

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

May 3, 2017

Members Present

Tim Holmes
Phil Barrow
Jim Martin
Brian Alsip

Chairman
Vice Chairman
Secretary
Member

Members Absent

Rev. Richard Martin

Member

Others Present

Alex Getchell
Lynn Gray
Julie Spate

Senior Planner
Legal Counsel
Recording Secretary

Call to Order

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

Approval of Minutes

Phil Barrow made a motion to approve the April 5, 2017 minutes. Jim Martin seconded the motion. The minutes were approved, 4-0.

Swearing In

Lynn Gray swore in the audience en masse.

Old Business

None.

New Business

ZB 2017-06 (V) CONTINUED TO JUNE 7, 2017

Alex Getchell explained this case to be automatically continued due to not having the legal advertisement in the Daily Journal.

ZB 2017-07 (V) – Chris & Alisha Mahin

Mr. Getchell introduced this developmental standards variance request by Chris and Alisha Mahin for 348 N Main Street. The property is zoned Residential Traditional Neighborhood (RTN). Their request is for an accessory structure to encroach into the five-foot side and rear setbacks. When they applied, the actual setback wasn't certain, but it was close, so they requested the variance. The petitioners had a boundary survey done to solidify what the boundaries were and it was determined the north setback

was three feet and the west setback was 5.7 feet, so the rear setback variance is no longer needed. The public notification requirements have been met and it is ready for the Board's review and action.

Mr. Holmes asked what the normal setback is for a side yard. Mr. Getchell stated side and rear yard setbacks for the RTN district are five feet for accessory structures.

Brian Alsip disclosed his wife's former position as an independent contractor as a volleyball coach for Indy Excel owned by Ms. Mahin, and was paid by the group, which is no longer in existence. It was determined by legal counsel Ms. Gray that there was no conflict of interest keeping Mr. Alsip from being able to participate in the discussion and vote.

Resident Chris Mahin presented their request for a developmental standards variance for the side setback. Mr. Mahin stated they seek to replace the existing structure with a new two-car garage in the same location.

General Welfare – Mr. Mahin maintained no impact to the general welfare, as an existing structure is already there and the new structure to replace when the old structure is removed should not have any adverse impact. Mr. Mahin stated there would be no negative impact to adjacent properties, again, due to the replacement of an existing structure which the adjacent properties are already accustomed to. Mr. Mahin stated there would be a practical difficulty to put the modern day structure in place with the current guidelines of the city ordinance.

Mr. Getchell presented staff's recommendation of the developmental standards variance with three conditions:

- a. The new structure shall not be constructed any closer to the north or west alleys than the existing structure.
- b. Direct vehicle ingress/egress to the structure shall be prohibited on the north and west sides, to prevent vehicles from maneuvering/backing directly into the alleys without clear line of sight.
- c. All applicable permits and approvals shall be obtained prior to construction, including but not limited to, an Improvement Location Permit for the new structure.

Mr. Holmes asked if there would be any plumbing for purposes of residential use. Mr. Mahin confirmed there would be no plumbing or residential use.

Motion for approval with three staff conditions and petitioner's commitment to no residential use of the accessory structure was made by Mr. Martin. Seconded by Mr. Barrow. Passed 4-0.

Other Business

None.

Adjournment:

There being no further business, the meeting was adjourned at 7:14 pm.

Respectfully submitted this 7th day of June, 2017.

Tim Holmes, Chairman

Jim Martin, Secretary