



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT • DEPARTMENT OF ENGINEERING

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

July 11, 2012

Members Present:

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

Others Present:

Kevin Tolloty	Associate Planner
Joanna Myers	Senior Planner
Lynn Gray	Legal Counsel

Call to Order:

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

Approval of Minutes:

Jim Martin made a motion to approve the April 4, 2012 minutes as presented. Phil Barrow 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 2012-05 (V) Airtomic:

Kevin Tolloty stated that the petition is for a developmental standards variance to allow a reduced side and rear building setback in the Industrial General zoning district.

Steve Williams, representing JM Stevens Enterprises, LLC., stated that 215 Industrial Drive was platted in 2003 and is a little less than an acre. He stated the primary purpose of the request is that they've run

out of storage room. They currently have storage pods that they are using. The ordinance currently has 50 foot side and rear setbacks. They wish to add a 4000 sq ft addition to the back and reduce the rear setback from 50 to 25 feet and the side setback to 20 feet. They are adding a little bit of space to the parking lot.

Mr. Williams stated that the approval would not be injurious to the public health, general welfare of the community as the adjacent properties are developed in a similar manner as the requirements at the time of construction were similar to the request.

Mr. Williams stated that the approval will not adversely affect the adjacent properties as it won't be any different than what is currently surrounding it. The new building will add to the tax base.

Mr. Williams stated that a practical difficulty does exist as the existing building is currently in non-compliance with the current regulations.

Michael Mislán, Sargent Aerospace & Defense, stated that the business has approximately 15 employees and mainly works on air parts as an international business. They are currently expanding their business and anticipate to expand in the next couple of years and add more employees as well.

Staff recommends approval with the following conditions:

1. Final site plan approval of the proposed addition.
2. All applicable permits shall be obtained upon approval of variance and site plan.

Action taken on ZB 2012-05 (V) Airtomic:

Phil Barrow made a motion to approval with the following conditions:

1. Final site plan approval of the proposed addition.
2. All applicable permits shall be obtained upon approval of variance and site plan.

Jim Martin seconded the motion. The motion passed unanimously.

ZB 2012-06 (V) Metro Fibernet

Mr. Tolloty stated that the petition is for a developmental standards variance to allow a reduced rear setback for an accessory structure in the Industrial Business Development zoning district. The variance would reduce the setback to 11.4 feet.

Marianne Cox, Metro Fibernet, stated that they are going to be located at 111 Commerce Drive. They are requesting a variance for the placement of the dumpster enclosure.

Ms. Cox stated that the approval of the petition will not be injurious to the general welfare of the community. She stated that previous tenants had a dumpster in the same location.

Ms. Cox stated that the adjacent property will not be affected. She stated she has shared the plan with the neighboring property owner and he did not have a problem with it. They will also be adding four trees to the property so there will be a natural screen separating the two properties.

Ms. Cox stated that there will be a practical difficulty with a project of this size. The north half of the building is the showroom. There is equipment that needs to be stored and there is an area for office space for technicians. There is a very small area to store a dumpster and it will get in the way. If they were to put the dumpster on the north side of the building it would be where the customers enter by the front door

and they would lose two of their prime parking spots. They would like the dumpster to be moved to the south side of the property. There will be a fenced in enclosure for the dumpster and also for the generator.

Mr. Tolloty stated the Staff recommends denial but if the Board finds sufficient evidence to approve the petition, the following condition is recommended:

1. Area directly north of the dumpster enclosure, where dumpster will be located on days of pick-up, shall meet dumpster pad requirements for concrete.

Action taken on ZB 2012-06 (V) Metro Fibernet

Jim Martin made a motion to approval with the following conditions:

1. Area directly north of the dumpster enclosure, where dumpster will be located on days of pick-up, shall meet dumpster pad requirements for concrete.

Phil Barrow seconded the motion. Aye: Jim Martin, Richard Martin, Phil Barrow, Tim Holmes. Abstain: Brian Alsip. The motion passed with a majority vote (4-0-1).

ZB 2012-07 (V) Interstate Warehousing Inc.

Mr. Tolloty stated the petition is for a developmental standards variance to allow a fence in a required front setback and to allow drive entrance separation of less than 100 feet in the Light Industrial zoning district. Jason Bransteter, Tippmann Group, stated that they own 48 acres in the industrial park. They began construction in March on this phase. They hope to finalize the final plat within the next few weeks. They received their Temporary Certificate of Occupancy on July 6th, 2012. They have constructed the building pad for stage 5.

He stated they need the fence to secure their site better. It is also needed for traffic control in and out bound and to separate the employee vehicles from the truck traffic. They have proposed a stop sign for traffic to help the incoming truck traffic.

Mr. Bransteter stated that the installation of the entrance drives will not be injurious to the general welfare of the public. The drives will be private. The only people using the drives will be the employees and trucks coming into the facility. It actually creates a safer environment for the employees because traffic can be controlled.

Mr. Bransteter stated the fencing location would not affect the public health and safety as it is along an undeveloped portion of road along County Road 525.

Mr. Bransteter stated that the only adjacent property owner is Cooper Tire. Cooper Tire has seen the plans and is okay with them as long as the vacated part of Bartram Parkway remains open.

Mr. Bransteter stated with the fencing they are only encroaching along the street and adjacent property owners are not affected.

Mr. Bransteter stated that there is a practical difficulty in installing the private driveway. With the 100 foot setback it creates a separation gap with security.

Mr. Bransteter stated there is a practical difficulty with the fencing in that moving on to their next building stage becomes very difficult without encroaching onto the setback slightly.

Mr. Tolloty stated that Staff recommends denial. He stated the concern is that the cul-de-sac is a public road and could be used by anyone. If the Board does find sufficient evidence to approve the petition, the following conditions are recommended:

1. Final site plan approval of the proposed truck drive entrance plans.
2. All applicable permits shall be obtained upon approval of variance and site plan.
3. Stop sign and sign stating "Incoming Truck Traffic Does Not Stop" shall be installed as shown on plans.
4. That the noxious weeds (Canada Thistle and Horseweed) be eradicated appropriately.

Action taken on ZB 2012-07 (V) Interstate Warehousing Inc.

Request for variance from the minimum entrance separation requirement:

Richard Martin made a motion to approval with the following conditions:

1. Final site plan approval of the proposed truck drive entrance plans.
2. All applicable permits shall be obtained upon approval of variance and site plan.
3. Stop sign and sign stating "Incoming Truck Traffic Does Not Stop" shall be installed as shown on plans.
4. That the noxious weeds (Canada Thistle and Horseweed) be eradicated appropriately.

Phil Barrow seconded the motion. The motion passed unanimously.

Request for variance to allow the fence to encroach within the front yard setback:

Phil Barrow made a motion to approval with the following conditions:

1. Final site plan approval of the proposed truck drive entrance plans.
2. All applicable permits shall be obtained upon approval of variance and site plan.
3. That the noxious weeds (Canada thistle and Horseweed) be eradicated appropriately.

Richard Martin seconded the motion. The motion passed unanimously.

Other Business:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 1st day of August, 2012.


Tim Holmes, Chairman


Jim Martin, Secretary