

HAMILTON DESIGNS

11988 Fishers Crossing Drive, Suite 154
Fishers, Indiana 46038

P. 317-570-8800 E. mthompson@hamilton-designs.com

CONVENIENCE MART | 125 N. Morton Street, Franklin, Indiana 46131

FINDINGS OF FACT

1. GENERAL WELFARE:

The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

This petition, if granted, would result in the improvement and addition to an existing dormant building and property. Proposed improvements at this location are in an attempt to improve the property and substantially bring the site into compliance with current Zoning Ordinance requirements. Approval of this petition will not be injurious to the public health, safety, morals, and general welfare of the community.

2. ADJACENT PROPERTY:

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

As indicated in the *General Welfare* response, it is the full intent of this project to improve the property in a substantial manner, including the overall value. The proposed project will improve the existing lot from a dormant under-utilized property to a substantially compliant and expanded building that substantially meets the Corridor Overlay District requirements for Architectural Standards. As a result, the value of the subject property is anticipated to improve and adjacent property values similarly.

3. PRACTICAL DIFFICULTY:

The strict application of the terms of the Ordinance will result in a practical difficulty in the use of the property. The situation shall not be self-imposed, nor be based on perceived reduction of, or restriction on economic gain

The subject lot has practical difficulty due to the previous right-of-way acquisition and overall size constraints. The lot width is 70.9 feet. The front building setback is 50 feet and the side (rear) building setback is 15 feet. The remaining developable width is 5.9 feet. See attached Exhibits A & B for reference.

Based upon early communication with City of Franklin staff, it was determined that right-of-way was acquired for the properties along Morton Street for the development of U.S. 31. Partial lots were acquired from the north and south adjoiners of this property. For unknown reasons, a full lot was acquired from the west side of this property. Due to the full lot width acquisition, the subject lot is now 18 to 19 feet narrower than adjacent lots.

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This petition is based upon an attempt to best utilize the property while not overwhelming the site proportions. The existing 17.5 feet wide building extends 11 feet into the front building setback. It is our request to extend the existing building width north and for a portion of the building addition to extend into the front setback by an additional 10 feet (21 feet total) along the northernmost portion.

The proposed improvement also include a new brick wrap for the existing and proposed building. Although minor, the proposed brick wrap further intensifies the non-compliance of the existing building and requires a variance of setback along the east and west setbacks.

Likewise, it is our request to keep the existing building and sidewalk but to widen the sidewalk from 2.7 feet to 5.0 feet for ADA compliance Street and to extend the sidewalk north along the full building addition without the required five-foot greenspace. Likewise it is our request to forego the two-foot planting strip as it continues south to the public right-of-way.

Last, it is our request to provide the proposed trash enclosure in the front and side setbacks. The proposed site contains front yards along both Morton Street and Madison Street. Based upon coordination with City of Franklin staff, it was determined that the existing location along the north side of the site is likely the best location. Further discussion indicated that access from the alley would not be supported and the Site Plan has been updated to reflect both the coordinated location and access route.