

CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT · DEPARTMENT OF ENGINEERING

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

April 4, 2012

Members Present:

Tim Holmes
Jim Martin
Rev. Richard Martin
Brian Alsip

Chairman
Secretary
Member
Member

Members Absent:

Phil Barrow

Vice Chairman

Others Present:

Kevin Tolloty
Lynn Gray
Jaime Harshman

Associate Planner
Legal Counsel
Recording Secretary

Call to Order:

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

Approval of Minutes:

Rev. Martin made a motion to approve the March 7, 2012 minutes as presented. Jim Martin seconded the motion. The members voted unanimously to approve the minutes.

Swearing In:

Lynn Gray swore in the audience en masse.

Old Business:

None

New Business:

ZB 2012-01 (V) Church of the Bible:

Pastor Sam Hoskins, Church of the Bible, stated that they would like to place a 16 square foot sign (4' x 4') on their property. He stated they do currently have a sign on their building but have complaints that people cannot see it and would like to place the new sign closer to the road.

Pastor Hoskins stated that the general welfare will not be injurious to the public. He stated they have been in the area for more than 20 years. The people all around the property are neighbors and do not have any objections to the sign.

Pastor Hoskins stated the adjacent properties will not be affected. They have a park across the street from them and also the neighbors who do not object to the sign.

Pastor Hoskins stated that there is a practical difficulty. The sign that they are proposing is off the road. There is an alley on one side of the sign which is not a thru alley. There won't be any hindrance to anyone by moving the sign.

Staff recommends approval with the following conditions:

1. A sign permit be obtained.
2. The sign shall not exceed 6 feet in height.
3. The sign shall not be permanently illuminated.

Action taken on ZB 2012-01 (V) Church of the Bible:

Jim Martin made a motion to approve the petition with the conditions mentioned by Staff .

1. A sign permit be obtained.
2. The sign shall not exceed 6 feet in height.
3. The sign shall not be permanently illuminated.

Brian Alsip seconded the motion. The motion passed unanimously.

ZB 2012-03 (V) Zach Yant:

Zach Yant submitted photos as Exhibit A for the record. Mr. Yant stated that he had contacted Kevin Tolloty and had misunderstood the fence requirements. He is requesting that the fence be placed 5 feet further out. The fence keeps his dog inside the yard. The fence does not affect vision for himself or his neighbors. He stated that if he has to move his fence he will be losing 10 feet of space from his yard. The fence is 5.4" away from the property lines already.

Mr. Yant stated that the general welfare would not be injurious to the neighbor's property.

Mr. Yant stated that the adjoining properties will not be impacted by the fence. The other neighbors have properties that already have fences.

Mr. Yant stated that moving the fence would cost extra and would limit his space.

Mr. Tolloty stated that Staff recommends denial of the petition. Mr. Alsip questioned if any handouts were given to Mr. Yant. Mr. Tolloty stated it was done over the phone but is difficult because fence

permits are not required. Mr. Holmes stated the three options are to lower the fence to 3 feet, to move the fence back or to grant the variance. Ms. Gray questioned if Mr. Yant had two front yards. Mr. Tolloty stated that is does with setbacks.

Action taken on ZB 2012-03 (V) Zach Yant:

Brian Alsip made a motion to grant the petition as a developmental standards variance. Jim Martin seconded the motion. The motion passed unanimously.

ZB 2012-04 (V) Scott Graham:

Scott Graham stated that he and his wife, with the help of Rhoni Oliver, have purchased 398 W. Madison from Brad Crowe after it sat vacant for 14 years. They would like to build a garage behind it. There was a one car garage there at one time. He stated that they want to enlarge the garage and make it a 2 ½ car garage. The issue is that the set back to the property line is now 3.8ft and the minimum is supposed to be 5 feet. It is 6 ½ feet off of the alley and they want to use the same foundation just move the garage it further towards the house.

Mr. Graham stated that the general welfare will not be injurious to the public. They are trying to improve the property.

Mr. Graham stated that the adjacent property will not be affected. It should be improved by adding the garage and not just leaving the slab there.

Mr. Graham stated that the practical difficulty is that they would have to cut the foundation and move the slab. It is a non-conforming neighborhood. He stated all the neighbors are happy they are renovating the house and improving the area.

Mr. Tolloty stated that Staff recommends approval with the condition that a building permit be obtained. Ms. Gray stated that the condition that the garage not be used as living space be added.

Action taken on ZB 2012-04 (V) Scott Graham:

Rev. Martin made a motion to approve the petition with the following conditions:

1. That the proper building permits be obtained.
2. That the garage not be a residence of any type.

Jim Martin seconded the motion. The motion passed unanimously.

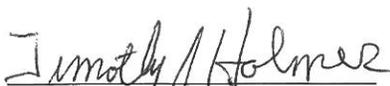
Other Business:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 2nd day of May, 2012.


Tim Holmes, Chairman

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Jim Martin, Secretary

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