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February 12, 2016

Franklin Department of Planning and Engineering
Attn: Ms. Joanna Myers, Senior Planner
70 East Monroe Street
Franklin, IN 46131

**RE: Benham & Edwards, LLC
Variance Request**

Dear Joanna:

As attorney for the applicant, Benham & Edwards, LLC, enclosed please find the following:

1. Application
2. Recorded deed for property
3. Proposed deed that the owner intends to record if the Board of Zoning Appeals approves the variance request and if the Site Development Plan in the pending Case No. PC 2015-19 (SPR) is approved.
4. Filing Fee
5. Three (3) copies of the Site Plan

Statement of Intent

This letter will serve as the Statement of Intent, as required by Section 11.3(A)(2) of the Zoning Ordinance describing the details of the variance being requested and stating how the request is consistent with the required findings of fact and I.C. 36-7-4-918.5.

The request for a variance from developmental standards of the requirements of Article 7 Chapter 7.9(K)(1) of the City of Franklin Zoning Ordinance is to allow the top of bank of the detention pond to provide less than two (2) feet of free-board protection above the 100-year flood elevation for the area in which the pond is located for the premises located at 1137 Graham Street, Franklin, Indiana consisting of 3.505 acres.

The applicant intends to construct self-storage buildings on the property. There are now two (2) self-storage buildings located on the north part of the parcel. Two (2) additional self-storage buildings will be located east of the existing buildings. Over time, additional self-storage buildings are proposed to be located on the southern portion of the property.

The Site Plan sets forth the proposed future development and specifications for the detention pond.

Statutory factors

- a. **General Welfare:** *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

No wetlands, 100 year floodplains, floodways, or floodway fringes exist on the site. (See p. 6 of Site Plan.) There are no floodplains, floodways, or floodway fringes near the property. Attached is the map showing the nearest flood zones.

Erosion of the detention pond banks will be addressed as soon as it becomes visible by filling the eroded area with suitable soil and establishing vegetation immediately, preferably sodding. (See p. 6 of Site Plan)

Page 4 of the Site Plan sets forth the design of the detention pond. It is designed to keep water from topping the detention pond.

The top of the pond bank is two (2) feet above the normal pool elevation.

The parcel is in the Industrial: Business Development (IBD) district. The detention pond was designed to meet the general drainage standards set forth in the City of Franklin's Subdivision Control Ordinance.

- b. **Adjacent Property:** *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

The parcel is in the Industrial: Business Development (IBD) district. The detention pond was designed to meet the general drainage standards set forth in the City of Franklin's Subdivision Control Ordinance.

The pond is located twenty feet (20') from the property lines and it is less than 0.5 acres in size.

Due to the pond's location on the parcel, the proposed height of the pond bank will not substantially affect neighboring uses or property values.

- c. **Practical Difficulty:** *The strict application of the terms of the Ordinance will result in a practical difficulty in the use of the property. This situation is not self-imposed, nor based on perceived reduction of, or restriction on economic gain.*

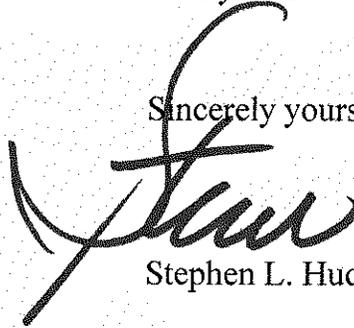
The parcel is relatively small, 3.5 acres in the IBD district. Because the land is relatively flat, a dry detention pond is not appropriate.

There are offsite or downstream restrictions that severely limit the design of the detention pond. The site naturally drains to the northeast and also to the southeast. The proposed design eliminates the drainage runoff to the northeast, since there is not a positive offsite outlet or defined ditch.

The existing offsite swale at the southeast corner of the site controls the elevation of the outlet pipe from the detention pond, which controls the normal pool and 100 year flood elevations of the pond. Because the site is so flat, it would not be possible to provide positive drainage onsite to the pond if the pond's top of bank elevation were raised to the elevations set forth in the Ordinance.

Thank you for your attention in this matter. If you have any questions, please contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Steve', written over the typed name 'Stephen L. Huddleston'.

Stephen L. Huddleston