

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

January 8, 2025

Members Present

Jim Martin
Bill Carson
Clayton Black
Joe Gruss

Chairman
Vice Chairman
Secretary
Member

Not Present

Clinton Nalley

Member

Others Present

Lynn Gray
Alex Getchell

Legal Counsel
Senior Planner I

Call to Order

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

Roll Call & Determination of Quorum

Election of Officers

Chairman – Jim Martin

Vice-Chairman – Bill Carson

Secretary – Clayton Black

Mr. Carson nominated a slate of officers – Mr. Martin as President, Mr. Carson as Vice President and Mr. Black as Secretary. Mr. Black seconded. Passed unanimously, 4-0.

Appointment of Legal Counsel

Mr. Carson nominated Lynn Gray. Mr. Black seconded. Passed unanimously, 4-0.

Approval of Minutes

Mr. Black made a motion to approve the November 6, 2024 minutes. Mr. Carson seconded. The motion passed unanimously, 4-0.

Swearing In

Legal Counsel Gray swore en masse anyone planning to speak.

Old Business

New Business

ZB-24-9 (SE) – 18 Martin Place – Mr. Getchell introduced this special exception use request by J.D. Mendez at 18 Martin Place. The subject property is located on the north side of Martin Place. It is the third property east of North Main Street. The applicant requested a special exception use to allow an accessory dwelling unit (ADU) attached to the primary structure in the RTN (Residential: Traditional Neighborhood) zoning district. An accessory dwelling unit as defined by the ordinance is “a separate and complete secondary dwelling unit established in conjunction with and clearly subordinate to another dwelling that serves as the primary use or structure on the property.” In this case there is an existing single family home, with a square footage that is approximately 3,000-3,500 square feet. The proposal is for an accessory dwelling unit 24’ x 24’ or 576 square feet. It is different from a two dwelling or multi-family in that a two dwelling would be where both units would be of similar size and meet the minimum threshold of a dwelling unit in the zoning district, which would be 800 square feet. And multi-family is three units or more. In addition to the existing single-family dwelling, there is a detached three-car garage. There is also a 20’ x 20’ deck. The petitioner proposed to remove the deck and locate the accessory dwelling unit in the location. There is an additional parking area behind the garage. There is rear alley vehicular access. They are proposing a shared entry connection to the house. If on the ground floor, an accessory dwelling unit has to be connected to the primary structure. If they are a detached structure, they must be on the second floor. The ADU is planned for the petitioner’s mother as she gets older. Construction plans at this time are entirely conceptual. The Comprehensive Plan calls for the area to be Core Residential. The petitioner provided a statement of intent along with a written response to the decision criteria and his conceptual plans. Placement will be in the middle of his property. The existing house structure is primarily brick with limestone accents.

Ms. Gray asked how many property owners were notified. Mr. Getchell pointed out that everyone on the street received notice. No citizens were in attendance at the meeting. Mr. Getchell received no response from any recipients.

Petitioner and homeowner James Mendez stated planning for the future for his mother. Even though the primary dwelling is sizeable in square footage, being an older home, it is fairly chopped up with no real ability to add an additional bedroom. They considered remodeling first, but couldn’t find a contractor willing to take on the project. Mr. Mendez addressed the decision criteria, as follows:

1. General Welfare – There will be plenty of parking. In addition to the three-car garage, there is space for an additional five to six cars. It will not be visible from the street but only from the two adjacent properties.
2. Development Standards – All setbacks and parking will be maintained the same way. The deck is currently 19-20 feet away from the property line. The ADU will shrink that down to a little less than that.
3. Ordinance Intent – It will still be a residential building, but simply a multi-generational dwelling.
4. Comprehensive Plan – It will remain a single-family dwelling. There are no plans to convert to an apartment. They plan to blend in with the existing structure.

Chairman Martin opened the public hearing, and there were no respondents.

Mr. Black asked if any other approvals were required due to being on the US Register of Historic Places. Mr. Mendez explained that only the area as a whole is registered, not individual dwellings. His understanding is that nothing visible from the street is allowed to be changed. Mr. Mendez expressed his support of all staff’s recommendations. Ms. Gray asked how they intend to maintain the integrity of the house with the addition. They plan to match the brick as close as possible and keep white-trimmed

floor to ceiling windows. The house was built in the 1860's with a number of additions through the years. Ms. Gray asked if the finalized design could be submitted for staff's approval as part of condition b. Both Mr. Getchell and Mr. Mendez agreed. The required building permit will call for the design plan and also be reviewed at that time. Ms. Gray instructed the language be added to condition b. Mr. Black inquired as to the parking space requirements and Mr. Getchell explained the required spaces already exist on-site.

Mr. Getchell identified staff's recommendation for approval with conditions, as outlined in the staff report, and with Ms. Gray's addition to condition b.

- a. Special Exception approval is for a single accessory dwelling unit, with one bedroom and one full bathroom, to be designed and constructed as part of the primary structure.
- b. All sides of the exterior façade of the accessory dwelling unit addition shall incorporate some design element(s) of the existing primary structure (e.g. roof pitch/overhang/material(s), masonry/stone, window design, façade colors, etc.), in order to protect the historically significant character of the Martin Place neighborhood. The design is to be submitted for review and approval by staff.
- c. The accessory dwelling unit living area square footage shall be limited to 600 sq. ft. +/- 10 percent.
- d. A minimum of four off-street paved parking spaces are required to be provided on-site.
- e. All applicable federal, state, county, and local permits/approvals are required; including, but not limited to, compliance with all building, fire, and health codes.

Mr. Carson moved for approval with conditions as outlined by staff. Mr. Black seconded. Passed unanimously by roll call vote, 4-0.

Other Business

Adjournment:

There being no further business, a motion to adjourn was made by Mr. Carson. Passed unanimously, 4-0.

Respectfully submitted this 2nd day of April, 2025.

Jim Martin, Chairman

Clayton Black, Secretary