

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS SPECIAL MEETING

August 1, 2018

Members Present

Jim Martin	Chairman
Phil Barrow	Vice Chairman
Richard Martin	Secretary
Brian Alsip	Member
Charlotte Sullivan	Member

Others Present

Alex Getchell	Senior Planner I
Lynn Gray	Legal Counsel

Call to Order

Jim Martin called the meeting to order at 6:00pm.

Roll Call & Determination of Quorum

Approval of Minutes

Mr. Barrow made a motion to approve the July 11 minutes. Ms. Sullivan seconded the motion. The motion passed, unanimously, 4-0.

Mr. Barrow made a motion to approve the July 17 minutes. Ms. Sullivan seconded the motion. The motion passed unanimously, 4-0.

Swearing In

Lynn Gray swore en masse anyone planning to speak.

Old Business

None.

New Business

ZB 2018-11 (V) – 486 S. 600 E.

Alex Getchell introduced the developmental standards variance request by Kenneth E. Bullard, Jr. The property is at 486 S 600 E, located in the City of Franklin Extra Territorial buffer zone. The property is two acres on the corner of 600 E and 50 S and zoned agricultural. The Comprehensive Plan calls for the area to be Light Industrial. The variance request is to allow a residential accessory structure to be larger than the primary structure. The property is surrounded in all directions by agricultural fields. The petitioner is proposing a 42' x 72' pole building to be constructed approximately 100' from the center line of 600 E. All

setbacks would be met as required by the ordinance. The wall height would be 18' with the overall height 25' 7" and a total square footage of the proposed building would be 3024 sq. ft., with the residence at 2407 sq. ft. The property is surrounded by agricultural fields in all directions. Brian Alsip entered the meeting during Mr. Getchell's introduction.

Ms. Gray asked if they would be allowed two separate structures. Mr. Getchell confirmed they would be allowed multiple structures.

Kenneth Bullard, Jr. reviewed his project details. His plan is to use the extra floor space for storage of his two pick-up trucks, three cars, four pieces of lawn equipment and four antique looms and materials. He also wants to be able to refinish furniture and store a motor home he plans to purchase in the future. No business will be run out of the structure.

Mr. Bullard addressed the decision criteria:

General Welfare: Mr. Bullard stated the structure is strictly for family and care of his and his family's belongings. He stated there will be no business. It will be new, clean and well kept.

Adjacent Property: Mr. Bullard stated all adjacent properties are agricultural fields and there are no neighbors with any issues.

Practical Difficulty: Mr. Bullard's stated his daughter-in-law would lose her antique looms without this storage facility.

Ms. Gray asked if this building will be consistent with other structures in the area. Mr. Bullard assured it will be. Ms. Gray stated, in theory, zoning would allow two buildings, one at 2000 square feet and one at 1000 square feet, and inquired if that would be a practical solution to his problem. Mr. Bullard stated that it would not be practical.

Chairman Martin opened the public hearing, by asking if there was anyone in the audience wishing to speak for or against the request. No one came forward. Chairman Martin asked if there were any questions from the Board of either the petitioner or of staff.

Mr. Barrow sought confirmation from staff, if the structure were to be used for agricultural purposes, Mr. Bullard would not need to come before the BZA. Mr. Getchell confirmed Mr. Bullard would not need the variance if the structure was used for agriculture. Rev. Martin asked if either the height or square footage could be reduced. Mr. Bullard said he could look into it but would need a 14' high opening for his RV when purchased. Mr. Alsip asked if a reason Mr. Bullard had not yet purchased an RV was that he had no place to park it. Mr. Bullard stated that was correct.

Chairman Martin requested staff's recommendation.

Mr. Getchell stated that if the board found evidence to approve the developmental standards variance, staff recommends three conditions:

- a. All applicable permits and approvals shall be obtained prior to construction, including but not limited to: a building permit from Johnson County and a Buffer Zone Compliance Certificate.
- b. No portion of the building can be converted into a dwelling unit.
- c. The use of the building is limited to permitted accessory uses for the A: Agricultural zoning district and the primary "Agricultural Uses" as permitted by Article 3, Chapter 4 of the City of Franklin Zoning Ordinance.

Ms. Sullivan asked if any water will be put in. Mr. Bullard assured it will be electricity only.

Ms. Gray wanted to understand how the conditions hold the petitioner to no business uses. Mr. Getchell explained that commitment C gets to the agricultural exemptions in the ordinance. He stated in the permitted uses table for the Agricultural district, there are more uses listed than agricultural, and the condition is intended to limit the use to just the uses listed under agricultural. Ms. Gray wanted to know what the agricultural uses could include. Mr. Getchell identified animal boarding/stables excluding kennels, farm (confined feeding), farm (general), greenhouse (commercial), or winery. He stated condition C would just apply to this building and not the property.

Rev. Martin asked if the variance would run with the petitioner or the property. Mr. Getchell stated the variance would run with the property.

Mr. Alsip asked if the conditions were acceptable to the petitioner. Mr. Bullard stated they are.

Mr. Alsip made a motion for approval with the staff recommendations. Ms. Sullivan seconded the motion. The motion passed unanimously, 5-0.

Other Business

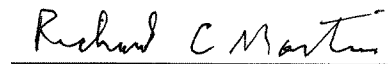
Adjournment:

There being no further business, the meeting was adjourned.

Respectfully submitted this 5th day of September, 2018.



Jim Martin, Chairman



Rev. Richard Martin, Secretary