is hereby FOUND AND ORDERED:

1. That the Petitioner has met the requirements set out in numbers 1-3 above. Therefore, the Board of Zoning Appeals of the City of Franklin, Indiana does have the power to authorize the requested variance.
2. The petition for variance, therefore, is hereby approved with the following commitments:
  - a. All parking areas and interior drives will be paved/concrete.
  - b. The vehicle display parking spaces and additional parking spaces shall be identified by the appropriate pavement markings consistent with the attached site plan.
  - c. A maximum of 13 vehicles shall be on display at one time and shall be parked within the delineated parking spaces.
  - d. The interior drives shall be marked with appropriate pavement markings indicating one-way traffic.
  - e. The operation of the produce market would cease.
  - f. No additional outdoor lighting would be provided.
  - g. No additional signage would be provided.
  - h. Three (3) trees consistent with the site development plan will be provided.
  - i. Property will be paved in areas not already paved.
  - j. The legal non-conforming use of the produce stand would be relinquished.
  - k. There will be no auto repair on the property.
  - l. There will be no sales of any other type on the property.
  - m. The existing sign face would be changed but the structure will remain in its current location with no additional lighting added.

DATED this 2<sup>nd</sup> day of October, 2013.

  
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Tim Holmes, Chairman  
City of Franklin Board of Zoning Appeals