



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT • DEPARTMENT OF ENGINEERING

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

June 2, 2010

Members Present:

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

Others Present:

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

Call to Order:

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

Approval of Minutes:

Tim Holmes made a motion to approve the May 2010 minutes as presented. Phil Barrow seconded the motion and the members voted unanimously to approve the minutes.

Swearing In:

Lynn Gray swore in the audience en masse.

Old Business:

ZB 2010-03 (V): Key Bank:

A continuance has been requested by Key Bank. Ms. Myers stated that Kroger has the right, per a private agreement with Kellams Enterprises, to approve or deny any development within Northwood Plaza. Ms. Myers stated that Key Bank indicated that they are waiting to get their project approved by Kroger before they move forward.

Ms. Myers stated that the Rules and Procedures state that petitions will be dismissed after 90 days of inaction unless good cause is shown and the Key Bank petition is at Day 91. Two of the prior continuances were requested by Staff for good cause. Ms. Myers stated that if the case is dismissed, Key Bank cannot refile the petition prior to 12 months from today's date unless they come before the Board and ask for approval to refile.

Action taken on ZB 2010-03 (V): Key Bank:

Rev. Martin made a motion to continue the case to the July 7, 2010 meeting. Phil Barrow seconded the motion. The Board voted unanimously to continue the case. The case has been continued to the July 7, 2010 meeting.

ZB 2010-09 (V): Paul O'Dell:

Mr. Pfifer stated that the petitioner requested that the case be continued to the July 7, 2010 meeting and this has been approved as an automatic continuance.

New Business:

ZB 2010-11 (V): Davidson Industries Commercial Plat:

Ms. Myers stated that the petition is for developmental standards variances. The property is located at 2801-2901 N. Morton Street. It is where the City Police Station is currently housed, as well as Carter Lumber. The petition is to allow the maximum lot coverage to be exceeded and to allow an existing accessory structure to encroach within the minimum side yard setback. In addition, the request is to allow a legal non-conforming sign to be relocated. The property is located in the Industrial: General (IG) and Gateway Overlay zoning districts. The variance is needed as the property is being subdivided and the Subdivision Control Ordinance requires that a plat meet all the zoning requirements outlined by the Zoning Ordinance. The primary plat is scheduled to be heard by the Plan Commission at their June 22 meeting.

Mayor Fred Paris stated that the one thing that the City has promised the BZA, Plan Commission and City Council is that the City will go through the same process as citizens do. He stated that the subject property needs to be divided into two parcels.

Mayor Paris stated that the general welfare of the community will not be adversely affected as the Police Station and Street Department is an upgrade from its previous use. He stated that the location of a police station within an area is good for the community.

Mayor Paris stated that it will not adversely affect surrounding properties. The properties surrounding the subject property are all industrial uses and will not affect the area negatively.

Mayor Paris stated the practical difficulty in meeting the requirements regarding the maximum lot coverage and minimum setback is that the site is already developed and is an existing site. He stated there was a lot of flooding in the area and the ability to be located in the area will assist in addressing this issue. Some of the projects being looked at to address the drainage are widening the roadside ditches, installing a bigger pipe by Kawneer, and working with Carter Lumber to construct a three acre retention pond.

Mayor Paris stated that the existing 20' tall pole sign is not needed by the City and has been given to Carter Lumber for their use. Ms. Myers stated that the request is to relocate the sign from its current location onto the Carter Lumber property. Ms. Myers stated that Carter Lumber submitted a letter and exhibits regarding the sign, which have been placed at the member's seats.

Lynn Gray asked who the petitioner was. Ms. Myers stated that the City is representing all parties involved as the request pertains to all 5 parcels owned by the Davidson's. This includes Davidson Industries, Carter Lumber and the City. She stated that the variance request is for lot coverage, relocating a legal nonconforming sign and an encroachment within the side yard setback.

Mr. Swinehamer questioned if the maximum lot coverage is only for one lot or both. Ms. Myers stated it is for both. She stated there are currently two freestanding signs on one parcel. One is proposed to be moved and the remaining sign will remain legal non-conforming due to the height of the sign and the square footage.

Brad Williams, Summit Realty Group, stated that he is representing Davidson Industries, and expressed his support of the variances for the Davidson family.

Action taken on ZB 2010-11 (V): Davidson Industries Commercial Plat:

Phil Barrow made a motion to approve the petition as presented. Bob Swinehamer seconded the motion. The motion passed unanimously.

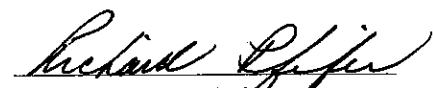
Other Business:

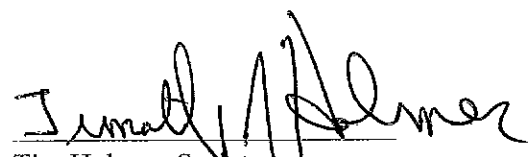
None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 7th day of July, 2010.


Richard Pfifer, Chairman


Tim Holmes, Secretary