

Legislation Details (With Text)

File #: 15-0945 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 10/8/2015 **In control:** Board of Mayor & Aldermen

On agenda: 1/26/2016 **Final action:** 1/26/2016

Title: Consideration of Ordinance 2015-21, To Be Entitled, "An Ordinance To Amend Chapter 8, Section 8.3, And Chapter 4, Sections 4.1.4 And 4.1.6, Of The Franklin Zoning Ordinance, Which Regulate Accessory Uses And Structures, And Chapter 3, Section 3.5.6, Central Franklin Character Area Overlay District, To Permit Accessory Dwellings in Certain Special Areas." (10/22/15 FMPC 9-0; 11-24-15 BOMA 1st Reading 6-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Indexes:

Code sections:

Attachments: 1. Final.2015-21 Accessory Dwellings.law approved.pdf, 2. MAP CFCO Special Areas to Allow Accessory Dwellings.pdf, 3. MAP Residentially Zoned Properties within CFCO Accessory Dwelling Special Areas.pdf, 4. CFAP Excerpt Accessory Dwelling Recommendations.pdf, 5. Accessory Dwellings - 2015-12-28

Date	Ver.	Action By	Action	Result
1/26/2016	1	Board of Mayor & Aldermen	approved on third and final reading	Pass
1/12/2016	1	Board of Mayor & Aldermen	referred	Pass
11/24/2015	1	Board of Mayor & Aldermen	referred as a Public Hearing Item	Pass
11/24/2015	1	Work Session	acknowledged	
10/22/2015	1	Franklin Municipal Planning Commission		

DATE: October 22, 2015

TO: Franklin Municipal Planning Commission

FROM: Kelly Dannenfelser, Principal Planner
Bob Martin, Interim Director of Planning and Sustainability

Subject

Consideration of Ordinance 2015-21, To Be Entitled, "An Ordinance To Amend Chapter 8, Section 8.3, And Chapter 4, Sections 4.1.4 And 4.1.6, Of The Franklin Zoning Ordinance, Which Regulate Accessory Uses And Structures, And Chapter 3, Section 3.5.6, Central Franklin Character Area Overlay District, To Permit Accessory Dwellings in Certain Special Areas." (10/22/15 FMPC 9-0; 11-24-15 BOMA 1st Reading 6-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Background/Staff Comments

The text amendment was written based on Central Franklin Character Area recommendations that addressed

geographic location, off-street parking, minimum lot size, location on the lot, maximum square footage, height, and an owner occupancy requirement. See the attached excerpt.

Only a portion of the properties within the oldest parts of Franklin would potentially be impacted by this text amendment due to restrictions on residential zoning, minimum lot size, residential land use, landscape surface ratio, setbacks, number of permitted accessory dwellings per lot, etc.

Variances may be requested by anyone, just like anyone can ask for a rezoning. However, the applicant would have to prove why the property has unusual lot characteristics that would make it different from other similar lots and must prove there is not substantial detriment to surrounding properties. Per State Law, approval cannot be based on economic hardship.

The Municipal Code prohibits parking in front yards. Variances only apply to Zoning Ordinance provisions so a variance could not be granted for parking in front yards.

Accessory dwellings will provide a housing option for family members, supplement income via rent, or help aging residents meet their needs without moving.

Recommendation

Approval of Ordinance 2015-21 is recommended.