MINUTES

City of Franklin, Indiana
BOARD OF ZONING APPEALS

September 7, 2016

Members Present:

Tim Holmes	Chairman
Jim Martin	Secretary
Richard Martin	Member

Members Absent:

Phil Barrow	Vice-Chairman
Brian Alsip	Member

Others Present:

Alex Getchell	Associate Planner
Lynn Gray	Legal Counsel
Kristin Getchell	Recording Secretary

Call to Order:
Tim Holmes called the meeting to order at 7:00pm.

Approval of Minutes:
Jim Martin made a motion to approve the August 3, 2016 minutes. Richard Martin seconded the motion. The motion to approve the minutes was unanimously approved.

Swearing In:
Lynn Gray swore in the audience en masse.

Old Business:
None.

New Business

ZB 2016-11 (UV/V) – Continued to October 5, 2016
ZB 2016-12 (V) – Continued to October 5, 2016
Alex Getchell explained the automatic continuance of these cases, due to the legal ad not being published in the newspaper on, or prior to, the required date.

ZB 2016-13 (UV) – HDW Parts Express, LLC
Mr. Getchell introduced this use variance request by HDW Parts Express, LLC at 110 Commerce Drive to allow the operation of a retail use (medium scale) for auto parts sales (without on-site repair) in an IBD & GW-OL zoning district. A variance is needed as retail uses are not permitted within the IBD zoning district. Retail uses (medium scale) are only permitted in the MXD, MXC and MXR zoning districts, including on the property immediately west of the subject property. The application is complete and the public notification requirements have been met.

Attorney Steve Ferrucci presented on behalf of the petitioner, HDW Parts Express, LLC. Two of the principals from HDW Parts Express also attended, Jensen Scott and Eric Bowles. HDW Parts Express is asking for a use variance to be able to operate a NAPA branded auto parts store at the former Grand Rental Station at 110 Commerce Drive. The current zoning doesn't permit retail use.

Mr. Ferrucci stated the approval would not injure the general welfare of the public. A parking schematic was provided and all required on-site parking will be provided. He went on to state the traffic flow will be the same as it was for Grand Rental. He stated the proposed use is very similar to the current zoning and fits Franklin's Comprehensive Land Use Plan, as the area being designed for business development and this is a new business. Though there is a retail element, it is largely commercial in nature. He stated it won't impact adjacent properties negatively. The north vacant lot will be purchased along with the building if the use variance is granted, but the north lot is not included in this request. Due to the size of the parcel and square footage of the building, it would not attract large industrial users. The strict application will cause unnecessary hardship as the business would not be able to operate consistent with NAPA agreement. The approval would not interfere with the Comprehensive Land Use Plan for business development as this establishment has both commercial and industrial elements to it.

Mr. Holmes asked the petitioner what portion of the business was commercial sales versus retail sales. Mr. Scott & Mr. Bowles stated approximately 75 percent of the business was commercial sales, and 25 percent is retail sales.

Mr. Martin asked if they intend to keep the store on International Drive open. Someone in the audience responded that it would move over to the new location. Rev. Martin asked if there is going to be a handicapped parking space. Mr. Scott & Mr. Bowles confirmed there will be one. Mr. Getchell confirmed their plans meet the parking requirements.

Mr. Getchell provided staff recommendation for approval with the following conditions:

1. An application shall be submitted to and shall receive approval from the Division of Fire & Building Safety Plan Review Branch of the Indiana Department of Homeland Security for the change of use and the structure shall meet all building code requirements for the change of use.
2. All applicable federal, state, and local permits/approvals shall be obtained prior to construction/renovation, including but not limited to State Construction Design Release, local building & sign permits, etc.
3. All exterior modifications to the building and all signage shall comply with the Gateway Overlay District Standards and the City of Franklin Sign Standards.
4. A minimum of 21 parking spaces shall be provided onsite of which a minimum of 19 spaces shall be exterior to the building on a paved and striped parking lot surface with the remaining required spaces provided within the building for night-time storage of delivery vehicles.
5. The existing gravel/stone, as marked on the proposed site plan, shall be removed and grass shall be seeded and maintained by October 31, 2016.

Mr. Holmes asked if these conditions were acceptable to the petitioner and he confirmed they were.

Rev. Martin made a motion to approve of the use variance with staff recommendations. Mr. Martin seconded the motion. The motion for approval passed unanimously, 3-0.

Other:
None.

Adjournment:

There being no further business, the meeting was adjourned at 7:13.

Respectfully submitted this 5th day of October, 2016.

Tim Holmes, Chairman

Jim Martin, Secretary