

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

January 4, 2017

Members Present:

Tim Holmes	Chairman
Phil Barrow	Vice Chairman
Jim Martin	Secretary
Brian Alsip	Member
Rev. Richard Martin	Member

Others Present:

Alex Getchell	Associate Planner
Lynn Gray	Legal Counsel
Julie Spate	Recording Secretary

Call to Order:

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

Election of Officers

- a. Chairman—Mr. Martin made a motion to have Mr. Holmes remain as chairman. Mr. Alsip seconded. The motion passed, 4-0, with Mr. Holmes abstaining.
- b. Vice Chairman—Mr. Martin made a motion to have Mr. Barrow remain as vice chairman. Mr. Alsip seconded. The motion passed, 4-0, with Mr. Barrow abstaining.
- c. Secretary—Rev. Martin made a motion to have Mr. Martin remain as Secretary. Mr. Alsip seconded. The motion passed, 4-0, with Mr. Martin abstaining.

Appointment of Legal Counsel

Mr. Barrow nominated Lynn Gray as legal counsel. Mr. Alsip seconded. The appointment was approved, 5-0.

Approval of Minutes:

Mr. Martin made a motion to approve the December 7, 2016 minutes. Mr. Alsip seconded the motion. The minutes were approved, 5-0.

Swearing In:

Lynn Gray swore in the audience en masse.

Old Business:

None.

Mr. Holmes asked about the status of Homeview. Mr. Getchell informed that they are still moving forward with resolving a property line dispute, and he stated he anticipated they may be before the Board by next month.

New Business

ZB 2016-18 (SE) – 1085 Eastview Drive

Mr. Getchell introduced this special exception request at 1085 Eastview Drive. The property is approximately 4.39 acres total although the applicant is only going to use a portion. The property is zoned IBD for Industrial Business Development and the Comprehensive Plan designates the area as a Business Development Area. The special exception is to allow an auto-oriented use, medium scale. In this case it's auto detailing. The property is located on the southeast corner of the intersection at Eastview Drive and Hurricane Road. The plan is for 2100 sq. ft. for a shop area with a small waiting room. The property has a few legal, non-conforming features such as a gravel surface for a large portion of the parking lot, and they will use a smaller portion of that for three parking spaces. Two employee parking spaces will be provided on the currently existing pavement and there is room interior to the building for four additional parking spaces. The request was submitted in a timely fashion and notification in the newspaper was correct. However, the public notice mailings were sent by certified mail instead of certificate of mailing, so there will need to be Board approval for the mailing. Mr. Barrow made a motion to approve the mailing. Mr. Alsip seconded. Motion passed.

Dale Coffey, Martinsville attorney, presented representing owner Robert Clawson. The auto detailing company has two employees able to detail four cars at a time. One side of the building is already leased. Of the designated 2400 sq. ft., 2100 will be the actual auto detailing area with the remainder being the waiting area. Zoning requirements dictate for nine parking spaces. Parking bumpers are required and have already been installed, per the referenced site plan. The set up with cars inside and no outside storage will not cause issues for the adjacent properties.

Mr. Coffey addressed the decision criteria, started with the General Welfare, stating that the business will continue to have safe and efficient traffic flow through the site and adequate parking arrangements have been provided. Additionally, the cars will be detailed inside the building and not affect the general welfare. Mr. Coffey stated the development standards will be met and the proposed plan will fit in harmoniously with the adjacent structure. He stated that his clients believe it is not contrary to the zoning ordinance and will not permanently injure other property uses in the vicinity. Mr. Coffey stated that they find the IBD district is an area throughout the city where auto related businesses are locating. He does not anticipate nuisance issues with any adjacent land uses.

Mr. Coffey went through each recommended condition of approval and stated his client has no issue with any of the staff recommendations if special exception is granted.

- a. Special Exception approval for auto-related use (medium scale) shall be specifically limited to automobile detailing and reconditioning services; approval shall not permit automobile repair, body repair/fabrication, nor paint booth facilities.
- b. A minimum of 9 parking spaces (9' x 18' in size) shall be provided onsite; of which, a minimum of 5 spaces shall be exterior to the building as shown on proposed site plan (Exhibit C), with 2 spaces on a paved and striped parking lot surface, and 3 spaces on gravel surface designated by yellow parking bumpers, with the remaining 4 required spaces provided within the building.
- c. Vehicles waiting to be worked-on / picked-up shall be stored inside the facility.
- d. Outdoor storage of vehicles shall be prohibited.

Mr. Coffey stated the hours of operation are anticipated to be 8 am to 6 pm, Monday through Saturday with two employees.

Rev. Martin asked for explanation as to what detailing is. Mr. Coffey stated that the cars will be cleaned, inside and out. Vacuuming and washing of vehicles.

Mr. Barrow asked what business is in the adjacent space, the petitioner identifying it as a recycling business.

Mr. Holmes opened the public hearing by asking for any comments from anyone in attendance. No one came forward.

Mr. Holmes requested staff's recommendation. Mr. Getchell gave staff's recommendation for approval with conditions as outlined in the staff report, and as consented to by the Petitioner.

Mr. Martin made a motion to approve the special exception with staff recommendations and conditions a through d. Mr. Alsip seconded. Motion passed, 5-0.

Mr. Coffey thanked Mr. Getchell for the excellent job he did in helping him.

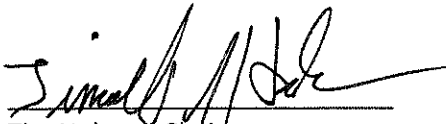
Other:

None.

Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 1st day of February, 2017.


Tim Holmes, Chairman


Jim Martin, Secretary