



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT › DEPARTMENT OF ENGINEERING
70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › www.franklin-in.gov/planning

BZA Staff Report

To: Board of Zoning Appeals Members

From: Kevin Tolloty, Associate Planner

Date: August 29, 2012

Re: Case ZB 2012-10 (V)

REQUEST:

Case ZB 2012-10 (V)...3827 Graham Road. A request for a variance from the City of Franklin Zoning Ordinance Article 8, Chapter 2 to allow a forty-six (46) square foot freestanding sign and a fifty-three (53) square foot wall sign in the Agricultural (A) zoning district. The property is located at 3827 Graham Road.

PURPOSE OF STANDARD:

The "A", Agricultural zoning district is intended to provide locations for agricultural operations and related land uses. This district is further intended to reduce conflicts between residential and agricultural areas with the viability of agricultural operations, and limit development in areas with minimal infrastructure. This district should be used to protect agricultural operations from land uses that are incompatible with the available infrastructure.

CONSIDERATIONS:

1. The petitioner is requesting a variance to allow a forty-six (46) square foot freestanding sign and a fifty-three (53) square foot wall sign in the Agricultural zoning district, which is treated as a residential district in relation to sign guidelines.
2. According to Article 8.2 of the Zoning Ordinance, signs in residential districts shall not be larger than six (6) square feet and no taller than four (4) feet in height.
3. Article 8.2 also does allow two "Facility Entry" signs, not larger than thirty-two (32) square feet each, which the existing freestanding sign falls under.
4. The building currently only has one entry sign and none of the building, which is set back 200 feet from Graham Road.
5. The 2002 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Agricultural. "Agriculture areas are generally located outside the current city limits in Franklin's extended zoning jurisdiction. Existing agriculture areas within the city limits are prime locations for new development, consistent with the future land use plan map. Agricultural areas are intended to include traditional farming uses, in addition to agricultural products storage and distribution facilities (such as commercial grain elevators), stables, natural preserves, agricultural research facilities, and other animal husbandry and food production related activities."

6. The definition of a practical difficulty, according to the 2004 City of Franklin Zoning Ordinance is: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within the Zoning Ordinance, but would like a variance from the Developmental Standards to improve his/her site in practical manner. For instance, a person may request a variance from a side yard setback due to a large tree that is blocking the only location that would meet the Development Standards for a new garage location.
7. 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.

The surrounding zoning and land uses are as follows:

Surrounding Zoning:

North: A, Agricultural
South: A, Agricultural
East: A, Agricultural
West: A, Agricultural

Surrounding Land Use:

North: Single Family Residential
South: Agriculture/Vacant
East: Agriculture/Vacant
West: Agriculture/Vacant

CRITERIA FOR DECISIONS:

(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

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:

The approval of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. While this zoning district is considered residential for sign classification, the effects of signage in the agricultural setting are much different than that of a neighborhood, and therefore should not be injurious.

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:

The use and value of adjacent properties will not be affected in an adverse manner as the property is surrounded by primarily agricultural fields and few residential properties.

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 does result in a practical difficulty as the petitioner may construct a wall sign no larger than six (6) square feet. The scale of the building and its setback from the road make a sign of that size impractical, and nearly impossible to be seen from the road. It is of Staff opinion that while technically this falls under residential standards, the size, scale and the fact that this is a permitted use of the property warrants adequate signage that may be more easily seen.

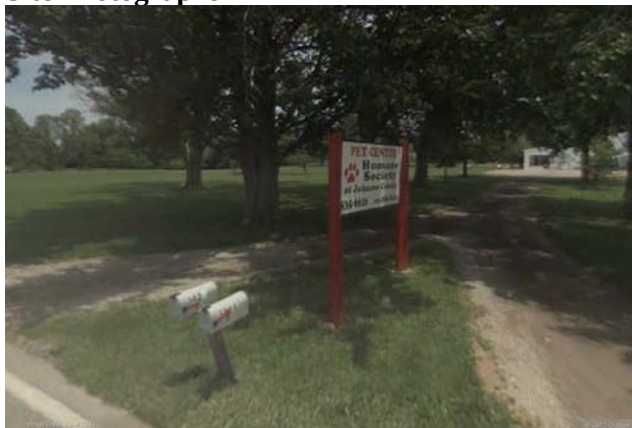
Please Note: The City of Franklin Board of Zoning Appeals may impose reasonable conditions as part of its approval.

STAFF RECOMMENDATION

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

1. Sign permits shall be obtained upon approval of variance

Site Photographs



Existing Sign



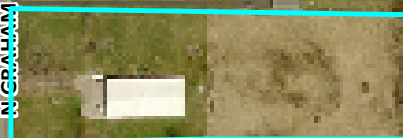
Front of Building – From Graham Road

**Humane Society
of Johnson County**



E 400 N

N GRAHAM RD

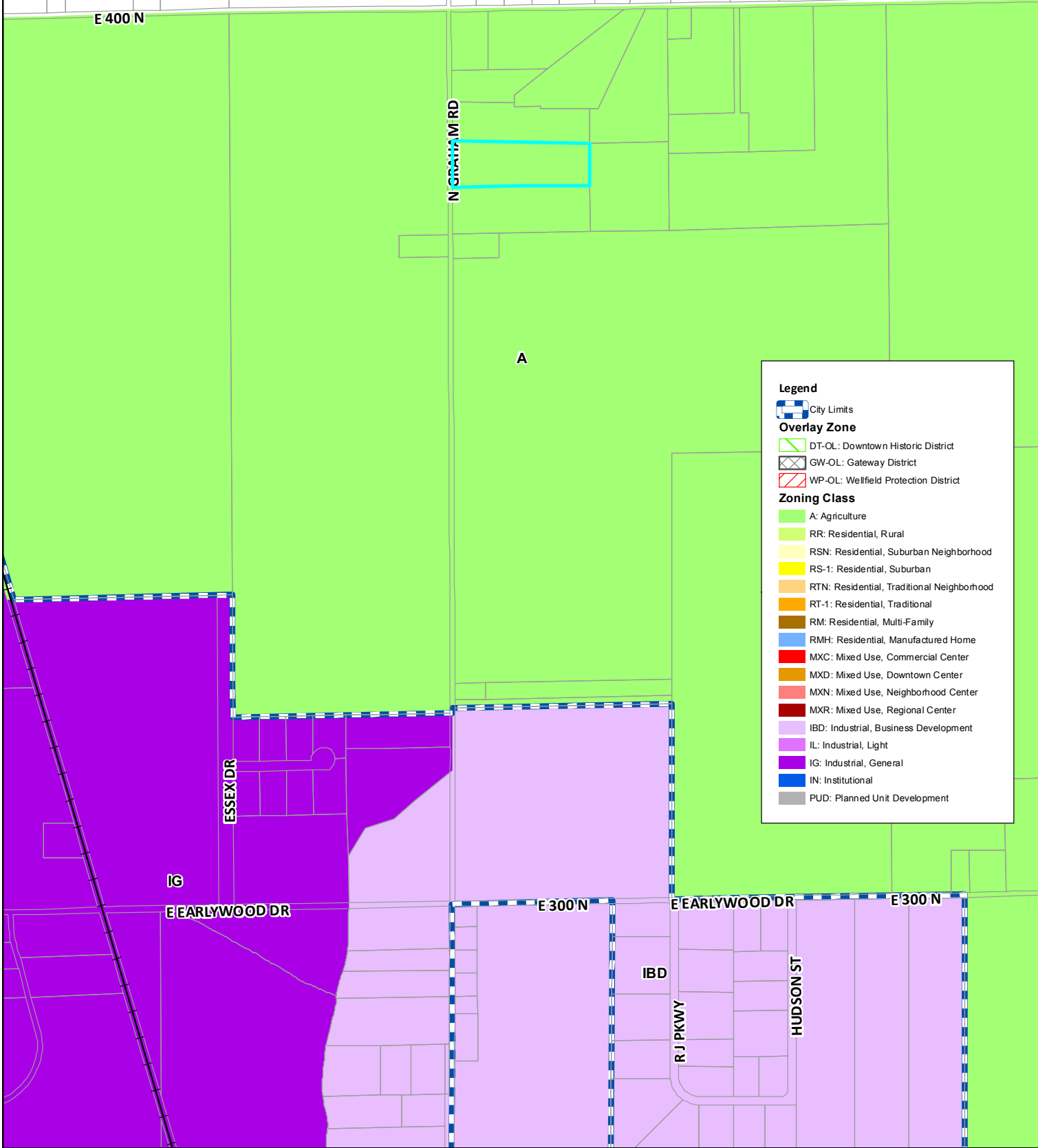


1 inch = 400 feet

Created: Franklin Planning Dept. - 8/12
K. Tolloty



Outside of Zoning Jurisdiction



Legend

City Limits

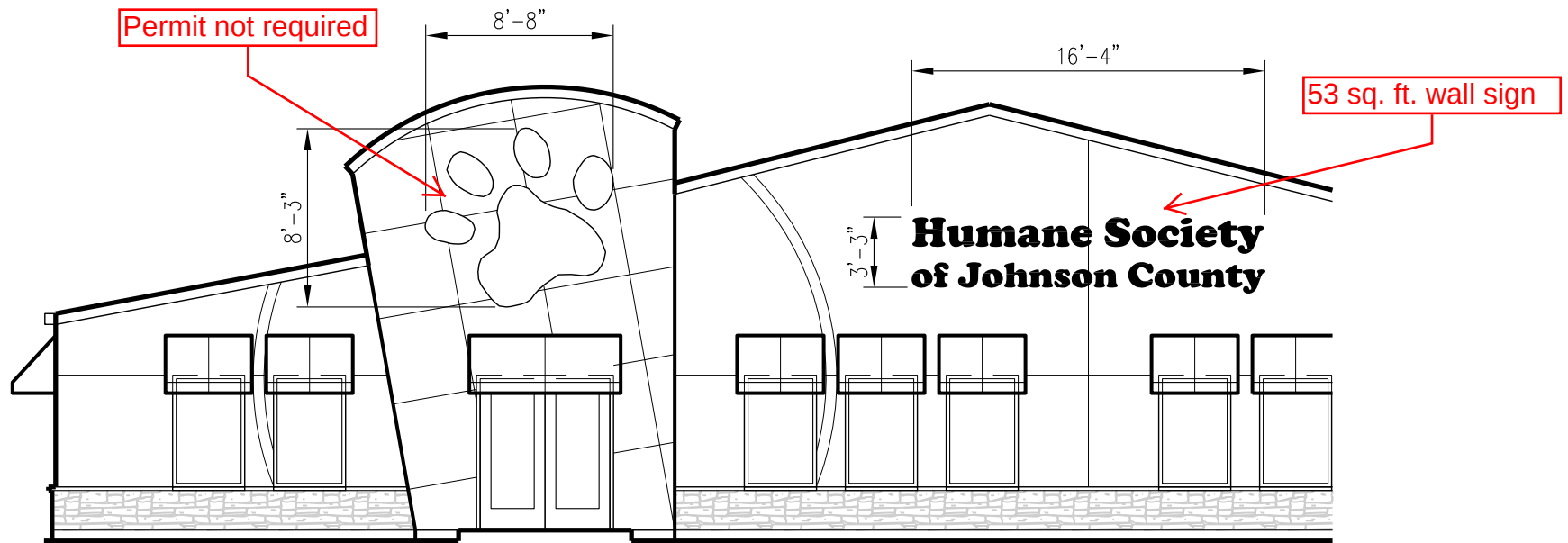
Overlay Zone

- DT-OL: Downtown Historic District
- GW-OL: Gateway District
- WP-OL: Wellfield Protection District

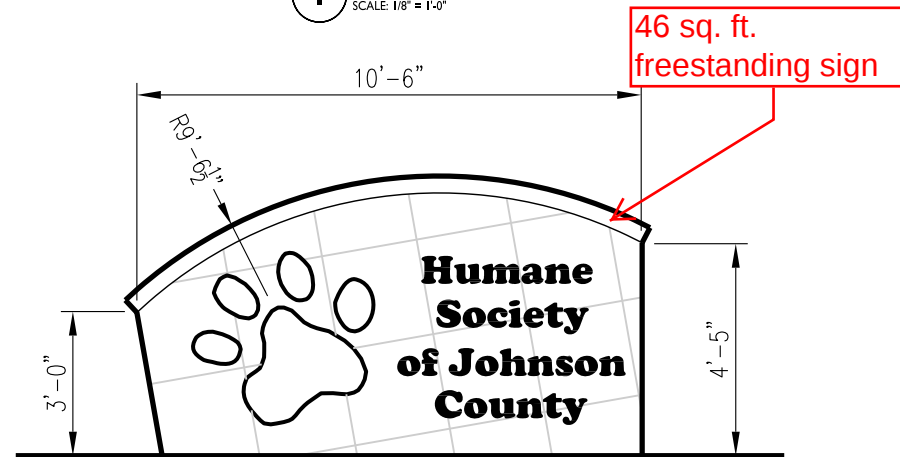
Zoning Class

- A: Agriculture
- RR: Residential, Rural
- RSN: Residential, Suburban Neighborhood
- RS-1: Residential, Suburban
- RTN: Residential, Traditional Neighborhood
- RT-1: Residential, Traditional
- RM: Residential, Multi-Family
- RMH: Residential, Manufactured Home
- MXC: Mixed Use, Commercial Center
- MXD: Mixed Use, Downtown Center
- MXN: Mixed Use, Neighborhood Center
- MXR: Mixed Use, Regional Center
- IBD: Industrial, Business Development
- IL: Industrial, Light
- IG: Industrial, General
- IN: Institutional
- PUD: Planned Unit Development

1 inch = 800 feet



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 GROUND SIGN
SCALE: 1/4" = 1'-0"

SIGNAGE DETAILS

HUMANE SOCIETY OF JOHNSON COUNTY
3827 GRAHAM ROAD
FRANKLIN, IN

802 MULBERRY STREET
NOBLESVILLE, INDIANA 46060
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01-06-10