



Meeting Agenda

Board of Zoning Appeals

Thursday, October 6, 2022

6:00 PM

Board Room

Notice is hereby given that a meeting of the Board of Zoning Appeals will be held on the date, time, and location listed above. Additional information can be found at www.franklintn.gov/planning. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes, but not read aloud in their entirety during the meeting. Emailed comments are accepted until 12:00 PM (noon) on the day before the meeting. • Comment in-person in the Board Room. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the Boardroom or wait in the lobby.

CALL TO ORDER

APPROVAL OF MINUTES

1. Consideration Of Approval Of The August 4, 2022 BZA Minutes.

ANNOUNCEMENTS

APPLICATIONS

2. Variance Request To Exceed The Maximum Allowed 10-Footcandles By 14.1-Footcandles On A Privately Owned Sports Court For The Property Located At 701 Cool Springs Boulevard (F.Z.O. 14.2.1.A Sight Lighting Illumination Values).

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

3. Variance Request To Waive The Substantial Improvement Requirement To Raise The First Floor Elevation Of A Historic Structure Above The Base Flood Elevation (To Remain In Place) Located Within The Historic Preservation Overlay, Central Franklin Overlay, And The Floodway Fringe Overlay At 728 Fair Street (F.Z.O. 17.6.4.B).

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

4. Variance Request To Reduce The Minimum Garage Setback For A Front Loading Garage From 20-Feet To 6-Inches Behind The Front Facade And Front Door At 1141 Carter Street (F.Z.O. 6.3 – Building Type, House, Front-Facing Garage Setback).

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

OTHER BUSINESS

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.

City of Franklin
Meeting Minutes
August 4, 2022

Commissioners Present:

Greg Caesar
Jeff Fleishour
Jonathan Langley, Chair

Staff Present:

Amy Diaz-Barriga
Chelsea Randolph
Lori Jarosz
Emily Wright
Bill Squires

CALL TO ORDER

Chair Langley called the meeting to order at 6:01 p.m.

APPROVAL OF MINUTES

Consideration of Approval of the July 7, 2022, Meeting Minutes.

Commissioner Greg Caesar made a motion to approve the minutes from the July 7, 2022, BZA meeting.
Commissioner Fleishour seconded the motion.

Vote: 3-0

ANNOUNCEMENTS

APPLICATIONS

- 1. Variance Request To Allow More Than The Maximum Number Of Retaining Walls On A Site And A Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard And A Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Side/Rear Yard, And A Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater For The Property Located At 1229 Road of the Round Table. (FZO §13.2.4, and §4.4.6.B).**

Staff Presentation: Chelsea Randolph. Ms. Randolph stated that the subject lot is 5.26 acres and is located at 1229 Road of the Round Table within the Avalon subdivision. The subdivision is zoned PD in which the applicant would like to develop the parcel for a single-family home. The development was approved prior to the establishment of the HHO district, and the 500-foot buffer of the hillside overlay. The subject property lies within the 500-foot buffer of the hillside overlay. The topography of the site creates difficulties for site design and development as several lots reside on slopes with grades over 20 %, making the buildable area a small portion of the site. The zoning ordinance does not allow development on slopes greater than 20% to protect the natural features. The Avalon subdivision architectural guidelines require two story homes to be a minimum of

5,000 square feet. The applicant provided designs to the city for review and staff determined that four variance requests would need to be approved for the designs provided.

- 1) A variance to allow encroachment into areas with a slope of 20% or greater.
- 2) A variance to allow more than the 3 maximum retaining walls on a residential site
- 3) A variance to allow retaining walls to be higher than the maximum of two feet (front yard).
- 4) A variance to allow for retaining walls to be higher than the maximum six feet for a rear and/or side yard.

Variance Request #1

A variance request may be considered if the following conditions are present. The first criteria states that by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time on the enactment of the zoning ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under the zoning ordinance.

Ms. Randolph stated that because the subject property is located on a hill with over a 20 % slope across much of the property with additional areas of 10 to 20 % slopes, the property exhibits exceptional topographic conditions which will require encroachment onto the slopes to provide access and support development. Ms. Randolph also noted that the variance request is the minimum necessary deviation from the requirement of the zoning ordinance to develop the lot. Therefore, staff finds the criteria number one to be met.

The second criteria states that the strict application of the zoning ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property. Ms. Randolph stated strict application of the zoning ordinance would create practical difficulties for the owner due to the exceptional topographic conditions that exists. Staff finds that criteria number two to be met. The third criteria states that such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning ordinance. Encroachment into areas with slopes of 20 % or greater on the site would not be a detriment to the public good, nor would it impair the purpose and intent of the zoning ordinance. Because the Avalon PUD subdivision was approved by the City of Franklin prior to the adoption of the Hillside Hillcrest Overlay zoning district, development on the steep hillsides was anticipated when the development was originally approved. Therefore, staff finds that criteria three, to be met.

Variance Request #2

Staff analysis for request number two regarding criteria one, staff finds that the existing slopes on the subject property have exceptional topographic conditions that will require the use of retaining walls for effective drainage access and support for development. Staff finds that criteria one for request number two is met. Regarding criteria two, the applicant would face practical difficulties because of the exceptional topographic conditions. Ms. Randolph stated that the applicant has designed a home that avoids the slope but in doing so would need to address potential drainage issues. The use of retaining walls across the slope dominated site are required to develop the property and therefore meets criteria two. The use of additional retaining walls would not be a detriment to the public, nor would it impair the purpose and intent of the zoning ordinance due to the parcel's location to common space or its location atop a heavily wooded hilltop. Ms. Randolph stated that very little of the home would be visible from the street or neighboring properties and is in no direct conflict with the intent of the zoning ordinance. Therefore, staff finds that criteria three is met for request number two.

Variance Request #3

Staff analysis indicates that the higher than the maximum front yard retaining wall height regarding criteria one is exceptional due to the topography of the property. The retaining walls will provide effective drainage access and support development of the site. Because of the exceptional slope of the property, criteria one is met. The strict application of the zoning ordinance would create impractical conditions for the applicant because of the dominant slope on the property. Because of the exceptional topography of the property, the use of higher retaining walls is needed for drainage and development of the property. Therefore, criteria two, is met. The allowance of taller retaining walls on the subject property would not be a detriment to the public good, nor would it impair the purpose and intent of the zoning ordinance. Staff determined that criteria three is met for the request for the higher than maximum height of the front yard retaining walls.

Variance Request #4

Because of the exceptional topography of the subject property, the use of retaining walls at maximum height in the rear/side yard will be necessary for effective drainage and support of the building site. Criteria one for request four is met. Regarding criteria two, the strict application of the zoning ordinance would provide practical difficulties for the applicant because of the dominant slope of the property. Criteria two is for request four is met. For criteria three, the allowance of taller retaining walls in the rear/side yard on the subject property would not be a detriment to the public good, nor would it impair the purpose and intent of the zoning ordinance due to the parcel's location to common space or its location atop a heavily wooded hilltop. Ms. Randolph stated that very little of the home would be visible from the street or neighboring properties and is in no direct conflict with the intent of the zoning ordinance. Therefore, criteria three is met.

Ms. Randolph read an advisory note to the Commissioners for the record. The submitted plans show that a tennis court and a greenhouse are proposed in the front yard. Ms. Randolph noted that a variance request was not submitted for those items. The zoning ordinance states that no accessory structures are allowed within the front yard per chapter 3.10.7 Dimensional Standards. This was discussed with the applicant, and it was indicated that the applicant would remove the tennis court and greenhouse from the front yard of the plan.

Ms. Randolph stated that the final proposed plan should go through the building permit review and approval process and any aspect of the design that did not receive a variance approval should meet all the City of Franklin Development Standards. Ms. Randolph also noted that the applicant shall be advised that there are concerns regarding the emergency fire access to the proposed residence, and requirements to address these concerns shall be addressed during the building permit review.

Ms. Randolph stated that the recommended motion for item one is to approve the variance request to allow for additional retaining walls on the site in excess of the allowed three per lot, allow for retaining walls up to 11 feet in the front yard, allow for retaining walls up to ten feet in the rear yard and allow encroachment into areas with slopes of 20% or greater on the property located at 1229 Road of the Roundtable because all the criteria required for granting a variance have been met.

Applicant Presentation: Josh Bethea with CSD. Mr. Bethea stated that he had been in touch with Chelsea about the structures proposed in the front yard along with discussions with the Fire Marshall about the emergency fire access. Those discussions would continue through the permit process.

Chair Langley opened the public comment portion relating to item number one.

Seeing none, Chair Langley asked for a motion to close the public comment portion. A motion was made to close public comment by Commissioner Caesar, seconded by Commissioner Fleishour.
Vote: 3-0

Commissioner Caesar asked a question about the retaining walls and if there is any guidance on the noncontiguous retaining walls. Are there any requirements to break up the retaining walls? And is that a concern of the staff?

Ms. Randolph stated that staff addresses what is requested by the applicant with no discussion about the design of the site.

Commissioner Caesar stated that a 15-foot retaining wall without anything to break up the wall may be a concern. Thus, the zoning ordinance limiting the retaining wall height.

Mr. Bethea stated that they tried to minimize the impact on the 20 % slopes with the focus being around the 20% slopes. By terracing some of the walls, the applicant might need to encroach into the 20% slopes a little bit more.

Chair Langley stated that Item #1 can be voted on in one motion or if the Commissioners prefer, the request can be broken into multiple motions.

Chair Langley asked for a motion on item #1.

Commissioner Caesar asked for assistance from the staff on a motion to help address his concerns about the uninterrupted retaining wall façade and the properties appearance with (potentially) unlimited walls. The intent of the ordinance should be considered by the Commission.

Ms. Diaz-Barriga suggested that the wall be limited to 1, 10-foot wall or 2 eight-foot walls with separation which is like the commercial ordinance. Similar variances have been allowed in other places.

Commissioner Caesar stated that the variance could allow for (potentially) unlimited retaining walls.

Commissioner Caesar moved to approve the variance request to allow for more than three retaining walls but paused his motion to ask what would be an appropriate cap on the number of walls allowed.

Mr. Bethea stated that the number of retaining walls proposed for the property is currently in the 12-14 range. Mr. Bethea referenced page two in the application documents that shows a preliminary grading plan. The driveway curve could be modified so that the area is terraced more to eliminate the need for an 11-foot wall.

Ms. Randolph stated that along with the variance request, a plan is attached, and the plan will be referenced in relationship to the variance. A possible motion that the commission could consider is approval of the variance request based on the proposed plan.

Ms. Wright also added that the variance request could be approved with conditions. Approval with conditions would allow heights to be specified, walls to be staggered, and a cap placed on the number of

walls appropriate for the property. The zoning ordinance for non-residential and mixed-use sites, according to BOMA and FMPC with input from the public, determined that the maximum wall height desired would be 10 feet for a single wall and eight feet for staggered walls. Clearly, residential sites would have lower height recommendations for retaining walls. In terms of massing and impact of the walls, the BZA could use the 10- and 8-foot guidelines and the single wall versus a staggered wall to determine the intent of the ordinance, for the residential property.

Commissioner Caesar moved to approve the variance request to allow for additional retaining walls on the site in excess of the allowed three per lot, to allow for retaining walls not to exceed 10-feet in the front yard, to allow for retaining walls up to or not to exceed 10-feet in the rear yard and to allow encroachments into the areas with slopes of 20% or greater on the property located at 1229 Road of the Round Table. Commissioner Caesar completed his motion by stating that all criteria required for granting a variance have been met as described in the staff report and presentation.

Chair Langley stated that the motion follows the recommended motion of the staff as presented by Ms. Randolph, except for the 10-foot height allowance. The staff report indicated a height allowance of 11-feet. The motion for approval addresses each variance request.

Commissioner Caesar added that a cap would not be set on the number of retaining walls to allow for terracing.

Chair Langley asked for a second on the motion.

Commissioner Fleishour seconded the motion to approve the variance requests.

Chair Langley asked for discussion on the motion.

Chair Langley stated that the only concern he had about the request was the change from an 11-foot height max to a 10-foot max height and how the change would affect the applicant's overall plan of the site.

Mr. Bethea stated that he thought the 10-foot height max would work for the retaining wall.

Chair Langley asked for a vote on item #1.
Vote : 3-0

2. Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard And A Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Side/Rear Yard For The Property Located At 609 Prince Valiant Court. (FZO §13.2.4).

Staff Presentation: Chelsea Randolph. Ms. Randolph stated that the .45-acre lot is in the Avalon Subdivision and is zoned PD for Planned District. The applicant has developed the single-family home that is supported by two retaining walls. The preliminary review of the plan, by staff, determined that two variances would need approval. The applicant's variance requests include allowance for the retaining walls to be higher than the maximum two feet in the front yard and retaining walls in the rear and side yard to be higher than the maximum six feet. The applicant has gone through the building permit process and received approval based on plans that met the ordinance requirements for the side, rear, and front retaining walls. The contractor and engineer found that the wall would need to be taller

once construction began. Construction of the taller retaining walls began without verification, resulting in a stop work order from the Building and Neighborhood Services Department. The additional height of the retaining walls would require a variance request.

Variance Request 1. (Maximum height of front yard retaining walls)

Staff analysis noted that Avalon subdivision is predominantly covered in slopes. The Franklin Zoning Ordinance allows for retaining walls located in the front yard of a residence to be a maximum of three feet in height. The applicant has requested to keep the existing retaining wall that measures 10.39 feet in height in the front yard to ensure correct support and appropriate drainage of the property. Due to the exceptional slope conditions across the site, staff finds that criteria one has been met. The exceptional slope across the site requires retaining walls of greater height for development of the site. Therefore, staff determined that criteria two has been met. Avalon Subdivision has many lots that have been granted variances for retaining wall height. The granting of this variance would not result in esthetic concerns for neighboring property owners and the community. Allowing for taller retaining walls in the front yard of the site would not be a detriment to the public good, nor would it impair the purpose and intent of the zoning ordinance. Staff determined that criteria three for request one has been met.

Variance Request 2. (Maximum height of rear and side yard retaining walls)

The subject property located in Avalon subdivision is largely covered in slopes. The zoning ordinance for residential properties states that rear and side yard retaining walls be a maximum of 6 feet in height. The applicant has requested that the existing retaining wall measuring 8.33 feet in height to remain as constructed. The wall would ensure correct support and drainage on the site. Due to the exceptional slope across the site, the staff finds that criteria one is met. The strict application of the zoning ordinance would create practical difficulties for development of the site due to the topographic conditions relating to the exceptional slope of the property. Retaining walls of greater height are needed to develop the site and therefore staff finds that the criteria two is met. Avalon subdivision has been granted variances for retaining wall height in the past. The granting of this variance would not result in esthetic concerns for neighboring property owners and the community. Allowing for taller retaining walls in the side and rear yard of the site would not be a detriment to the public good, nor would it impair the purpose and intent of the zoning ordinance. Staff finds that criteria three has been met.

Ms. Randolph stated that the staff recommends approval for the variance request to allow for taller than allowable retaining walls in the front, rear, and side yards for the property located at 609 Prince Valiant because the three criteria for granting a variance have been met.

Applicant Presentation: Dino Elefante. Mr. Elefante discussed the challenges of construction in Avalon because of the slope.

Chair Langley opened the public comment portion relating to item number two.

Commissioner Caesar asked if there were any additional public comment emails other than what was received.

Ms. Randolph stated there were none other than what was emailed to the Commissioners previously.

Seeing none, Chair Langley asked for a motion to close the public comment portion.

A motion was made to close public comment by Commissioner Caesar, seconded by Commissioner Fleishour.

Vote: 3-0

Chair Langley asked for discussion regarding the two variance requests.

Commissioner Caesar stated that according to the applicant documents and illustrations the existing front retaining walls are highly visible from the street.

Chair Langley stated that the variance request for the front yard and the rear/side yard can be split into two motions if necessary.

Commissioner Caesar stated that each request could stand on its own. The public have made their concerns known and the request goes against the ordinance that guides the variance requests. There may be potential safety concerns with the substantial wall height in the front yard.

Mr. Elefante stated that there isn't a sidewalk in the back. There is a safety fence of 4 feet along the front retaining wall.

Commissioner Caesar asked if there was a way to terrace the front retaining wall.

Mr. Elefante stated that a terrace would add additional walls. Mr. Elefante discussed the "unknowns" and challenges of building a house in Avalon because of the substantial slope. Consideration of the driveway grade was a significant challenge. The final grade will be higher than shown on the documents along with complete landscaping plan.

Chair Langley explained that the variance could be passed with conditions, as discussed earlier by Ms. Wright.

Mr. Elefante stated that the retaining wall is 60-feet from the street. The grade and soil are unstable, requiring large footers. The slope percentage of the driveway is 0 as entry is from the side street.

Commissioner Caesar asked for the site plan to be displayed. The intent of the ordinance should guide the decisions regarding the public viewsheds of large retaining walls in the front yard and for this reason, Commissioner Caesar stated that he would make a motion to disapprove the variance recommendation.

Mr. Elefante stated that driving or walking through Avalon, one would see many of the same retaining walls. It is impossible to build in this area without the stability of the retaining walls. Mr. Elefante explained that the wall was well engineered, and functions well. Mr. Elefante explained that none of the neighbors he has been in contact with, expressed concerns.

Chair Langley stated that there is a motion for disapproval of the variance request. Is there a second?

Chair Langley seconded the motion to allow for discussion.

Chair Langley stated that Avalon is a challenging subdivision. Many of the homes with retaining walls do not have landscaping to ease the wall height appearance. If the commission could work through conditions that specify the parameters of the variance, there may be a way to move forward.

Mr. Elefante stated that the soil is built up to the base of the wall so that, in some places, the wall measures 2 feet in height.

Chair Caesar stated that the wall is measured from the grade to the top of the wall.

Mr. Elefante stated that he believed that 8 feet would be visible.

Chair Langley asked for assistance from Mr. Squires about how to proceed with the current motion to disapprove the variance request.

Mr. Squires stated that the motion currently under discussion would require a vote because the motion has a second. Mr. Squires noted that it sounds like the commission would like to approve the variance with conditions, but the current motion would require a vote to be taken. At that point, if the motion fails, the commission could proceed forward with another motion.

Chair Langley asked for a vote on the current motion to disapprove the variance request.

Vote: 1-2. Commissioner Caesar voted in favor of the motion with Chair Langley and Commissioner Fleishour voting against the motion.

Chair Langley stated that the motion for disapproval of the variance request fails.

Commissioner Caesar motioned to approve the variance request with conditions/considerations but asked Mr. Squires if the conditions needed to be defined specifically.

Mr. Squires answered by saying yes, the condition/considerations need to be stated, but if the commission would like to second the motion to approve, that would be fine. Then, discussion can take place to outline the specific conditions. The commission could move to amend the motion, add the conditions and second the motion to amend. Finally, the commission would vote on the main motion, as amended.

Chair Langley asked for a motion.

Commissioner Caesar motioned to approve the variance request with conditions, seconded by Commissioner Fleishour.

Chair Langley opened the floor for discussion.

Commissioner Fleishour stated that given the circumstances of the lot, if Mr. Elefante is asked to build/fill up an additional two feet at the base of the wall (front yard), the height would be around 8 feet. Retaining walls are the norm in Avalon, given the slope of the lots. Because several retaining walls are existing in the subdivision, it is appropriate to approve the variance request with this condition. The BZA has always considered existing features of the neighborhood or location when a new variance request is presented to the board.

Commissioner Fleishour further stated that along with the additional build-up of two feet of soil, substantial landscaping would also be needed.

Commissioner Caesar stated that a retaining wall of 8 feet is too much in the front yard.

Commissioner Fleishour stated that Mr. Elefante would need to demolish the existing wall, then build another wall, if the height of the retaining wall measures less than 8 feet (as determined in the conditions of the variance request).

Chair Langley noted that according to the plot plan, the setback is 25 feet.

Ms. Wright requested that the commission structure the conditions of the variance by the location of the walls on the lot (rear, front, side). Staff will have a clearer understanding of which conditions align with what wall by location.

Commissioner Caesar stated that the front retaining wall height of 8 feet is substantial. It's unfortunate the wall has already been built and we are working on a request "after the fact." Commissioner Caesar further stated that the commission's decision should not be influenced because the wall has already been built. It may not be reasonable to think that adding four feet of fill in front of the wall, all the way down to street level, could be accomplished in 20-25 feet.

Commissioner Fleishour stated that an additional retaining wall might be necessary. Commissioner Fleishour went on to say that the discussion so far relates specifically to the front yard. The two variance requests could be separated so that approval of the side and rear yard could be (potentially) passed now. The front yard request could be denied allowing Mr. Elefante time to rework the design and return to staff with a new design/plan.

Chair Langley stated that we have a motion to approve the two variance requests with conditions.

Chair Langley determined that it would be best to split the two variance requests.

Ms. Wright confirmed that it would be more appropriate to deny the front yard request instead of trying to organize conditions for both requests in one motion. Once an engineer can evaluate the property and submit a proposal that is more in-line with the ordinance, the commission could move forward with a variance request.

Chair Langley stated that in the past an item could only be heard before the BZA one time. In this situation, would it be more appropriate to defer the item?

Ms. Wright stated that if the applicant came back with a different variance request for different heights or staggered walls to replace the existing wall, a different variance request would be required. Deferral would be the best option if the request is considered as it is currently written. Ms. Wright explained from the staff perspective, regarding conditions of the request, the only reasonable enforcement by staff would be review of landscape height or landscape materials (without a new plan from an engineer).

Commissioner Caesar asked if staff preferred a deferral of the request.

Ms. Wright explained that deferral meant the BZA would be considering the same request at the next meeting. A disapproval would mean that the applicant would have to redesign the plan.

Commissioner Caesar asked which choice would place additional hardship on the applicant. Deferral or Disapproval.

Ms. Wright explained that disapproval of the request conveys to the applicant that the BZA is not satisfied with the wall height measurement and that the wall height must be decreased.

Chair Langley restated the motion on the floor as a motion to approve (both variance requests) with conditions. Chair Langley discussed the use of landscaping to bridge and lessen the appearance of the wall and that the BZA has approved several variance requests within Avalon.

Commissioner Caesar stated that he thought the variance requests for item #2 should be split into two requests/motions with a denial of the request relating to the maximum height of the front yard retaining wall.

Mr. Squires explained that the current motion is for approval with undefined conditions. The motion can be amended to state approval of the variance for the side and rear yard retaining walls. Once the amendment to the motion is seconded and voted on, its back to the main motion for approval of the side and rear yard wall height variance.

Mr. Squires restated how the original motion was amended from approval of the front, side and rear yard retaining walls variance with conditions to approval of the rear/side yard walls separate to the front yard wall. A motion that is amended requires a vote, then it's back to the main motion to approve the variance request for the rear/side yard wall, as amended.

Commissioner Caesar moved to approve the amended motion for the side/rear yard retaining wall variance, seconded by Commissioner Fleishour.

Vote: 3-0, Motion passes

Commissioner Caesar made a motion to disapprove the front yard portion of item 2, no one seconds and the motion dies.

Commissioner Fleishour made a motion to approve the front yard portion of item 2 with the condition that only a maximum 8 feet of the proposed wall will be visible, Chair Langley seconded the motion.

Commissioner Caesar stated again his concerns about the front yard height of the retaining wall. Mr. Caesar noted the emails received from concerned neighbors regarding the aesthetics of the wall. Mr. Caesar stated that in good conscience he could not vote in favor of the motion regarding front yard retaining wall height.

Vote: 2-1, Motion passes. Chair Langley and Commissioner Fleishour voted in favor of the motion. Commissioner Caesar voted against the motion.

3. Variance Request To Waive The Substantial Improvement Requirement To Raise The First Floor Elevation Of A Historic Structure Above The Base Flood Elevation (To Remain In Place) Located Within

The Historic Preservation Overlay, The Floodway Fringe Overlay, And The Central Franklin Overlay For The Property Located At 150 Franklin Road. (FZO §17.6.4.B).

Staff Presentation: Chelsea Randolph. Ms. Randolph stated that the subject property consists of 6.02 acres and is zoned Civil Institutional District. The property located at 150 Franklin Road is within the Historic Preservation Overlay (HPO), the Floodway Fringe Overlay (FFO) and the Central Franklin Overlay (CFO). The Battleground Academy Lower School campus is the site of the 1891 Cox House and is listed on the National Register of Historic Places. The historic building features a large addition for its adaptive reuse as a school. The Historic Zoning Commission reviews exterior alterations to properties located within the HPO in relationship to the historic district design guidelines. The HZC is charged with preserving and protecting historic structures from alterations that would result in an adverse impact to the building. The intent of the applicant is to add on to the existing structure which must meet the floodplain requirements for nonresidential structures. The zoning ordinance requires nonresidential structures to be elevated one foot above the base flood elevation. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed work will not preclude its continued designation as a historic structure. The variance should be the minimum necessary deviation from the zoning ordinance to preserve the historic character and design of the structure. The HZC provides recommendations to the BZA for floodplain related variances of historic structures. The applicant submitted photographs demonstrating the potential appearance of the building elevated to meet the requirements of the zoning ordinance. The HZC recommended at its July 11, 2022, meeting to keep the buildings finished floor elevation as it sits currently, to maintain the buildings historic status. The proposal is the most sensitive to the architectural qualities of the historic structure and presents the least amount of adverse impact to the building in the context of the overall historic district. The HZC recommended that the BZA consider the proposed variance favorably. The variance request proposed would reduce the required first floor elevation height and keep the building's finished floor elevation as it sits currently.

Staff considered the variance request in relationship to the three criteria required for approval of a variance.

- 1) Criteria one requires the applicant to show sufficient cause for the request of a variance. The historical building lies in the FHD, and measures are needed to maintain the historical status of the building. The proposal is the most sensitive to the architectural qualities of the historic structure and proposes the least amount of adverse impact to the building in context to the overall historic district. The HZC recommended that the BZA consider the proposal favorably and for these reasons, staff finds that this criterion has been met.
- 2) Criteria two is the determination that failure to grant the variance would result in exceptional hardship. As the structure currently sits below base flood elevation, the applicant would be required to raise the building to comply with the zoning ordinance. Doing so would significantly reduce the character defining features of the historic building. Raising the building by such a considerable amount would adversely impact the historical structure and create an exceptional hardship for the applicant. Staff determined that this criterion has been met.
- 3) Criteria three is the determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance costs, cause fraud on or victimization of the public or conflicts with local laws/ordinances. This structure has been in existence at its current elevation since 1891 and maintaining the structure at its current height would not result in any changes to the flooding patterns.

The HZC recommended approval of the variance to maintain the structures historic status and integrity of the historic district. Based on the recommendation of the HZC along with staff analysis it

was determined that granting the variance would not result in any of the outcomes listed previously. Staff concluded that criteria three has been met.

Ms. Randolph concluded by stating that staff recommends approval of the variance request to waive the substantial improvement requirements to raise the first-floor elevation of the historic structure above the base flood elevation.

Applicant Presentation: Kent McLaughlin with Gilbert McLaughlin. The applicants did not have any additional comments to add and respectfully requested approval of the variance.

Chair Langley opened the public comment portion relating to item number three.

Seeing none, Chair Langley asked for a motion to close the public comment portion.

A motion was made to close public comment by Commissioner Caesar, seconded by Commissioner Fleishour.

Vote: 3-0

Commissioner Caesar moved to approve the variance request to waive the substantial improvement requirement to raise the first-floor elevation of a historic structure above the base flood elevation and to maintain its current finished floor elevation located at 150 Franklin Road because the criteria for a variance approval have been met, seconded by Commissioner Fleishour.

Vote: 3-0 Motion passes

4. Variance Request To Allow Parking To The Side Of A Proposed Principal Building With Urban Frontage For The Properties Located At 553 Franklin Road And 557 Franklin Road. (FZO §7.6)

Staff Presentation: Chelsea Randolph. Ms. Randolph stated that the subject parcels are located a 553 and 557 Franklin Road. The applicant is seeking a variance to park on the side of a building with urban frontage. The parcel is currently zoned CI Civic Institutional District, and the applicant has requested to rezone to the PD Plan District as part of the Rezoning and Development Plan Review. There is a parking location variance identified as necessary prior to the Rezoning and Development Plan Review proceeding to the FMPC and BOMA. The property is commonly known as 555 Franklin Road Subdivision. As part of the development plan, the applicant is seeking to place parking to the sides of the proposed principal building on the site. The proposed use is assisted living, memory care and independent living. It has been determined that the only applicable building type for the mix of uses proposed is the multi-family building type. This building type is permitted in a Plan District but may only use urban frontage. Urban frontage requires that all parking be located behind the building unless it is parallel parking along the street or internal drive. The applicant is proposing a primary structure on the site that places parking to the sides and parallel parking along the front.

Staff analysis regarding how the variance request aligns with the criteria required for a variance approval.

- 1) Criteria one. A portion of the subject property lies within the 500-foot Hillside Hillcrest Buffer and the Hillside Hillcrest Overlay. The proposed site is only affected by the 500-foot Hillside Hillcrest Buffer. The buffer requires that structures be sited to minimize grading and tree removal. This property has 17 to 30 feet of grade change from the base of the protected slopes within the buffer to Franklin Road. To accommodate this grade change and with respect to the existing slope of the

land, the proposed building is designed with a stepped foundation. Staff believes that this requirement has been met.

- 2) Criteria two. Staff finds that the strict application of the zoning ordinance would not result in peculiar and exceptional practical difficulties or place a hardship upon the owner of the property. The variance request is unique to the applicant's proposed plan and not generally to all potential designs for the site, meaning that the applicant could design a use and plan for the site that meets the requirements of the zoning ordinance. The shape of the site nor the circumstances of the site require the building to be the shape or scale proposed, and no site conditions specifically require parking areas to be located to the sides of the building. The City of Franklin Zoning Ordinance categorizes continuum of care as a civic and institutional use and is allowed within the CI Civic Institutional zoning district. If the amount of age restricted, independent living does not exceed the 30% of the total square footage under the CI Zoning District. The landscape frontage is acceptable and allow for parking to the sides of the proposed building. The applicant is exceeding the 30% threshold and therefore classifies the building as multi-family. As a multi-family building, a zone change is required. The zone change would be PD Plan Development District. Staff concluded that the proposed plan introduces a self-imposed hardship, one that can be resolved by redesigning to meet the requirements of the zoning ordinance. Staff finds that this criterion has not been met.
- 3) Criteria three. Staff finds that in granting relief of, the urban frontage and allowing parking to the side of a proposed multi-family building would be impairing the purpose and intent of the zoning ordinance. The multi-family building type is meant to have ground floor activated units and rooms with strong pedestrian connections around the building. Granting the variance to allow parking to the side of the building changes the context of the building from residential to non-residential. No other residential structures are associated with frontage types that permit parking lots to the side of the buildings. If the applicant would like to utilize a different building type or frontage type that is more consistent with the continuum of care use, there is an option to reduce the number of independent living units to the 30% threshold by submitting a plan under the Civic Institutional Zoning District. Staff finds that criteria three is not met.

Ms. Randolph concluded by stating that the recommended motion is to move to deny the variance request to allow parking to the side of a proposed principal building with urban frontage for the properties located at 553 and 557 Franklin Road because the three criteria for granting a variance have not been met.

Applicant Presentation: Greg Gamble. Mr. Gamble provided hard copies of the proposal to the commissioners for convenience. Mr. Gamble explained in more detail, information about the continuum of care and the types of amenities available to the residents. Those amenities include a hair salon, spa, restaurant, and a cafeteria among others. Using a slope analysis document, Mr. Gamble pointed out the increased slope at the rear of the property. The first and second floor would house memory care and assisted living and the upper floor would house independent living. Mr. Gamble stated that he is requesting a distribution of parking to the sides of the building to allow for emergency situations and to reduce the impact to the slope at the rear of the property. Parking is not currently proposed in the back of the building as the area is designated as a service area for trash pickup and food delivery. Mr. Gamble also pointed out that the further the parking areas are pushed into the hill, the need for retaining walls will increase. The issues increase as one moves closer to the increasing slope of the hill. Mr. Gamble noted four elements that stand out about the variance request.

- 1) Emergency Situations
- 2) Resident Parking/Distance

- 3) Evacuation Concerns
- 4) Conflicts in the Service Area/Back of building

Mr. Gamble confirmed that a development plan would be submitted due to the independent living percentage exceeding the 30% threshold.

Mr. Gamble also discussed an error in the zoning ordinance that relates to this variance request for 553 and 557 Franklin Road.

Chair Langley opened the floor for citizen comments.

Regina Otto, 238 Gateway Court, Franklin. Ms. Otto is the President of Gateway HOA. Ms. Otto stated that the developers and planners have been very respectful of the concerns of the Gateway neighborhood. There is a mutual understanding of both parties needs and goals for the area. Ms. Otto is speaking in support of the variance request.

Phillip Cantrell, 103 Windsor Way. Mr. Cantrell stated that the proposed continuum of care facility would not negatively impact his neighborhood, or his property and he supports the variance request.

Chair Langley asked for a motion to close the public comment portion.

A motion was made to close public comment by Commissioner Fleishour, seconded by Commissioner Caesar.

Vote: 3-0

Chair Langley asked about the urban frontage along Franklin Road.

Ms. Diaz-Barriga explained that urban frontage is the distance from the building façade to the property line. The frontage is what is allowed in this zone or area of the lot. Urban frontage is based on the building type and the zoning district, and both must be considered.

Commissioner Fleishour asked about the rezoning updates and how the updates would affect the CI district.

Ms. Diaz-Barriga stated that potentially the proposed zoning updates for this year would allow for continuum of care buildings in the CI or GO district be allowed to use landscape frontage for the multifamily buildings.

Commissioner Fleishour asked Ms. Diaz-Barriga if once the new zoning ordinance is in effect, would the variance request for item #4 be approved.

Ms. Diaz-Barriga explained that the plan under consideration for a variance request (Item #4) has more independent living units than are permitted in the CI Zoning District. Under the new change, the applicant could reduce the number of independent units within this footprint. Then, the plan would be approvable. The plan is requesting more independent living units.

Ms. Diaz-Barriga went on to say that the continuum of care concept is constantly changing. The idea is for a husband, wife, or partner to live in the independent living area at the same site and in close proximity to the partner whose needs may require memory care or assisted living. There is a balance between the types of care that must be maintained.

Ms. Diaz-Barriga pointed out that Item #4 proposes landscape frontage that would allow for parking on the sides of the building, but according to the zoning ordinance, landscape frontage applies to non-residential buildings.

Commissioner Caesar stated that the best part of the situation about Item #4 is that the building hasn't been built yet and a substantial investment has not been made.

Mr. Gamble stated that the industry standard for independent living for the continuum of care is more than the 30 % cap required by the City of Franklin Zoning Ordinance.

Chair Langley asked for a motion from the board.

Commissioner Caesar moved to approve the variance request to allow parking on the side of the principal building at 553 and 557 Franklin Road, Mr. Fleishour seconded the motion
Vote: 3-0.

Ms. Diaz-Barriga clarified that the update to the zoning ordinance proposes that the CI District would add urban frontage as a permitted frontage type. It is proposed also that the GO District would also be allowed to have urban frontage as a permitted frontage type. The use of a multifamily building which is continuum of care users would be required to have parking in the rear and not on the side. The goal is to have the zoning ordinance updates effective by January 1, 2023, for any projects coming in after that date.

5. ADJOURN

A motion to adjourn the August 4, 2022, BZA meeting was made by Mr. Fleishour, seconded by Mr. Caesar.
Vote: 3-0



File #: 21-03576

DATE: September 8, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Chelsea Randolph, Planner

SUBJECT:

Variance Request To Exceed The Maximum Allowed 10-Footcandles By 14.1-Footcandles On A Privately Owned Sports Court For The Property Located At 701 Cool Springs Boulevard (F.Z.O. 14.2.1.A Sight Lighting Illumination Values).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7955
Applicant: Charles Gannaway, Hastings Architecture
Owner: Highwoods Realty Limited Partnership

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: RC12 – Regional Commerce 12 District, Commercial Office
North: RC12 – Regional Commerce 12 District, Commercial Office
South: RC12 – Regional Commerce 12 District, Commercial Office
East: RC6 – Regional Commerce 6 District, Commercial Office
West: RC12 – Regional Commerce 12 District, Commercial Office

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:
Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission. B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

14.2.1 A – Illumination

A. Site lighting shall be designed and located so that illumination complies with the following table:

Light Level	Foot-Candles
Minimum Light Level in Parking Areas	0.2
Maximum Light Level	10
Maximum Illumination along Property Line of a Lot Other Than a Residential Lot	2
Maximum Illumination Abutting a Property Line of a Residential Lot	0

Background

The subject parcel is located at 701 Cool Springs Boulevard and is zoned RC12 – Regional Commerce 12 District. A commercial office building is located on the subject property. There has been a recent site plan submittal that has approved revitalization of the open space areas adjacent to the commercial space. Part of that revitalization is a sports court which is privately owned but the owner intends to have it open to the public and available for use until 10 pm, at which time the lights will be shut off by a timer. The Zoning Ordinance requires that the maximum light level be 10 foot-candles and the applicant is requesting to exceed that maximum by up to 14.1 footcandles for the approved sports court.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The subject property is a privately owned sports court on a commercially zoned property. This type of sports court is usually attached to a public park or a school and the ordinance makes concessions for such uses by not imposing a maximum light level. In the past 8 years, no sports courts of this nature have been reviewed or approved and because of the extraordinary and exceptional situation or condition of the use of a commercial private sports court, staff finds this criteria is met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property.

Staff can find no peculiar and exceptional practical difficulties or exceptional or undue hardship upon the owner if this variance is not granted. The use of the sports court may be limited by the Zoning Ordinance requirement if the additional footcandle request is not granted, but it in no way prohibits the proposed use of the sports court. Staff finds this criteria is not met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

The applicant's proposal of additional footcandles will not cause substantial detriment to the public good. This site is in a commercially zoned area with no residential areas adjacent to it, and the required light levels at the property line are still being met. In terms of intent, the Zoning Ordinance does grant exceptions to the footcandle requirements, in section 14.2.D., for limited uses, including public parks and school sports courts. Such uses listed in this section have a means to regulate both the timing and operation of the sports court. This project has no such parameters that regulate its use in an enforceable way. Therefore, relief cannot be granted without substantially impairing the purpose and intent of the Zoning Ordinance . Staff finds this criteria not met.

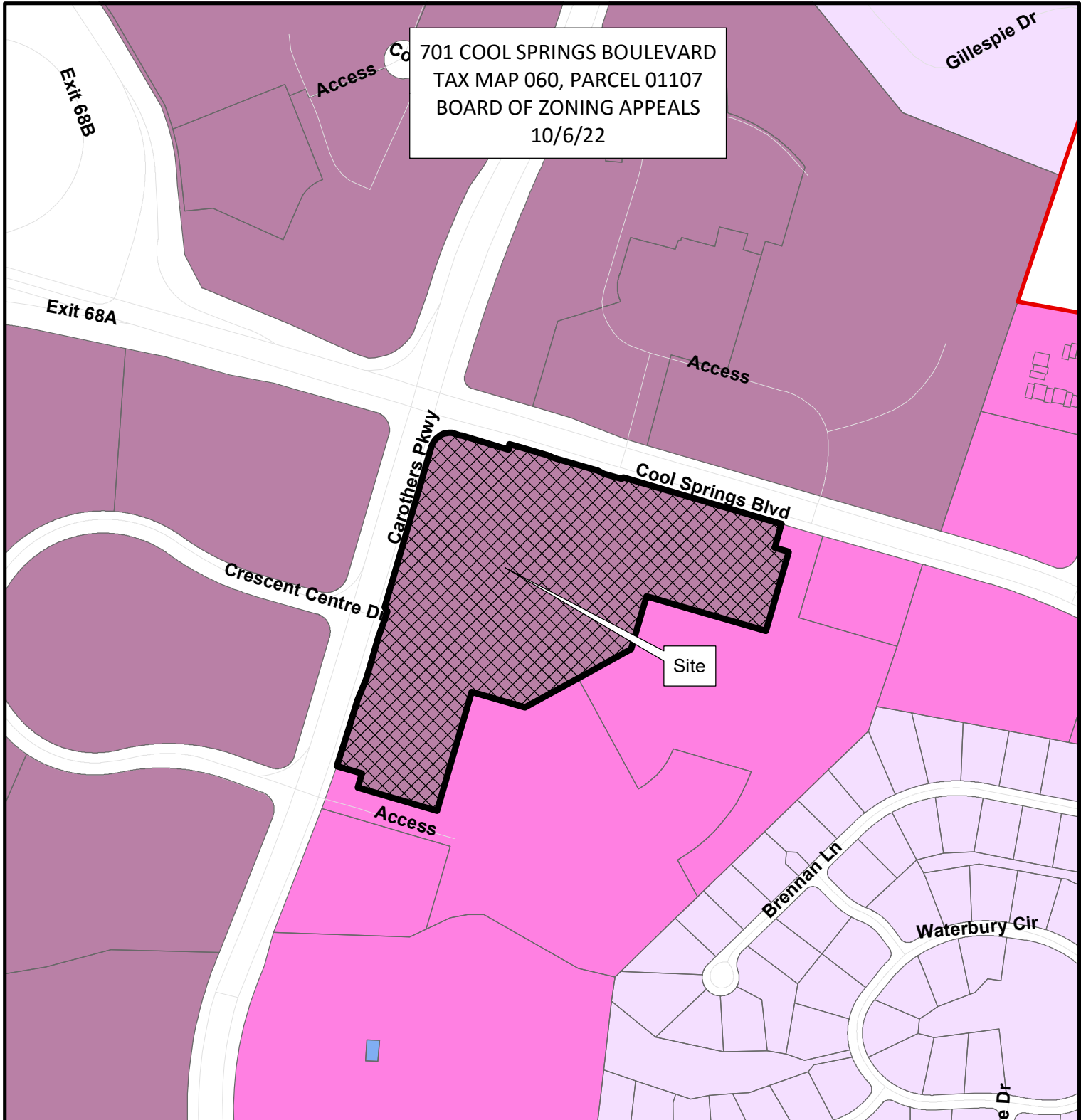
FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

Staff recommends the Board of Zoning appeals move to disapprove the variance request To Exceed The Maximum Allowed 10-Footcandles By 14.1-Footcandles On A Privately Owned Sports Court For The Property Located At 701 Cool Springs Boulevard because the criteria for granting a variance have not been met.

701 COOL SPRINGS BOULEVARD
 TAX MAP 060, PARCEL 01107
 BOARD OF ZONING APPEALS
 10/6/22



- | | |
|--------------------------------|------------------------------------|
| Subject Property | CI Civic Institutional District |
| AG Agricultural District | NC Neighborhood Commercial |
| ER Estate Residential District | CC Central Commercial District |
| R1 Residential 1 District | DD Downtown District |
| R2 Residential 2 District | 1ST Avenue District |
| R3 Residential 3 District | 5TH Avenue District |
| R4 Residential 4 District | RC6 Regional Commerce 6 District |
| R6 Residential 6 District | RC12 Regional Commerce 12 District |
| MR Mixed Residential District | GO General Office District |
| PD Planned District | LI Light Industrial District |
| OR Office Residential District | HI Heavy Industrial District |



0 175 350 700
 Feet

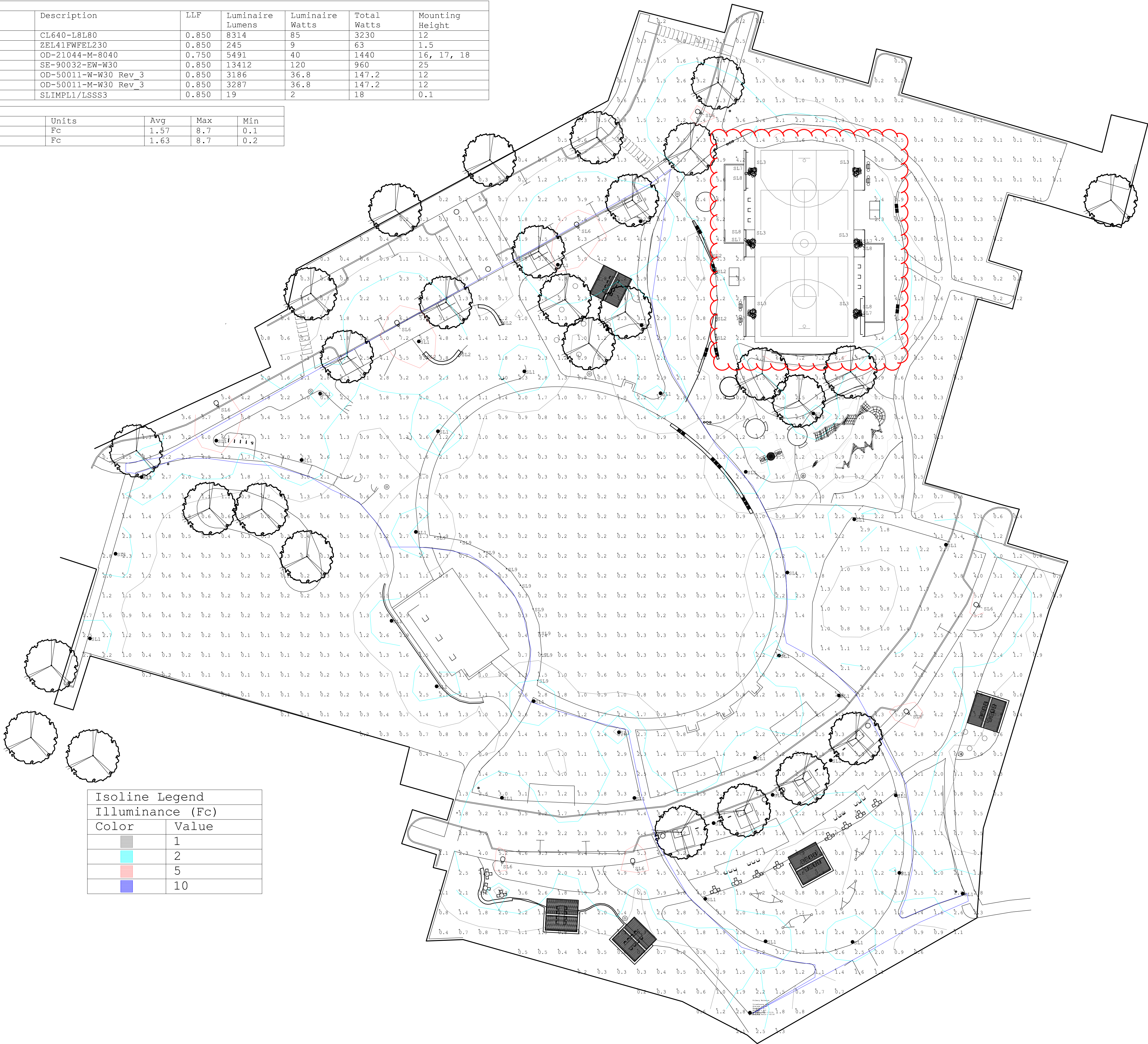
This map was created by the Franklin Planning Department.
 It was compiled from the most authentic information available.
 The City is not responsible for any errors or omissions contained hereon.
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L2.04 LAYOUT PLAN ENLARGEMENT



Luminaire Schedule								
Qty	Label	Tag	Description	LLF	Luminaire Lumens	Luminaire Watts	Total Watts	Mounting Height
38	SL1	LUMINIS LIGHTING	CL640-L8L80	0.850	8314	85	3230	12
7	SL2	TARGETTI LIGHTING	ZEL41FWFEL230	0.850	245	9	63	1.5
36	SL3	LIGMAN LIGHTING	OD-21044-M-8040	0.750	5491	40	1440	16, 17, 18
8	SL6	LIGMAN LIGHTING	SE-90032-EW-W30	0.850	13412	120	960	25
4	SL7	LIGMAN LIGHTING	OD-50011-W-W30 Rev 3	0.850	3186	36.8	147.2	12
4	SL8	LIGMAN LIGHTING	OD-50011-M-W30 Rev 3	0.850	3287	36.8	147.2	12
9	SL9	HUNZA LIGHTING	SLIMPL1/LSSS3	0.850	19	2	18	0.1

Calculation Summary					
Label	CalcType	Units	Avg	Max	Min
SITE	Illuminance	Fc	1.57	8.7	0.1
Primary Walkways	Illuminance	Fc	1.63	8.7	0.2



Isoline Legend	
Illuminance (Fc)	
Color	Value
Grey	1
Cyan	2
Red	5
Blue	10

DHS
LIGHTING DESIGN
NASHVILLE, TN - 615.596.3001

SITE PHOTOMETRICS AS CURRENTLY SUBMITTED

HASTINGS

Hastings Architecture, LLC
225 Park Avenue, Suite 100
Nashville, TN 37203
615.329.1399
hastingsarchitecture.com
© 2021

SITE PLAN SET

Highwoods

RaganSmith

Nashville - Murfreesboro - Chattanooga
ragansmith.com
RSA PROJECT # 22-0055

COOL SPRINGS EAST SUBDIVISION,
SITE PLAN, SECTION 28, REVISION 2
LOTS 675, 676 & 692
(UNIFIED SITE PLAN OPEN SPACE REVISIONS)
COF PROJECT #7882
725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION
3 2022.08.25 PER CITY COMMENTS

PROJECT # 21009
ISSUE DATE 2022.08.25
PHOTOMETRIC
STUDY

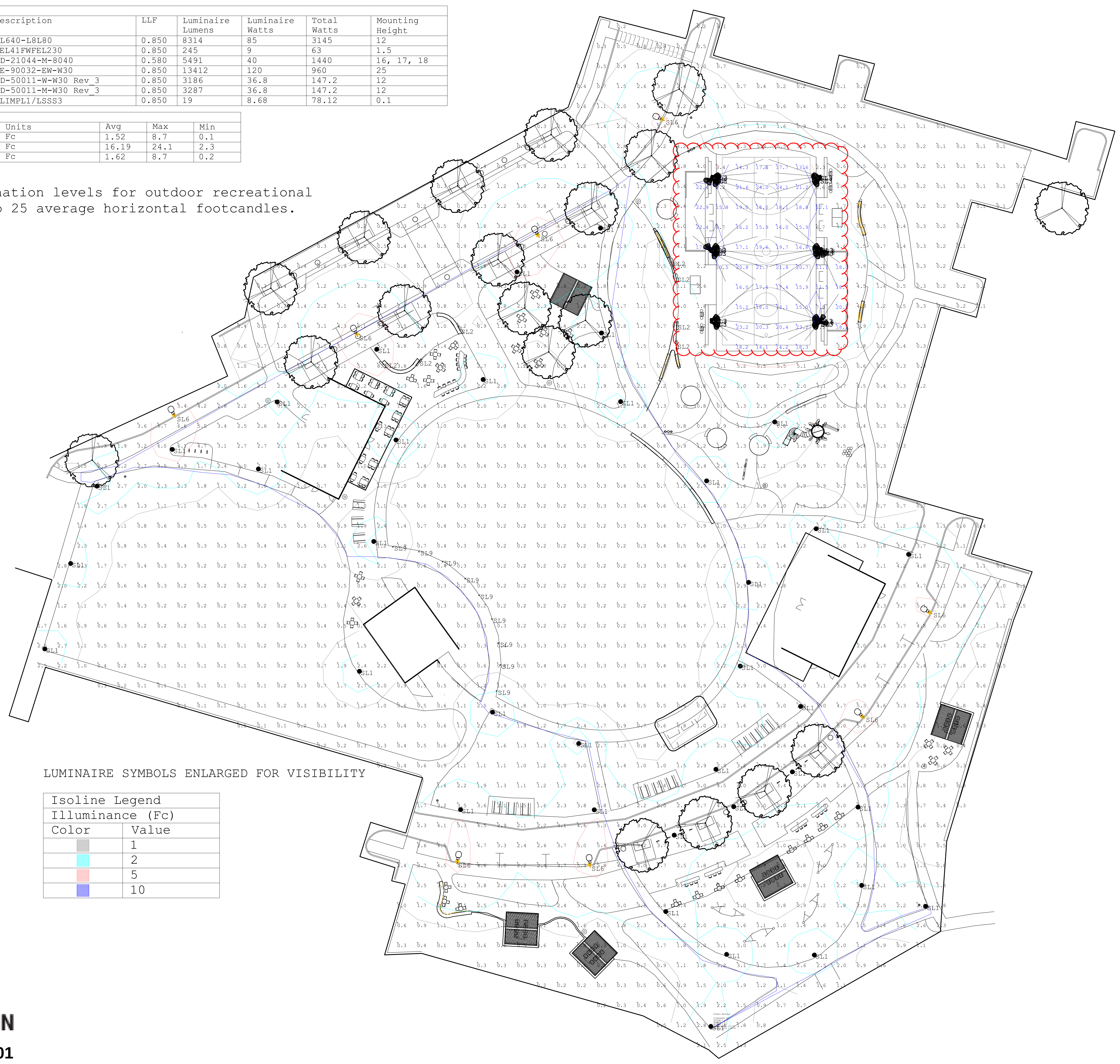
SL3.0

SITE PHOTOMETRICS PROPOSED

Luminaire Schedule								
Qty	Label	Tag	Description	LLF	Luminaire Lumens	Luminaire Watts	Total Watts	Mounting Height
37	SL1	LUMINIS LIGHTING	CL640-L8L80	0.850	8314	85	3145	12
7	SL2	TARGETTI LIGHTING	ZEL41FWFEL230	0.850	245	9	63	1.5
36	SL3	LIGMAN LIGHTING	OD-21044-M-8040	0.580	5491	40	1440	16, 17, 18
8	SL6	LIGMAN LIGHTING	SE-90032-EW-W30	0.850	13412	120	960	25
4	SL7	LIGMAN LIGHTING	OD-50011-W-W30 Rev_3	0.850	3186	36.8	147.2	12
4	SL8	LIGMAN LIGHTING	OD-50011-M-W30 Rev_3	0.850	3287	36.8	147.2	12
9	SL9	HUNZA LIGHTING	SLIMPL1/LSSS3	0.850	19	8.68	78.12	0.1

Calculation Summary					
Label	CalcType	Units	Avg	Max	Min
SITE	Illuminance	Fc	1.52	8.7	0.1
SPORT COURTS	Illuminance	Fc	16.19	24.1	2.3
Primary Walkways	Illuminance	Fc	1.62	8.7	0.2

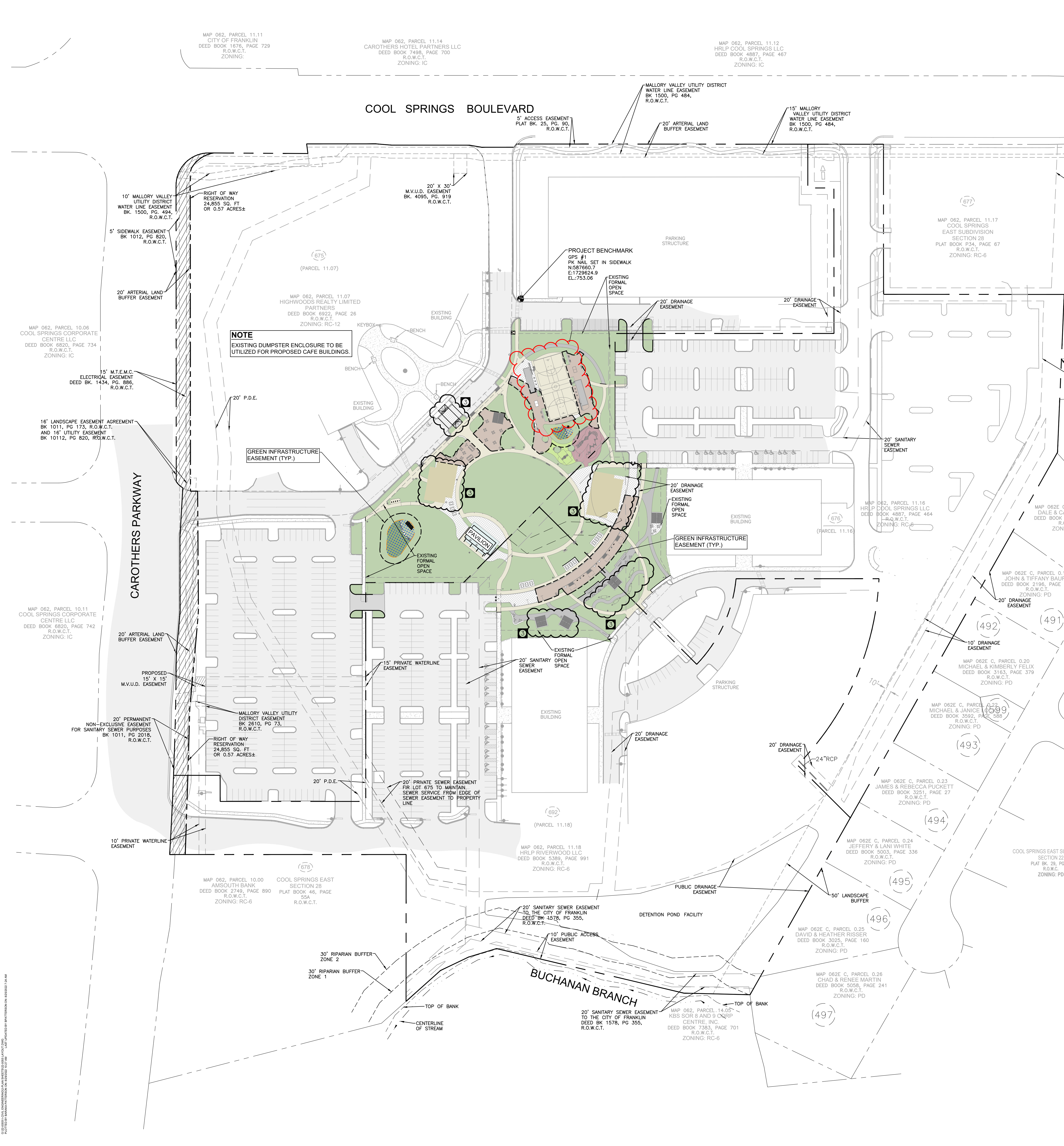
Note: IES recommended illumination levels for outdoor recreational sports range from 15 to 25 average horizontal footcandles.



LUMINAIRE SYMBOLS ENLARGED FOR VISIBILITY

Isoline Legend	
Illuminance (Fc)	
Color	Value
Light Blue	1
Medium Blue	2
Red	5
Dark Blue	10

DHS
LIGHTING DESIGN
NASHVILLE, TN 615.596.3001



SITE DATA CHART:	
PROJECT INFORMATION:	
NAME:	COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 28, REVISION 2, LOTS 675, 676 & 692
CITY OF FRANKLIN PROJECT NUMBER:	7882
STREET ADDRESS:	701 & 725 COOL SPRINGS BLVD & 6840 CAROTHERS PKWY, FRANKLIN, TN 37067
SUBDIVISION / LOT #:	COOL SPRINGS EAST SUBDIVISION, SEC. 28/ LOTS 5.4 & 5
MAP / PARCEL:	MAP 62/ PARCEL 11.07, 11.16 & 11.18
ACREAGE (SQUARE FOOTAGE) OF SITE:	±32.34 AC. (1,408,730± S.F.)
PROPOSED FUTURE BUILDING 1:	711 COOL SPRINGS BLVD
PROPOSED FUTURE BUILDING 2:	729 COOL SPRINGS BLVD
PROPOSED PAVILION:	721 COOL SPRINGS BLVD
REGULATIONS:	
CIVIL DISTRICT:	8
BASE ZONING:	PARCEL 11.16 & 11.18 = REGIONAL COMMERCE 6 DISTRICT (RC-6) PARCEL 11.07 = REGIONAL COMMERCE 12 DISTRICT (RC-12)
BUILDING TYPES APPLIED:	OFFICE/RETAIL/CARE
FRONTAGE TYPES APPLIED:	LANDSCAPE FRONTAGE
LOT WIDTH	SEE PLANS
LOT SIZE	SEE PLANS
SETBACKS:	
FRONT:	50'
SIDE:	25'
REAR:	40'
BUILDING INFORMATION:	
EXISTING OFFICE BUILDING:	595,874 S.F.
PROPOSED PAVILION AREA:	1,000 S.F.
PAVILION HEIGHT:	25' (±)
FRONTAGE TYPE:	LANDSCAPE FRONTAGE
MINIMUM LANDSCAPE SURFACE AREA:	15% (4.86 ACRES)
R.O.W. RESERVATION:	24,855 SF (0.57 ACRES)
ADJUSTED SITE ACREAGE:	-----
TREE CANOPY:	
ORIGINAL CANOPY COVER:	57% (2.16 ACRES)
TREE CANOPY REQUIRED:	12%
DBH OF SPECIMEN TREE REMOVED:	NA
OPEN SPACE REQUIREMENT CHART:	
MINIMUM OPEN SPACE REQUIREMENT:	3% REQUIRED (PER UNIFIED PLAN)
TOTAL SITE ACREAGE	32.34 ACRES
OPEN SPACE ACREAGE REQUIRED:	0.97 ACRES (42,314 SF)
OPEN SPACE ACREAGE PROVIDED (EXISTING):	3.02 ACRES (131,525 SF)
PARKING INFORMATION:	
EXISTING PARKING REQUIREMENT (OFFICE):	1 SPACE PER 300 SF (595,874)
EXISTING PARKING PROVIDED:	1,986 SPACES (PER UNIFIED PLAN)
BICYCLE PARKING REQUIRED:	12 SPACES
TOTAL ADA REQUIRED:	31 SPACES
EXISTING PARKING PROVIDED:	2,276 SPACES (INCLUDES 58 ADA SPACES)
PARKING SPACES LOST FROM IMPROVEMENTS:	16 SPACES
PROPOSED PARKING PROVIDED:	2,260 SPACES (INCLUDES 58 ADA SPACES)
EXCESS PROPOSED PARKING PROVIDED:	234 SPACES
BICYCLE PARKING PROVIDED:	12 SPACES
SURVEY INFORMATION:	
BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM FIELD RUN SURVEY PERFORMED BY RAGAN-SMITH ASSOCIATES, INC., DATED OCTOBER 11, 2021.	
MINERAL RIGHTS INFORMATION:	
AT THE PRESENT TIME, PROPERTY TITLE REFERENCE DOES NOT REFLECT ANY MINERAL RIGHTS ON THE SUBJECT PROPERTY.	
FLOOD INFORMATION:	
BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47187C0208F, WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2008, WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT, COMMUNITY NO. 470206, PANEL NO. 0208, SUFFIX F, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.	
PLAT REFERENCE	
BEING LOTS 675, 676 & 692 AS SHOWN ON THE FINAL PLAT, ENTITLED "COOL SPRINGS EAST SUBDIVISION, SECTION 28, REVISION 2, LOTS 675, 676 & 692 OF RECORD IN PLAT BOOK 46, PAGE 55, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE."	
DEED REFERENCE	
BEING THE SAME PROPERTY CONVEYED TO HIGHWOODS REALTY LIMITED PARTNERSHIP FROM THE INDUSTRIAL DEVELOPMENT BOARD OF WILLIAMSON COUNTY BY QUITCLAIM DEED OF RECORD IN DEED BOOK 6922, PAGE 26, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.	

LEGEND

	PROPOSED ARTIFICIAL TURF
	GREEN SPACE/PROPOSED LANDSCAPING
	PROPOSED BIORETENTION AREA
	PROPOSED BUILDING
	PROPOSED CONCRETE WALK
	PROPOSED CONCRETE PAVEMENT
	PROPOSED PERVIOUS PAVERS
	PROPOSED RUBBER SURFACE
	PROPOSED ASPHALT
	PROPOSED GRAVEL
	EXISTING ASPHALT
	EXISTING CONCRETE WALK
	HARDSCAPE (SEE LANDSCAPE PLANS)

CITY OF FRANKLIN RETAINING WALL NOTES

- DESIGN DRAWINGS, CALCULATIONS, AND FINISHES FOR RETAINING WALLS 4'-0" OR TALLER AS MEASURED FROM BOTTOM OF FOUNDATION TO TOP OF WALL SHALL BE SUBMITTED TO BUILDING & NEIGHBORHOOD SERVICES FOR RETAINING WALL REVIEW, APPROVAL, AND PERMITTING.
- WALLS SHALL BE CLAD IN BRICK, NATURAL STONE, OR CULTURED STONE. WHERE NOT VISIBLE FROM A STREET, DRIVE, OR OPEN SPACE, STAINED OR STAMPED CONCRETE AND SPLIT-FACE BLOCK ARE ALSO PERMITTED.
- TIMBER WALLS SHALL NOT BE USED.
- WALLS ADJACENT TO BIORETENTION AREAS SHALL NOT RELY ON BIORETENTION MEDIA OR STONE DRAINAGE MEDIA FOR STABILITY OR LATERAL RESISTANCE. BOTTOM OF WALL STEM (OR BLOCK) / TOP OF FOOTING ELEVATION SHALL BE LOCATED AT OR BELOW BOTTOM OF LOWERMOST STONE DRAINAGE MEDIA.
- WALLS SHALL BE DESIGNED SUCH THAT NO ELEMENTS NECESSARY FOR WALL STABILITY EXTEND WITHIN RIGHT-OF-WAY OR PUBLIC EASEMENTS. TIMBER WALLS AND ROCKERY WALLS SHALL NOT BE USED TO SUPPORT RIGHT-OF-WAY OR PUBLIC UTILITIES.
- VEHICULAR BARRIERS FOR PASSENGER VEHICLES SHALL RESIST LOADING PRESCRIBED IN IBC 1607.9.
- TOP OF WALL TO TRANSITION WITH GRADES DESIGN BY OTHERS.
- ANY WALL OVER 30' REQUIRES A PEDESTRIAN BARRIER. VEHICULAR BARRIER REQUIRED ALONG ENTRANCE DRIVE WALLS.

NOTE
EXISTING EASEMENTS PER PLAT BOOK 46, PAGE 55.

HASTINGS

SITE PLAN SET

Nashville - Murfreesboro - Chattanooga
ragansmith.com

RSA PROJECT # 22-0055

COOL SPRINGS EAST SUBDIVISION, SITE PLAN, SECTION 28, REVISION 2 LOTS 675, 676 & 692 (UNIFIED SITE PLAN OPEN SPACE REVISIONS) COF PROJECT #7882

725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

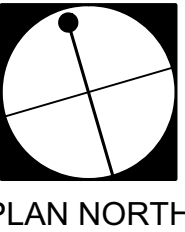
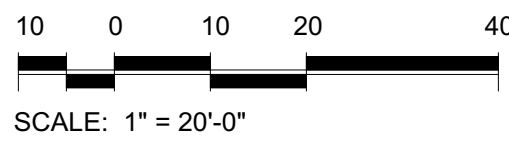
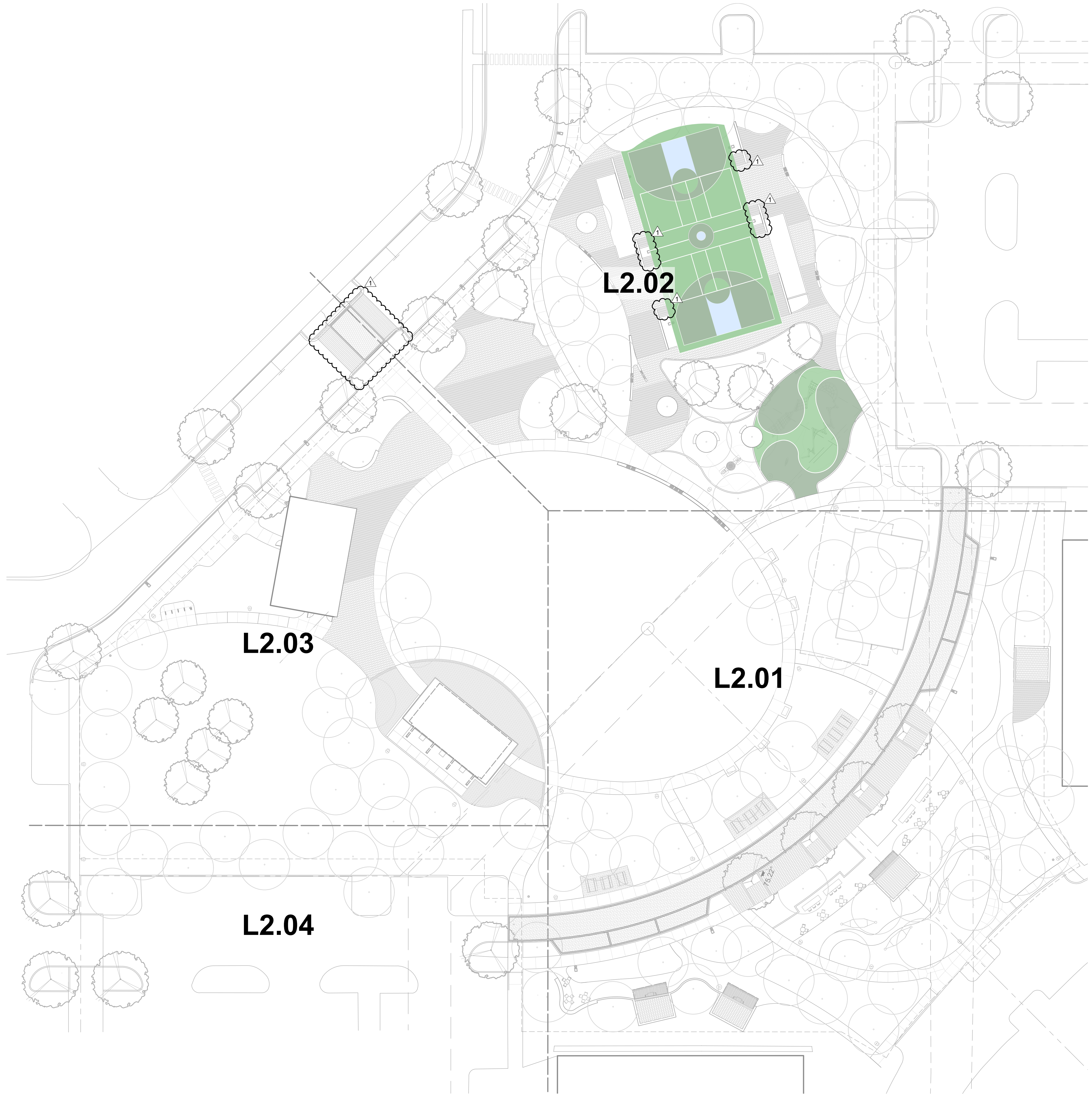
REVISION INFORMATION	
3	2022.08.24 PER CITY/CLIENT COMMENTS
2	2022.08.04 PER CITY COMMENTS
1	2022.06.13 PER CITY COMMENTS

PROJECT #	21009
ISSUE DATE	2022.06.13

OVERALL SITE LAYOUT PLAN

C2.0

Page 26 of 63



HASTINGS



100%
CONSTRUCTION
DOCUMENTS



COOL SPRINGS EAST SUBDIVISION, SECTION 28.
UNIFIED SITE PLAN (COOL SPRINGS OFFICE PARK OPEN SPACE)

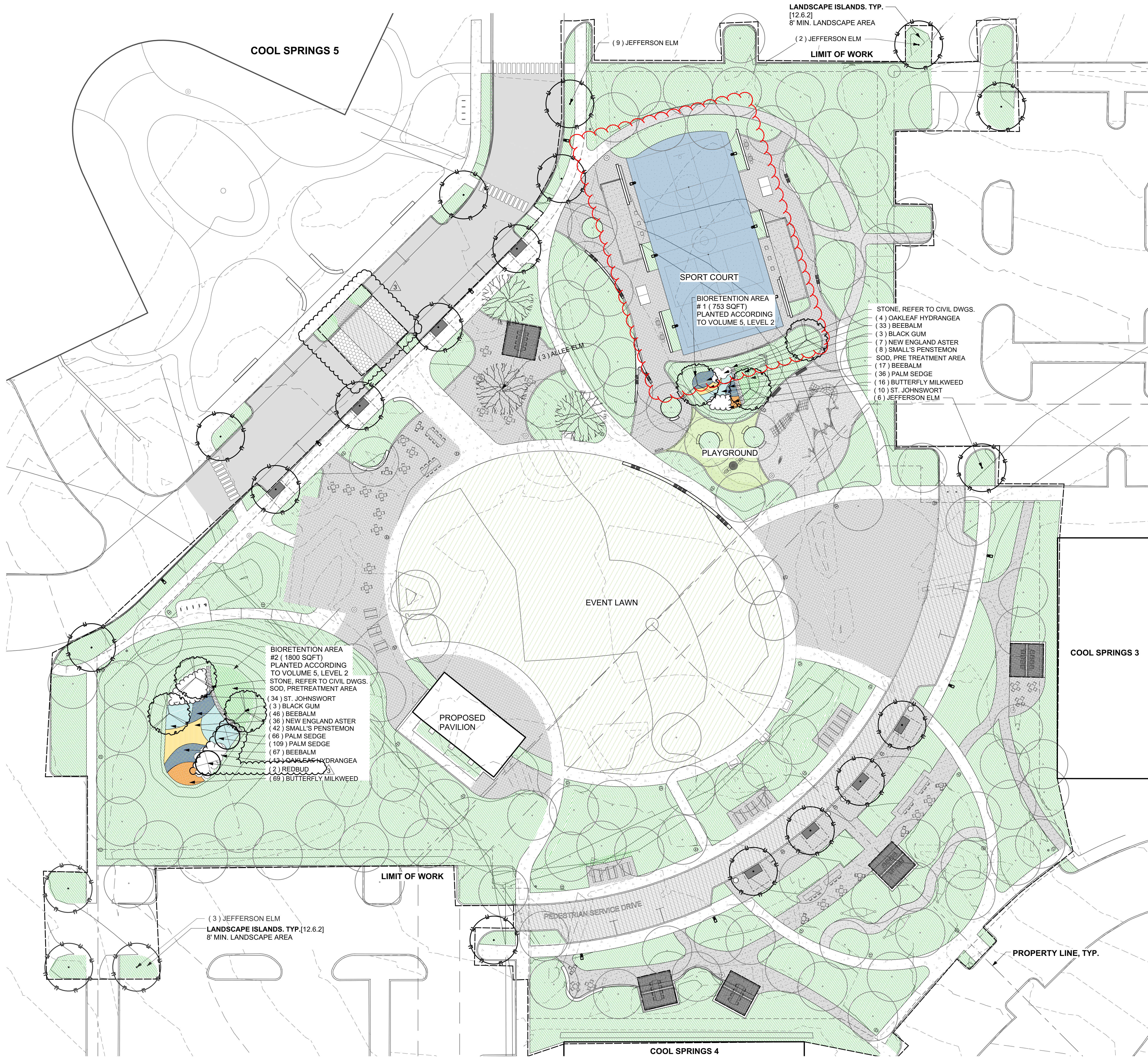
725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION		
1	ADDENDUM 01	2022.08.25

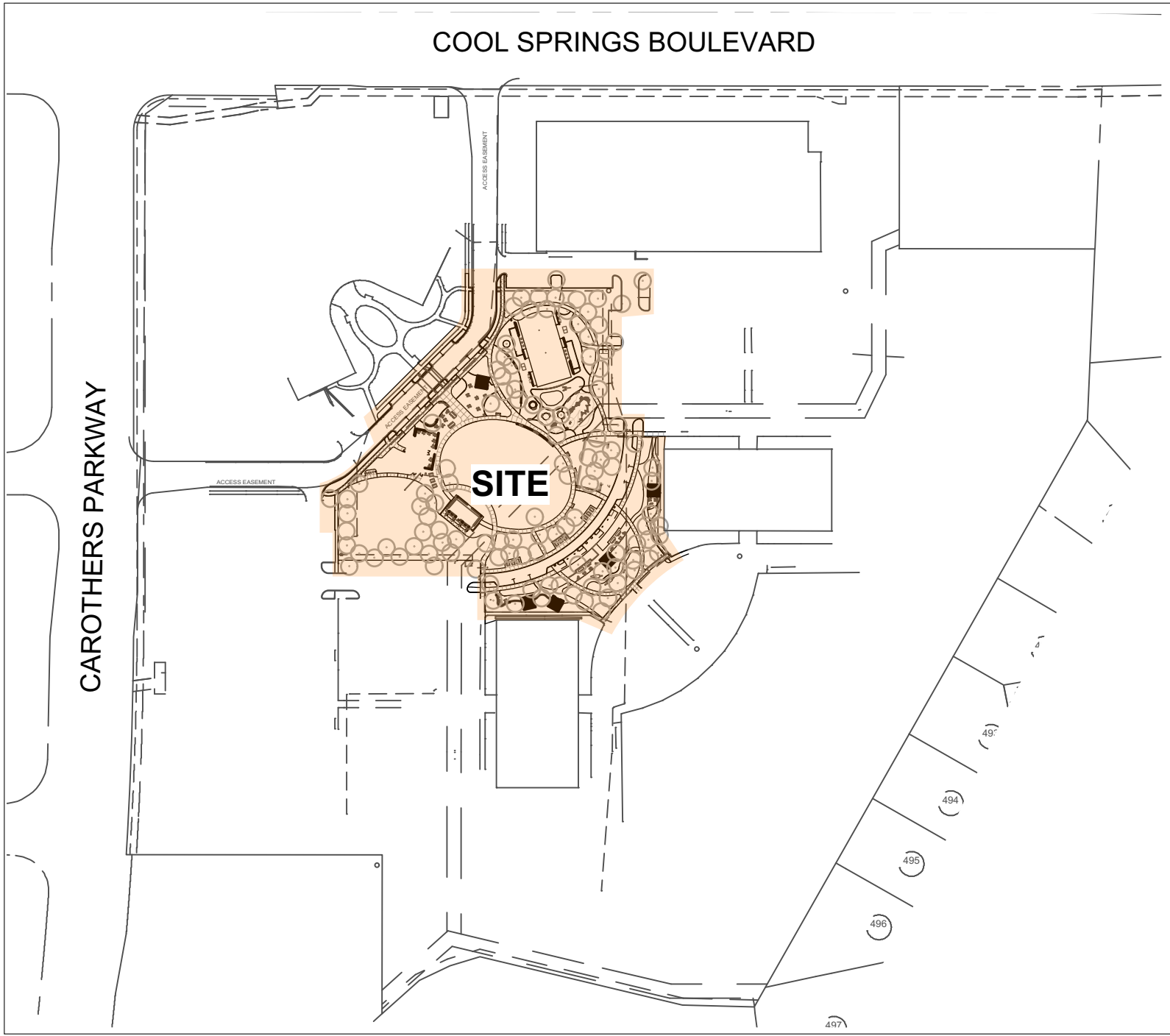
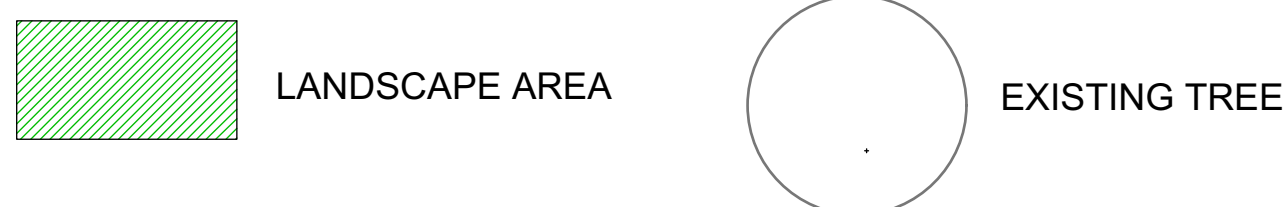
PROJECT #	21009
ISSUE DATE	2022.08.25

OVERALL LAYOUT PLAN

L2.00



LEGEND



KEY PLAN

OVERALL SITE LANDSCAPE DATA

Site Acreage: 3.53 Acres
Site Zoning Classification :
Existing Zoning: RC-6 (Coolsprings 3 & 4)

Landscape Surface Ratio Required: 15% (0.56 Acres)
Landscape Surface Ratio Provided: 1.95 Acres
Percent and Acreage of Original Canopy Cover: 57% (2.16 Acres)
Percent and Acreage Tree canopy Required: 12%
Number and DBH of Specimen Trees Removed: NA

LANDSCAPE REQUIREMENTS (ACI)	Quantity Provided			Inches Provided
	Existing Trees	Proposed	Total Provided	Caliper Inches
LSA MINIMUM : 0.53 AC LSA PROVIDED: AC				
Credit for 1.5 acres of preserved trees				
Existing Canopy Trees 14"	3		3	42
Existing Trees (See Tree Inventory):				
5"+ caliper canopy trees	97		97	485
4" caliper canopy trees		29	29	116
3" caliper canopy trees	1		1	3
2" caliper canopy trees				
Aggregate Canopy Caliper Inches Provided:				646
Aggregate Canopy Caliper Inches Required (0.56 AC x 82 IN/AC):				43.42
Existing Understory Trees 3" to 13":	5		5	21
2" caliper understory trees:				0
1.5" caliper understory trees:				0
Aggregate Understory Caliper Inches Provided:				21
Aggregate Understory Caliper Inches Required (0.56 AC x 21 IN/AC):				11.12
Min. 18" Height Shrubs:				44
Min. 30" Height Shrubs:				17
Total Shrubs Provided:				61
Total Shrubs Required (0.56 AC x 96 IN/AC):				50.83

OPEN SPACE REQUIREMENT CHART

Minimum Open Space Requirement: 3% required (per unified plan)
Site Acreage: 32.34 acres
Open Space Acreage Required: 0.97 acres (42,314 SF)
Open Space Provided: 3.02 acres (131,525 SF)

NOTES:

1. REFER TO L2.1 FOR PLANT SCHEDULES.
2. REFER TO L2.2 -L2.3 FOR LANDSCAPE DETAILS AND NOTES.
3. EXISTING TREES TO BE PROTECTED. REFER TO L2.3 FOR ADDITIONAL INFORMATION.
4. SEED AND STRAW ALL DISTURBED AREAS NOT OTHERWISE PLANTED.
5. PROVIDE EROSION CONTROL MATTING FOR ALL SLOPES OVER 3:1.
6. ALL STORMWATER MANAGEMENT LANDSCAPE AREAS WERE DESIGNED USING STORMWATER VOLUME 5, LEVEL II.
7. REFER TO CIVIL FOR ALL GRADING, ROADWAYS AND UTILITIES.
8. MUNICIPAL CODE 7-231 DOES NOT PERMIT THE INSTALLATION OF COMBUSTIBLE MULCH WITHIN 24-INCHES OF BUILDINGS OF CONSTRUCTION TYPES III, IV AND V AND BUILDINGS WITH COMBUSTIBLE EXTERIOR SHEATHING.
9. ORNAMENTAL PLANTING WITH PERENNIALS, SEDGES, GRASSES SHRUBS AND TREES IN A MASS BED PLANTING IS USED FOR BIORETENTION PLANTING.

MINIMUM BUFFERING/SCREENING REQUIREMENTS:
HVAC units, cooling and/or mechanical equipment are mounted on the:
a) Rooftop
b) Ground
c) Not Applicable

THIS DEVELOPMENT IS REQUIRED TO HAVE THE FOLLOWING LANDSCAPE IMPROVEMENTS:

Buffer/Screen Type:	Purpose:
☒ Near Applicable	Buffering/Screening not required
☐ Foundation Planting	Along primary facade
☐ Perimeter Planting Strip	Screen VUA and to create "modules"
☐ Interior VUA Planting	Create VUA "modules"
☐ Utility Box Screen	Screen from view
☐ HVAC Screen	Screen HVAC from view
☐ Dumpster Screen	Screen dumpster from view
☐ Loading/Service Area	Buffer the street or residential property
☐ Incompatible Use Buffer	Buffer the adjacent less intensive use
☐ 30-foot Front Yard Buffer	Buffer the adjacent Hatcher Bypass
☐ 40-foot Front Yard Buffer	Buffer the adjacent Interstate 65
☐ Street Trees	Spatial Definition/Environmental Mitigation
☐ Other:	

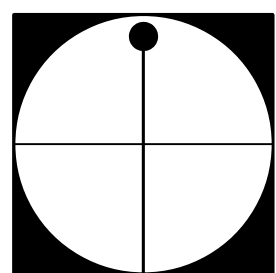
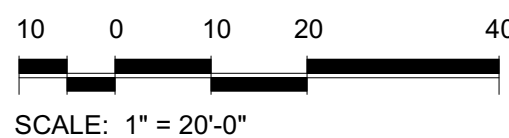
(Any buffer/screen type not required for this development may be deleted from this chart.)

ATTENTION OWNER/INSTALLER:
This landscape plan has been designed to meet the minimum requirements of the City of Franklin zoning ordinance, the approval of the planning commission, and planning department policy. Relocating, substituting, rising, reducing, or deleting material may cause the site to no longer conform to the requirements; thus problems may arise with releasing the performance/maintenance surety for the landscape material. Deviation from the approved landscape plan shall not be made without first consulting the Landscape Architect who designed the project. The designing Landscape Architect shall review proposed substitutions to ensure that all City standards and requirements are met. The City shall be notified in writing upon approval of any plan substitution.

Owner: **HIGHWOODS COOL SPRINGS**
Landscape Architect: **WILL MARTH** (615.255.5218)
City/County: **Franklin Planning Department** (615) 791-3212, phone

AFTER INSTALLATION, THE LANDSCAPE WILL BE MAINTAINED BY: _____
By an Owner Designated Landscape Maintenance Contractor

THIS SITE PLAN HAS BEEN DESIGNED TO MEET THE CITY OF FRANKLIN STANDARDS AND THE APPROVAL OF THE PLANNING COMMISSION. CHANGES SHALL NOT BE MADE TO THE APPROVED SITE PLAN UNLESS APPROVED BY EITHER THE RELEVANT DEPARTMENT SUPERINTENDENT OR THE PLANNING COMMISSION.



HASTINGS



NOT FOR CONSTRUCTION

SITE PLAN SET

Highwoods PROPERTIES

Hawkins Partners, Inc. LANDSCAPE ARCHITECTS



RaganSmith
Nashville - Murfreesboro - Chattanooga
ragansmith.com

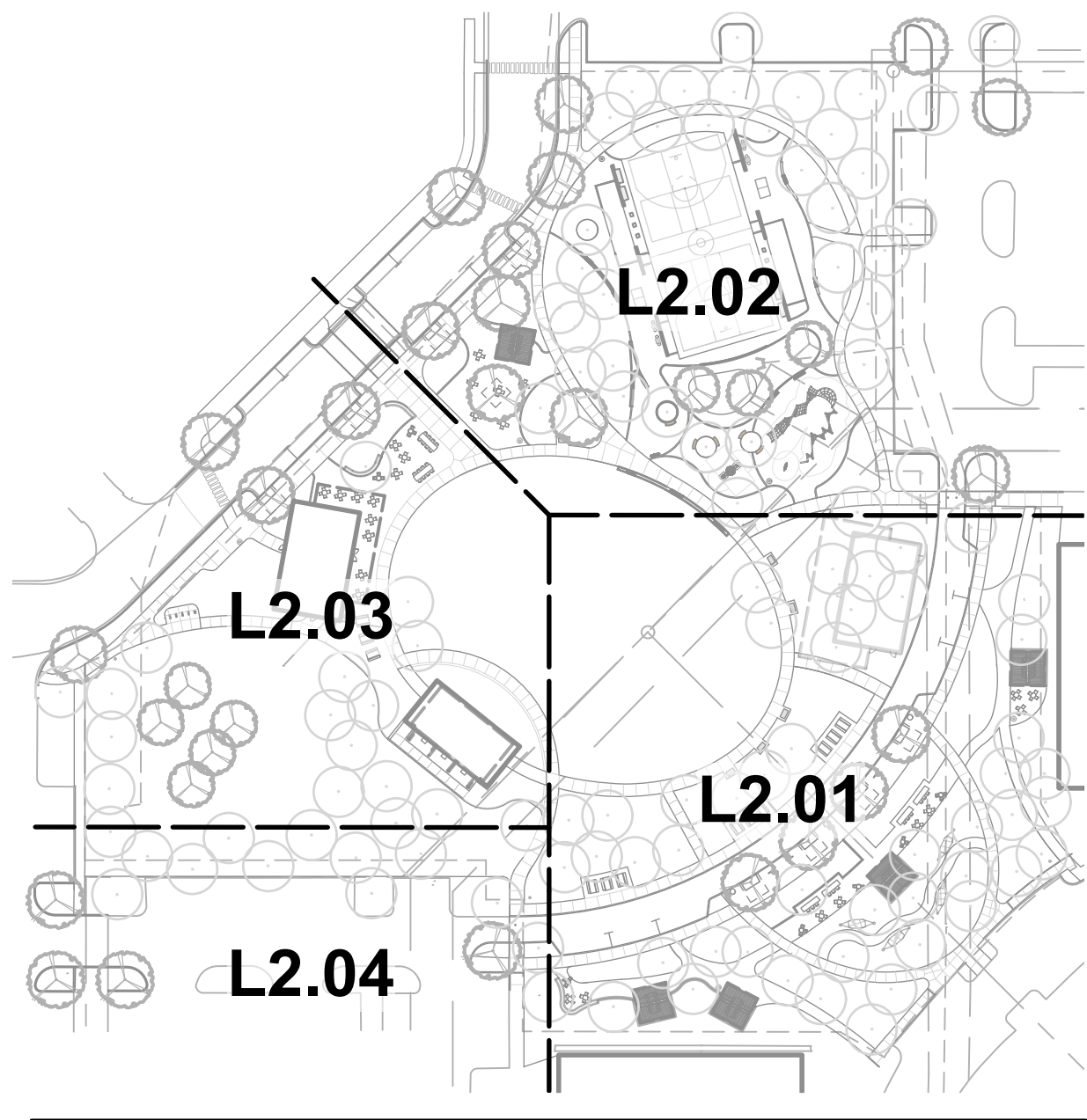
COOL SPRINGS EAST SUBDIVISION,
SITE PLAN, SECTION 28, REVISION 2
LOTS 675,676 & 692
(UNIFIED SITE PLAN OPEN SPACE REVISIONS)
COF PROJECT # 7882
725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION

3	2022-08-25	PER CITY COMMENTS
2	2022-08-04	PER CITY COMMENTS
1	2022-06-13	PER CITY COMMENTS
PROJECT #		21009
ISSUE DATE		2022.06.13

LANDSCAPE PLAN

L2.0



KEY PLAN

NOTES:

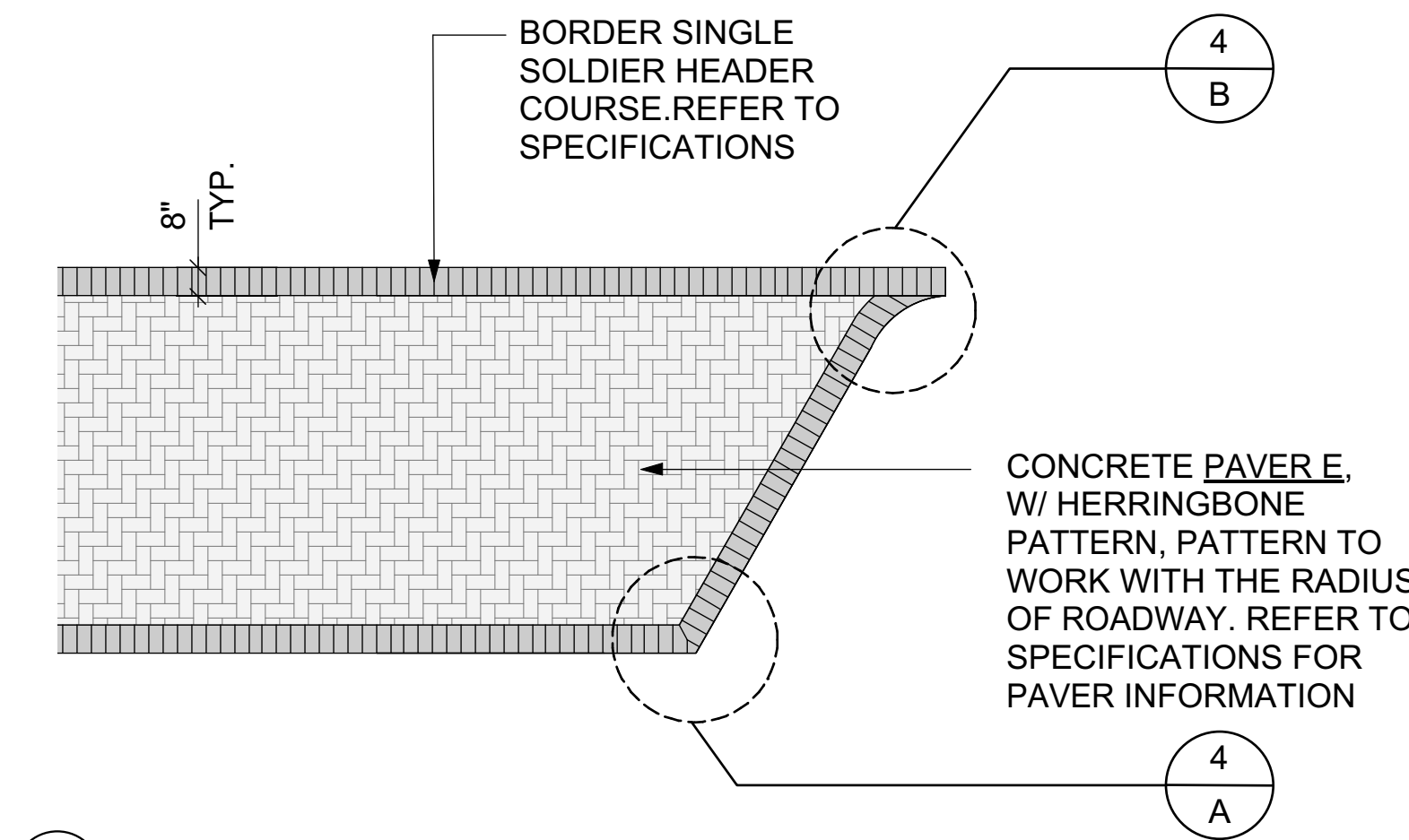
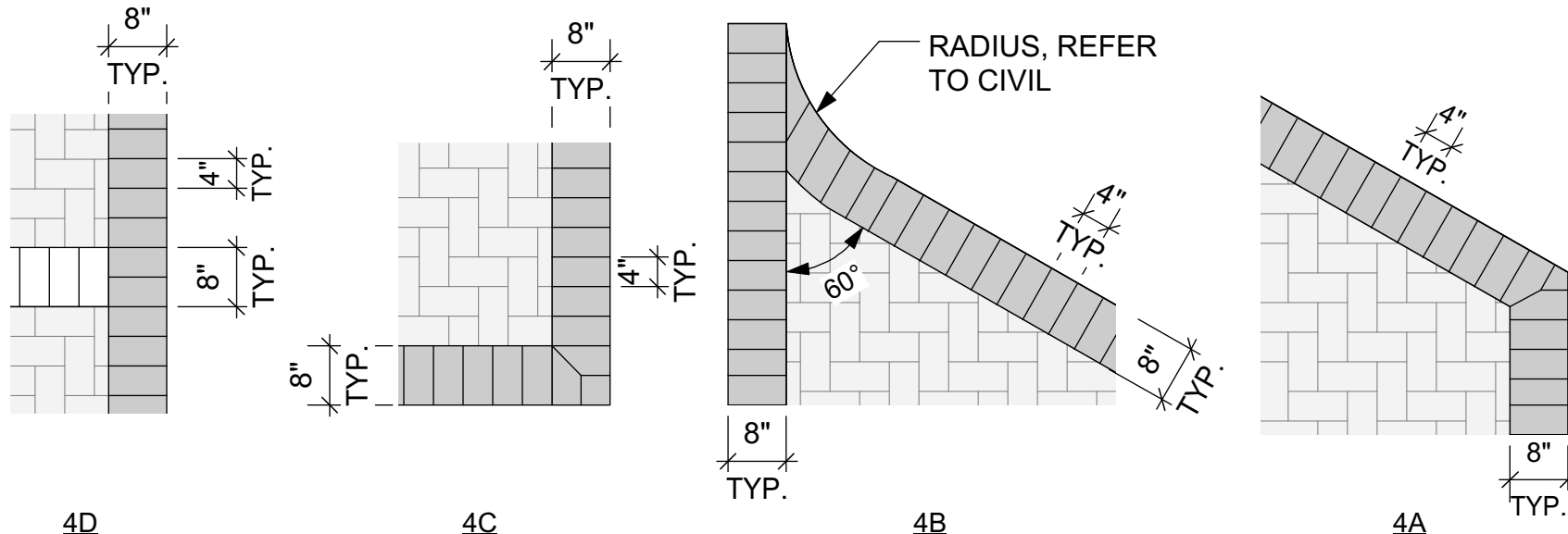
1. CAD FILES WILL BE PROVIDED AS A COURTESY TO ASSIST CONTRACTOR WITH FIELD STAKING AND LAYOUT.
2. REFER TO SPECIFICATIONS FOR MAXIMUM SPACING FOR EXPANSION JOINTS.
3. ALL SITE FURNITURE LOCATIONS TO BE STAKED FOR REVIEW AND APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. FOR FURNISHINGS WITH FOOTINGS, RECEIVE APPROVAL OF LOCATION FROM LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF FOOTINGS.

The Contractor shall take field measurements, verify field conditions, and shall carefully compare such field measurements, conditions, and other information known to the Contractor with the Contract Documents before commencing activities. Errors, inconsistencies, or omissions discovered shall be reported to the Landscape Architect at once.

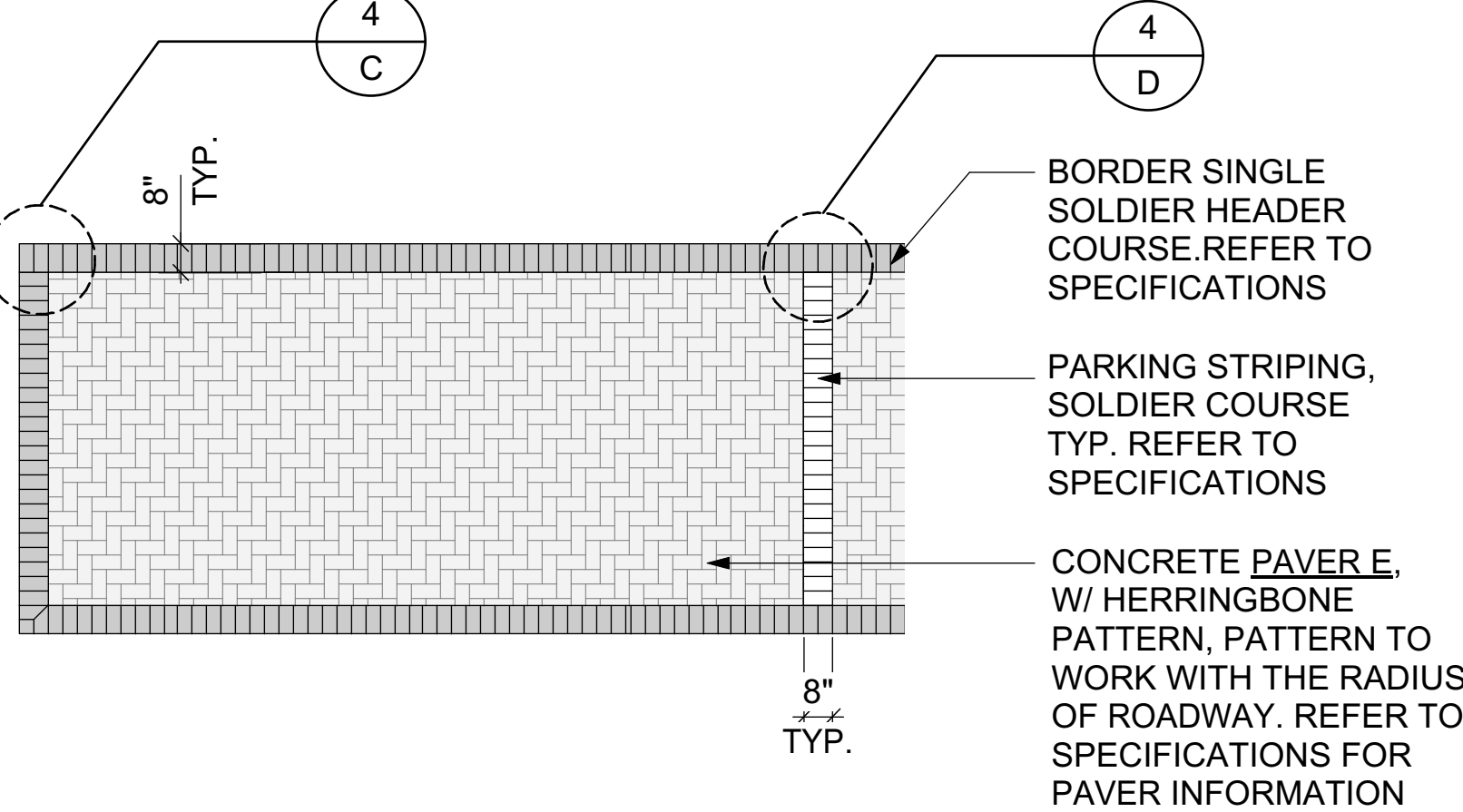
In the event of any discrepancies and / or errors found in the drawings, or if problems are encountered during construction, the Contractor shall be required to notify the Landscape Architect before proceeding with the work. If the Landscape Architect is not notified, the Contractor shall take responsibility for the cost of any revisions that may be incurred.

The Contractor shall verify dimensions of as-built conditions, and notify the Landscape Architect in writing of any discrepancies. All information shown on the construction documents is based on survey information and / or the original construction documents.

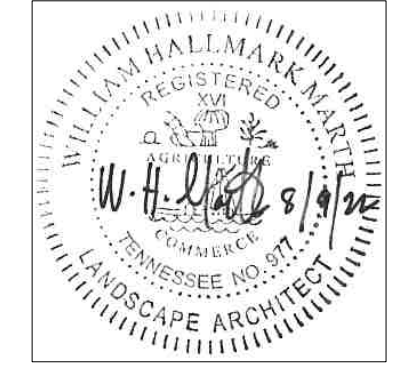
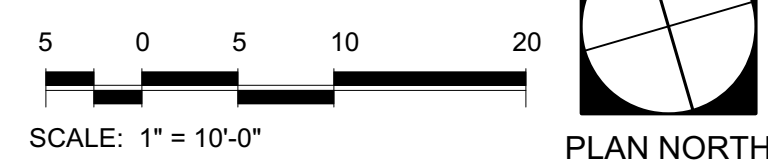
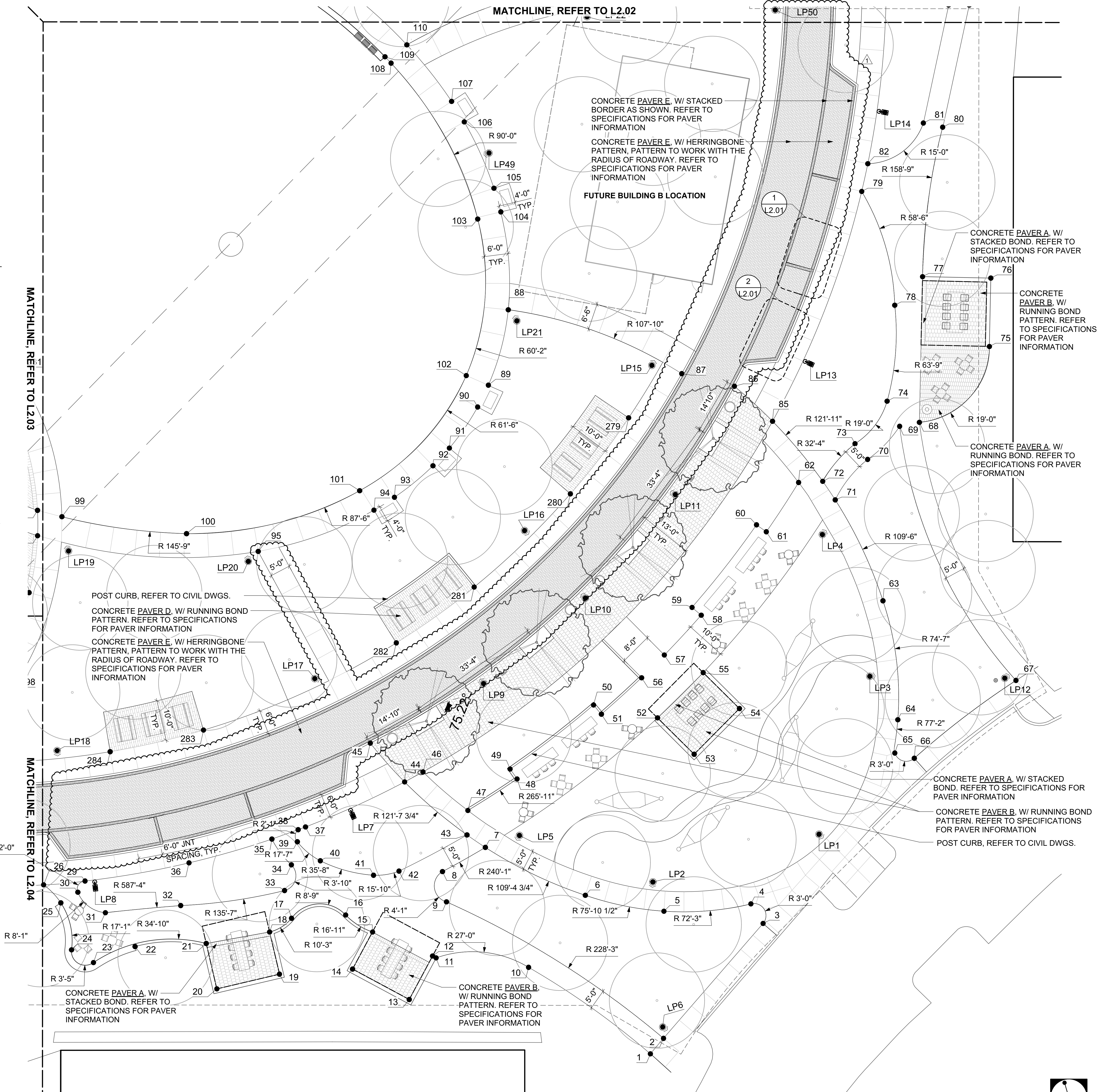
All construction activities shall be completed in full compliance with the American with Disabilities Act (ADA) and Architectural and Transportation Barriers Compliance Board, Federal Register 36CFR parts 1190 and 1191, Accessibility guidelines for buildings and facilities; Architectural Barriers Act (ABA) Accessibility Guidelines; proposed rule, latest edition, as has been adopted by Metro.



2 ENLARGEMENT: PAVER LAYOUT AT PARKING SPACES
Scale: 1/4" = 1'-0"



1 ENLARGEMENT: PAVER LAYOUT AT PARKING SPACES
Scale: 1/4" = 1'-0"



100%
CONSTRUCTION
DOCUMENTS



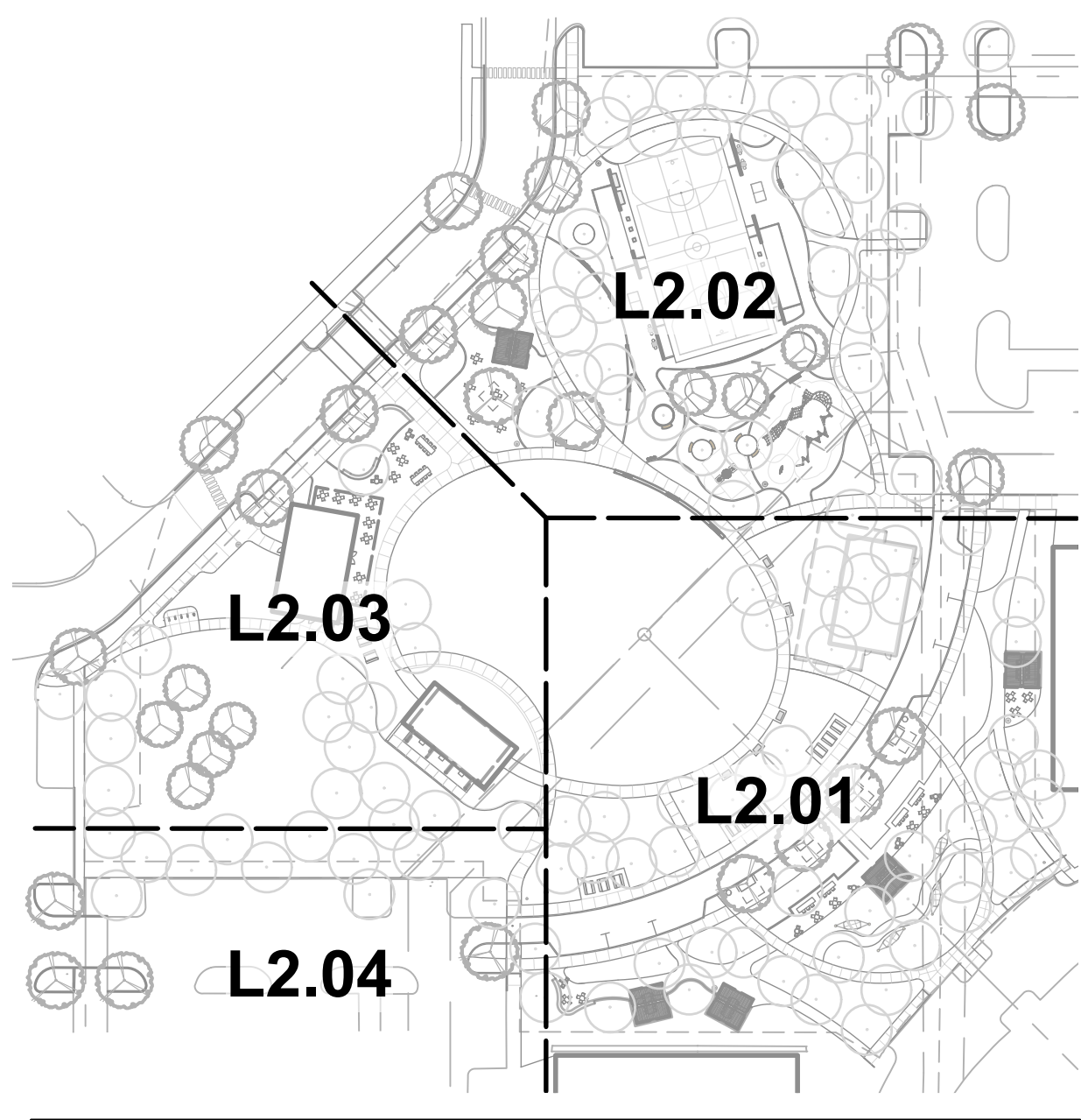
COOL SPRINGS EAST SUBDIVISION, SECTION 28.
UNIFIED SITE PLAN (COOL SPRINGS OFFICE PARK OPEN SPACE)

725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

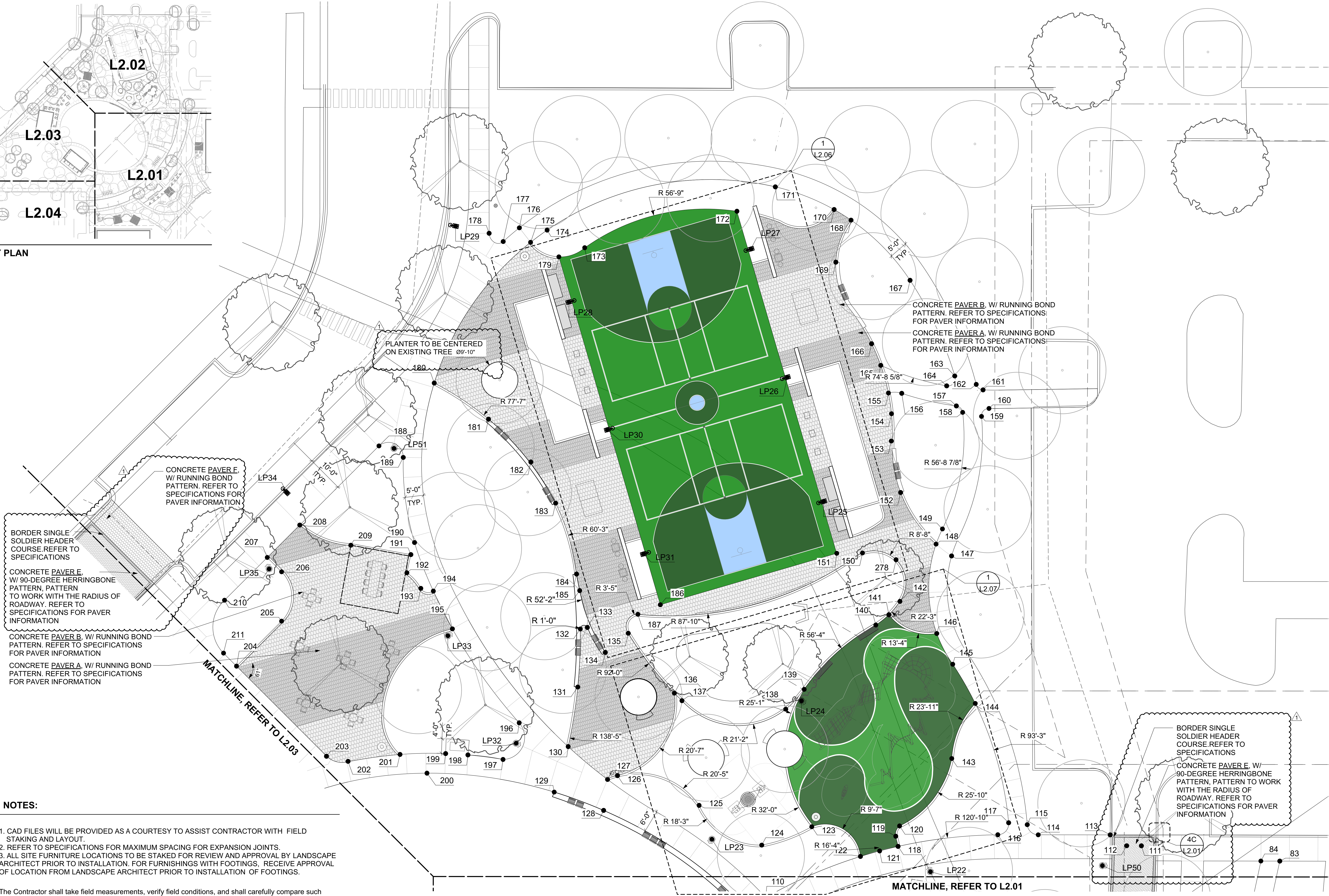
REVISION INFORMATION		
1	ADDENDUM 01	2022.08.25

PROJECT #	21009
ISSUE DATE	2022.08.25

LAYOUT PLAN
ENLARGEMENT



KEY PLAN



NOTES:

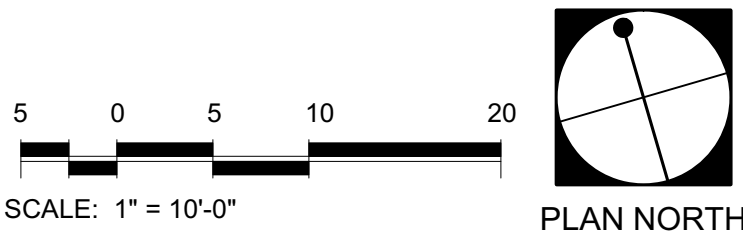
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HASTINGS



100%
CONSTRUCTION
DOCUMENTS



COOL SPRINGS EAST SUBDIVISION, SECTION 28.
UNIFIED SITE PLAN (COOL SPRINGS OFFICE PARK OPEN SPACE)

725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION		
1	ADDENDUM 01	2022.08.25

PROJECT #	21009
ISSUE DATE	2022.08.25

LAYOUT PLAN
ENLARGEMENT

L2.02



NOTES:

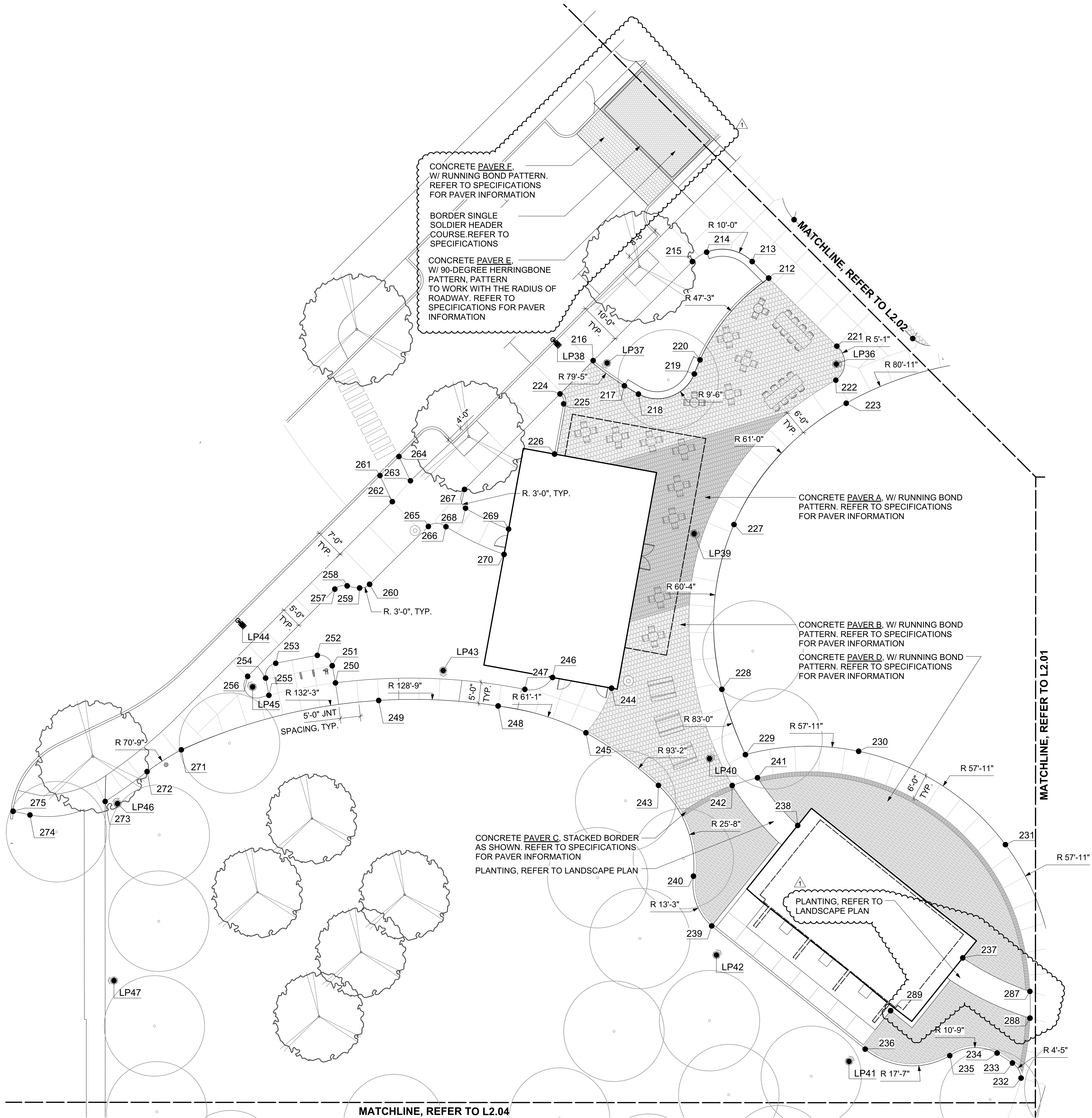
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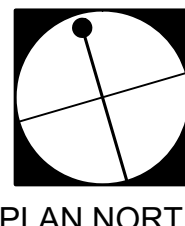
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5 0 5

SCALE: 1" = 10'-0"



100%
CONSTRUCTION
DOCUMENTS



COOL SPRINGS EAST SUBDIVISION, SECTION 28.
UNIFIED SITE PLAN (COOL SPRINGS OFFICE PARK OPEN SPACE

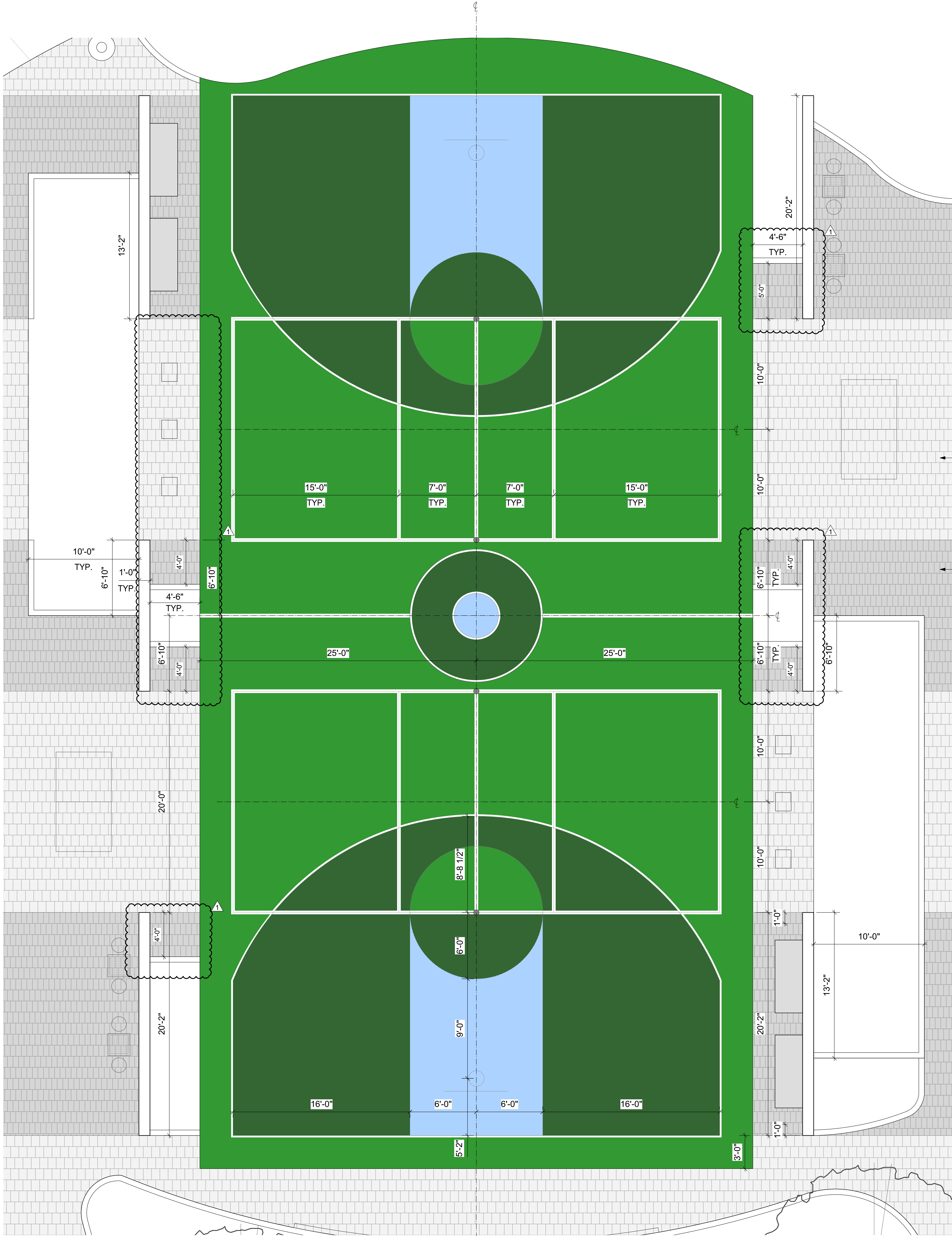
725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION		
1	ADDENDUM 01	2022.08.25

PROJECT #	21009
ISSUE DATE	2022.08.25

LAYOUT PLAN ENLARGEMENT

L2.03



GENERAL NOTES

1). REFER TO L2.02 FOR ALL COORDINATE POINTS RELEVANT TO PAVEMENT LIMITS.

LEGEND

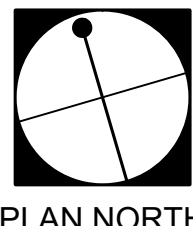
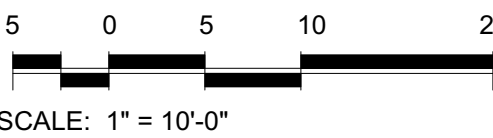
- COLOR : LIGHT GREEN
- COLOR : DARK GREEN
- COLOR: ICE BLUE
- COLOR: WHITE

MANUFACTURER: SPORTSMASTER COLORPLUS SYSTEM

INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
CONTRACTOR TO PROVIDE MOCKUPS FOR REVIEW AND
SELECTION BY LANDSCAPE ARCHITECT.

CONCRETE PAVER B, W/ RUNNING BOND
PATTERN. REFER TO SPECIFICATIONS
FOR PAVER INFORMATION

CONCRETE PAVER A, W/ RUNNING BOND
PATTERN. REFER TO SPECIFICATIONS
FOR PAVER INFORMATION



HASTINGS



100%
CONSTRUCTION
DOCUMENTS

Highwoods
PROPERTIES



COOL SPRINGS EAST SUBDIVISION, SECTION 28.
UNIFIED SITE PLAN (COOL SPRINGS OFFICE PARK OPEN SPACE)

725 COOL SPRINGS BOULEVARD
FRANKLIN, TN 37064

REVISION INFORMATION

1 ADDENDUM 01 2022.08.25

PROJECT # 21009

ISSUE DATE 2022.08.25

LAYOUT PLAN
ENLARGEMENT

L2.06

OWNER AFFIDAVIT

City of Franklin, Tennessee

We/I Highwoods Realty Limited Partnership
(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the property described as:

Map 062, Parcel 11.07

(Property Parcel/Tax ID Number)

and located at:

701 Cool Springs Boulevard Franklin, TN 37067

(Street Address)

am fully aware of the request for development approval in the City of Franklin, Tennessee. Furthermore, (I)/ (we) hereby appoint

Charles Everett Gannaway

(Please print Name/Names in Full)

to act as my/our authorized agent on my/our behalf on all matters pertaining to the processing and obtaining the application with the exception of legal documents for recording purposes.

Signature

3322 West End Ave. Suite 600

Property Owner Mailing Address

Nashville, TN 37203

City, State & Zip

Subscribed and sworn to before me this

1st day of September, 20 22

Karen A. Buntin

Notary Public

My Commission Expires: 2/4/2023





HISTORIC
FRANKLIN
TENNESSEE

DATE: October 6, 2022

TO: Board of Zoning Appeals

FROM: Chelsea Randolph, Principal Planner
Amy Diaz-Barriga, Assistant Director

Subject

Variance Request To Exceed The Maximum Allowed 10-Footcandles By 14.1-Footcandles On A Privately Owned Sports Court For The Property Located At 701 Cool Springs Boulevard (F.Z.O. 14.2.1.A Sight Lighting Illumination Values).

Summary of Action Taken

The Board of Zoning Appeals has reviewed this item, held a public hearing, and voted to:

- _____ Approve the variance based on the criteria that authorize a variance to be established.
- _____ Disapprove the variance because one or more of the criteria for approving a variance was not established.
- _____ Defer the variance request for continued review of the application.
- _____ Approve the variance with conditions based on the criteria that authorize a variance to be established: _____

BZA Chair

BZA Recording Secretary

Date



File #: 21-03580

DATE: September 8, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Chelsea Randolph, Planner

SUBJECT:

Variance Request To Waive The Substantial Improvement Requirement To Raise The First Floor Elevation Of A Historic Structure Above The Base Flood Elevation (To Remain In Place) Located Within The Historic Preservation Overlay, Central Franklin Overlay, And The Floodway Fringe Overlay At 728 Fair Street (F.Z.O. 17.6.4.B).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7956
Applicant: Amanda McCreary, Chisel Workshop
Owner: Naomi Dubois

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning and Land Use

Site: R4 – Residential 4 District, Single Family Residential
North: Residential 4 District, Single Family Residential
South: R4 – Residential 4 District, Single Family Residential
East: R4 – Residential 4 District, Single Family Residential
West: R4 – Residential 4 District, Single Family Residential

Applicable Zoning Ordinance Provisions

17.6.5 (Floodplain Protection) Appeals to the Board of Zoning Appeals

A. Variance Procedures, 2. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Section to preserve the historic character and design of the structure.

17.6.4. Provisions for Flood Hazard Reduction

B. Specific Standards, 1. Residential Structures: In AE Zones, where base flood elevation data is available, new construction and substantial improvement of any building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than three feet above the Base

Background

The subject site consists of a .19-acre parcel zoned R4 – Residential 4 District with a historic house constructed c. 1915. The subject parcel is located within the Historic Preservation Overlay (HPO), Central Franklin Overlay (CFO) and the Floodway Fringe Overlay (FFO). The house is a contributing structure to the Hincheyville Historic District. Contributing structures may be defined as those which help to reinforce the historical integrity and architectural qualities of a historic district. The Historic Zoning Commission (HZC) reviews exterior alterations to properties located within the HPO in light of the Historic District Design Guidelines and is charged with preserving and protecting historic structures from alterations that would result in an adverse impact. When improvements are proposed to an existing residential structure in the floodplain and the value of those improvements is at least 50% of the value of the existing structure, the Zoning Ordinance requires that the first floor of the entire structure be elevated to three feet above the Base Flood Elevation. Variances may be issued for the repair and rehabilitation of historic structures upon a determination that the proposed work will not preclude its continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of the Zoning Ordinance in order to preserve the historic character and design of the structure. Variance requests for historic structures in the floodplain received a recommendation by the HZC prior to consideration by the Board of Zoning Appeals (BZA). The HZC provided a favorable recommendation to the BZA at its September, 2022 meeting for the building to remain at its existing First Floor Elevation, as the proposal is the most sensitive to the architectural qualities of the contributing structure and presents the least amount of adverse impact to the contributing status of the historic structure and the context of the overall historic district. The variance request is to allow the First Floor Elevation height to remain in its current position below Base Flood Elevation for the property located at 728 Fair Street.

Staff Analysis

Variances shall be issued only upon the determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Paragraph 17.6.5.A, Variances, shall only be issued upon:

1. A showing of good and sufficient cause.

The building's status as a contributing property to the Hincheyville Historic District and the need to take measures to maintain this status amount to good and sufficient cause for granting a variance. The proposal is the most sensitive to the architectural qualities of the contributing structure and presents the least amount of adverse impact to the contributing status of the historic structure and the context of the overall historic district. The HZC provided a favorable recommendation to the BZA for these reasons. Staff finds that this criteria is met.

2. A determination that failure to grant the variance would result in exceptional hardship.

The historic house currently sits below Base Flood Elevation. The proposal is to keep the historic house at its existing level in order to keep its contributing status on the National Register of Historic Places and the local district designation for Hincheyville. The HZC determined that raising the house to meet Base Flood Elevation would cause it to become noncontributing to the Hincheyville Historic District, which is both locally designated and listed on the National Register of Historic Places. An attempt to raise the historic structure would result in the removal of the property's contributing status and would amount to exceptional hardship for the owner of the property. For these reasons, staff finds that this criteria is met.

3. A determination that the granting of a variance will not result in increased flood heights, additional

threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.

The house has been standing for 107 years. There are no recorded reports of water damage nor water collecting in the home at its current first floor elevation. Furthermore, the HZC has approved the project plans as proposed and recommends approval of the variance request to maintain the structure's contributing status and the integrity of the historic district. Based on the recommendation of the HZC along with analysis of exhibits provided by the applicant, staff finds that granting the variance would not result in any of the outcomes listed above and the third criterion is met.

FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

Staff recommends the Board of Zoning appeals move to approve the variance request To Waive The Substantial Improvement Requirement To Raise The First Floor Elevation Of A Historic Structure Above The Base Flood Elevation (To Remain In Place) Located Within The Historic Preservation Overlay, Central Franklin Overlay, And The Floodway Fringe Overlay At 728 Fair St because the criteria for granting a variance have been met.

728 FAIR STREET
TAX MAP 078B, GROUP B, PARCEL 00900
BOARD OF ZONING APPEALS
10/6/22

New Hwy 96 W

7th Ave N

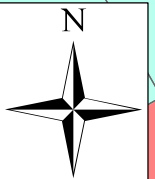
9th Ave N

Fair St

8th Ave

Site

- | | |
|---|--|
|  Subject Property |  CI Civic Institutional District |
|  AG Agricultural District |  NC Neighborhood Commercial |
|  ER Estate Residential District |  CC Central Commercial District |
|  R1 Residential 1 District |  DD Downtown District |
|  R2 Residential 2 District |  1ST Avenue District |
|  R3 Residential 3 District |  5TH Avenue District |
|  R4 Residential 4 District |  RC6 Regional Commerce 6 District |
|  R6 Residential 6 District |  RC12 Regional Commerce 12 District |
|  MR Mixed Residential District |  GO General Office District |
|  PD Planned District |  LI Light Industrial District |
|  OR Office Residential District |  HI Heavy Industrial District |



0 55 110 220
Feet

This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
All data and materials (c) copyright 2022. All rights reserved.

OWNER AFFIDAVIT
City of Franklin, Tennessee

We/I Naomi DuBois
(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the property described as:

078 B B 078C 00900
(Property Parcel/Tax ID Number)

and located at:

728 Fair Street
(Street Address)

am fully aware of the request for development approval in the City of Franklin, Tennessee. Furthermore, (I)/ (we) hereby appoint

Amanda McCreary, Chisel Workshop
(Please print Name/Names in Full)

to act as my/our authorized agent on my/our behalf on all matters pertaining to the processing and obtaining the application with the exception of legal documents for recording purposes.

Naomi DuBois
Signature

P.O. Box 188
Property Owner Mailing Address

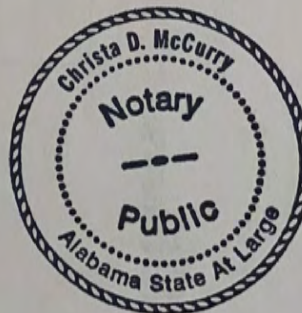
Elkmont, AL 35620
City, State & Zip

Subscribed and sworn to before me this

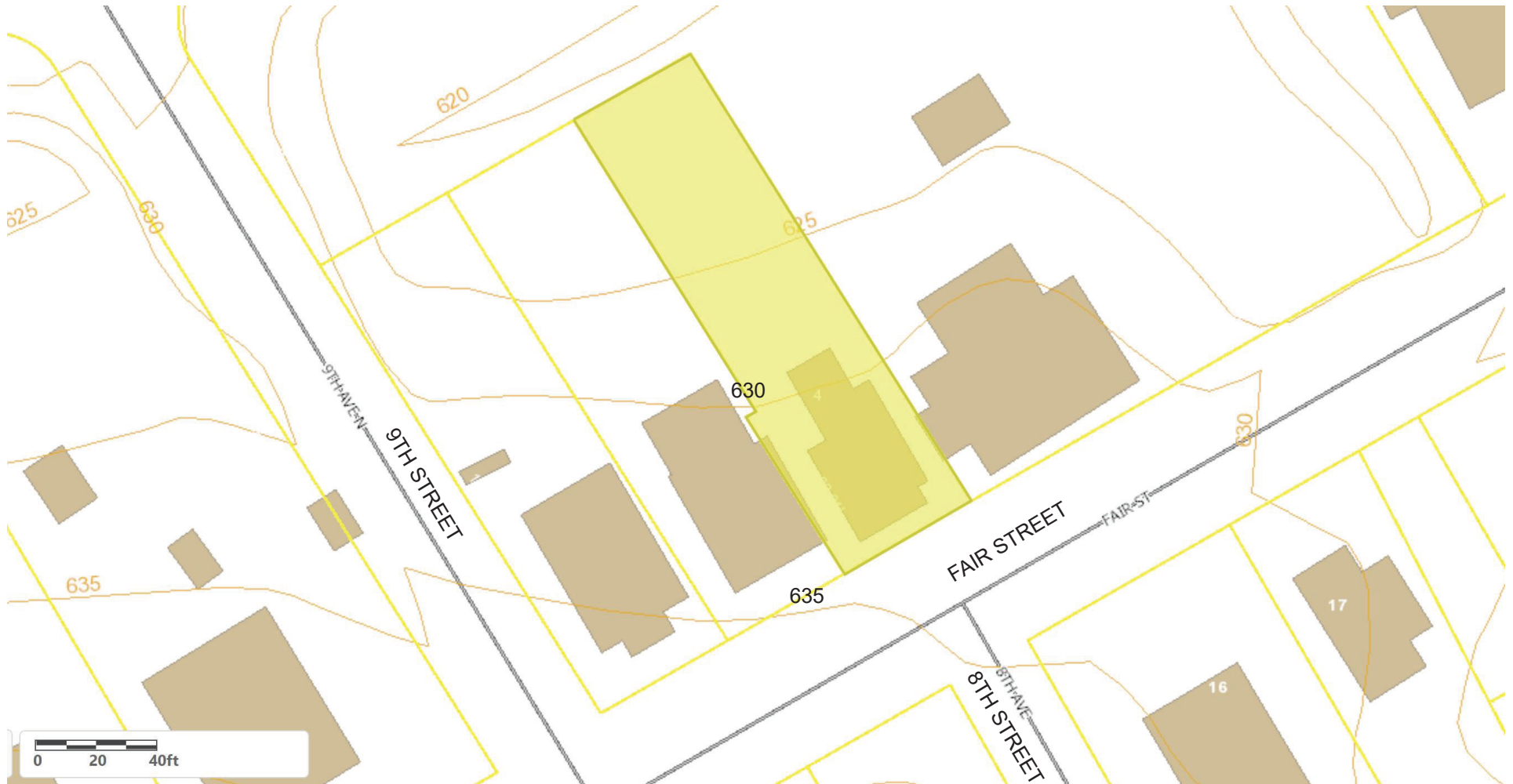
14 day of July, 2021.

Christa D. McCurry
Notary Public

My Commission Expires: 10/01/2023

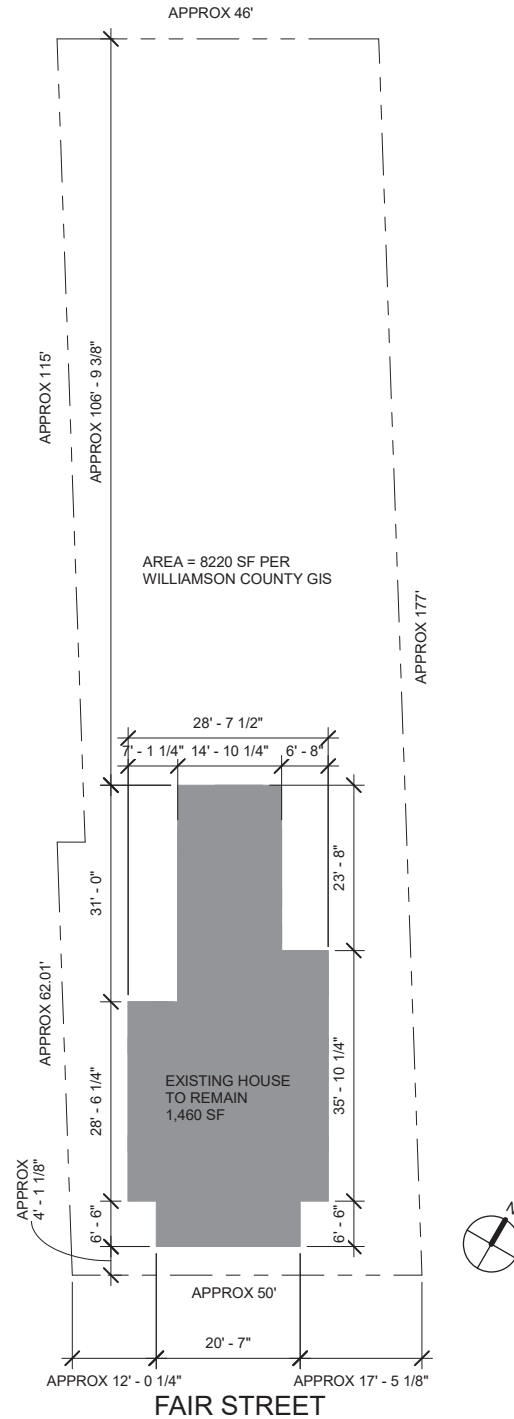


SITE PLAN



BASE FLOOD ELEVATION PER FLOOD MAP PANEL 0211G = 637

SITE PLAN



ELEVATION ANALYSIS



APPROX 640 AT 3' ABOVE BASE
FLOOD PLAIN ELEVATION

APPROX 637 BASE FLOOD
PLAIN ELEVATION

APPROX 634 FFE

APPROX 633 AT FRONT
PORCH GRADE

FOR RESIDENTIAL, THE REQUIRED RESIDENTIAL WOULD NEED TO BE AT A 640 FOOT ELEVATION, THAT IS APPROXIMATELY 6' HIGHER THAN THE EXISTING FFE. FOR SCALE, THE HEIGHT OF THE FRONT DOOR IS 6'-10" (NOT INCLUDING THE TRANSOM).

IMPACT OF STREET VIEW



APPROX 640 AT 3' ABOVE BASE
FLOOD PLAIN ELEVATION

IMPACT OF STREET VIEW



APPROX 640 AT 3' ABOVE BASE
FLOOD PLAIN ELEVATION

ALSO CONSIDER THE
LOGISTICAL CHALLENGE
THAT A NEW FRONT STAIR
WOULD REQUIRE 11 RISERS.
THAT EQUATES TO A STAIR OF
MIN 8'-4" IN DEPTH. OUR SITE
DOES NOT HAVE THE DEPTH
FROM FRONT PORCH TO THE
EDGE OF THE SIDEWALK.



September 6, 2022

City of Franklin Board of Zoning Appeals:

We are seeking a variance from the Board of Zoning Appeals to the Base Flood Elevation zoning requirements for our project located at 728 Fair Street.

The home is undergoing an interior renovation of the kitchen and master bath. This property is located in the City of Franklin Historic District as well as the FEMA Flood plain. The current FFE of the home is approximately 634'. The Base Flood Elevation for this area is 637'. For residential use, the home would need to be elevated to 640' (3' above Base Floor Elevation) to satisfy flood plain regulations. The home at 728 Fair Street will need to be raised approximately 6' above its current floor elevation.

This home is a one-story pyramidal-style home that is modest in scale. Raising a home of this scale would require the house to sit about 2/3 of a story above grade. As the home to the left of the subject house is of a similar scale and style, this would significantly alter the landscape of the street scape. While the home on the right is a two story house, the front door of the right side neighbor is close to grade and raising our home would have the front door out of scale with the neighbors.

This home currently has one step to the front porch, making ease of mobility from the street to the house. Eleven steps would need to be added if required to raise the house 6'. Furthermore, we do not have a wide enough front yard to locate such a staircase centered on the front door. A staircase to meet code would extend past the edge of the sidewalk.

As this renovation is to the interior of the home, the work will not alter the exterior of the building or the existing flood plain.

We appreciate your consideration of the Base Flood Elevation variance and should you need additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Amanda McCreary".

Amanda McCreary
AIA, NCIDQ, LEED AP



HISTORIC
FRANKLIN
TENNESSEE

DATE: October 6, 2022

TO: Board of Zoning Appeals

FROM: Chelsea Randolph, Principal Planner
Amy Diaz-Barriga, Assistant Director

Subject

Variance Request To Waive The Substantial Improvement Requirement To Raise The First Floor Elevation Of A Historic Structure Above The Base Flood Elevation (To Remain In Place) Located Within The Historic Preservation Overlay, Central Franklin Overlay, And The Floodway Fringe Overlay At 728 Fair Street (F.Z.O. 17.6.4.B).

Summary of Action Taken

The Board of Zoning Appeals has reviewed this item, held a public hearing, and voted to:

- _____ Approve the variance based on the criteria that authorize a variance to be established.
- _____ Disapprove the variance because one or more of the criteria for approving a variance was not established.
- _____ Defer the variance request for continued review of the application.
- _____ Approve the variance with conditions based on the criteria that authorize a variance to be established: _____

BZA Chair

BZA Recording Secretary

Date



File #: 21-03582

DATE: September 8, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Chelsea Randolph, Planner

SUBJECT:

Variance Request To Reduce The Minimum Garage Setback For A Front Loading Garage From 20-Feet To 6-Inches Behind The Front Facade And Front Door At 1141 Carter Street (F.Z.O. 6.3 – Building Type, House, Front-Facing Garage Setback).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7957
Applicant: Derrick Johnson
Owner: Derrick Johnson

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: R6 – Residential 6 District, Residential
North: R6 – Residential 6 District, Residential
South: R6 – Residential 6 District, Residential
East: CI – Civic Institutional District, Civic
West: R6 – Residential 6 District, Rehabilitation Center

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:
Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission. B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

6.3 – Building Type, House, Front-Facing Garages Setback

Minimum 20 feet behind front facade and front door, and 22 feet from sidewalk.

Background

The subject parcel is located at 1141 Carter Street and is zoned R6 – Residential 6 District and within the Central Franklin Overlay (CFO). The Zoning Ordinance requires that front-facing garages be at least 20 feet behind the front facade and front door, as well as 22 feet from the sidewalk. There is no sidewalk adjacent to the property today. The 20 foot setback for front-facing garages has been part of the Zoning Ordinance since 2019, when it changed from being 10 feet behind the front facade.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The subject property is one of five single-family residential lots along Carter Street. The parcel is approximately 84 feet in width and approximately 70 feet in depth. The depth of the lot is shallower than many of the properties in this area. The zoning of the property is R6, which requires that the front setback (among other criteria) be no closer than any adjacent existing building. In this case, the adjacent building is approximately 15' from the front lot line. R6 also requires a 15' rear setback. These setbacks require a smaller than average building envelope. Because of the uniqueness of the depth of the property, staff finds this criteria is met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property.

The applicant has indicated that the owners intend to build a two-car attached garage with a living space above it. Placing the garage 20 feet behind the front facade and front door would make the garage out of compliance with the required 15-foot rear yard setback as stated in F.Z.O. 3.8.5 and discussed in criteria 1. Due to the unique shape of the property, the strict application of the Zoning Ordinance would prevent a home with a two-car attached garage from being constructed without violating some portion of the Zoning Ordinance, which staff finds to be a practical difficulty and therefore this criteria is met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

The proposed attached two-car garage meets the intent of the ordinance in the narrowest margin due to the garage being set back from the front facade of the house, if by only six inches on the far side. With that said, the applicant has attempted to lessen the deviation from the ordinance by stepping the front of the garage back incrementally where the garage is closest to the front facade and front door. The applicant explained to staff that the requested setback was to account for the second floor of the attached two-car garage being aligned with the middle of the second floor of the primary structure. This request meets the required side-yard setbacks along the adjacent residential lots, and would not cause substantial detriment to the public good if a variance were to be approved. Staff finds that this criteria is met.

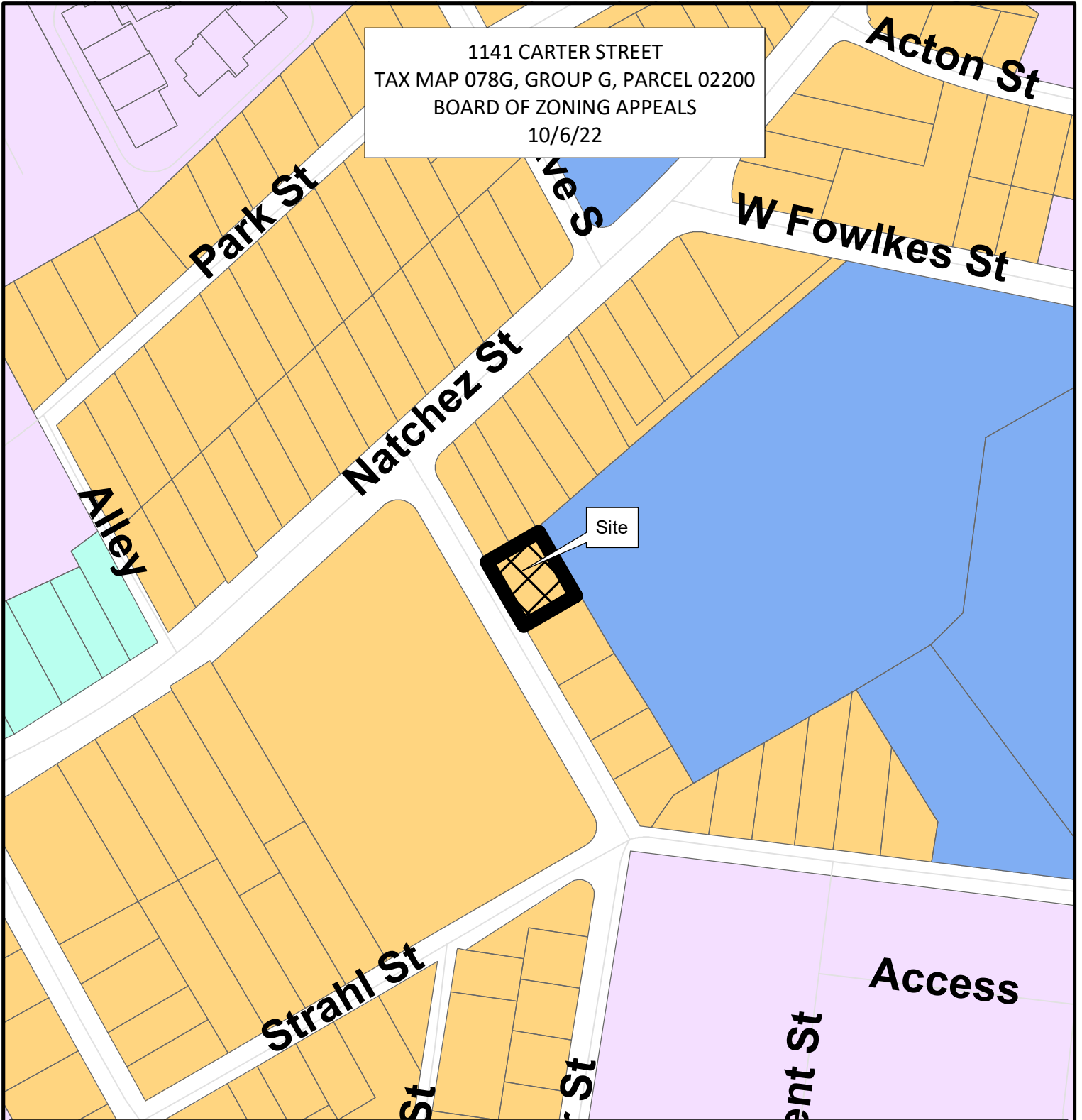
FINANCIAL IMPACT:

Unknown.

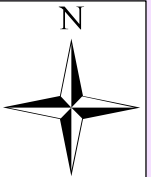
RECOMMENDATION:

Staff recommends the Board of Zoning appeals move to approve the variance request To Reduce The Minimum Garage Setback For A Front Loading Garage From 20-Feet To 6-Inches Behind The Front Facade And Front Door At 1141 Carter Street because the criteria for granting a variance have been met.

1141 CARTER STREET
TAX MAP 078G, GROUP G, PARCEL 02200
BOARD OF ZONING APPEALS
10/6/22

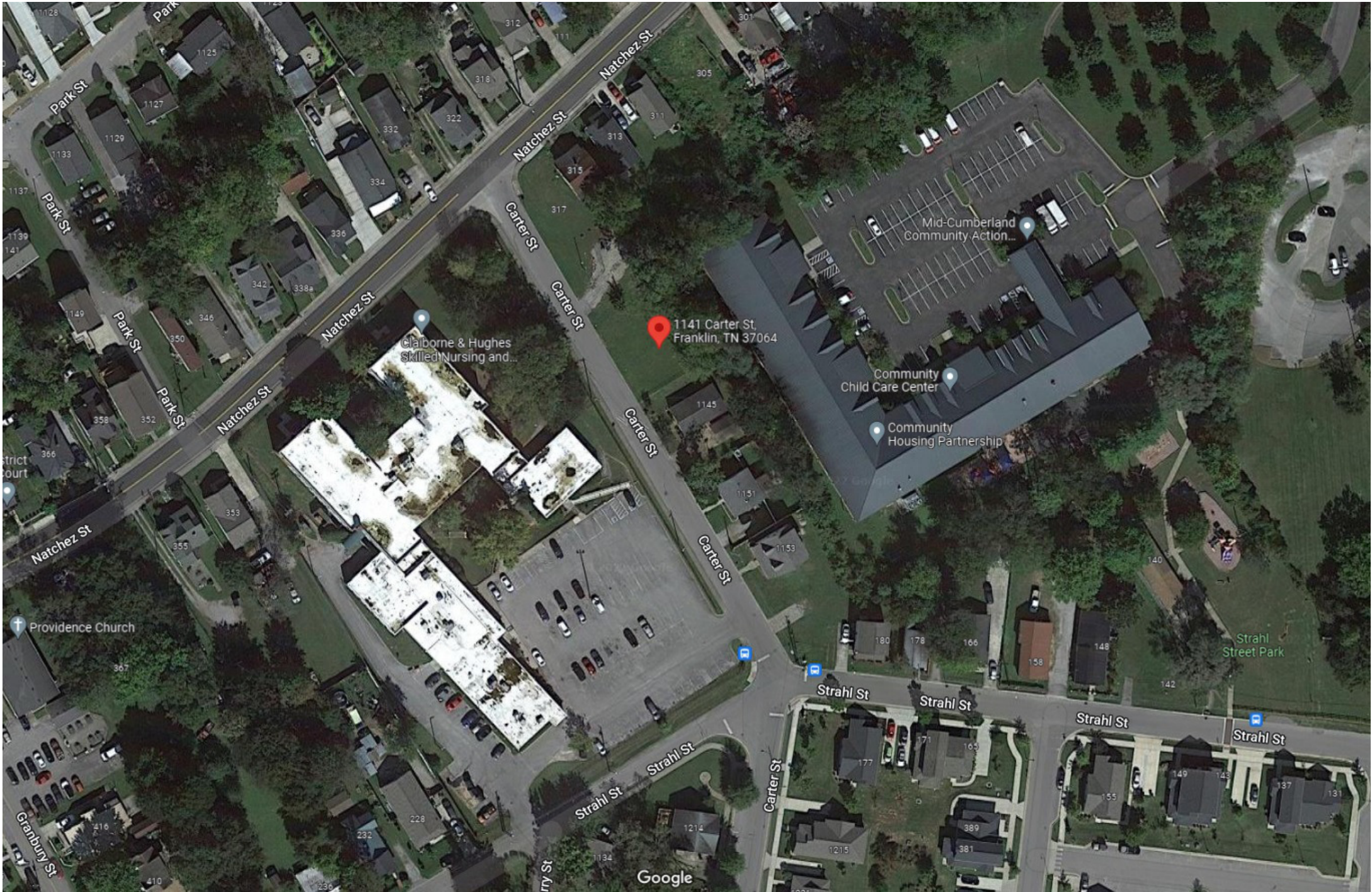


- | | |
|--------------------------------|------------------------------------|
| Subject Property | CI Civic Institutional District |
| AG Agricultural District | NC Neighborhood Commercial |
| ER Estate Residential District | CC Central Commercial District |
| R1 Residential 1 District | DD Downtown District |
| R2 Residential 2 District | 1ST Avenue District |
| R3 Residential 3 District | 5TH Avenue District |
| R4 Residential 4 District | RC6 Regional Commerce 6 District |
| R6 Residential 6 District | RC12 Regional Commerce 12 District |
| MR Mixed Residential District | GO General Office District |
| PD Planned District | LI Light Industrial District |
| OR Office Residential District | HI Heavy Industrial District |



0 75 150 300
Feet

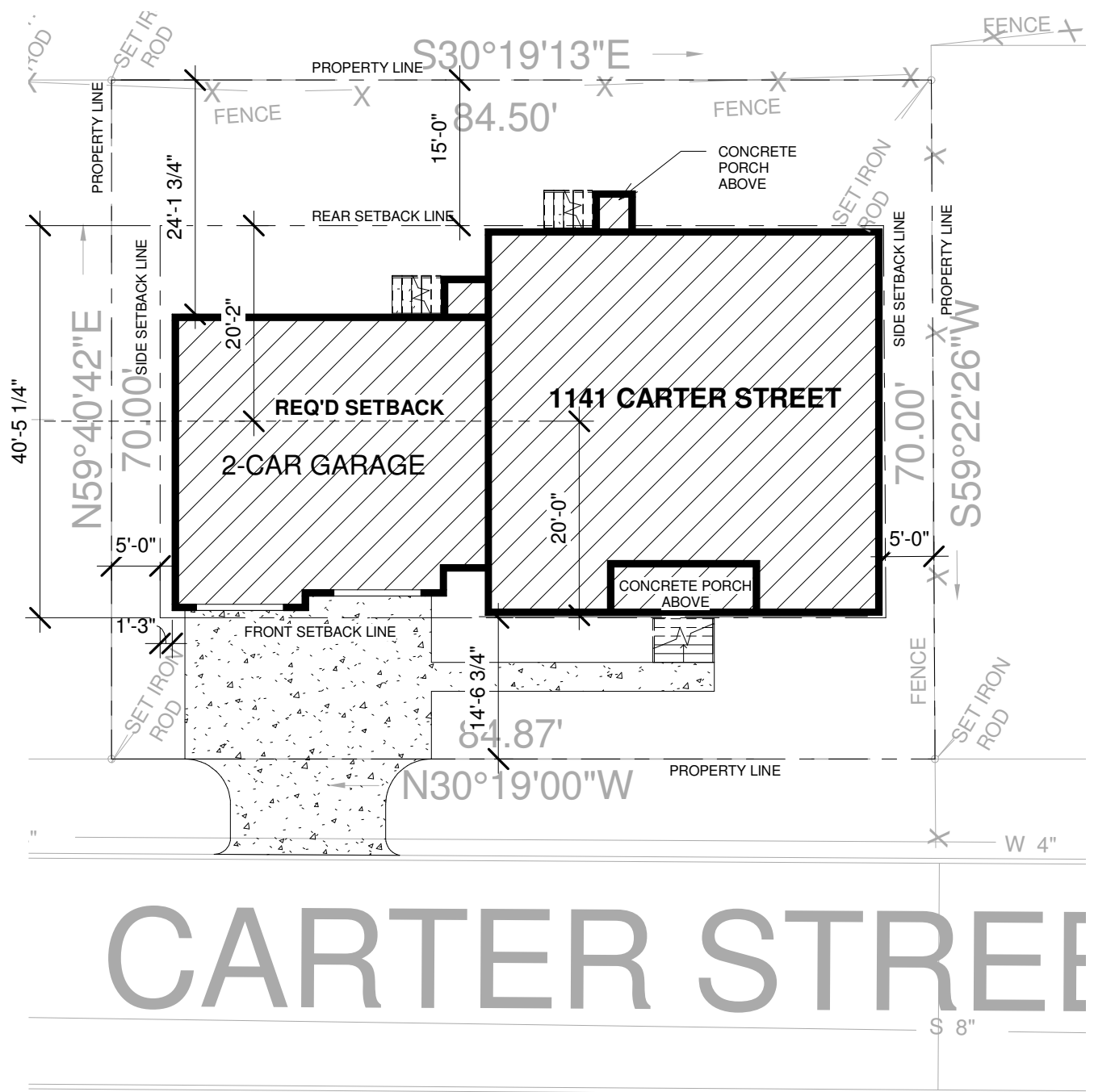
This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
All data and materials (c) copyright 2022. All rights reserved.



1141 Carter St.
Franklin, TN 37064

Lot in Context - Satellite Image

Date	9/6/2022	P1
Drawn by	MP	
		Scale



THE CLIENT'S RIGHT TO THIS DESIGN AND THESE CONSTRUCTION DOCUMENTS IS CONDITIONAL AND LIMITED TO A ONE TIME USE.

THE DESIGN REPRESENTED IN THESE DRAWINGS BELONG TO THE DESIGNER, EXCLUSIVELY.

PLANS MAY NOT BE SOLD, LOANED, OR GIVEN TO OTHERS FOR THE PURPOSE OF CONSTRUCTING ANOTHER PROJECT. POSSESSION OF PLANS DOES NOT AUTHORIZE CONTINUED USE FOR CONSTRUCTION OF OTHER PROJECTS.

THIS DOCUMENT IS NOT FOR CONSTRUCTION PURPOSES

1141 Carter St.
Franklin, TN 37064

Site Plan		
Date	9/6/2022	P2
Drawn by	KA	
		Scale 1/16" = 1'-0"





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1141 Carter St.
Franklin, TN 37064

Left Elevation		
Date	9/6/2022	P4
Drawn by	KA	
		Scale 1/8" = 1'-0"



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1141 Carter St.
Franklin, TN 37064

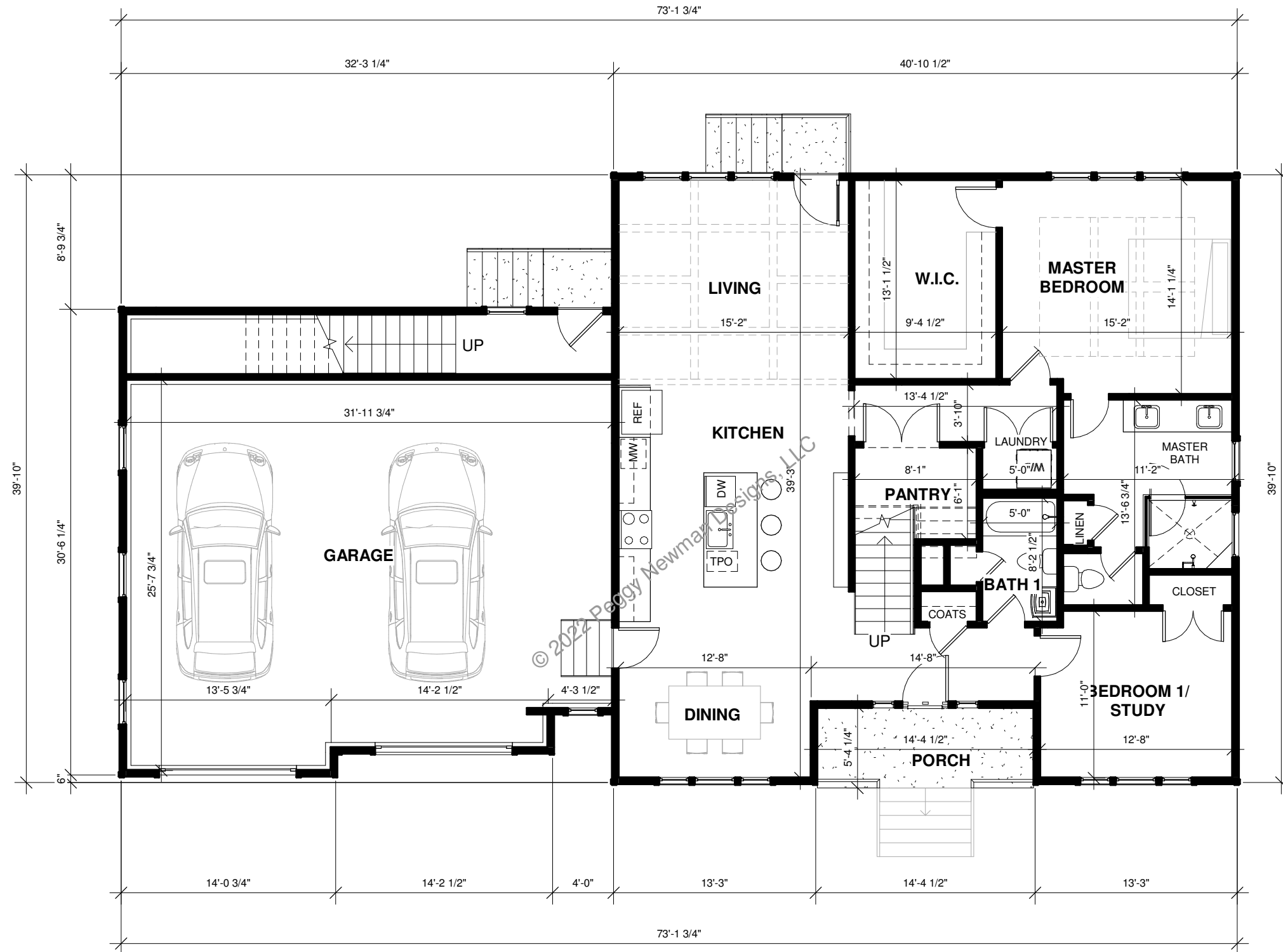
Rear Elevation

Date 9/6/2022
Drawn by KA

P5

Scale 1/8" = 1'-0"





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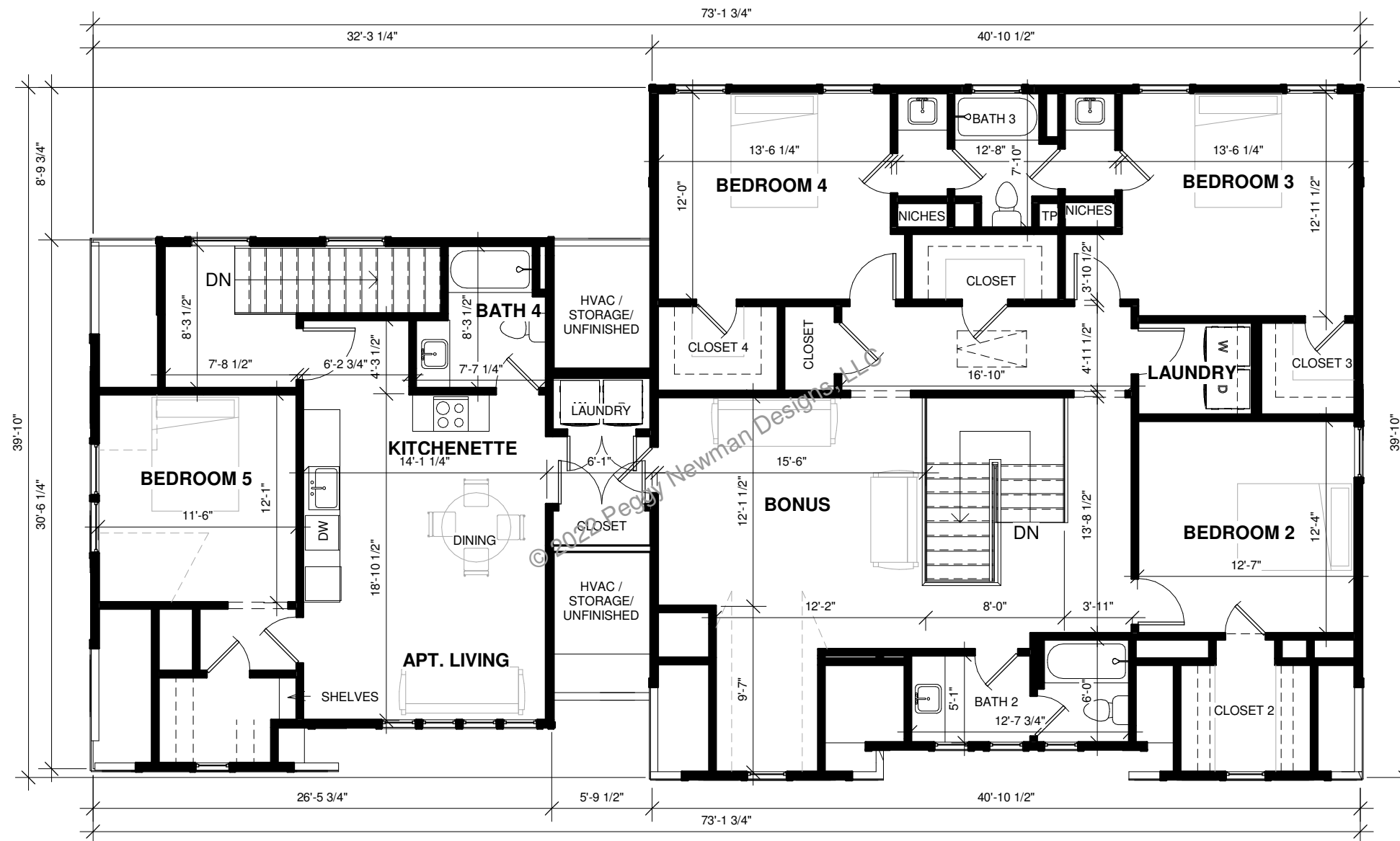
1141 Carter St.
Franklin, TN 37064

First Floor

Date 9/6/2022
Drawn by KA

P7

Scale 1/8" = 1'-0"



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THIS DOCUMENT IS NOT FOR CONSTRUCTION PURPOSES

1141 Carter St.
Franklin, TN 37064

Second Floor

Date 9/6/2022
Drawn by KA

P8

Scale 1/8" = 1'-0"



1141 Carter St.
Franklin, TN 37064

Front-Left Perspective

Date 9/6/2022
Drawn by KA

P9

Scale



OWNER AFFIDAVIT

City of Franklin, Tennessee

We/I Derrick Johnson
(Please print Name/Names in Full)
being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the
property described as:

022001
(Property Parcel/Tax ID Number)

and located at:

1141 Carter St Franklin, TN 37064
(Street Address)

am fully aware of the request for development approval in the City of Franklin,
Tennessee. Furthermore, (I)/ (we) hereby appoint

(Please print Name/Names in Full)
to act as my/our authorized agent on my/our behalf on all matters pertaining to
the processing and obtaining the application with the exception of legal
documents for recording purposes.

Derrick Johnson
Signature

924 Green St
Property Owner Mailing Address

Franklin, TN 37064
City, State & Zip

Subscribed and sworn to before me this

10th day of September 2022.

Audrey Sotherland
Notary Public

My Commission Expires: _____



Board of Zoning Appeals

Franklin, TN 37065

September 6, 2022

To the Franklin, TN Board of Zoning Appeals,

I am writing this letter to request a variance for 1141 Carter Street in order to allow a front-facing garage to have a specific setback which is less than the required setback of 20 feet. I believe the request falls within the parameters of the scope of variance:

1. *Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property ... or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such piece of property is not able to accommodate development as required under this Ordinance;*

Due to the shallowness of the lot, having a garage that is setback 20 feet from the front façade of the house is impossible without encroaching the rear setback line.

2. *The strict application of any provision enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional hardship upon the owner of such property; and*

Due to the required 20 foot setback, the usage of adequate sized attached garage with living space above will inflict a hardship, from a practical and economic standpoint.

3. *Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning map and this Ordinance. In accordance with State law, all three criteria must be met to grant a variance. Variances are typically considered for dimensional requirements, such as encroachments into setbacks. Variances cannot be considered for use regulations. They also do not include financial burdens that an applicant may perceive to be incurred if asked to fully comply with the City's regulations.*

1141 Carter Street is located in an area with mixed usage, with a large commercial lot directly across the street. Our request will not impair the purpose and intent of the zoning map and poses no safety concerns on the street.

I hope that upon thorough review of this lot, the BZA will recognize the meeting of the above three criteria with the current design and request for variance.

Sincerely,



Derrick Johnson



HISTORIC
FRANKLIN
TENNESSEE

DATE: October 6, 2022

TO: Board of Zoning Appeals

FROM: Chelsea Randolph, Principal Planner
Amy Diaz-Barriga, Assistant Director

Subject

Variance Request To Reduce the Minimum Garage Setback For A Front Loading Garage From 20-Feet to 6-Inches Behind the Front Facade and Front Door At 1141 Carter Street (F.Z.O. 6.3 – Building Type, House, Front-Facing Garage Setback).

Summary of Action Taken

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- _____ Approve the variance based on the criteria that authorize a variance to be established.
- _____ Disapprove the variance because one or more of the criteria for approving a variance was not established.
- _____ Defer the variance request for continued review of the application.
- _____ Approve the variance with conditions based on the criteria that authorize a variance to be established: _____

BZA Chair

BZA Recording Secretary

Date