

## **MINUTES**

### **City of Franklin, Indiana BOARD OF ZONING APPEALS**

**November 4, 2020**

#### **Members Present**

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

#### **Members Absent**

Ashley Zarse	Member
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#### **Others Present**

Alex Getchell	Senior Planner I
Lynn Gray	Legal Counsel

#### **Call to Order**

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

#### **Roll Call & Determination of Quorum**

#### **Approval of Minutes**

Brian Alsip made a motion to approve the minutes of October 7, 2020. Phil Barrow seconded. The motion passed unanimously, 4-0.

#### **Swearing In**

Ms. Gray swore en masse anyone planning to speak.

#### **Old Business**

None.

#### **New Business**

**ZB 2020-14 (V) – Koenig Equipment Inc** – Alex Getchell introduced this developmental standards variance for 1280 Sloan Drive. The property is zoned MXR (Mixed Use: Regional Center) and is located in the Gateway Overlay District. The Comprehensive Plan calls for the area to be a Community Activity Center. The request is to allow for the display of merchandise outdoors on mounds and level ground along North Morton Street (US 31) and Sloan Drive. The use of the property is for the permitted use of farm equipment sales and service. The petitioner is relocating from a property on Earlywood Drive within the city of Franklin. Access to the property is off Sloan Drive, and extends to the north for future development. The first mound would be located along Sloan Drive, the second at the corner with US31

and the third to the northwest of the property along 31. The level ground display area would be for larger equipment such as combines and sprayers and would be along Sloan Drive.

Dustin Huddleston, attorney for Koenig, presented. Koenig operates 16 other locations in addition to this site. This site, in total compliance with all Gateway Overlay standards, will be positively unique from all other locations. The total project cost is land procurement for \$750,000 and the construction cost of \$3.75 million. Total square footage is approximately 25,000. Koenig will retain the current 15 employees and add six new. They have requested no construction variances. Mr. Huddleston reviewed slides giving photos of the finished exterior of the building. At the current Koenig site, equipment is also displayed on mounds outside. The larger equipment displays would only be on a temporary basis. The mounds would be a more permanent display. The zoning allows for display closer to the building and under the roof lines. The request is for displays closer along US31. Koenig feels the request is consistent with the area such as car dealerships. Mr. Huddleston stated petitioner's agreement with staff findings as presented in the staff report. Owner Aaron Koenig and construction representative were both in attendance.

Mr. Martin held a public hearing with no respondents. Mr. Barrow sought clarification that the only access will be off Sloan by the fire station. Mr. Huddleston confirmed, stating that nothing will block fire station access or activity. Mr. Alsip asked if all mounds will be identical in height, and they will be, three feet in height and landscaped. Mr. Koenig also added the mounds will be lit. They will feature newer equipment displays.

There being no further questions, Chairman Martin requested staff's recommendation. Mr. Getchell presented staff's recommendation for **approval** of the petition with conditions a through d:

- a. Approval for outdoor storage of merchandise is limited to the three display mound locations and a temporary storage area (35' x 120') on level ground south of the parking lot, as depicted on petitioner's revised site plan (revision date: October 30, 2020). Outdoor display of merchandise is prohibited in all other areas, unless compliant with the Gateway Overlay Standards and all other standards.
- b. Approval for outdoor storage of merchandise on display mounds is limited to farm equipment, as follows: farm implements, tractors, utility terrain vehicles, utility trailers and commercial grade lawn equipment.
- c. Approval for outdoor storage of merchandise in the 35' x 120' temporary storage area is limited to larger farm equipment such as combines and sprayers.
- d. All other merchandise types are prohibited from display and/or storage on the display mounds, temporary storage area, or elsewhere on the property not immediately adjacent to the building.

The petitioner stated their agreement and accepted all four conditions. Mr. Koenig also offered praise and appreciation for the work of Mr. Getchell through this process. Mr. Barrow made a motion for approval with four conditions as recommended by staff. Ms. Sullivan seconded the motion. The motion carried unanimously, 4-0. Mr. Koenig announced they will move in March.

### **Other Business**

**Approval of 2021 BZA Calendar** – Mr. Getchell highlighted the December public notice deadline changed to have it fall on Christmas Eve rather than Christmas Day. All other dates follow the normal structure. A motion to approve was made by Ms. Sullivan. A second was made by Mr. Barrow. The motion passed unanimously, 4-0.

**Adjournment:**

There being no further business, the meeting was adjourned.

Respectfully submitted this 2nd day of December, 2020.

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Jim Martin, Chairman

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Charlotte Sullivan, Secretary