



## CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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# BZA Staff Report

**To:** Board of Zoning Appeals Members

**From:** Alex Getchell, Senior Planner I

**Date:** November 30, 2016

**Re:** Cases ZB 2016-11 (UV/V) & ZB 2016-12 (V) | Homeview Center of Franklin, Inc.

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### REQUESTS:

**Case ZB 2016-11 (UV/V)...Homeview Health & Rehabilitation Center Parking Lot Expansion**  
**Case ZB 2016-12 (V)...Homeview Health & Rehabilitation Center Building Expansion**

### PROJECT UPDATE:

In recent weeks, a property line discrepancy was discovered between Homeview Health Center of Franklin, Inc.'s (Petitioner's) property on the South side of Palmer Street and the Indiana Masonic Home property, adjacent to the South. The property line discrepancy could affect the design of Petitioner's site development and could alter the type and number of developmental standards variance requests.

- Petitions ZB 2016-11 (UV/V) and ZB 2016-12 (V) were filed with Board of Zoning Appeals staff on August 22, 2016.
- Requests were continued automatically from the September 7, 2016 meeting to the October 5, 2016 meeting, due to Legal Notification not being printed in the local newspaper in a timely fashion.
- Requests were continued administratively a second time (Petitioner's first continuance request), to the November 2, 2016 meeting, due to Petitioner's needs to make site plan revisions as a result of Technical Review Committee comments.
- Requests were continued administratively a third time (Petitioner's second continuance request), to the December 7, 2016 meeting, due to the discovery of the property line discrepancy outlined above.
- The December 7, 2016 meeting will mark 107 days since applications were filed by the Petitioner.

### BZA RULES & PROCEDURE:

According to the City of Franklin Board of Zoning Appeals Rules & Procedures Article 2, Chapter 13, Rule D, Petitions will be dismissed after ninety (90) days of inaction unless good cause is shown.

### STAFF RECOMMENDATION:

Staff recommends the Board of Zoning Appeals waive the Rules & Procedures, to indefinitely continue cases ZB 2016-11 (UV/V) and ZB 2016-12 (V), but not beyond March 1, 2017 BZA hearing. Staff recommends the Petitioner have the option to be heard at a BZA meeting prior to March 1, 2017, but only if: 1.) the property line discrepancy is resolved, 2.) proper notice is given by the petitioner in compliance with the notice requirements, and 3.) Petitioner notifies staff of their desire to be heard, by the official application/filing deadline, for the meeting requested. Proper notice shall also be given for the March 1, 2017 meeting, by the petitioner, in compliance with the notice requirements.