

BOARD OF ZONING APPEALS DECISION CRITERIA

SPECIAL EXCEPTION

The Board may grant a special exception for a use listed as such in the appropriate zoning district in Article 3 of the City of Franklin Zoning Ordinance if, after a public hearing, it makes findings of facts in writing, that:

a. General Welfare: The proposal will not be injurious to the public health, safety, morals, and general welfare of the community.

The proposed use, being a place of worship, will be beneficial for the community and will not be injurious to the public health, safety, morals, and general welfare of the community.

b. Development Standards: The requirements and development standards for the requested use as prescribed by the Zoning Ordinance will be met.

The future development for the church will meet the development standards for the requested use as prescribed by the Zoning Ordinance.

c. Ordinance Intent: Granting the special exception will not be contrary to the general purposes served by this Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity; and
The proposed use will be beneficial for the community and will not permanently injure other property or uses in the same zoning district and vicinity.

d. Comprehensive Plan: The proposed use will be consistent with the character of the zoning district in which it is located and the Franklin Comprehensive Plan.

The development of the Franklin Apostolic Church will be consistent with the character of the zoning district in which it is located and the Franklin Comprehensive Plan.

VARIANCE FROM DEVELOPMENTAL STANDARDS

The Board may grant a variance from the development standards of the Zoning Ordinance (such as height, bulk, area) if, after a public hearing, it makes findings of facts in writing (consistent with IC 36-7-4-918.5), that:

a. General Welfare: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

The parcel will be developed per the current development and ordinance standards, therefore will not be injurious to the public health, safety, morals, and general welfare of the community.

b. Adjacent Property: The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

The proposed use, being a place of worship, will be beneficial for the community, along with other places of worship within the area, the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

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

The site contains approximately 5.2 acres, and with the uses proposed, the larger area is needed to accommodate parking, landscaping, and site drainage. Without the variance it would be difficult to meet the current development and zoning standards. The request for a maximum lot area of 3-acres is less than current lots within the area and the same zoning.