



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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BZA Staff Report

To: Board of Zoning Appeals Members
From: Alex Getchell, AICP, Senior Planner
Date: June 27, 2025
Re: Case ZB-25-4 (SE & V) Bay Crane Midwest

REQUEST:

Case ZB-25-4 (SE & V)...Bay Crane Midwest. A request by Bay Crane Midwest for a Special Exception use in the IG: Industrial, General zoning district, per City of Franklin Zoning Ordinance: Article 3, Chapter 23, to allow a crane equipment sales and rentals use (most similar to: farm equipment sales and service use), and a Developmental Standards Variance from the City of Franklin Zoning Ordinance, Article 7, Chapter 17, Buffering & Screening Standards, to be permitted to provide no fencing, nor landscaping, as screening of the outdoor storage area adjacent to the existing railroad mainline/siding. The subject property is located on the east end of Industrial Drive, with a common address of 800 Industrial Drive.

PURPOSE OF STANDARD:

The “IG”, Industrial: General zoning district is intended to provide locations for general industrial manufacturing, production, assembly, warehousing, research & development facilities, and similar land uses. This district is intended to accommodate a variety of industrial uses in locations and under conditions that minimize land use conflicts. This district should be used to support industrial retention and expansion in Franklin.

ZONING:

Surrounding Zoning:

North: IG: Industrial, General
South: IG: Industrial, General
East: HC: Heavy Commercial (Johnson County)
West: IG: Industrial, General

Surrounding Land Use:

North: Caterpillar
South: KYB Manufacturing
East: Railroad, Agricultural field
West: Best Way Disposal Transfer Station

CONSIDERATIONS:

1. Petitioner, Bay Crane Midwest, requests special exception approval to locate their crane equipment sales and rentals business at 800 Industrial Drive. The subject property is approximately 20.4 acres.
[[Exhibit A: Detailed Statement](#) and [Exhibit B: Site Plan](#)]
2. The subject property and existing facility was previously occupied & utilized by Rays Trash Service for outdoor storage of their roll-off dumpsters, compactors, toters, etc. An Indiana American Water water-tower is also located on-site, near the railroad tracks.
3. Petitioner provided a conceptual plan for the purposes of clarifying their request for a development standards variance to vary from the buffering and screening requirements. [[Exhibit B: Site Plan](#)] The proposed plan is still conceptual; full engineered plans have not been reviewed by the Department of Planning & Engineering, nor Technical Review Committee, for compliance with the Zoning Ordinance or building codes.

4. Petitioner seeks approval of this Special Exception Use and Development Standards Variance request prior to moving forward with more detailed engineering and design work.

Special Exception Request: Crane Equipment Sales and Rentals

5. Crane equipment sales and rentals is not specifically listed in the Land Use table of the zoning ordinance; as such, the Zoning Ordinance grants the Planning Director the authority to “determine into which category any questionable use is placed if it is not specifically listed but is similar to another use that is a permitted or special exception use.” It has been determined that the most similar use to the unlisted crane equipment sales and rentals is the “farm equipment sales and service” use.
6. Farm Equipment Sales and Service is defined as: “An establishment that services farm implements, as well as offers for sale new and used farm implements.”
7. Farm Equipment Sales and Service is listed as a permitted use in the “MXR,” Mixed-use, Regional Center; and “IL,” Industrial, Light zoning districts.
8. Farm Equipment Sales and Service is listed as a Special Exception uses in the “A” Agricultural; “IBD,” Industrial Business Development; and “IG,” Industrial, General zoning districts.
9. *Special Exception Use Request: Petitioner is requesting a Special Exception for a crane equipment sales and rentals use (most similar to: farm equipment sales and service use), at the subject IG zoned property.*

Primary Land Use	Zoning District															
	<div>P</div> Permitted Use															
<div>S</div> Special Exception Use	A	RR	RSN	RS 1,2,3	RTN	RT 1,2,3	RM	RMH	MXD	MXN	MXC	MXR	IN	IBD	IL	IG
Farm equipment sales and service	<div>S</div>											<div>P</div>		<div>S</div>	<div>P</div>	<div>S</div>

Variance Request: Buffering & Screening Standards

10. According to Article 7, Chapter 17, Buffering & Screening Standards, all outdoor storage areas for completed products manufactured on-site, production materials, and equipment; dumpsters and waste containers; and mechanical equipment located on the ground shall be screened consistent with the following requirements.
 - Fencing: A minimum 6 foot tall, 100% opaque fence of wood, brick, or stone construction shall completely screen the area from the view of public streets and adjacent properties. Opaque, 6 foot tall wooden gates shall be provided to access the facility. The gates shall generally remain closed, except when immediate access to the area is required.
 - Landscape Screening: Evergreen planting shall be provided around the exterior perimeter of the required fencing.
 - If evergreen shrubs are used they shall be a minimum of 3 feet tall at the time of planting, and planted at a maximum of 5 feet on center.
 - If evergreen trees are used they shall be conifers, a minimum of 5 feet tall at the time of planting, and shall be planted a maximum of 20 feet on center.
11. *Variance Request: Petitioner is requesting a development standards variance to allow no fencing (or chain link fencing if desired for security) adjacent to the existing railroad mainline/siding, where 100% opaque fence is required, and no landscaping where either evergreen shrubs or trees are required about outdoor storage area adjacent to the existing railroad mainline/siding.*

Parking Standards

12. According to Article 7, Chapter 10, Parking Standards, Requirements for Non-conforming Uses and Uses Permitted by Special Exception or Variance: Any use which is nonconforming in the zoning district in which it is located or is permitted by special exception or variance shall provide parking which is consistent with the use and the standards for the zoning district in which the use is permitted by this

Ordinance. In no case shall the number of parking spaces required for nonconforming uses or those permitted by special exception or variance be solely based on the standards for the district in which they are located. The Board of Zoning Appeals shall specify the number of parking spaces for all uses permitted by special exception or variance consistent with the intent of this Chapter.

13. According to Article 7, Chapter 10, Parking Standards:

- Space Requirements: A minimum of **1.0 off-street parking space is required** for every vehicle or mobile home on display at an auto / boat / RV / farm implement / or manufactured home dealership (of an appropriate size, and to be used for the storage of each vehicle); *Petitioner stated the enclosed storage yard would contain approximately 15 tractors, 40 trailers, and 15 cranes; therefore, the crane equipment sales & rentals use must provide storage for 70 vehicles to be stored/displayed.*
- Space Requirements: A minimum of **1 off-street parking space is required for every employee working on-site on the largest shift.** *Petitioner stated there would be 35 employees on the largest shift; therefore, with 35 employees, 35 employee parking spaces are required.*
- Space Requirements: **One (1) off-street parking space is required for every business vehicle** stored on-site. *Petitioner stated there would be 15 business vehicles (pick-up trucks) stored on-site; therefore, 15 additional business vehicle parking spaces are required.*
- Parking of the Disabled:
 - At least one (1) space must be reserved for disabled persons for every 25 parking spaces provided; AND
 - Must be consistent with the requirements of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, Chapter 4.1.2 (5)(a) and all applicable revisions.
- Minimum parking stall size is 9' x 18' and must be striped.
- Each parking space must be paved with asphalt or concrete.
- TOTAL Parking Requirements:
 - 15 tractors + 40 trailers + 15 cranes = 70 spaces
 - Number of Employees = 35 spaces
 - Business Vehicles Stored on-site = 15 spaces
 - **Total Required = 120**

Comprehensive Plan & Zoning Ordinance

14. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Manufacturing. "Manufacturing areas are intended to accommodate large scale businesses that produce finished products from raw materials. Uses in these areas may include product manufacturers, as well as any related warehousing and offices. Manufacturing areas may include facilities that involve emissions or the outdoor storage of materials and finished products. These two factors are the primary distinction between manufacturing areas and light industrial areas."
15. According to Article 2.5: A special exception or variance ceases to be authorized and is expired if the obtaining of an Improvement Location Permit, or the execution of the approval has not been completed within 1 year of the date the variance or special exception is granted. The variance or special exception shall also expire if the approved construction has not been completed and approved by the Planning Director as being consistent with all written commitments or conditions, the requirements of this Ordinance, and all applicable permits within 2 years of the date the approval is granted.
16. Article 11, Chapter 4 states "Unless otherwise specified by the Board, special exception approvals shall be limited to, and run with the applicant at the location specified in the application. The Board may also limit special exceptions to a specific time period and a specific use. Special Exceptions shall also be invalid if (1) the property conforms with the Ordinance as written, or (2) the special exception approval is terminated (consistent with Section 2.5(L))."

17. Article 11, Chapter 4 states “A use authorized as a special exception may not be expanded, extended, or enlarged unless reauthorized by the Board under the procedures set forth in this Article for granting a special exception.”

CRITERIA FOR DECISIONS – SPECIAL EXCEPTION:

(The petitioner will need to address the Criteria for Decisions in their presentation**)**

In taking action on all special exception requests, the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements outlined in Article 11.4 of the Zoning Ordinance. The Board may grant a special exception of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.2) that:

DECISION CRITERIA – SPECIAL EXCEPTION

1. ***General Welfare: The approval (will or will not) be injurious to the public health, safety, morals, and general welfare of the community.***

Staff Finding:

Staff finds the approval will not be injurious to the public health, safety, morals, and general welfare of the community, as the proposed use, involving outdoor storage of heavy equipment (cranes, semi-tractors & trailers, etc.) is industrial in nature, and the IG zoning district, as well as, the “manufacturing” areas called out in the Comprehensive Plan Land Use Plan, specifically call for these areas to be utilized for outdoor storage and heavy industrial uses. Moreover, the subject property is surrounded on all sides by other large scale industrial and manufacturing users, the railroad tracks, and “Heavy Commercial” zoning (Johnson County); approval will not negatively impact the general welfare of the community.

2. ***Development Standards: The requirements and development standards for the requested use as prescribed by the Zoning Ordinance (will or will not) be met.***

Staff Finding:

The proposed crane equipment sales & rental special exception use includes a request for a development standards variances related to the removing the buffering and screening standards along the railroad mainline/siding on the east side of the property. Petitioner’s site plan(s) are conceptual and fully engineered plans have not been reviewed by Department of Planning & Engineering Staff, nor the Technical Review Committee; however, staff believes it is the petitioner’s intent to meet all other applicable development standards.

3. ***Ordinance Intent: Granting the special exception (will or will not) be contrary to the general purposes served by the Zoning Ordinance, and (will or will not) permanently injure other property or uses in the same zoning district and vicinity.***

Staff Finding:

The requested crane equipment sales & rental use is not specifically listed as a use in the Zoning Ordinance Land Use table; however, staff finds that the use is most similar to a farm equipment sales & service use, which is listed as a special exception in the Industrial, General zoning district. Moreover, petitioner intends to meet all other required development standards in the Zoning Ordinance, with the exception of the one variance requested, related to buffering and screening standards along the railroad mainline/siding. Furthermore, the proposed use is similar to many other uses in the immediate vicinity that involve outdoor storage of equipment, materials, semi-tractor trailers, and/or manufacturing uses. Therefore, staff finds the granting of the special exception will not be contrary to the Zoning Ordinance intent, nor will approval permanently injure other properties or uses in the same zoning district and vicinity.

4. ***Comprehensive Plan: The granting of the special exception (will or will not) be consistent with the character of the zoning district in which it is located, and (will or will not) be consistent with the Franklin Comprehensive Plan.***

Staff Finding:

Staff finds the granting of the Special Exception will be consistent with the character of the zoning district and will be consistent with the Franklin Comprehensive Plan. The requested crane equipment sales & rental use is not specifically listed as a use in the Zoning Ordinance Land Use table; however, staff finds that the use

is most similar to a farm equipment sales & service use, which is listed as a special exception in the Industrial, General zoning district. Staff finds the inclusion of the use in the list of permitted Special Exception uses for the IG district as evidence of the district intent for this type of use. Additionally, the Comprehensive Plan Land Use Plan recommends “Manufacturing areas may include facilities that involve emissions or the outdoor storage of materials and finished products. These two factors are the primary distinction between manufacturing areas and light industrial areas.” Therefore, staff finds the proposed use to be consistent with the Comprehensive Plan.

Please Note: The City of Franklin Board of Zoning Appeals may impose reasonable conditions as part of an approval.

STAFF RECOMMENDATION – SPECIAL EXCEPTION

Based on the written findings above, staff recommends **approval** with the following conditions of approval:

- A. Special Exception approval for a crane equipment sales and rental use runs with the petitioner at the subject property.
- B. A minimum of thirty-five (35) off-street parking spaces are required to be provided for employees.
- C. A minimum of one (1.0) off-street parking space is required to be provided for each employee on-site during the largest shift, and for each business vehicle stored on-site.
- D. Adequate and appropriately sized parking/storage spaces must be provided within an enclosed storage area for all cranes, tractors, and/or trailers stored on-site.
- E. Handicap accessible parking spaces are required in accordance with Article 7, Chapter 10, and shall only be apply based on the number of employee parking spaces required.
- F. Site Development Plan Review & approval is required prior to construction & use of the outdoor storage area.
- G. All applicable federal, state, county, and local permits/approvals are required; including, but not limited to, site development plan review, and compliance with all building, fire, and health codes.

CRITERIA FOR DECISIONS – DEVELOPMENT STANDARDS VARIANCE:

(The petitioner will need to address the Criteria for Decisions in their presentation**)**

In taking action on all special exception and variance requests, the Board of Zoning Appeals shall use the following decision criteria, consistent with the requirements of the Indiana Code. The Board may grant a special exception and a variance from development standards and limitations of this Ordinance if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5) that:

DECISION CRITERIA – DEVELOPMENT STANDARDS VARIANCE

- 1. General Welfare: The approval (will or will not) be injurious to the public health, safety, morals, and general welfare of the community.***

Staff Finding:

Staff finds approval of the proposed variance will not be injurious to the public health, safety, morals, and general welfare of the community, as the proposed storage yard area will still be screened along the front portions and along the side property line shared with KYB. The lack of screening along the railroad mainline/siding will not be injurious to the general welfare of the community, as the nearest non-industrial zoned and non-agriculturally used property is on the opposite side of the railroad tracks, and over 1,400 feet away from the east property line.

- 2. Adjacent Property: The use and value of the area adjacent to the property included in the variance (will or will not) be affected in a substantially adverse manner.***

Staff Finding:

As it relates specifically to the variance requested, to not provide opaque fencing and landscape screening along the railroad mainline/siding, the use and value of adjacent properties will not be affected in a substantially adverse manner. The nearest non-industrial zoned and non-agriculturally used property is on the opposite side of the railroad tracks, and over 1,400 feet away from the east property line.

3. ***Practical Difficulty: The strict application of the terms of the ordinance (will or will not) result in a practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.***

Staff Finding:

The strict application of the ordinance will result in practical difficulties in the use of the property, as the proposed outdoor storage area to be unscreened is along the railroad right-of-way, and the nearest non-industrial zoned and non-agriculturally used property is on the opposite side of the railroad tracks, and over 1,400 feet away.

Please Note: The City of Franklin Board of Zoning Appeals may impose reasonable conditions as part of its approval.

STAFF RECOMMENDATION – DEVELOPMENT STANDARDS VARIANCE

Based on the written findings above, staff recommends **approval** of the Development Standards Variances, with the following condition(s) of approval:

- A. Approval to not screen a portion of the outdoor storage area is limited to the north & east sides along the railroad mainline/siding, only. The remaining boundary of the outdoor storage area must be screened in compliance with Article 7.17, Buffering & Screening Standards.
- B. Site Development Plan Review & approval is required prior to construction & use of the outdoor storage area.