



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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BZA Staff Report

To: Board of Zoning Appeals Members

From: Kevin Tolloty, Associate Planner

Date: January 29, 2013

Re: Case ZB 2013-06 (V)

REQUEST:

Case ZB 2013-06(V)....396 Branigin Boulevard. A request for a variance from the City of Franklin Zoning Ordinance Article 7, Chapter 10, to allow parking spaces of nine feet by twenty feet (9x20) and ten by eighteen feet (10x18) in the Institutional (IN) zoning district. The property is located at 396 Branigin Boulevard.

PURPOSE OF STANDARD:

The "IN", Institutional zoning district is intended to provide locations for large-scale public facilities, educational facilities, religious centers, and other institutions. This district is further intended to provide a set of setbacks and other standards that are responsive to the unique scale and other considerations common to these types of uses. This district is further intended to reduce land use conflicts and ensure that institutions are appropriately integrated into the community.

CONSIDERATIONS:

1. The petitioner is requesting a variance to allow parking stalls that are nine (9) feet in width and twenty (20) feet in length and parking stalls that are ten (10) feet in width and eighteen (18) in length.
2. According to Article 7.10 of the Zoning Ordinance, parking spaces are required to be ten (10) feet in width and twenty (20) feet in length.
3. The requested 9' x 20' parking stalls are consistent with other existing public parking lots and additional 9' x 20' parking stalls were approved by the BZA in September, 2012.
4. 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.

5. 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.
6. The 2002 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Parks & Open Space. "Parks & open space include public and private facilities for both passive and active recreation. Public park facilities should be distributed throughout the community and should be readily accessible to a majority of residential areas. Accessibility should be achieved through a combination of quality locations in proximity to residential areas and connections made through the local greenway system. Park and open space areas may include picnic areas, athletic facilities, golf courses, and community center facilities."

The surrounding zoning and land uses are as follows:

Surrounding Zoning:

North: IN, Institutional

South: PUD, Planned Unit Development

East: PUD, Planned Unit Development

West: RTN, Residential, Traditional Neighborhood

Surrounding Land Use:

North: Province Park

South: Masonic Home

East: Franklin College

West: Single Family Residential

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. The overall effect will be an improvement over the existing parking lot.

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 should improve the parking situation.

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:

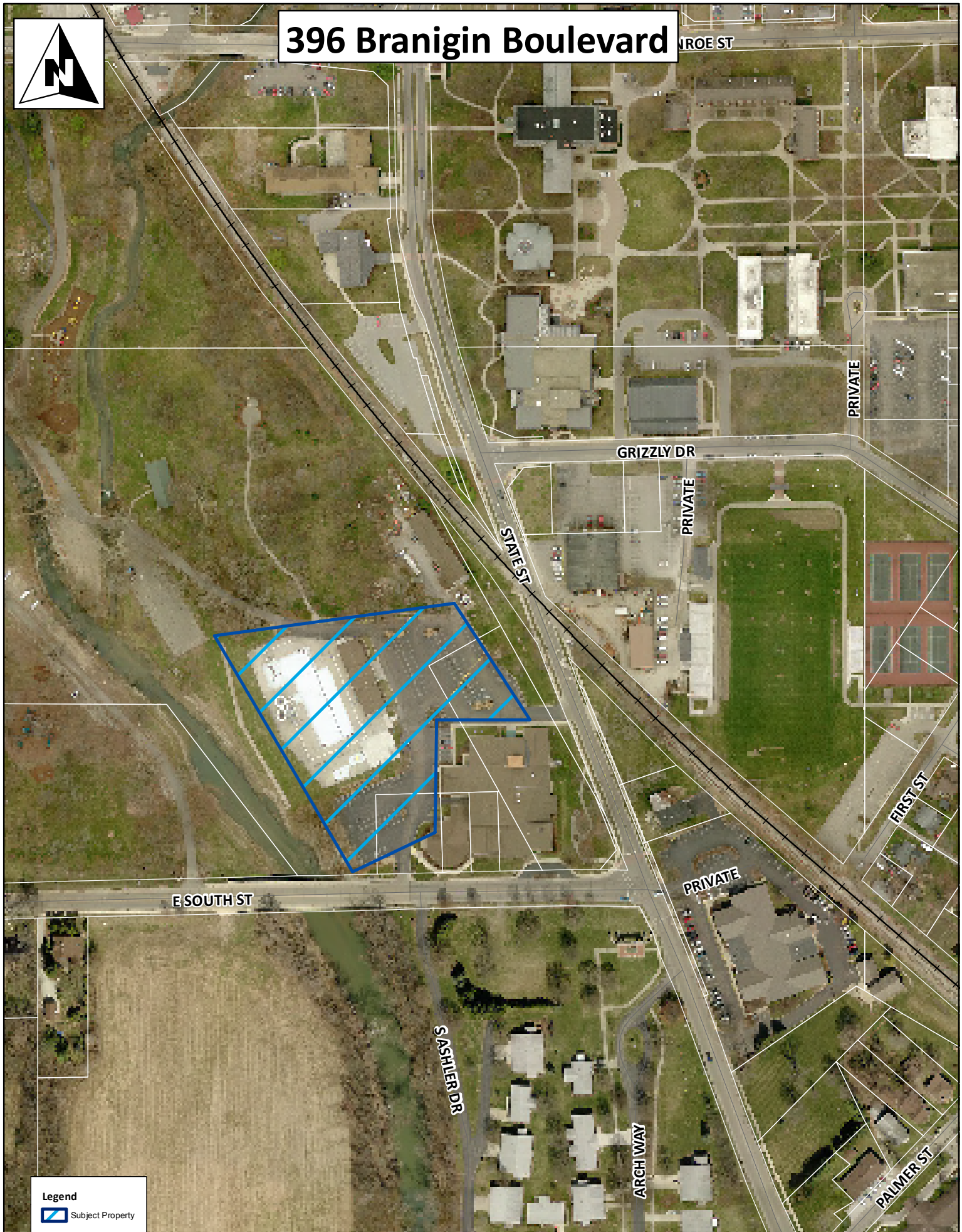
The strict application of the ordinance will result in a practical difficulty as the size of the required parking stall would reduce the total number of parking spaces made available. The smaller stalls would in effect allow for increased landscaping in the parking lots, while not reducing the amount of parking available. In addition, the nine (9) foot wide parking stalls, while one (1) foot narrower and the eighteen (18) foot deep parking stalls are permitted consistent with a number of other communities and should leave ample room for maneuverability.

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** of the variance.

396 Branigin Boulevard



1 inch = 200 feet

