CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT · DEPARTMENT OF ENGINEERING

MINUTES

City of Franklin, Indiana
BOARD OF ZONING APPEALS

September 2, 2009

Members Present:

Richard Pfifer	Chairman
Bob Swinehamer	Vice Chairman
Tim Holmes	Secretary
Phil Barrow	Member
Rev. Richard Martin	Member

Others Present:

Joanna Myers	Senior Planner
Rachel Pendleton	Associate Planner
Lynn Gray	Legal Counsel
Jaime Harshman	Recording Secretary

Call to Order:

Richard Pfifer called the meeting to order at 7:00 p.m.

Approval of Minutes:

Phil Barrow made a motion to approve the July 2009 minutes as presented. Richard Martin seconded the motion and the members voted unanimously to approve the minutes.

Swearing In:

Lynn Gran swore in individuals en masse.

New Business:

Case ZB 2009-13 (V): Crane Federal Credit Union

Joanna Myers stated that the property is located at 2028 N. Morton Street. The request is for a variance from Developmental Standards to allow more than 75% lot coverage, to allow a reduction of one parking space per minimum required parking standards, and to allow the reduction of an interior drive width as it pertains to three drive-thrus.

Roger Young, attorney representing Crane Federal Credit Union, stated that the bank plans to use the first floor of the existing building for banking open to the public and use the second floor as a processing center that will not be open to the public. He stated that it is anticipated that 25 employees will be at that location. He stated that the changes to the building will be to add two drive-thru windows and an ATM window. These changes will increase the lot coverage to 79%.

Mr. Young stated that the standard width for a drive-thru lane is 9 feet 6 inches, which is smaller than the City requirement of 13 feet. Mr. Young stated the proposed use will require a total of 45 parking spaces and the Credit Union is proposing 44 spaces.

Mr. Young stated that the proposed use of the property would be consistent with the current MXC uses in the area and will not be injurious to the public and general welfare of the community.

Mr. Young stated that the value of the adjacent property would not be affected. The building will be properly landscaped. Mr. Young also stated that the sidewalk in front of the building is not properly located within the existing sidewalk easement. He stated that if the variance was approved, the petitioner would provide a revised sidewalk easement.

Mr. Young stated that there is a practical difficulty due to the fact that the site is already a nonconforming site. He stated that what is being proposed will not change the site enough to make a difference.

Mr. Young stated that there is a landscape island, which is owned by Steak-n-Shake, located near the northwest corner of the property. This landscape island would have to be removed in order to add the one additional parking space needed to meet the minimum requirement. He stated that the petitioner believes that 44 spaces will be adequate for the bank. He stated that at least 15 parking spaces will be provided for customer parking.

Dennis Hash, owner of Woodbury & Co., stated that his building is located west of the subject property. His concern is in regard to the shared drive located off of Acorn Drive and is concerned that the customers or employees will use the limited number of parking spaces he has.

Sherman Bynum, Bynum Fanyo & Associates, stated the proposed plan will not have any impact on Hash's property or parking.

Mr. Hash stated that he has safety concerns regarding the entrance to Acorn Drive. The entrance is currently 24 feet wide and does not include any flares. He stated that he believes the entrance needs to be moved or widened.

Ms. Myers stated that the standard width for a commercial entrance is 14 feet per lane which results in a total width of 28 feet. She stated that she could not find any documentation within the previous site plan files stating why the current entrance was changed from 28 feet to 24 feet.

Discussion was held regarding the expansion of the entrance on Acorn Drive.

Mr. Bynum stated that to the best of his knowledge, the proposed number of employees to work at the Credit Union had been reduced. Ms. Myers stated that the ordinance requires that one parking space is to be provided for each employee on the largest shift plus one space per on-site business vehicle and one space per 250 square feet of floor area is required for the Credit Union use.

Mr. Young stated that there is no objection to making the expansion of the drive to 28 feet in width as a condition of approval of the variance.

Ms. Myers stated that Staff recommends approval with the following conditions:

1. Sidewalk easement shall be granted to align with the existing location of public sidewalk adjacent to US 31/Morton Street.
2. Review the existing entrance off of Acorn Drive and will make efforts to comply with the minimum entrance standards as outlined in the Zoning Ordinance.

Action taken on Case ZB 2009-13 (V): Crane Federal Credit Union

Bob Swinehamer made a motion to grant the waiver request to allow:

a. 79% lot coverage.
b. Allow one less parking space for a total of 44 spaces.
c. Allow the reduction of the drive-thru interior widths to less than 13 feet as proposed.

With the following conditions:

1. Sidewalk easement shall be granted to align with the existing location of public sidewalk adjacent to US 31/Morton Street.
2. Review the existing entrance off of Acorn Drive and will make efforts to comply with the minimum entrance standards as outlined in the Zoning Ordinance.

Phil Barrow seconded the motion. The case was passed unanimously.

Case ZB 2009-14 (V): Ryan Dillon, Cochrane & Gibbens, and James Dunn

Ms. Myers stated that the request is for a variance to allow a free-standing sign to be located at 199 N. Main Street. The property is located in a Mixed Use: Downtown Center (MXD) zoning district.

Ryan Dillon, petitioner, stated that the sign will be a "T" sign. Mr. Dillon stated that there is a practical difficulty as the variance does not allow for free-standing signs at that location. The sign will maintain a historic feel and the current use will be continued. He stated that the signs on both sides of the "T" are approximately the same size.

Ms. Myers stated that the sign area is permitted but freestanding signs are not.

Ms. Myers stated that the Staff recommends approval with the following conditions:

1. The sign shall not exceed 5 feet in height or 20 square feet in area.
2. The sign shall be located a minimum of 10 feet from the rights-of-way.
3. Obtain a sign permit prior to installation.

Action taken on Case ZB 2009-14 (V): Ryan Dillon, Cochrane & Gibbens, and James Dunn

Tim Holmes made a motion to approve the variance with the following conditions:

1. The sign shall not exceed 5 feet in height or 20 square feet in area.
2. The sign shall be located a minimum of 10 feet from the rights-of-way.
3. Obtain a sign permit prior to installation.

Richard Martin seconded the motion. The case was passed unanimously.

Other Business:

Rachel Pendleton, the new Associate Planner, was introduced.

Ms. Myers stated that the Planning Department moved to the third floor of the Deere Building. The address is 70 E. Monroe Street.

Tim Dell was hired as the Flood Recovery and Grant Coordinator, following Tim Dobbs' resignation.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 7th day of October, 2009.

Richard Pfifer

Richard Pfifer, Chairman

Timothy J. Holmes

Tim Holmes, Secretary