

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

June 3, 2020

Members Present

Jim Martin
Phil Barrow
Charlotte Sullivan
Brian Alsip
Ashley Zarse

Chairman
Vice-Chairman
Secretary
Member
Member

Others Present

Alex Getchell
Lynn Gray
Julie Spate

Senior Planner I
Legal Counsel
Recording Secretary

Call to Order

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

Roll Call & Determination of Quorum

Approval of Minutes

Phil Barrow made a motion to approve the minutes of March 6, 2020. Charlotte Sullivan seconded. Passed unanimously, 4-0.

Swearing In

Ms. Gray swore en masse anyone planning to speak.

Old Business

None.

New Business

Brian Alsip entered the meeting at 6:04 p.m.

ZB 2020-07 (V) – 55 W Madison St – RFD Franklin – Alex Getchell introduced this developmental standards variance request by Historic Post Plaza LLC for RFD Franklin restaurant located at 55 W. Madison Street. The property is zoned MXD (Mixed Use: Downtown Center) and the Comprehensive Plan calls for Downtown land uses in this area. The variance request is to allow four permanent signs in the MXD (Mixed Use: Downtown Center) zoning district. The ordinance allows a maximum of two signs and 130 square feet of sign area for this property. The petitioner is proposing four signs and fifty-one square feet of sign area. The property is located at the southeast corner of Jackson and Madison Streets. Mr. Getchell reviewed through a PowerPoint presentation the two signs already submitted for

and permitted and the two additional signs being requested at this meeting. He stated the two additional signs are each 5.33 square feet.

Virginia Talley presented and was accompanied by Lisa McDaniel Talley. Ms. Talley expressed their desire for the community to have sufficient methods of identifying the building. The signage will be directly above the entrances and in the same manner that the Post Office was labeled originally. They sent letters to the neighbors. Brad Rozema from directly across the street expressed his support of the request and offered to write a letter of support. No neighbors have communicated any concerns or objections. Ms. Talley continued on with a review of the decision criteria:

1. General Welfare – She stated it will not be injurious because the proposed signage has a total square footage substantially less than the ordinance permitted maximum. The two additional signs being requested have historical precedence on the building. They are consistent with the original blueprints and lettering used for both the US Post Office and Franklin City Hall.
2. Adjacent Property – She stated adjacent properties will not be adversely affected, reiterating the proposed square footage of the signage to be less than the permitted amounts and the eight-inch letter sets replicate historic signage.
3. Practical Difficulty – She stated the building is a free-standing, single use and single tenant building with multiple frontages. The property also has two street frontages, one along Madison and one along Jackson. Additionally, much of the pedestrian and vehicular traffic occurs from the east parking lot and along Main Street. Thus, the practical difficulty arises in providing effective signage with only two permanent signs.

Chairman Martin opened the public hearing by asking if there was anyone wishing to speak for or against the request. No one came forward, and the hearing was closed. Chairman Martin requested any questions or comments from the Board. There were none. Chairman Martin requested staff's recommendation.

Mr. Getchell stated staff's recommendation for approval with the following conditions as outlined in the staff report:

- a. Approval is limited to the two 8-inch letter sets "RFD FRANKLIN" and a maximum of four (4) permanent signs.
- b. All signs must adhere to all other requirements of the Sign Standards.
- c. Sign permits shall be obtained prior to installation.

Petitioners acknowledged acceptance of the conditions. Mr. Barrow made a motion for approval with staff recommended conditions. Ms. Sullivan seconded. The motion passed, unanimously, 5-0.

ZB 2020-08 (V) – GDI Holdings, LLC – Mr. Getchell introduced the developmental standards variance request. The property is at 81 and 89 Forest Road. It is located at the southeast corner of State Road 44 and formerly 525 East, which is now known as Forest Rd. The property is zoned IL (Industrial: Light) and the Comprehensive Plan calls for light industrial uses in the area. The request is to allow loading berths or spaces to be located in a front yard. The property is a corner lot, and the loading berths in this request are located on the west side of the building along Forest Road. Anything between the building and street is deemed front yard.

Justin Olashuk with American StructurePoint presented. Mr. Olashuk stated the project is a 923,000 +/- industrial warehouse building currently being designed as a spec warehouse. He reviewed the three decision criteria:

1. General Welfare – Petitioner stated the request to not be injurious. The cross-dock configuration required is common practice. Within driving distance there are similar users off Bartram Parkway also employing the cross-dock configuration.
2. Adjacent Property – Petitioner stated adjacent properties will not be affected adversely. The property is zoned IL (Industrial: Light) as are adjacent properties and who also use the cross-dock set up within the front yard.
3. Practical Difficulty – Petitioner explained the existence of the practical difficulty. Due the corner lot location and with a cross-dock configuration, docks will be located in one of the front yards. Mitigating against this, petitioners have chosen to locate them in the front yard of local Forest Road rather than the heavier used State Road 44 thoroughfare in and out of Franklin. Without this, the marketing and use of the building would be negatively impacted.

Chairman Martin opened the public hearing by asking if there was anyone wishing to speak for or against the request.

Resident William Pohley of the property just south of this location expressed concern regarding trucks turning in to the property off Forest Road. Comparing it to the Cooper Tire location, there is very limited space for them to turn in off Bartram Parkway, so they back up on Bartram Parkway which completely blocks a lane. Mr. Pohley identified this to be his concern as well for trucks turning in off Forest Road to this location in that it is a similar configuration. Attorney Gray sought clarification from Mayor Barnett and the City Engineer, by text message, that the city's improvements of Forest Road will include widening to a three-lane road. Ms. Gray stated that City Engineer Mark Richards responded and confirmed the three-lane road to be true.

Mr. Olashuk added that the project has received approval from the City of Franklin on all aspects but this issue of the loading docks. The Forest Road improvement plans were not far enough along for the petitioner to review during their submittal and approval process.

There being no further comments from the audience, the public hearing was closed. Chairman Martin requested any questions or comments from the Board. There were none. Chairman Martin requested staff's recommendation.

Mr. Getchell stated staff's recommendation for approval with three conditions as outlined in the staff report:

- a. Approval is limited to the front yard area along Forest Rd/525 E of Lot 1 of I-65 South Logistics Center.
- b. Loading berths in the front yard area adjacent to State Road 44 are prohibited.
- c. All applicable permits and approvals shall be obtained prior to construction, including but not limited to, Site Development Plan approval, Land Disturbance permit, and Improvement Location Permit.

Petitioner stated their acceptance of conditions. Ms. Sullivan made a motion for approval with staff recommended conditions. Mr. Barrow seconded. The motion passed, unanimously, 5-0.

Other Business

Adjournment:

There being no further business, the meeting was adjourned at 6:27pm.

Respectfully submitted this 5th day of August, 2020.

Jim Martin, Chairman

Charlotte Sullivan, Secretary