



Meeting Agenda

Board of Zoning Appeals

Thursday, November 3, 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 October 6, 2022 BZA Minutes.

BZA ANNUAL CALENDAR

2. Consideration Of Approval Of the 2023 BZA Calendar.

ANNOUNCEMENTS

APPLICATIONS

3. **Variance Request** To Allow More Than The Maximum Number Of Retaining Walls On A Site, And **Variance Request** To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And **Variance Request** To Allow For A Taller Than Allowable Retaining Wall Within A Side/Rear Yard, And **Variance Request** To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For The Property Located At 391 Lady of the Lake Lane. (FZO §13.2.4 and §4.4.6.B).

Sponsors: Emily Wright, Amy Diaz-Barriga, Ariella Stanford

4. **Variance Request** To Allow More Than The Maximum Number Of Retaining Walls On A Site, And **Variance Request** To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And **Variance Request** To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For The Property Located At 326 Lionheart Way. (FZO §13.2.4 and §4.4.6.B).

Sponsors: Emily Wright, Amy Diaz-Barriga, Ariella Stanford

5. **Variance Request** For A 43-Foot Encroachment Into the Required 75-Foot Front Yard Setback To Relocate The Historic Rosenwald School, For The Property Located At 423 S Margin Street (FZO §3.12.5).

Sponsors: Emily Wright, Amy Diaz-Barriga, Ariella Stanford

6. **Variance Request** For A 5-Foot Encroachment Into the Required 15-Foot Side Yard Setback To Construct A Two-Car Attached Garage And A Single-Family Home, For The Property Located At 127 Lancaster Drive. (FZO §3.4.5)

Sponsors: Emily Wright, Amy Diaz-Barriga, Ariella Stanford

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.



DRAFT Meeting Minutes

Board of Zoning Appeals

Thursday, October 6, 2022

6:00 PM

Board Room

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CALL TO ORDER

Chair Langley called the meeting to order at 06:01 PM.

Board Members Present: Greg Caesar, William Scales, Jonathan Langley

Board Members Absent: None

APPROVAL OF MINUTES

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

Sponsors:

A motion was made by Commissioner Greg Caesar, seconded by Commissioner William Scales, to approve the minutes from the August 4, 2022, meeting. The motion carried 3-0

ANNOUNCEMENTS

Ms. Diaz-Barriga welcomed William Scales to the BZA board along with Ariella Stanford. Ms. Stanford will take over Ms. Randolph's duties for this board after this meeting.

Chair Langley welcomed Ms. Stanford and Mr. Scales.

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

Staff Presentation: Chelsea Randolph. The subject parcel is located at 701 Cool Spring Boulevard and is zoned Regional 12 Commerce District or RC 12. A commercial office building is located on the subject property and there has been a recent site plan submittal that has approved revitalization of the open space areas adjacent to the commercial space. Part of the 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 p.m., at which time the lights will shut off by a timer. The zoning ordinance requires the maximum light level be ten-foot candles, but the applicant is requesting to exceed that maximum by up to 14.1-foot candles for the approved sports court.

The staff analyzes variance request using the 3 criteria to determine if the request is appropriate.

- 1) The first criteria states that by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the zoning 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 zoning ordinance. Ms. Randolph explained that the property is a privately owned sports court on commercially zoned property. This type of sports court is usually attached to a public park or school and the ordinance makes concessions for such uses by not imposing a maximum light level. In the past eight 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 find this criterion met.
- 2) The second criteria says that 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 can be limited by the zoning ordinance requirement if the candles of additional height request is not granted. The proposed use of the sports court would not be prohibited. Ms. Randolph stated that staff finds this criterion not to be met.
- 3) Criteria number three 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. The applicant's proposal of additional height candles will not cause substantial detriment to the public good. The site is in a commercially zoned area with no residential areas adjacent to it with the required light levels being met. In terms of intent, the zoning ordinance does grant exceptions for the foot candle 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 courts. This property 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 find this criterion not met.

Ms. Randolph stated that staff recommends that the Board of Zoning Appeals move to disapprove the variance request to exceed the maximum allowed ten-foot candles by 14.1-foot candles on a privately owned sports court for the property located at 701 Cool Springs Boulevard because the criteria for granting a variance has not been met.

Applicant Presentation: Chuck Ganaway with Hastings Architecture representing Highwood's Properties. Mr. Ganaway stated that the property is at the corner of Carruthers and Cool Springs Boulevard is part of an office campus. There are three office buildings on the site with more than 32 acres of land. It's difficult to energize or bring to life these areas after 5 p.m. and on the weekends. Mr. Ganaway explained that the goal is to reimagine the green space with strictly as an investment in the outdoor amenity creating an active green space. Other amenities include an event lawn, pavilion, small café building, outdoor meeting space and a playground. Another part of the goal is to extend the life of the campus providing encouragement of a healthy lifestyle. If the sports court can be illuminated people may be more likely to stay in the area after 5 p.m. allowing the traffic to disperse. The light is focused on the sports court and would be on a timer and not be operational after 10 p.m. This is a unique condition as the court is surrounded by office buildings and a parking garage. Allowing the court to be illuminated will go a long way to bringing life back to the campus.

Chair Langley asked Mr. Ganaway for an example of how a 14-foot candle and a 10-foot candle would compare.

Mr. Ganaway stated that lighting is based on illumination engineering society standards for courts. The area cannot be "under" illuminated in case someone is injured due to the lack of illumination.

Chair Langley asked for a comparison to a parking lot.

Ms. Diaz-Barriga stated that the maximum candle per zoning ordinance is 10.

(inaudible comment)

Commissioner Scales asked if it is necessary under this standard or is it a range that the developers would like to have?

Mr. Ganaway stated that there is a range of average coverage needed but with the computer-generated lighting there are inconsistencies in what constitutes an accurate range. From a standard of engineering and lighting design, a range of lighting that is recommended.

Danny Streit. DHS Lighting Design, an Architectural Lighting Design firm. Mr. Streit stated that for recreational use of a sports court, the average would be 20-foot candles. There will be a aiming diagram done for the court if the variance request is approved.

Chair Langley opened the floor for public comment, there was none.

Commissioner Caesar motioned to close the public comment portion, seconded by Commissioner Scales.

Vote: 3-0

Commissioner Caesar asked staff if the question pertained to the lighting of the court and not the use of the court?

Ms. Randolph stated that the staff is not concerned about the use primarily, but the standard itself.

Commissioner Scales asked what the standard on and off times would be for the lights under normal circumstances?

Mr. Ganaway stated that the lights would not be on unless someone turned the lights on. Once the lights are turned on there is a timer set that will turn the lights off.

Commissioner Scales asked if an event is held, would the lights have to be continually reset as the time expires?

Mr. Ganaway stated that from the light control standpoint, the landlord or owner would be able to configure the settings so that the lights would stay on in certain situations. This feature would not be available to the public.

Commissioner Scales asked if the applicant had a response to the 2 criteria that were not met according to the staff comments.

Mr. Ganaway stated that they believe this is an exceptional condition because this area is not a park, it's a private development. Highwood Properties has property managers and security that would monitor sports court activity.

Commissioner Caesar stated that his concerns are for the security of this area if illuminated in the middle of a desolate area.

Mr. Ganaway stated that there may be outdoor concerts or other events going on in the area. Security currently checks the three buildings on the site along with the buildings across the street.

Commissioner Caesar moved to approve the applicant's variance request of 14.1-foot candles from the maximum of 10-foot candles to illuminate the sports court, seconded by Commissioner Scales.

Commissioner Caesar stated his rationale for the motion as the fact that there has not been a request such as this one and that there are no sports courts of this nature in the area. The strict application of this ordinance would result in a particular peculiar and exceptional practical difficulty for the owner of the property. There would not be detriment to the public interest.

Commissioner Caesar stated that he would like the opportunity to discuss the approved time for the variance to exist.

Ms. Randolph stated that she would recommend having Mr. Squires help with the language so that it is correctly stated.

Commissioner Scales expounded on the security aspect of the lighting of the area that may draw people to the court. There is a neighborhood very close to the sports court.

Commissioner Caesar stated that work life in 2022 is very different than the work life of 2010. There are concerns about the illumination of the court in the proximity of a neighborhood and the attention the illumination would receive. The illumination is not the concern, but the people the illumination will attract is the concern. Commissioner Caesar stated that it is his hope that Highwoods is a well-known building management organization that will monitor the sports court closely.

Chair Langley stated that this is a unique situation that would not apply to other situations, but if this variance is approved it is going to apply in perpetuity. Ordinarily, we would not want 20-foot candles in a parking lot.

Mr. Squires stated (inaudible/ no microphone) that what the board is addressing is the item before you and nothing else. Another plan would need to be submitted, reviewed and approved/disapproved for an additional sports court.

Commissioner Caesar stated that the variance between this sports court and the illumination of this sports court. If a second sports court is built on the property, the same variance may or may not necessarily apply.

Mr. Squires answered by saying that another plan would need to be submitted for the specific request.

Ms. Diaz-Barriga explained that impervious surfaces have triggered the balance of stormwater detention features in the past, thus triggering plan revisions.

Chair Langley stated that what he understood is that if a site plan was required, another variance would be required, as well.

Mr. Squires answered yes that another variance request would be required.

Chair Langley stated that he felt better about approving the variance request specific to the sports court. It's unlikely that the same situation would occur.

Commissioner Caesar stated that he was more concerned about the lighting and when the lights must be off in the regional commerce district.

Ms. Diaz-Barriga stated that there is no time in which the lights must be lowered or powered off. Maximums were set for this reason.

Commissioner Scales asked Commissioner Caesar if he wanted to discuss a limitation of when the lights could be on or off.

Commissioner Caesar stated that yes, to avoid the 2 a.m. games that could be played. The Commission should provide good guidance for the occupant and for the owner of the property while looking out for those that would be affected by a 2 a.m. game.

Commissioner Scales asked If there is a way to limit the time the lights can be on?

Mr. Squires stated that it isn't terribly common to restrict lighting given the circumstances. It would be reasonable feedback to the developer.

Commissioner Caesar stated that he would not want to be too constrictive. How does 10 pm on the weekdays and midnight on the weekends sound or 10 p.m. across the board?

Mr. Squires (inaudible/no microphone)

Commissioner Caesar motioned to amend the motion to include a 10 p.m. cut off time for the lights. The candles cannot exceed the traditional maximum level, which is ten-foot candles, seconded by Commissioner Scales.

Chair Langley asked the commissioners to vote on the amendment.

Vote: 3-0.

Chair Langley stated that now we are back to the main motion as amended.

Commissioner Scales asked about the sound from the sports court and how it could affect the neighborhood.

Mr. Gannaway stated that no sound studies had been conducted but the building and parking garage will help block the sound. The nearest home is 730 feet away from the sports court.

Chair Langley stated that for a tennis court or a multipurpose court the lights would probably be the same light level.

Commissioner Caesar said on behalf of the citizens of Franklin, I think it is important to have opportunities for citizens to get and be active.

There was no further discussion, Chair Langley asked for the Commissioner to vote.

Vote: 3-0

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

Staff Presentation: Chelsea Randolph. Ms. Randolph explained the subject property consists of 8.19 acre parcel zoned R for residential 4 district. The historical home was constructed in 1915 and is located within the Historic Preservation Overlay, the central Franklin Overlay, and the Floodway Fringe Overlay. The house is a contributing historical structure to the Hincheyville Historic District. And the Historic Zoning Commission provided a favorable recommendation to the BZA at its September 2022 meeting for the building to remain at its existing first floor elevation. By maintaining the first-floor elevation the proposal is the most sensitive to the architectural qualities of the contributing structure and presents the least amount of adverse impact. The variance request is to allow the first-floor elevation height to remain at its current position below the base flood elevation for the property located at 728 fifth Street. There are three criteria staff considers for this type of variance request. A showing of good cause, good and sufficient causes.

- 1) The building status is a contributing building of the Hincheyville Historic District and the need to take measures to maintain the status amounts to good and sufficient cause for granting a variance. This proposal is the most sensitive to the architectural qualities of the contributing structure and presents the least amount of adverse impact on the historical structure and the context to the overall district. Staff finds that this criterion is met.
- 2) The second criterion determines that if there is a failure to grant the variance, an exceptional hardship would result. The subject property sits below base flood elevation. The proposal is to keep the historic house at its existing level to keep its contributing status on the National Register of Historic Places. The HZC determined that raising the first floor elevation of 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. And for these reasons, staff find this criterion met.
- 3) The third criterion determines that the granting of a variance will not result in increased flood heights. Additional threats to public safety, extraordinary public expense, create nuisance costs, fraud on or victimization of the public, or conflict with existing laws and 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 structures, 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 find that granting the variance would not result in any of the outcomes previously discussed. Staff believes that the third criterion has been met.

Staff recommends the BZA 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. The subject property is located within the historic preservation overlay of the Central Franklin Overlay and the floodway fringe overlay at 728 Fair Street. Staff believes the criteria for granting a variance have been met.

Applicant Presentation: Amanda McCreary with Chisel Workshop and we are representing the client on the project. In the application exhibits you can see that to raise the existing floor 6 feet, the contributing status would be lost along with the front porch. The front porch is historic and one of the defining features of the house. This situation was triggered because of the renovation of the inside the house.

Chair Langley asked if there was anyone from the public who would like to speak, the was none.

Chair Langley declared the public comment portion closed.

Commissioner Caesar motioned to close the public comment portion, seconded by Commissioner Scales.

Chair Langley stated that he is ready to entertain a motion.

Commissioner Caesar motioned to approve the variance for 728 Fair Street, seconded by Commissioner Scales.

There was no discussion.

Chair Langley asked the members to vote:

Vote: 3-0

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

Staff Presentation: Chelsea Randolph. The subject parcel is located at 1141 Carter Street and is zoned R6 residential sixth district and within the Central Franklin Overlay. The zoning ordinance requires that front facing garages be at least 20 feet behind the front façade and front door as well as 22 feet from the sidewalk. There is no sidewalk adjacent to this property today. The 20-foot setback for front facing garages has been part of the zoning ordinance since 2019 when it changed from a ten-foot setback behind the front façade. The staff's analysis is based off the 3 criteria we discussed in the first ordinance request.

- 1) The 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 E6, which requires that the front step back, among other criteria, state the subject be no closer than any adjacent existing building. In this case, the adjacent building is approximately 15 feet from the front line. R6 also requires a 15-foot rear setback. These setbacks require a smaller than average building envelope because of the uniqueness of the depth of this property. Staff find that this criterion has been met.
- 2) The owners have indicated that they plan on building a two-car garage with a living space above it, placing the garage 20 feet behind the front facade and front door. This would make the garage out of compliance with the required 15-foot setback as stated in the zoning ordinance, 3.8.5 and discussed in criteria one. The staff finds that the strict application of criteria two would prevent the construction of the attached two-car garage without violating some portion of the zoning ordinance. Staff finds this to be a practical difficulty, therefore this criterion has been met.
- 3) 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 façade of the house by six inches on the far side. The applicant has attempted to lessen the deviation from the ordinance by stepping the front garage back incrementally, where the garage is closest to the front façade and front door. The applicant explained to staff that the requested setback was to account for 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. The staff finds that this criterion is met.

Ms. Randolph stated that 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 six inches because the criteria for granting a variance have been met.

Applicant Presentation: Derrick Johnson, Peggy Newman Designs, representing the applicant.

Mr. Johnson stated that Ms. Randolph summed up the application nicely and would be happy to answer any questions.

Chair Langley opened the floor for public comment. There was none.

Commissioner Caesar motioned to close the public comment portion, seconded by Commissioner Scales.

Vote: 3-0

Commissioner Caesar motioned to approve item #4, seconded by Commissioner Scales.

Commissioner Caesar asked for confirmation that there is no existing driveway on the property as of today. It appears there may be a driveway....is that on 1141 Carter Street or the adjacent property?

Mr. Johnson stated that there is not a driveway on the property.

Commissioner Caesar suggested the possibility of an entry from the back of the property.

Ms. Randolph stated this is a single-family home and it has been submitted through the Building and Neighborhood Services Department. Ms. Jarosz may be able to answer this question.

Ms. Jarosz (inaudible/no microphone use) stated that there did not appear to be enough space for a driveway entrance from the rear because it is supposed to be five feet off the property line. The side and rear yard setback is 3 feet...(inaudible).

Commissioner Caesar asked if there was enough space for the driveway to come into the garage from the rear.

Commissioner Caesar motioned to approve a variance to adjust the minimum setback for a front-loading garage from 20 feet to 6 inches behind the front façade and front door at 1141 Carter Street because the criteria for granting a variance have been met, seconded by Commissioner Scales.

Chair Langley stated his concern that the garage is 40 % of the width of the home. This board does not necessarily provide comments on design but looking at this lot and other homes in the neighborhood and how the styles don't align causes one to think more about the size of the garage. The context of the subject property does not match the context of the other homes in the area, and this is a concern.

Commissioner Scales mentioned that the designs of the other homes in the area do not match the subject property. It is also a concern about how close the garage would be to the road. How far would the garage be from the road?

Commissioner Caesar stated that it is roughly 14 feet from the road.

Chair Langley stated that the garage setback is to break up the front façade so that there isn't a single "plane" on building across the front. The configuration on the lot with the garage setback makes it difficult to develop. The addition of the garage adds to the square footage of the house.

Commissioner Caesar remarked that it would be difficult to ask the developer to move the garage back further as there is not much backyard area. It was optimistic to consider a rear entry to the property for the garage. Aesthetically, entering the garage from the rear would improve the look of the house. Looking at the drawings, it appears that there would not be space to configure a rear entrance to the garage. Given the unique shape of the property, there are not a lot of ways to configure the garage and driveway.

Commissioner Caesar asked staff if there were any community concerns that the Commission may not have heard about.

Ms. Randolph stated that there were none.

Chair Langley asked the Commissioners to vote.

Vote: 3-0

OTHER BUSINESS

Chair Langley asked if there was any further business. There was none.

ADJOURN

Commissioner Scales moved to adjourn the meeting, seconded by Commissioner Caesar. The motion carried 3-0.

There being no further business, the meeting adjourned.

Chair

Date

BOARD OF ZONING APPEALS

2023 Deadline and Meeting Schedule Department of Planning and Sustainability

Submittal Deadline	Public Notice mailed, Affidavit submitted to Planning	BZA Meeting
Monday @ noon*	15 days prior to meeting	Thursday at 6pm**
12/12/2022	12/21/2022	1/5/2023
1/9/2023	1/18/2023	2/2/2023
2/6/2023	2/15/2023	3/2/2023
3/13/2023	3/22/2023	4/6/2023
4/10/2023	4/19/2023	5/4/2023
5/8/2023	5/17/2023	6/1/2023
6/12/2023	6/21/2023	7/6/2023
7/10/2023	7/19/2023	8/3/2023
8/14/2023	8/23/2023	9/7/2023
9/11/2023	9/20/2023	10/5/2023
10/9/2023	10/18/2023	11/2/2023
11/13/2023	11/22/2023	12/7/2023
12/11/2023	12/20/2023	1/4/2024

* Submittal Deadline is 12 NOON for items to be placed on the Board of Zoning Appeals monthly agenda. All required submittal documents must be submitted by 12 NOON on the submittal deadline, with application fee paid.

**The Board of Zoning Appeals generally meets the first Thursday of each month at 6pm in the Board Room, Franklin City Hall, 109 Third Avenue South, Franklin, Tennessee.



File #: 21-03719

DATE: October 11, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Ariella Stanford, Planner

SUBJECT:

Variance Request To Allow More Than The Maximum Number Of Retaining Walls On A Site, And
Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And
Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Side/Rear Yard,
And **Variance Request** To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For
The Property Located At 391 Lady of the Lake Lane. (FZO §13.2.4 and §4.4.6.B).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7988
Applicant: Matt Bryant
Owner: Matt Bryant

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: PD, Planned District, Vacant
North: PD, Planned District, Single-Family Residential
South: PD, Planned District, Recreation/Open Space
East: PD, Planned District, Single-Family Residential
West: PD, Planned District, Single-Family Residential

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. 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
2. 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.

13.2.4 - Retaining Walls for Residential Lots

The following standards are required:

Residential Lots

Front Yard Retaining Wall Height	Maximum 2 feet
Rear/Side Yard Retaining Wall Height	Maximum 6 feet
Number of Retaining Walls	Maximum 3 per lot

4.4.6.B - Lots, Uses, and Structures Established Prior to The Effective Date of this Ordinance

There exist lots of record, uses of land, and structures within the HHO that were lawfully established before the effective date of this Ordinance that now do not conform to its terms and requirements.

Such lots, uses, and structures shall comply with Chapter 2, Nonconformities, and the following:

B. Development shall be prohibited on natural slopes of 20 percent or greater.

Background

This 1.34-acre lot is located at 391 Lady of the Lake Lane within the Avalon Subdivision and is zoned PD for Planned District. The applicant wishes to develop the parcel with a single-family home, the designs of which can be seen in the applicant's submitted materials.

The Avalon Subdivision was approved prior to the establishment of the HHO district and the 500-foot Buffer of the Hillside Overlay. This property now lies within the 500-foot Buffer of the Hillside Overlay. The majority of the lot is covered in slopes with grades over 20%, making the buildable area for the property just a small portion of the site. This topography also creates difficulties for site design and development as the Franklin Zoning Ordinance does not allow for development on slopes greater than 20% to protect natural features. In addition, the Avalon Subdivision architectural guidelines require two-story house to be a minimum if 5,000 square feet.

The slopes over 20% also present difficulties in regards to the Zoning Ordinance requirements for retaining wall heights, and the number of retaining walls allowed on a residential lot.

The applicant has provided designs for the City of Franklin to preliminarily review, and staff determined that four Variances would be needed to approve the provided designs. These variances are:

To allow more than the maximum allowed 3 retaining walls on a residential site.

To allow for retaining walls to be higher than the maximum 2 feet when in a front yard.

To allow for retaining walls to be higher than the maximum 6 feet when in a rear/side yard.

To allow encroachments into areas with a slope of 20% or greater.

Staff Analysis- Request 1: Maximum Number of Retaining Walls

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 located within the Avalon subdivision with over 20% slopes across the

majority of the property. These exceptional topographic conditions require the use of retaining walls to provide effective drainage, access, and support for development. The Franklin Zoning Ordinance allows a maximum of 3 retaining walls for a residential lot. The applicant is requesting a total of 5 retaining walls. The applicant has determined that this is the minimum number of retaining walls required to develop a single-family home on this lot. Due to the exceptional slope conditions across the site, Staff finds this criteria for Request 1 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptional slope conditions across the site, more than 3 retaining walls are needed to support development of this site. Staff finds this criteria for Request 1 to be 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.

Allowing for additional retaining walls on this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the number of retaining walls on a residential site in order to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that 5 retaining walls is the minimum number necessary for development on the lot; therefore, there would not be an excess of retaining walls dominating the site. Staff finds this criteria for Request 1 to be met.

Recommendation- Request 1

Based on the reasoning detailed above, staff recommends approval of the Variance Request 1 to build a total of 5 retaining walls on the site, based on the criteria that authorize a variance to be established.

Staff Analysis- Request 2: Maximum Height of Front Yard Retaining Walls

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.

As stated above, there are exceptional topographic conditions which require the use of retaining walls to provide effective drainage, access, and support for development. The Franklin Zoning Ordinance allows for retaining walls located in the front yard of a residence to be a maximum of 2 feet in height. The applicant has requested retaining wall heights up to 5-feet in the front yard of the property, to support the driveway. In order to build the driveway at a slope below 14% as required, the retaining walls supporting the driveway would need to be 5-feet tall. Due to these exceptional conditions across the site, Staff finds this criteria for Request 2 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptional slope conditions across the site, retaining walls higher than 2-feet are necessary to support the driveway according to regulation. Therefore staff finds this criteria for Request 2 to be 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.

Allowing for taller retaining walls in the front yard of this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the number and height of retaining walls on a residential site in order to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that 5 foot retaining walls are the minimum height necessary to support the proposed driveway. Staff finds this criteria for Request 2 to be met.

Recommendation- Request 2

Based on the reasoning detailed above, staff recommends approval of the Variance Request 2, to allow for up to 5-foot retaining walls in the front yard on a residential site, based on the criteria that authorize a variance to be established.

Staff Analysis- Request 3: Maximum Height of Side/Rear Yard Retaining Walls

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.

As stated above, there are exceptional topographic conditions which require the use of retaining walls to provide effective drainage, access, and support for development. The Franklin Zoning Ordinance allows for retaining walls located in the rear/side yard of a residence to be a maximum of 6 feet in height. The applicant has requested retaining wall heights up to 10-feet in the rear yard and one side yard of the property to ensure proper drainage and structural integrity of the proposed development. Due to the exceptional slope conditions across the site, staff finds the criteria for Request 3 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptional slope conditions across the site, retaining walls of greater height are necessary to support a single-family home on

this site, and therefore, staff finds the criteria for Request 3 to be 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.

Allowing for taller retaining walls in the rear/side yard of this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the number and height of retaining walls on a residential site to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that 10 foot retaining walls are the minimum height necessary to support the proposed development. Staff finds the criterion for Request 3 to be met.

Recommendation- Request 3

Based on the reasoning detailed above, staff recommends approval of the Variance Request 3, to allow for up to 10-foot retaining walls in the rear/side yard on a residential site, based on the criteria that authorize a variance to be established.

Staff Analysis- Request 4: Encroachments into Areas With Slopes Of 20% Or Greater

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 slopes on this lot lead to exceptional topographic conditions which require the encroachment on 20% slopes in order to provide access and support development. The Franklin Zoning Ordinance does not allow for encroachment into areas with 20% or greater slopes, so the applicant has requested encroachment into areas of 20% or greater slope to build the proposed residential structure. Staff recognizes the exceptional slope conditions across the site and believes that encroachment into areas with a slope of 20% is necessary in this case. For these reasons, staff finds this criteria for Request 4 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions and the Avalon Subdivision architectural guidelines. The Avalon PUD Subdivision was approved by the City of Franklin prior to the adoption of the Hillside Hillcrest Overlay Zoning District (HHO) and today's applicable slope development standards. Development on the steep hillsides was anticipated when the development was originally approved, so the current Zoning Ordinance creates exceptional practical difficulties for the Avalon Subdivision that was established prior to the updated ordinance requirements. Seeing as slopes greater than 20% cover most of this lot, the application of the Zoning Ordinance would prevent development on this site. For these reasons, staff finds this criteria for Request 4 to be 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.

Allowing for 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. The lot is currently neighbored by lots with similar topography that have utilized similar site grading techniques. The intent of the Zoning Ordinance is to allow a single-family residential home on this lot, and this variance is the minimum necessary deviation from the requirements of the Zoning Ordinance in order to develop a single-family home on the lot, given the current conditions of the site. Staff finds this criteria for Request 4 to be met.

Recommendation- Request 4

Based on the reasoning detailed above, staff recommends approval of the Variance Request 4, to allow for encroachment into areas with slopes of 20% or greater, based on the criteria that authorize a variance to be established.

FINANCIAL IMPACT:

None.

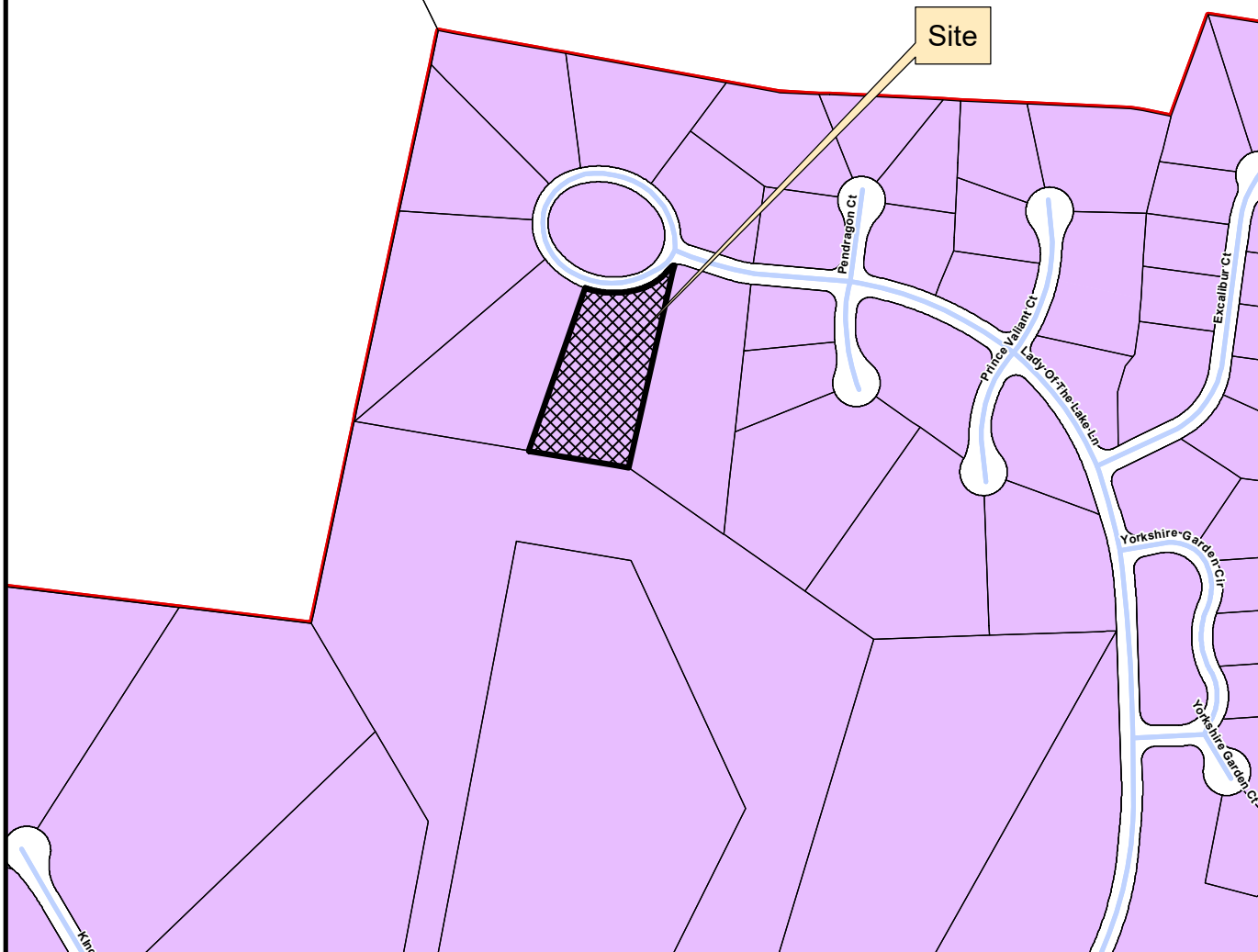
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning appeals move to approve the variance request To Allow More Than The Maximum Number Of Retaining Walls On A Site, And **Variance Request** To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And **Variance Request** To Allow For A Taller Than Allowable Retaining Wall Within A Side/Rear Yard, And **Variance Request** To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For The Property Located At 391 Lady of the Lake Lane because the criteria for granting a variance have been met.

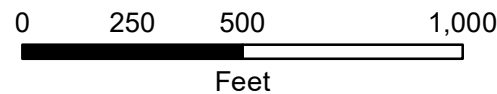
391 LADY OF THE LAKE LANE
TAX MAP 061G, GROUP A, PARCEL 04400
BOARD OF ZONING APPEALS
11/3/2022

Legend

-  391LadyoftheLakeLn
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial District



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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HISTORIC
FRANKLIN
TENNESSEE



GARDEN GATE HOMES

391 LADY OF THE LAKE
AVALON, FRANKLIN, TN

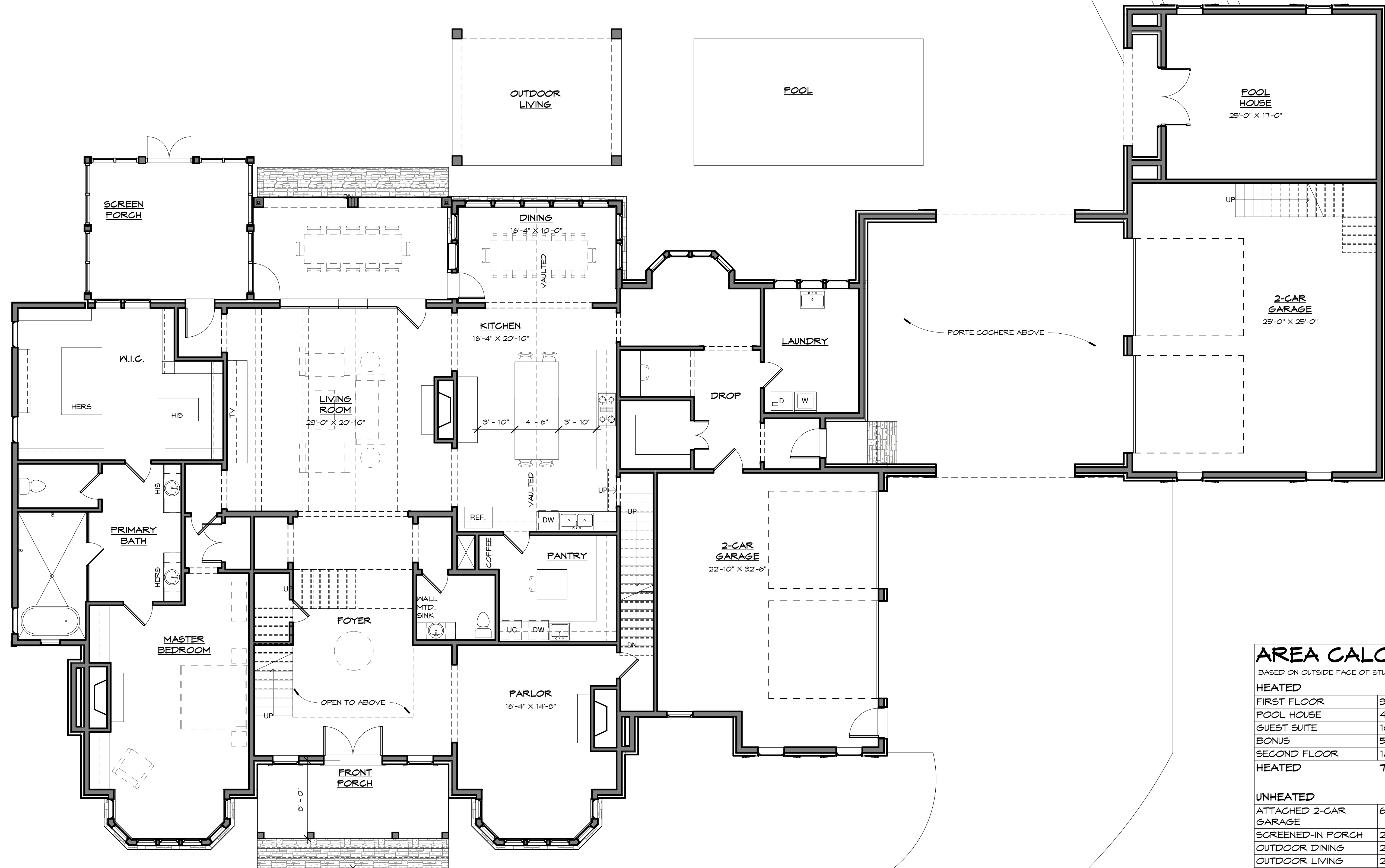
BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.4230
TURNER@BINKLEYDESIGNED.COM



GARDEN GATE HOMES
391 LADY OF THE LAKE
AVALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	COVER
SHEET NUMBER:	AO

DESIGN DEVELOPMENT



1 FIRST FLOOR PLAN
3/16" = 1'-0"

0' 1' 2' 4' 8'

AREA CALCULATIONS

BASED ON OUTSIDE FACE OF STUD OR BLOCK

HEATED

FIRST FLOOR	3811 SF
POOL HOUSE	453 SF
GUEST SUITE	1091 SF
BONUS	501 SF
SECOND FLOOR	1830 SF
HEATED	7686 SF

UNHEATED

ATTACHED 2-CAR GARAGE	648 SF
SCREENED-IN PORCH	259 SF
OUTDOOR DINING	220 SF
OUTDOOR LIVING	243 SF
DETACHED 2-CAR GARAGE	793 SF
BALCONY	745 SF
STORAGE	653 SF
UNHEATED	3561 SF
GRAND TOTAL	11247 SF

GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.4230
TURN@BINKLEYDESIGNED.COM



REV. DATE

DATE: 08/25/2022

PROJECT NUMBER:

DRAWN BY:

EG

CHECKED BY:

TB

SHEET TITLE:

FIRST FLOOR PLAN

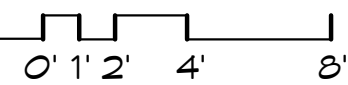
SHEET NUMBER:

A2

DESIGN DEVELOPMENT



1 SECOND FLOOR PLAN
3/16" = 1'-0"



AREA CALCULATIONS

HEATED		REV.	DATE
FIRST FLOOR	3811 SF		
POOL HOUSE	453 SF		
GUEST SUITE	1091 SF		08/25/2022
BONUS	501 SF		
SECOND FLOOR	1830 SF		
HEATED	7686 SF		
UNHEATED			
ATTACHED 2-CAR GARAGE	648 SF		
SCREENED-IN PORCH	259 SF		
OUTDOOR DINING	220 SF		
OUTDOOR LIVING	243 SF		
DETACHED 2-CAR GARAGE	793 SF		
BALCONY	745 SF		
STORAGE	653 SF		
UNHEATED	3561 SF		
GRAND TOTAL	11247 SF		

GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM



SECOND FLOOR
PLAN

SHEET NUMBER:

A3

DESIGN DEVELOPMENT

DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.

TURNER@BINKLEYDESIGNED.COM



391 LADY OF THE LAKE
AVALON, FRANKLIN, TN

DATE:

08/25/2022

PROJECT NUMBER:

RAWN BY:

EG

CHECKED BY:

SHEET TITLE:

ELEVATIONS

SHEET NUMBER:

A5

DESIGN DEVELOPMENT



1 FRONT ELEVATION
3/16" = 1'-0"



SECOND FLOOR
CEILING
23' - 4"

SECOND FLOOR
F.F.E.
13' - 3"

FIRST FLOOR
CEILING
12' - 1"

TOP OF COLUMN
10' - 1"

FIRST FLOOR
F.F.E. ————
0" ————

2 RIGHT ELEVATION - HOUSE

DOWNSPOUT NOTE:
DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.



1 REAR ELEVATION
3/16" = 1'-0"



2 LEFT ELEVATION - HOUSE
3/16" = 1'-0"

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SPRING HILL, TN 37174
PHONE: 615.626.4230
TURNERBINKLEYDESIGNED.COM

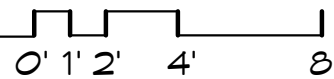


GARDEN GATE HOMES
391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

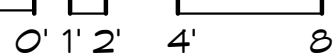
REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	SE
CHECKED BY:	TB
SHEET TITLE:	ELEVATIONS
SHEET NUMBER:	A6



2 RIGHT ELEVATION - DETACHED GARAGE
3/16" = 1'-0"



1 LEFT ELEVATION - DETACHED GARAGE
3/16" = 1'-0"



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TURN@BINKLEYDESIGNED.COM



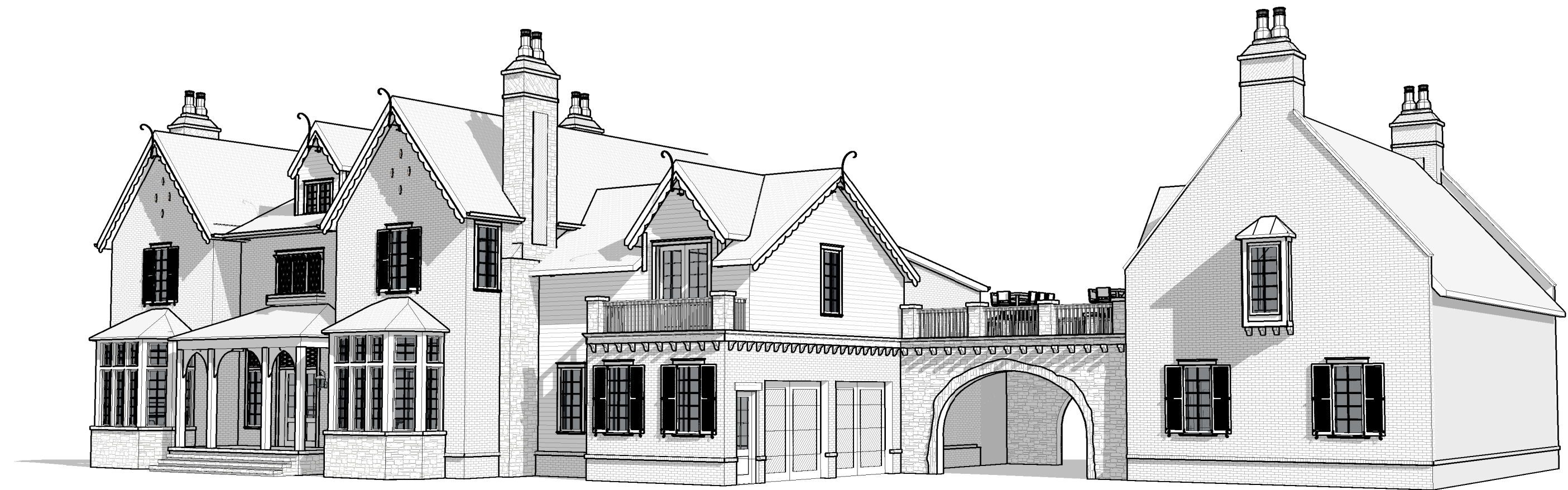
GARDEN GATE HOMES
391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	ELEVATIONS
SHEET NUMBER:	A7

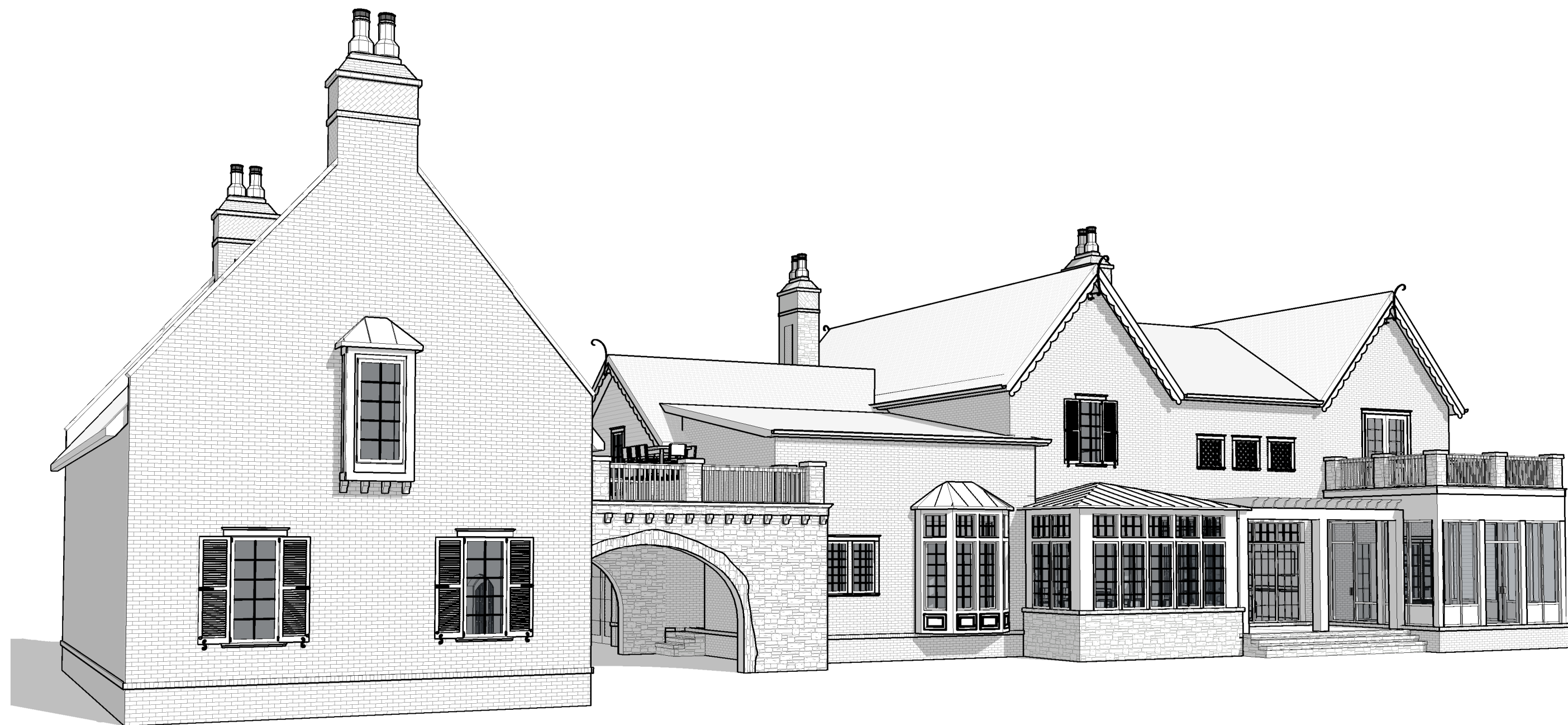
DESIGN DEVELOPMENT



1 PERSPECTIVE VIEW 1



2 PERSPECTIVE VIEW 2



3 PERSPECTIVE VIEW 3



4 PERSPECTIVE VIEW 4

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.4230
TURN@BINKLEYDESIGNED.COM



GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

REV.	DATE
	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	
SE	
CHECKED BY:	
TB	
SHEET TITLE:	
PERSPECTIVE VIEWS	
SHEET NUMBER:	
A8	

Southland

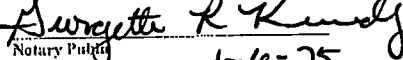
Prepared by:
Tennessee Title & Escrow Affiliates, LLC
7105 Crossroads Blvd, Suite 101
Brentwood, TN 37027

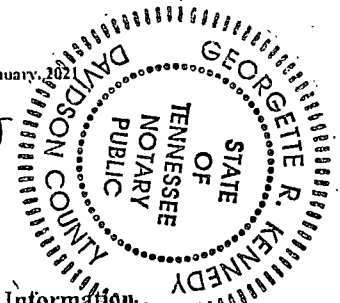
STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The actual consideration or value, whichever is greater, for
this transfer is \$385,000.00


Affiant

Subscribed and sworn to before me, this 29th day of January, 2021


Notary Public
My commission expires: 1-6-25



Address of New Owner:

Julie Wright
159 1st AVENUE N. # 306
FRANKLIN, TN 37064

Send Tax Bills to:

Julie Wright
159 1st AVENUE N. # 306
FRANKLIN, TN 37064

Tax Information:

61G-A-044.00

WARRANTY DEED

For and in consideration of the sum of ten dollars & no/100 (\$10.00), cash in hand paid by the hereinafter named Grantee(s), and other good and valuable considerations, the receipt of which is hereby acknowledged, **Edward G. Tharp and Lori R. Tharp, husband and wife**, hereinafter referred to as Grantor(s), have bargained and sold, and do hereby transfer and convey to **Julie Wright and husband Terry Wright**, hereinafter called the Grantee(s), their heirs and assigns, a certain tract or parcel of land in Williamson County, State of Tennessee, described as follows:

Land in Williamson County, Tennessee being Lot No. 173 on the Plan of Avalon P.U.D. Subdivision Section 3 of record in Plat Book P40, page 98 Register's Office of Williamson County, Tennessee to which plat reference is hereby made for a more complete and accurate description thereof.

Being the same property conveyed to Edward G. Tharp and Lori R. Tharp, husband and wife, by Warranty Deed from Cripsin S. Blanchette and Colleen E. Blanchette, husband and wife, dated August 5, 2020 of record in Book 8128, page 244, Register's Office of Williamson County, Tennessee.

This conveyance is made subject to the real estate taxes for the current year, which have been prorated and assumed by Grantee, and such liens, limitations, restrictions, and easements as may affect the premises.

This property is unimproved property known as 391 Lady of the Lake Lane, Franklin, TN 37067

To have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee(s), their heirs and assigns, forever. Grantors covenant with Grantee(s) that Grantor(s) are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out. Grantor(s) do further covenant and bind themselves, their heirs, assigns and representatives, to warrant and forever defend the title to said land to said Grantee(s), their heirs and assigns, against the lawful claims of all persons whomsoever.

BK: 8401 PG: 833-834

21006207



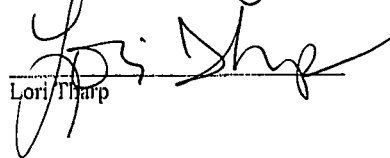
2 PGS:AL-DEED	
749174	
02/01/2021 - 10:27 AM	
BATCH	749174
MORTGAGE TAX	0.00
TRANSFER TAX	1424.50
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	1437.50

STATE OF TENNESSEE, WILLIAMSON COUNTY
SHERRY ANDERSON

Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this the ^{28th} 29th day of January, 2021.

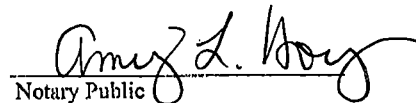

Edward Tharp


Lori Tharp

STATE OF ~~TENNESSEE~~ CALIFORNIA
COUNTY OF ~~WILLIAMSON~~ SANTA CLARA

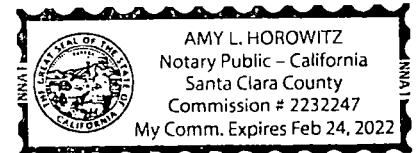
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Edward Tharp and Lori Tharp**, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this the ^{28th} 29th day of January, 2021.

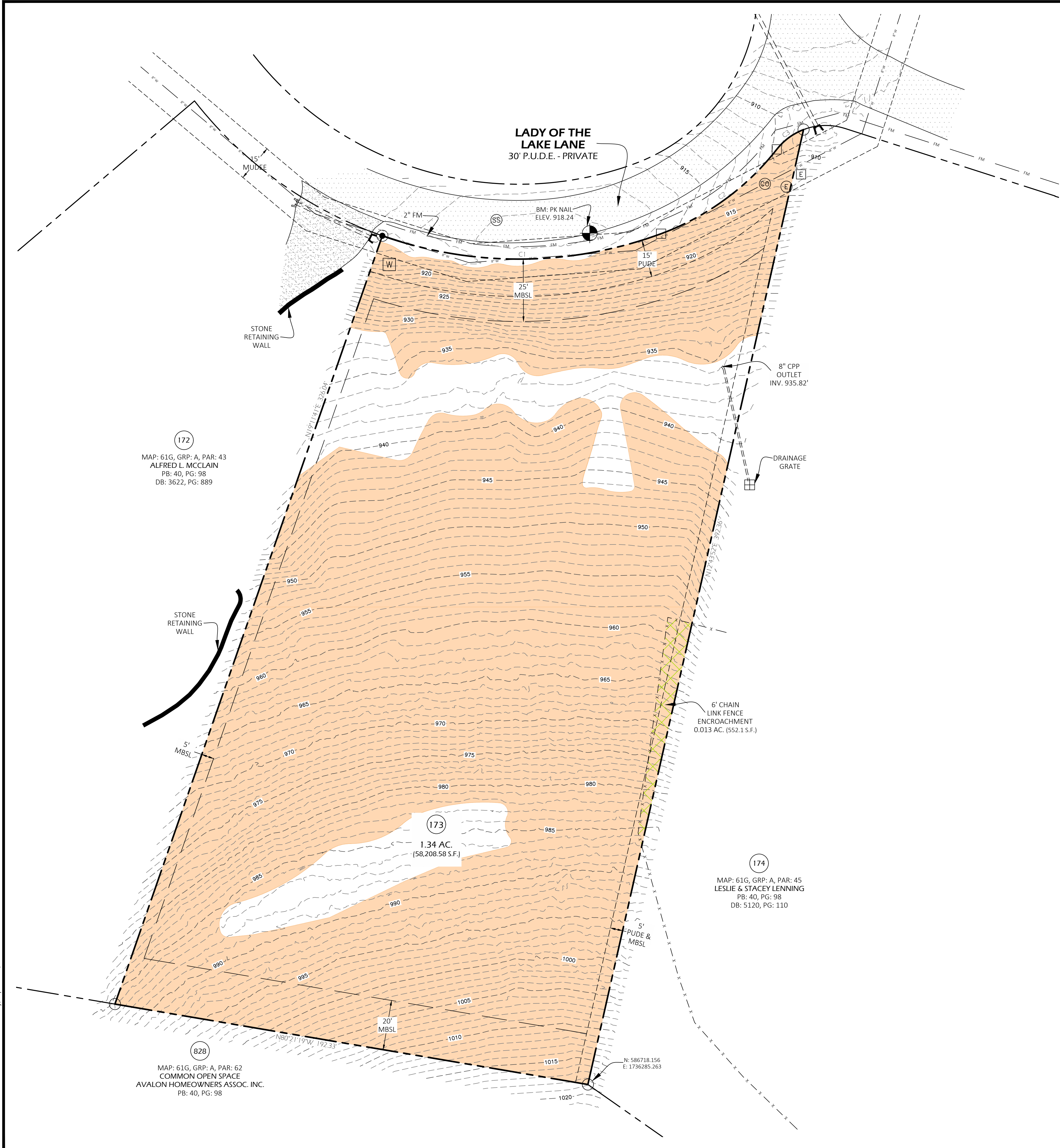

Notary Public

My Commission expires: 2/24/2022

FILE NO: 2021016951



391.TL - BZA- EXISTING CONDITIONS DWG (Tuesday, September 6, 2022 8:52:29 AM)



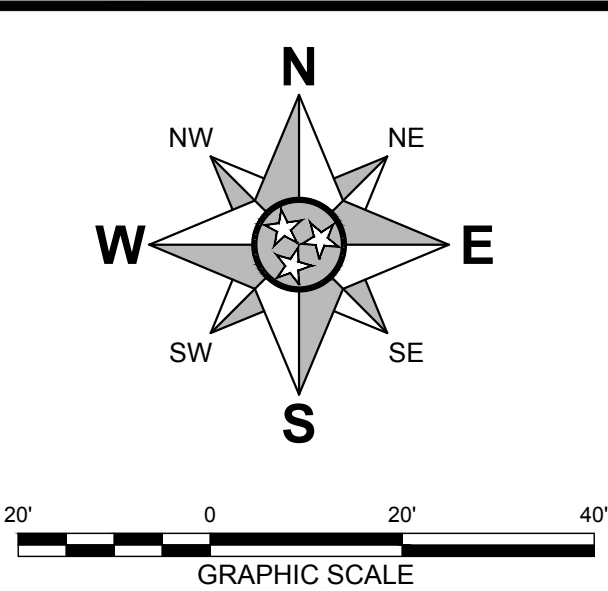
SURVEYORS NOTES:

- PURPOSE: RESIDENTIAL SITE PLAN AND TOPOGRAPHIC SURVEY.
- SUBJECT PROPERTY PRESENTLY IDENTIFIED AS PARCEL 44 ON THE WILLIAMSON COUNTY TAX MAP 61G, GROUP "A". SAID PROPERTY IS FURTHER IDENTIFIED AS LOT 173 OF AVALON, SECTION 3 AND IS SUBJECT TO ALL MATTERS SET FORTH ON THE FINAL PLAT AS RECORDED IN PLAT BOOK 40, PAGE 98 IN THE WILLIAMSON COUNTY REGISTERS OF DEEDS OFFICE AND TO ALL RESTRICTIONS OF RECORD.
- PROPERTY ZONING: PD (PLANNED DISTRICT), CITY OF FRANKLIN
- BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83). ELEVATION SHOWN HEREON ARE BASED ON NAVD88.
- DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THIS SURVEYOR. NO ABSTRACT OF TITLE, OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THIS SURVEYOR. OTHER DOCUMENTS OF RECORD MAY EXIST THAT WOULD AFFECT THESE PARCELS.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS OF SUCH REPORT.
- UTILITIES SHOWN HEREON WERE COMPILED FROM VISIBLE STRUCTURES AT THE SITE, INFORMATION FROM PLANS, AND PHYSICAL MARKINGS AND COMBINED TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. VERIFICATION OF EXISTENCE, LOCATIONS, AND DEPTH SHOULD BE MADE BEFORE CONDUCTING ANY EXCAVATION IN THE VICINITY OF THE UTILITY.
- I HEREBY CERTIFY THAT THE TOPOGRAPHIC INFORMATION DEPICTED HEREON AS 1 FT. CONTOURS AND ELEVATIONS ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND ARE BASED ON ACTUAL FIELD SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AND TN STATE LIDAR.
- I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND WAS CONDUCTED IN ACCORDANCE WITH RULE 0820-03.11 (GLOBAL POSITION SYSTEMS SURVEYS) ACCORDING TO THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. THIS SURVEY WAS CONDUCTED WITH DUAL-FREQUENCY RTK GPS EQUIPMENT BASED ON THE TDOT CORPS NETWORK.
 - POSITIONAL ACCURACY: 0.08'
 - DATE OF SURVEY: 12/27/2021
 - DATUM/EPOCH: TENNESSEE STATE PLANE (NAD83). OCCUPATIONS FOR CONTROL POINTS ARE 3 MINUTES EACH, SIDE SHOTS ARE 3 SECONDS.
 - GEOID 18
 - NO COMBINED GRID FACTORS WERE USED.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	114.02	165.00	N89° 34' 07"E	111.77
C2	58.12	105.00	N53° 54' 48"E	57.38
C3	13.52	25.00	S53° 33' 25"W	13.36

LEGEND:

SLOPES GREATER THAN 20%



DESCRIPTION

DATE

REVISION #

BOARD OF ZONING APPEALS SUBMITTAL:
LOT 173, AVALON SUBDIVISION
391 LADY OF LAKE LANE

CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

MRG GROUP

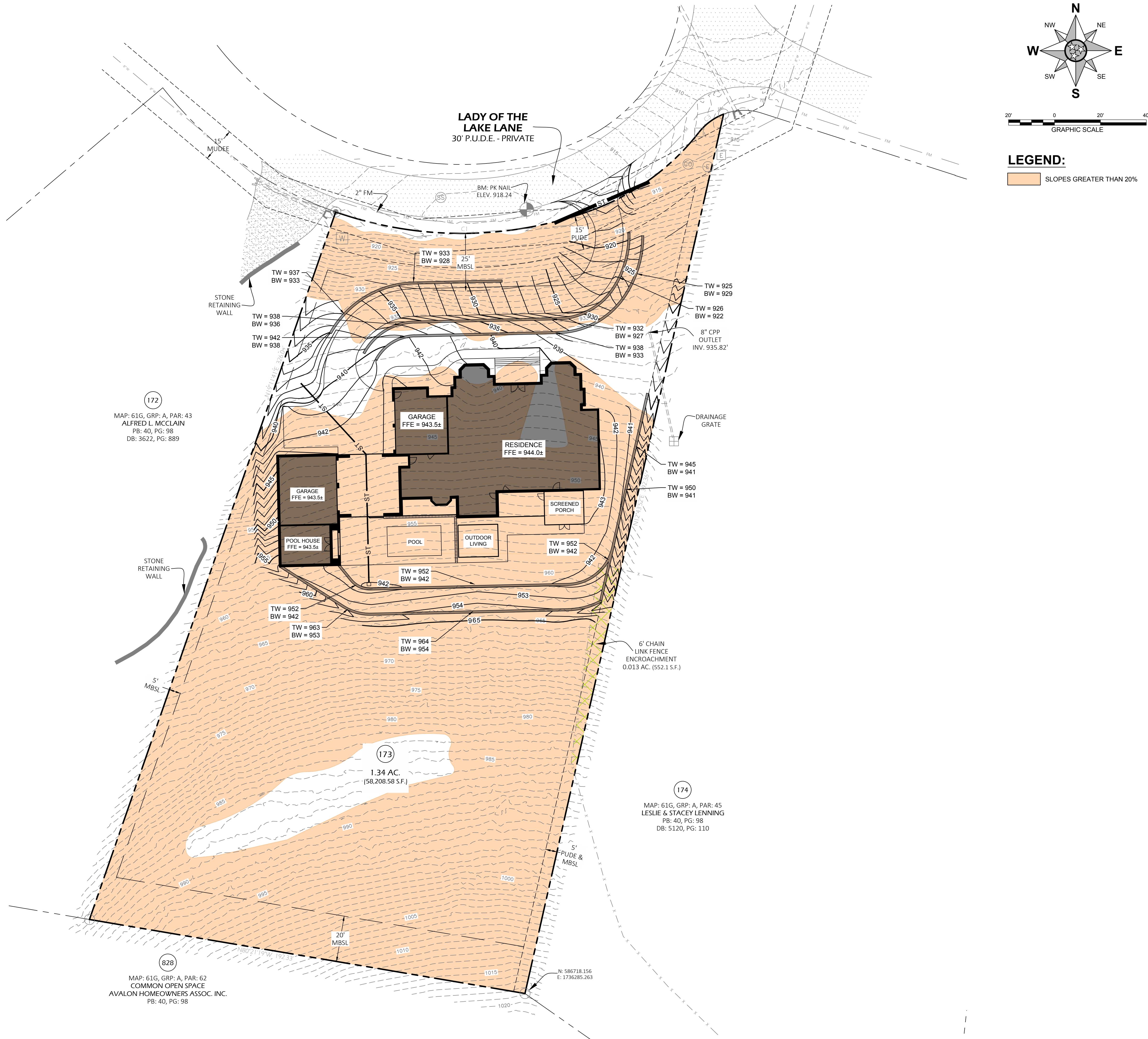
P.O. BOX 848
FRANKLIN, TN 37065
WWW.MZGROUPLLC.COM

EXISTING CONDITIONS

DATE: SEPTEMBER 6, 2022
DRAWN BY: BPH
PROJECT NO.: --
CHECKED BY: MWB

SHEET NUMBER:

C1.0





GARDEN GATE HOMES

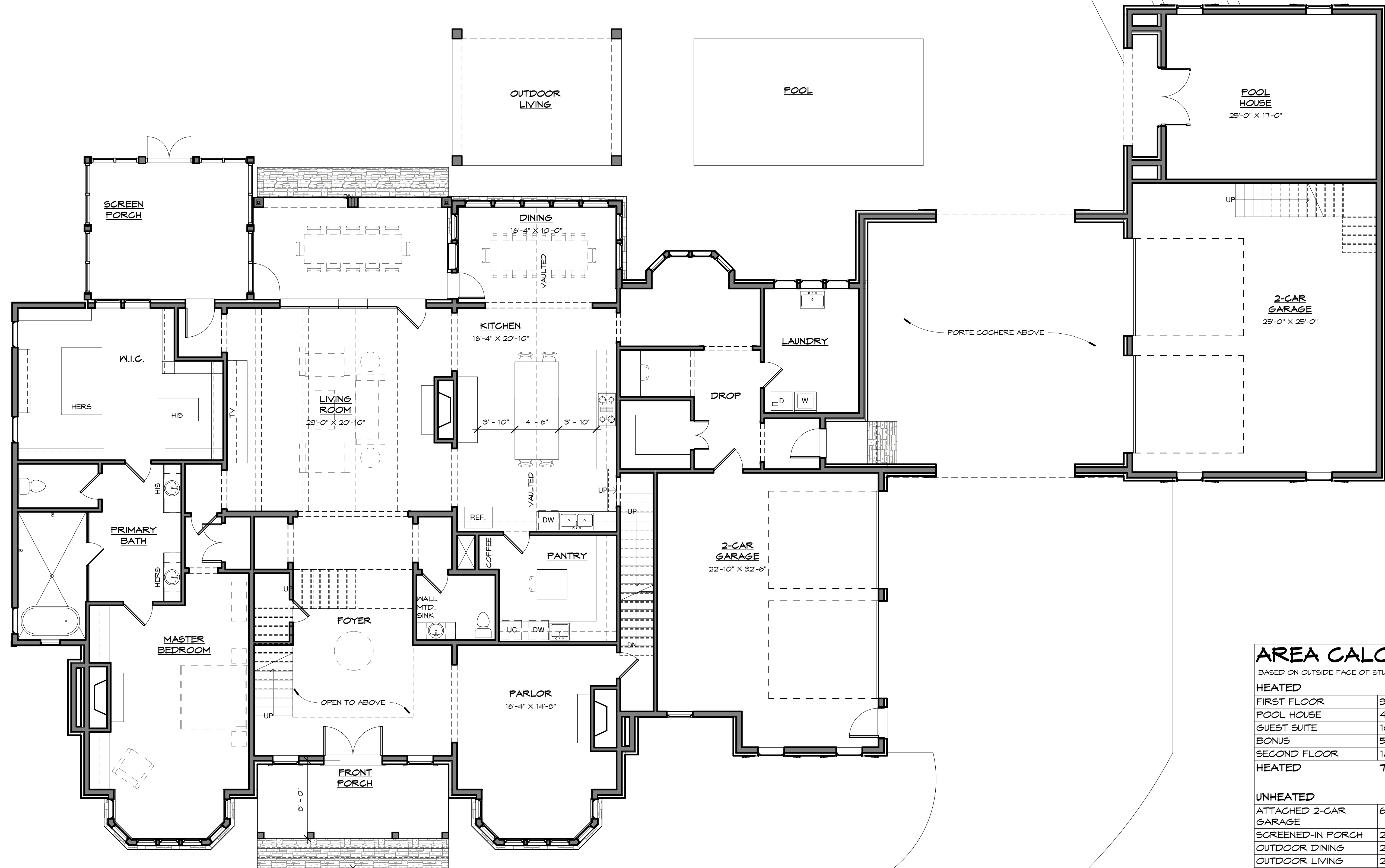
391 LADY OF THE LAKE
AVALON, FRANKLIN, TN

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.4230
TURNER@BINKLEYDESIGNED.COM



GARDEN GATE HOMES
391 LADY OF THE LAKE
AVALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	COVER
SHEET NUMBER:	AO



1 FIRST FLOOR PLAN
3/16" = 1'-0"

0' 1' 2' 4' 8'

AREA CALCULATIONS

BASED ON OUTSIDE FACE OF STUD OR BLOCK

HEATED

FIRST FLOOR	3811 SF
POOL HOUSE	453 SF
GUEST SUITE	1091 SF
BONUS	501 SF
SECOND FLOOR	1830 SF
HEATED	7686 SF

UNHEATED

ATTACHED 2-CAR GARAGE	648 SF
SCREENED-IN PORCH	259 SF
OUTDOOR DINING	220 SF
OUTDOOR LIVING	243 SF
DETACHED 2-CAR GARAGE	793 SF
BALCONY	745 SF
STORAGE	653 SF
UNHEATED	3561 SF
GRAND TOTAL	11247 SF

GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

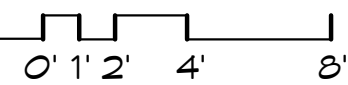
PHONE: 615.626.4230
TURN@BINKLEYDESIGNED.COM



REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	FIRST FLOOR PLAN
SHEET NUMBER:	A2



1 SECOND FLOOR PLAN
3/16" = 1'-0"



AREA CALCULATIONS

BASED ON OUTSIDE FACE OF STUD OR BLOCK

HEATED		REV.	DATE
FIRST FLOOR	3811 SF		
POOL HOUSE	453 SF		
GUEST SUITE	1091 SF		08/25/2022
BONUS	501 SF		
SECOND FLOOR	1830 SF		
HEATED	7686 SF		
UNHEATED			
ATTACHED 2-CAR GARAGE	648 SF		
SCREENED-IN PORCH	259 SF		
OUTDOOR DINING	220 SF		
OUTDOOR LIVING	243 SF		
DETACHED 2-CAR GARAGE	793 SF		
BALCONY	745 SF		
STORAGE	653 SF		
UNHEATED	3561 SF		
GRAND TOTAL	11247 SF		

GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.9280
TURN@BINKLEYDESIGNED.COM



A3

DESIGN DEVELOPMENT

DOWNSPOUT NOTE:
DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.9230
TURNERBINKLEYDESIGNED.COM



1 FRONT ELEVATION
3/16" = 1'-0"

BONUS CEILING
19' - 0"

BONUS F.F.E.
10' - 11"

GARAGE CEILING
7' - 9"



SECOND FLOOR
CEILING
23' - 4"

SECOND FLOOR
F.F.E.
13' - 3"

FIRST FLOOR
CEILING
12' - 1"

TOP OF COLUMN
10' - 1"

FIRST FLOOR
F.F.E.
0"

2 RIGHT ELEVATION - HOUSE
3/16" = 1'-0"

GARDEN GATE HOMES
391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	ELEVATIONS
SHEET NUMBER:	A5

DOWNSPOUT NOTE:
 DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.



1 REAR ELEVATION
 3/16" = 1'-0"



2 LEFT ELEVATION - HOUSE
 3/16" = 1'-0"

BINKLEY DESIGNED
 1011 ALPACA DRIVE
 SPRING HILL, TN 37174
 PHONE: 615.626.4230
 TURN@BINKLEYDESIGNED.COM

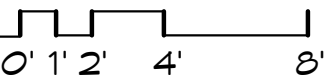


GARDEN GATE HOMES
 391 LADY OF THE LAKE
 AVALON, FRANKLIN, TN

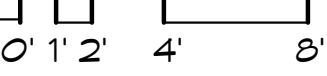
REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	SE
CHECKED BY:	TB
SHEET TITLE:	ELEVATIONS
SHEET NUMBER:	A6



2 RIGHT ELEVATION - DETACHED GARAGE
3/16" = 1'-0"



1 LEFT ELEVATION - DETACHED GARAGE
3/16" = 1'-0"

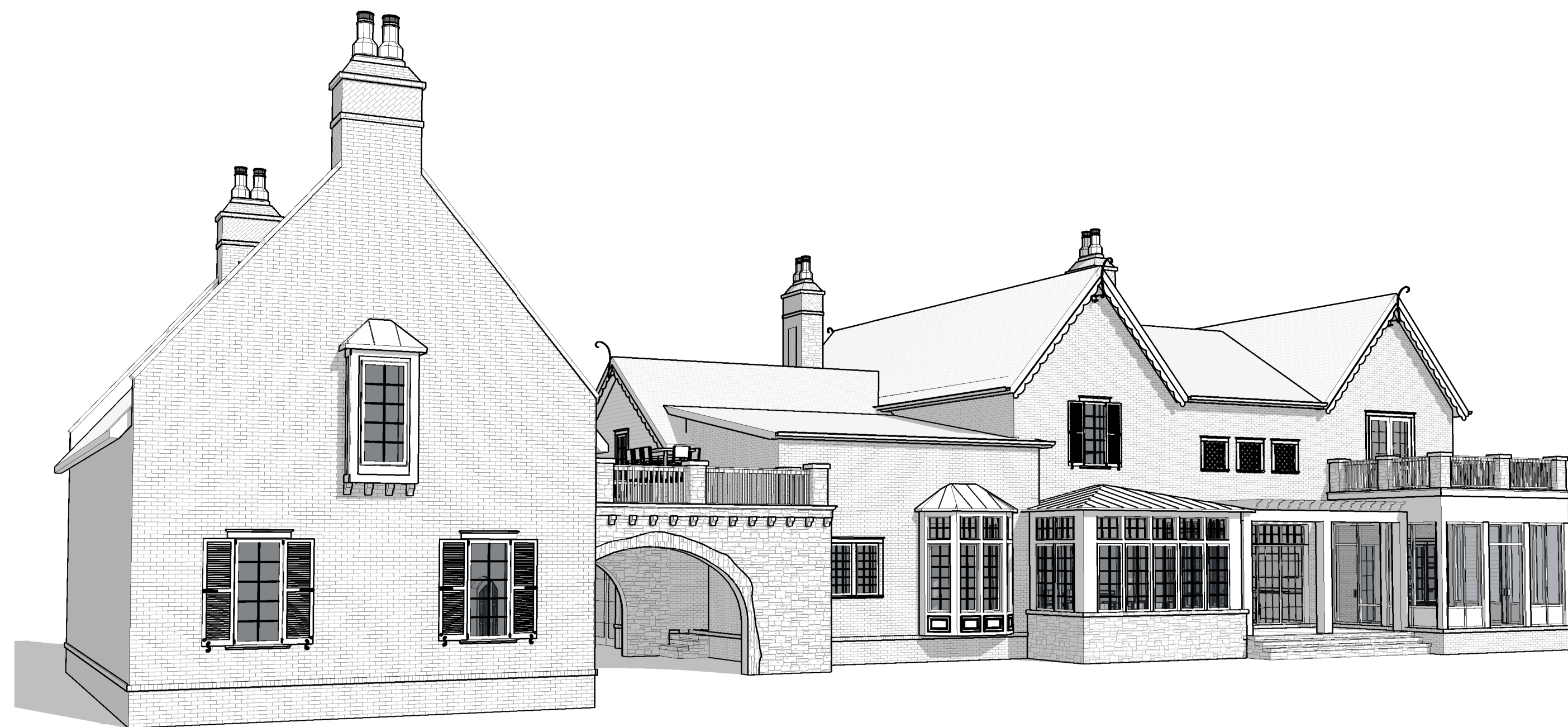


BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37114
PHONE: 615.626.4230
TURN@BINKLEYDESIGNED.COM



GARDEN GATE HOMES
391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	EG
CHECKED BY:	TB
SHEET TITLE:	ELEVATIONS
SHEET NUMBER:	A7



DINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

TURNER@BINKLEYDESIGNED.COM



GARDEN GATE HOMES

391 LADY OF THE LAKE
AYALON, FRANKLIN, TN

REV.	DATE
DATE:	08/25/2022
PROJECT NUMBER:	
DRAWN BY:	
SE	
CHECKED BY:	
TB	
SHEET TITLE:	
PERSPECTIVE VIEWS	
SHEET NUMBER:	
A8	

Southland

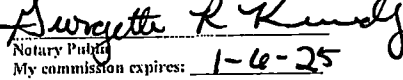
Prepared by:
Tennessee Title & Escrow Affiliates, LLC
7105 Crossroads Blvd, Suite 101
Brentwood, TN 37027

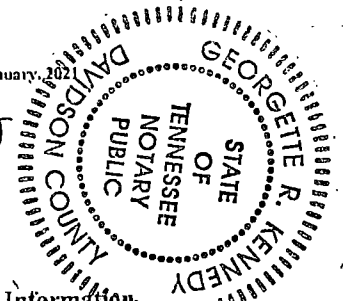
STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The actual consideration or value, whichever is greater, for
this transfer is \$385,000.00


Affiant

Subscribed and sworn to before me, this 29th day of January, 2021


Notary Public
My commission expires: 1-6-25



Address of New Owner:

Julie Wright
159 1st AVENUE N. # 306
FRANKLIN, TN 37064

Send Tax Bills to:

Julie Wright
159 1st AVENUE N. # 306
FRANKLIN, TN 37064

Tax Information

61G-A-044.00

WARRANTY DEED

For and in consideration of the sum of ten dollars & no/100 (\$10.00), cash in hand paid by the hereinafter named Grantee(s), and other good and valuable considerations, the receipt of which is hereby acknowledged, **Edward G. Tharp and Lori R. Tharp, husband and wife**, hereinafter referred to as Grantor(s), have bargained and sold, and do hereby transfer and convey to **Julie Wright and husband Terry Wright**, hereinafter called the Grantee(s), their heirs and assigns, a certain tract or parcel of land in Williamson County, State of Tennessee, described as follows:

Land in Williamson County, Tennessee being Lot No. 173 on the Plan of Avalon P.U.D. Subdivision Section 3 of record in Plat Book P40, page 98 Register's Office of Williamson County, Tennessee to which plat reference is hereby made for a more complete and accurate description thereof.

Being the same property conveyed to Edward G. Tharp and Lori R. Tharp, husband and wife, by Warranty Deed from Cripsin S. Blanchette and Colleen E. Blanchette, husband and wife, dated August 5, 2020 of record in Book 8128, page 244, Register's Office of Williamson County, Tennessee.

This conveyance is made subject to the real estate taxes for the current year, which have been prorated and assumed by Grantee, and such liens, limitations, restrictions, and easements as may affect the premises.

This property is unimproved property known as 391 Lady of the Lake Lane, Franklin, TN 37067

To have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee(s), their heirs and assigns, forever. Grantors covenant with Grantee(s) that Grantor(s) are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out. Grantor(s) do further covenant and bind themselves, their heirs, assigns and representatives, to warrant and forever defend the title to said land to said Grantee(s), their heirs and assigns, against the lawful claims of all persons whomsoever.

BK: 8401 PG: 833-834

21006207

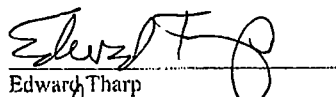


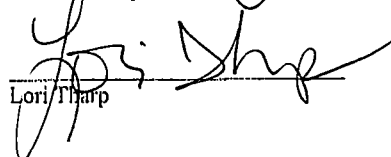
2 PGS:AL-DEED	
749174	
02/01/2021 - 10:27 AM	
BATCH	749174
MORTGAGE TAX	0.00
TRANSFER TAX	1424.50
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	1437.50

STATE OF TENNESSEE, WILLIAMSON COUNTY
SHERRY ANDERSON

Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS my hand this the ^{28th} 29th day of January, 2021.

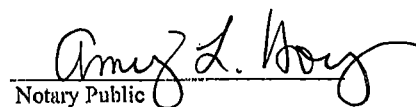

Edward Tharp


Lori Tharp

STATE OF ~~TENNESSEE~~ CALIFORNIA
COUNTY OF ~~WILLIAMSON~~ SANTA CLARA

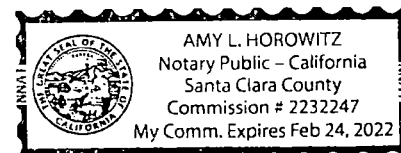
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named **Edward Tharp and Lori Tharp**, the bargainor(s), with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this the ^{28th} 29th day of January, 2021.

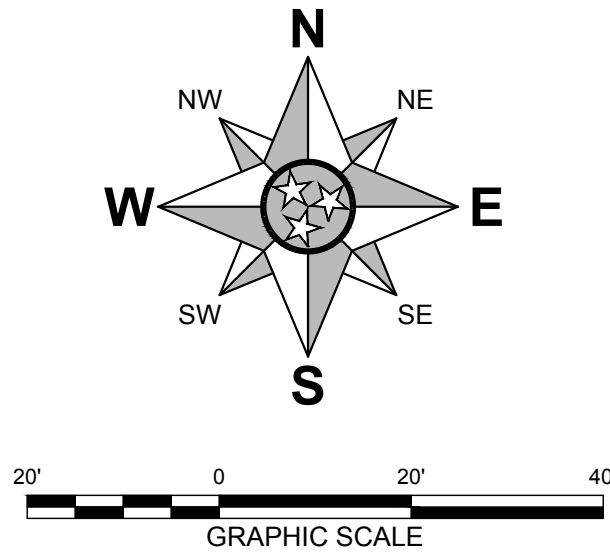
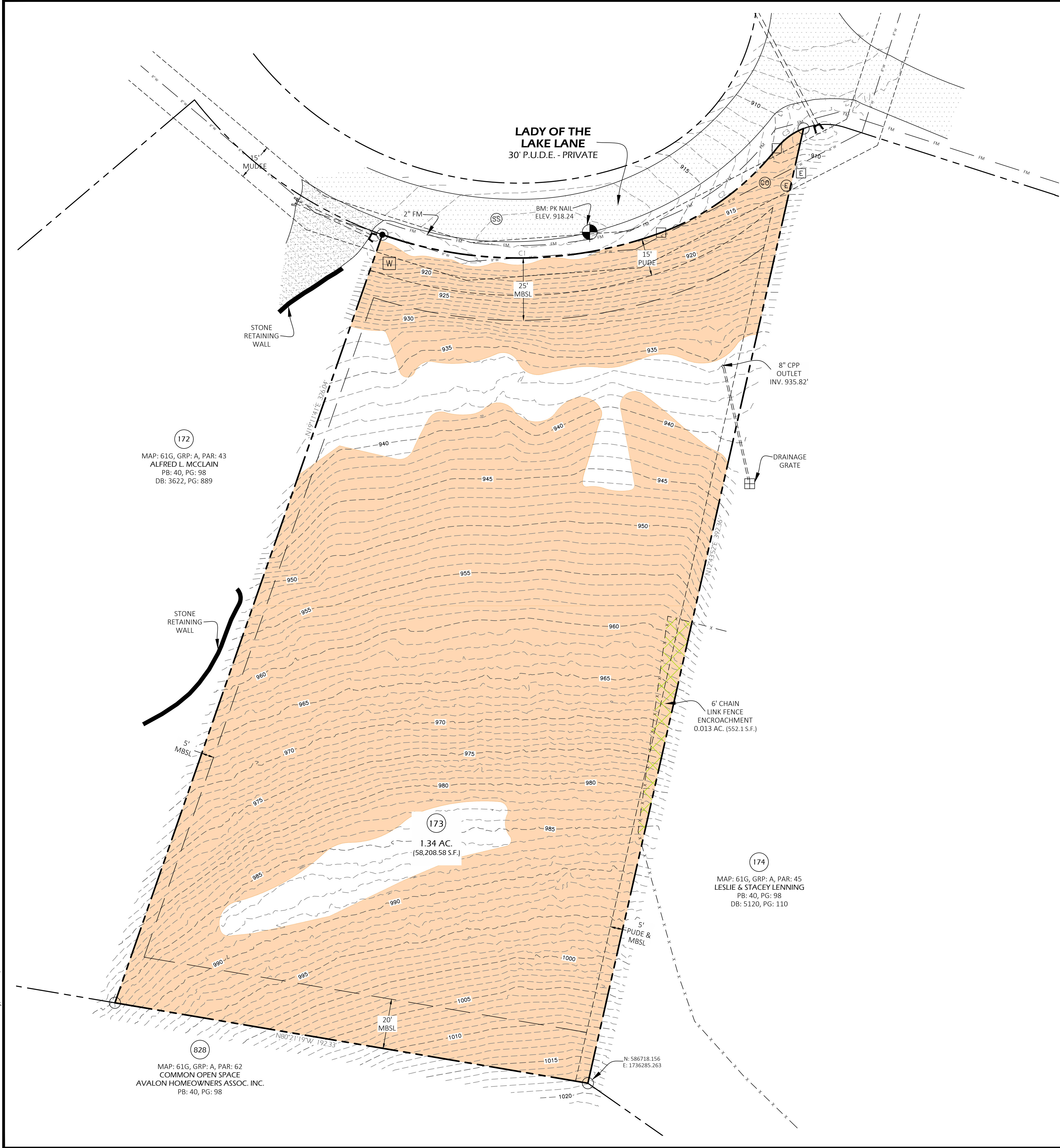

Notary Public

My Commission expires: 2/24/2022

FILE NO: 2021016951



391.L1 - B2A - EXISTING CONDITIONS.DWG | Monday, October 10, 2022 11:08:50 AM



SURVEYORS NOTES:

- PURPOSE: RESIDENTIAL SITE PLAN AND TOPOGRAPHIC SURVEY.
- SUBJECT PROPERTY PRESENTLY IDENTIFIED AS PARCEL 44 ON THE WILLIAMSON COUNTY TAX MAP 61G, GROUP "A". SAID PROPERTY IS FURTHER IDENTIFIED AS LOT 173 OF AVALON, SECTION 3 AND IS SUBJECT TO ALL MATTERS SET FORTH ON THE FINAL PLAT AS RECORDED IN PLAT BOOK 40, PAGE 98 IN THE WILLIAMSON COUNTY REGISTERS OF DEEDS OFFICE AND TO ALL RESTRICTIONS OF RECORD.
- PROPERTY ZONING: PD (PLANNED DISTRICT), CITY OF FRANKLIN
- BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83). ELEVATION SHOWN HEREON ARE BASED ON NAVD88.
- DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THIS SURVEYOR. NO ABSTRACT OF TITLE, OR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THIS SURVEYOR. OTHER DOCUMENTS OF RECORD MAY EXIST THAT WOULD AFFECT THESE PARCELS.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS OF SUCH REPORT.
- UTILITIES SHOWN HEREON WERE COMPILED FROM VISIBLE STRUCTURES AT THE SITE, INFORMATION FROM PLANS, AND PHYSICAL MARKINGS AND COMBINED TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. VERIFICATION OF EXISTENCE, LOCATIONS, AND DEPTH SHOULD BE MADE BEFORE CONDUCTING ANY EXCAVATION IN THE VICINITY OF THE UTILITY.
- I HEREBY CERTIFY THAT THE TOPOGRAPHIC INFORMATION DEPICTED HEREON AS 1 FT. CONTOURS AND ELEVATIONS ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND ARE BASED ON ACTUAL FIELD SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AND TN STATE LIDAR.
- I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND WAS CONDUCTED IN ACCORDANCE WITH RULE 0820-03.11 (GLOBAL POSITION SYSTEMS SURVEYS) ACCORDING TO THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. THIS SURVEY WAS CONDUCTED WITH DUAL-FREQUENCY RTK GPS EQUIPMENT BASED ON THE TDOT CORPS NETWORK.
 - POSITIONAL ACCURACY: 0.08'
 - DATE OF SURVEY: 12/27/2021
 - DATUM/EPOCH: TENNESSEE STATE PLANE (NAD83). OCCUPATIONS FOR CONTROL POINTS ARE 3 MINUTES EACH, SIDE SHOTS ARE 3 SECONDS.
 - GEOID 18
 - NO COMBINED GRID FACTORS WERE USED.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	114.02	165.00	N89° 34' 07"E	111.77
C2	58.12	105.00	N53° 54' 48"E	57.38
C3	13.52	25.00	S53° 33' 25"W	13.36

LEGEND:

SLOPES GREATER THAN 20%

DESCRIPTION

DATE

REVISION #

BOARD OF ZONING APPEALS SUBMITTAL:
LOT 173, AVALON SUBDIVISION
391 LADY OF LAKE LANE
CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

MZG GROUP

P.O. BOX 848
FRANKLIN, TN 37065
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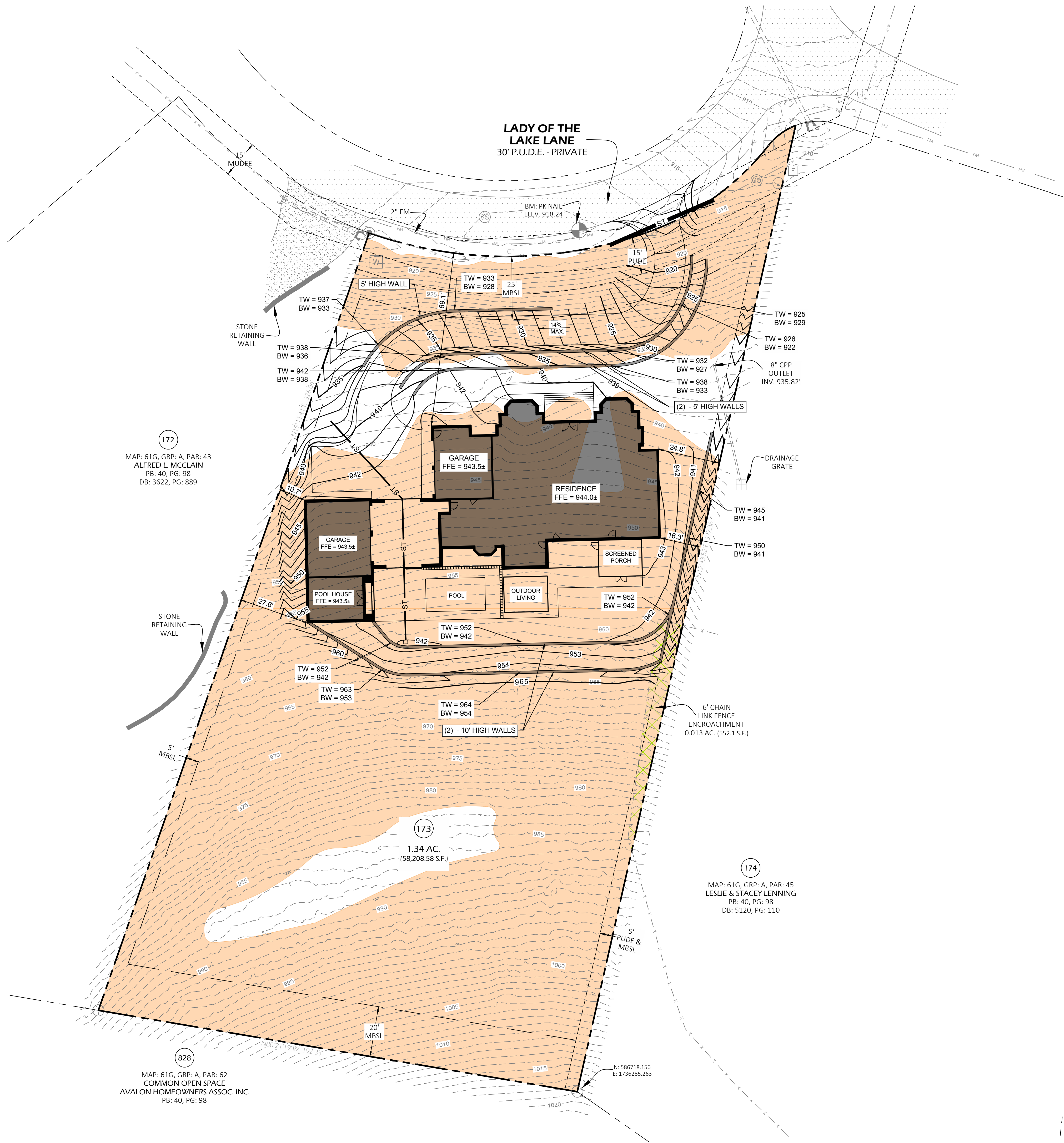
EXISTING CONDITIONS

DATE: OCTOBER 10, 2022
DRAWN BY: BPH
PROJECT NO.: --
CHECKED BY: MWB

SHEET NUMBER:

C1.0

Page 40 of 117



N
NW
W
SW
S
SE
E

20' 0 20' 40'
GRAPHIC SCALE

LEGEND:

SLOPES GREATER THAN 20%

172
MAP: 61G, GRP: A, PAR: 43
ALFRED L. MCCLAIN
PB: 40, PG: 98
DB: 3622, PG: 889

828
MAP: 61G, GRP: A, PAR: 62
COMMON OPEN SPACE
AVALON HOMEOWNERS ASSOC. INC.
PB: 40, PG: 98

174
MAP: 61G, GRP: A, PAR: 45
LESLIE & STACEY LENNING
PB: 40, PG: 98
DB: 5120, PG: 110

DESCRIPTION

DATE

REVISION #

DRAFT

BOARD OF ZONING APPEALS SUBMITTAL:
LOT 173, AVALON SUBDIVISION
391 LADY OF LAKE LANE
CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

MZ GROUP

P.O. BOX 848
FRANKLIN, TN 37065
WWW.MZGROUPLLC.COM

SITE PLAN

DATE: OCTOBER 10, 2022
DRAWN BY: BPH
PROJECT NO.: --
CHECKED BY: MWB

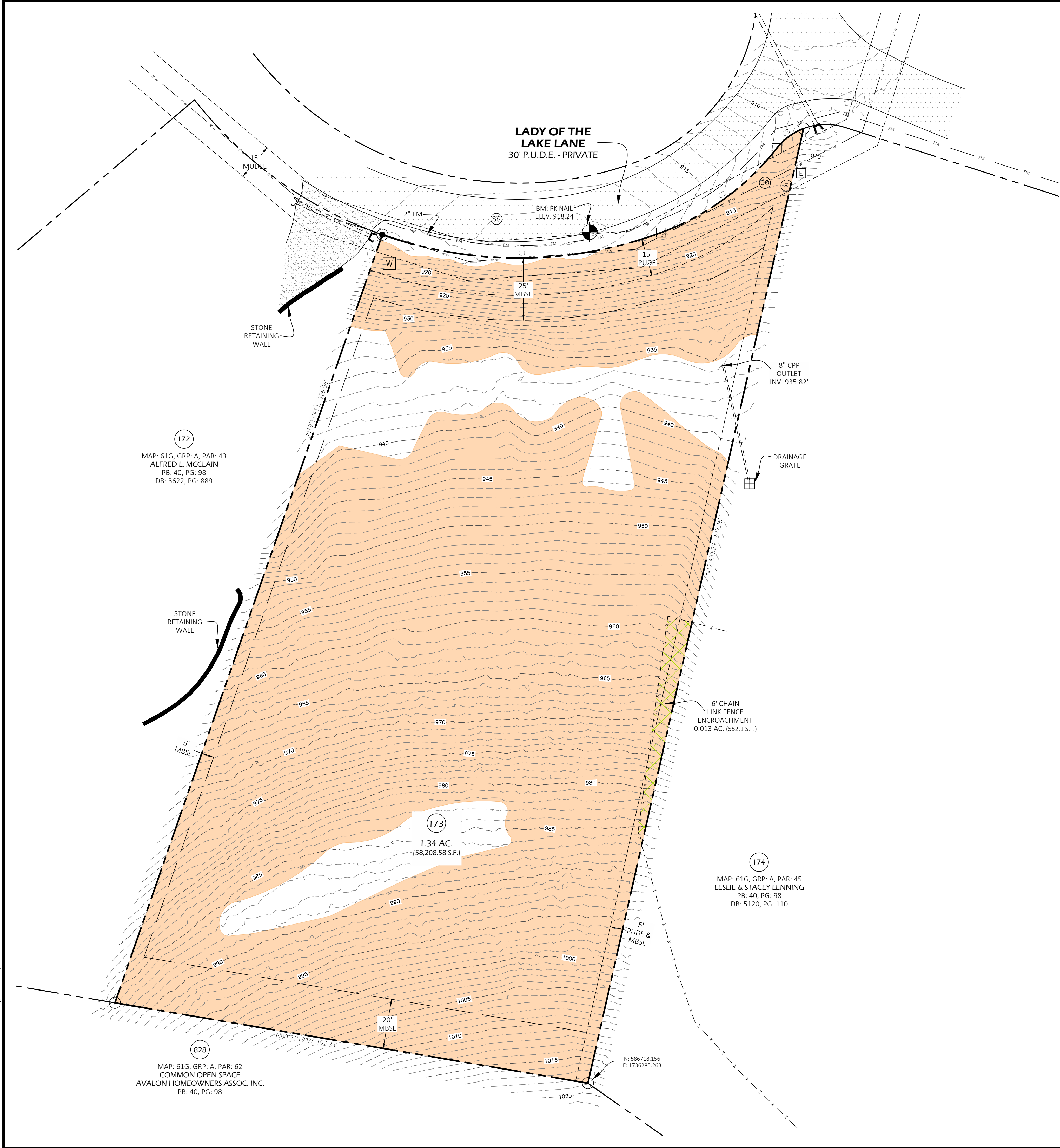
SHEET NUMBER:

C2.0

391.L1 - B2A - SITE PLANNING / Monday, October 10, 2022 11:07:20 AM

Page 41 of 117

391.L1 - BZA - EXISTING CONDITIONS.DWG / Thursday, October 13, 2022 9:09:43 AM



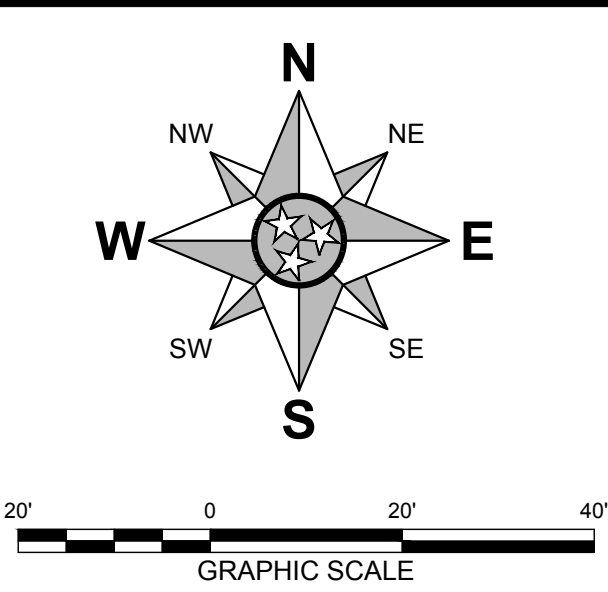
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 - DATUM/EPOCH: TENNESSEE STATE PLANE (NAD83). OCCUPATIONS FOR CONTROL POINTS ARE 3 MINUTES EACH, SIDE SHOTS ARE 3 SECONDS.
 - GEOID 18
 - NO COMBINED GRID FACTORS WERE USED.

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
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C2	58.12	105.00	N53° 54' 48"E	57.38
C3	13.52	25.00	S53° 33' 25"W	13.36

LEGEND:

SLOPES GREATER THAN 20%



DESCRIPTION

DATE

REVISION #

EXISTING CONDITIONS

DATE: OCTOBER 10, 2022

PROJECT NO. :

DRAFT

BOARD OF ZONING APPEALS SUBMITTAL:
LOT 173, AVALON SUBDIVISION
391 LADY OF LAKE LANE
CITY OF FRANKLIN
WILLIAMSON COUNTY, TENNESSEE

MZG GROUP

P.O. BOX 848
FRANKLIN, TN 37065
WWW.MZGROUPLLC.COM

BPH

DRAWN BY :

MMB

CHECKED BY :

SHEET NUMBER:

C1.0

Page 42 of 117

September 6, 2022

Re: **Wright Residence**
391 Lady of the Lake Lane
BZA Submittal
City of Franklin, Williamson County, Tennessee

To Whom it may concern:

M2 Group, LLC (M2G), on behalf of Julie and Terrance Wright and Garden Gate Homes, respectfully submits the following items for your review:

- Signed and Notarized Owner Affidavit
- Existing Conditions Plan showing current topography and lot configuration
- Site Plan showing proposed layout, grading, and stormwater features
- Justification Letter, hereinafter
- Architectural Elevations and Plans

The property is listed as a critical lot on the Avalon Section 3 Subdivision Plat and is predominantly comprised of slopes greater than 20%. Due to these topographic constraints, a building pad in any direction causes an encroachment into the 20% slopes. The lot does not have clear access to the developable building area as defined within the Avalon Master Plan. The area best suited for building is in the middle of the lot utilizing space on both sides of the building setback line to fit walls and convey stormwater.

The proposed finished floor of the residence has been determined by a combination of factors. First, the distance between the existing road (Lady of the Lake Lane) and the suitable building area was analyzed to determine a driveway alignment that maintains a slope of less than 14%. Second, the property topographic conditions were analyzed, and it was determined that lowering the finished floor only increased the retaining walls in the rear yard and both sides of the residence, while raising the finished floor would increase wall heights along the driveway. This combination of factors ultimately revealed the best elevation for the proposed residence.

In order to minimize the use of retaining walls along the driveway, we are proposing grading into and reducing the existing 20% slopes along the driveway and around the house. This lot is surrounded by lots with common topography and site grading technics utilizing retaining walls in a similar fashion. For this reason, we feel the proposed grading and retaining walls do not directly affect the neighboring properties and are consistent with other previously constructed lots in the Avalon development.

For the reasons described above, it is our opinion that the variances listed below can be granted without substantial detriment to the public good.

Variance #1 - Section 17.1.2 – Steep Slopes

- Encroachment into areas with slopes of 20% or greater

Variance #2 – Section 13.2.4 – Retaining Walls for Residential Lots

- Front yard retaining wall exceeds 2 feet in height.
- Side and rear yard retaining walls exceed 6 feet in height.
- Total number of retaining walls exceeds 3 (Five walls proposed)

We feel these variances are necessary to provide access to the proposed residence and to create a buildable area suitable for a house, garage, vehicular circulation and outdoor living space. We respectfully ask for the approval of these variance requests. These items are being submitted in order to appear before the October 6, 2022, Board of Zoning Appeals Meeting.

Please review the enclosed submission and do not hesitate to contact me with any questions at brian@m2groupllc.com or 615-925-0851. Thank you in advance for your cooperation in this matter.

Sincerely,
M2 Group, LLC

Brian Holcombe

October 10, 2022

Re: **Wright Residence**
391 Lady of the Lake Lane
BZA Submittal
City of Franklin, Williamson County, Tennessee

To Whom it may concern:

M2 Group, LLC (M2G), on behalf of Julie and Terrance Wright and Garden Gate Homes, respectfully submits the following items for your review:

- Signed and Notarized Owner Affidavit
- Existing Conditions Plan showing current topography and lot configuration
- Site Plan showing proposed layout, grading, and stormwater features
- Justification Letter, hereinafter
- Architectural Elevations and Plans

The property is listed as a critical lot on the Avalon Section 3 Subdivision Plat and is predominantly comprised of slopes greater than 20%. Due to these topographic constraints, a building pad in any direction causes an encroachment into the 20% slopes. The lot does not have clear access to the developable building area as defined within the Avalon Master Plan. The area best suited for building is in the middle of the lot utilizing space on both sides of the building setback line to fit walls and convey stormwater.

The proposed finished floor of the residence has been determined by a combination of factors. First, the distance between the existing road (Lady of the Lake Lane) and the suitable building area was analyzed to determine a driveway alignment that maintains a slope of less than 14%. Second, the property topographic conditions were analyzed, and it was determined that lowering the finished floor only increased the retaining walls in the rear yard and both sides of the residence, while raising the finished floor would increase wall heights along the driveway. This combination of factors ultimately revealed the best elevation for the proposed residence.

In order to minimize the use of retaining walls along the driveway, we are proposing grading into and reducing the existing 20% slopes along the driveway and around the house. This lot is surrounded by lots with common topography and site grading techniques utilizing retaining walls in a similar fashion. For this reason, we feel the proposed grading and retaining walls do not directly affect the neighboring properties and are consistent with other previously constructed lots in the Avalon development.

For the reasons described above, it is our opinion that the variances listed below can be granted without substantial detriment to the public good.

Variance #1 - Section 17.1.2 – Steep Slopes

- Encroachment into areas with slopes of 20% or greater
 - Nearly 80% of the lot is covered by slopes greater than 20%. It is not possible to avoid disturbance in these areas.

Variance #2 – Section 13.2.4 – Retaining Walls for Residential Lots

- Front yard retaining walls exceed 2 feet in height.
 - The proposed site plan shall utilize (3) 5-foot maximum height retaining walls to soften the elevation transition from site access to garage.
- Side and rear yard retaining walls exceed 6 feet in height.
 - The proposed site plan shall utilize (2) 10-foot maximum height retaining walls to transition grade from steep slopes in rear of lot to grade around proposed home.
- Total number of retaining walls exceeds 3 (Five walls proposed)
 - Due to existing steep slopes present within building envelope, and across frontage of lot, it is not feasible to transition grading via tie-back slopes. We feel the number of retaining walls is prudent in order to limit disturbance and to provide gentle slopes within building envelope.

We feel these variances are necessary to provide access to the proposed residence and to create a buildable area suitable for a house, garage, vehicular circulation and outdoor living space. We respectfully ask for the approval of these variance requests. These items are being submitted in order to appear before the November 3rd, Board of Zoning Appeals Meeting.

Please review the enclosed submission and do not hesitate to contact me with any questions at brian@m2grouppllc.com or 615-925-0851. Thank you in advance for your cooperation in this matter.

Sincerely,
M2 Group, LLC

Brian Holcombe

From: [Skip Burke](#)
To: [Planning Intake](#)
Subject: Regarding variance requests for 391 Lady of the Lake Land Avalon Subdivision.
Date: Thursday, October 20, 2022 10:51:22 AM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

As owner of two properties within 500 ft of the subject property, I object to variances being granted that are visible from the street. I do not understand why codes and restrictions are set and then every request for variance granted. Variances have been granted in our neighborhood even after structures are built contrary to restrictions.

This request is for FOUR variances. People should know the restrictions when purchasing property.

We now have a house built only 7 feet from the side property line on our street, and the result looks terrible.

Please enforce existing codes and restrictions.

Thank you.

William Burke
386 Lady of the Lake Lane
717 Pendragon Ct
Avalon Subdivision
Franklin TN

TO: BZA
FROM: Michael & Carol Mihalcz
DATE: 10/25/2022
RE: 391 Lady of the Lake Lane Subdivision Variance

We vehemently oppose the variances suggested for this new property. We have rules of engagement for a reason and the reason is not for them to be broken. These requests are a very big change to the current building rules and would create an eyesore, thereby reducing the value of my home.



File #: 21-03720

DATE: October 11, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Ariella Stanford, Planner

SUBJECT:

Variance Request To Allow More Than The Maximum Number Of Retaining Walls On A Site, And
Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And
Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For The
Property Located At 326 Lionheart Way. (FZO §13.2.4 and §4.4.6.B).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7985
Applicant: Hamid Arab
Owner: Jared Claiborne

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: PD, Planned District, Vacant
North: PD, Planned District, Open Space / Single-Family Residential
South: PD, Planned District, Single-Family Residential
East: PD, Planned District, Single-Family Residential
West: PD, Planned District, Recreation/Open Space

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. 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
2. 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.

13.2.4 - Retaining Walls for Residential Lots

The following standards are required:

Residential Lots

Front Yard Retaining Wall Height	Maximum 2 feet
Number of Retaining Walls	Maximum 3 per lot

4.4.6.B - Lots, Uses, and Structures Established Prior to The Effective Date of this Ordinance

There exist lots of record, uses of land, and structures within the HHO that were lawfully established before the effective date of this Ordinance that now do not conform to its terms and requirements.

Such lots, uses, and structures shall comply with Chapter 2, Nonconformities, and the following:

B. Development shall be prohibited on natural slopes of 20 percent or greater.

Background

This 1.28-acre lot is located at 326 Lionheart Way within the Avalon Subdivision and is zoned PD for Planned District. The applicant wishes to develop the parcel with a single-family home, the designs of which can be seen in the applicant's submitted materials.

The Avalon Subdivision was approved prior to the establishment of the HHO district and the 500-foot Buffer of the Hillside Overlay. This property now lies within the 500-foot Buffer of the Hillside Overlay. The majority of the lot is covered in slopes with grades over 20%, making the buildable area for the property just a small portion of the site. This topography also creates difficulties for site design and development as the Franklin Zoning Ordinance does not allow for development on slopes greater than 20% to protect natural features. In addition, the Avalon Subdivision architectural guidelines require two-story houses to be a minimum if 5,000 square feet.

The slopes over 20% also present difficulties in regards to the Zoning Ordinance requirements for retaining wall heights, and the number of retaining walls allowed on a residential lot.

The applicant has provided designs for the City of Franklin to preliminarily review, and staff determined that three Variances would be needed to approve the provided designs. These variances are:

To allow more than the maximum allowed 3 retaining walls on a residential site.

To allow for retaining walls to be higher than the maximum 2 feet when in a front yard.

To allow encroachments into areas with a slope of 20% or greater.

Staff Analysis- Request 1: Maximum Number of Retaining Walls

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 located within the Avalon subdivision with over 20% slopes across the majority of the property. These exceptional topographic conditions require the use of retaining walls to provide effective drainage, access, and support for development. The Franklin Zoning Ordinance

allows a maximum of 3 retaining walls for a residential lot. The applicant is requesting a total of 7 retaining walls. The applicant has determined that this is the minimum number of retaining walls required to develop a single-family home on this lot. Due to the exceptional slope conditions across the site, Staff finds this criteria for Request 1 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptional slope conditions across the site, more than 3 retaining walls are needed to support development of this site. Staff finds this criteria for Request 1 to be 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.

Allowing for additional retaining walls on this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the number of retaining walls on a residential site in order to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that 7 retaining walls is the minimum number necessary for development on the lot; therefore, there would not be an excess of retaining walls dominating the site. Staff finds this criteria for Request 1 to be met.

Recommendation- Request 1

Based on the reasoning detailed above, staff recommends approval of the Variance Request 1 to build a total of 7 retaining walls on the site, based on the criteria that authorize a variance to be established.

Staff Analysis- Request 2: Maximum Height of Front Yard Retaining Walls

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.

As stated above, there are exceptional topographic conditions which require the use of retaining walls to provide effective drainage, access, and support for development. The Franklin Zoning Ordinance allows for retaining walls located in the front yard of a residence to be a maximum of 2 feet in height. However, the exceptional slopes across the property require higher retaining walls. The applicant has requested retaining wall heights up to 6-feet in the front yard of the property. Due to these exceptional conditions across the site, Staff finds this criteria for Request 2 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptional slope conditions across the site, retaining walls higher than 2-feet are necessary to support the house. Therefore staff finds this criteria for Request 2 to be 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.

Allowing for taller retaining walls in the front yard of this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the number and height of retaining walls on a residential site in order to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that 6 foot retaining walls are the minimum height necessary to support the proposed driveway. Staff finds this criteria for Request 2 to be met.

Recommendation- Request 2

Based on the reasoning detailed above, staff recommends approval of the Variance Request 2, to allow for up to 6-foot retaining walls in the front yard on a residential site, based on the criteria that authorize a variance to be established.

Staff Analysis- Request 3: Encroachments into Areas With Slopes Of 20% Or Greater

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 slopes on this lot lead to exceptional topographic conditions which require the encroachment on 20% slopes in order to provide access and support development. The Franklin Zoning Ordinance does not allow for encroachment into areas with 20% or greater slopes, so the applicant has requested encroachment into areas of 20% or greater slope to build the proposed residential structure. Staff recognizes the exceptional slope conditions across the site and believes that encroachment into areas with a slope of 20% is necessary in this case. For these reasons, staff finds this criteria for Request 3 to be 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.

Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions and the Avalon Subdivision architectural guidelines. The Avalon PUD Subdivision was approved by the City of Franklin prior to the adoption of the Hillside Hillcrest Overlay Zoning District (HHO) and today's applicable slope development standards. Development on the steep hillsides was anticipated when the development was originally approved, so the current Zoning Ordinance creates exceptional practical difficulties for the Avalon Subdivision

that was established prior to the updated ordinance requirements. Seeing as slopes greater than 20% cover most of this lot, the application of the Zoning Ordinance would prevent development on this site. For these reasons, staff finds this criteria for Request 3 to be 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.

Allowing for 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. The lot is currently neighbored by lots with similar topography that have utilized similar site grading techniques. The intent of the Zoning Ordinance is to allow a single-family residential home on this lot, and this variance is the minimum necessary deviation from the requirements of the Zoning Ordinance in order to develop a single-family home on the lot, given the current conditions of the site. Staff finds this criteria for Request 3 to be met.

Recommendation- Request 3

Based on the reasoning detailed above, staff recommends approval of the Variance Request 3, to allow for encroachment into areas with slopes of 20% or greater, based on the criteria that authorize a variance to be established.

FINANCIAL IMPACT:

None.

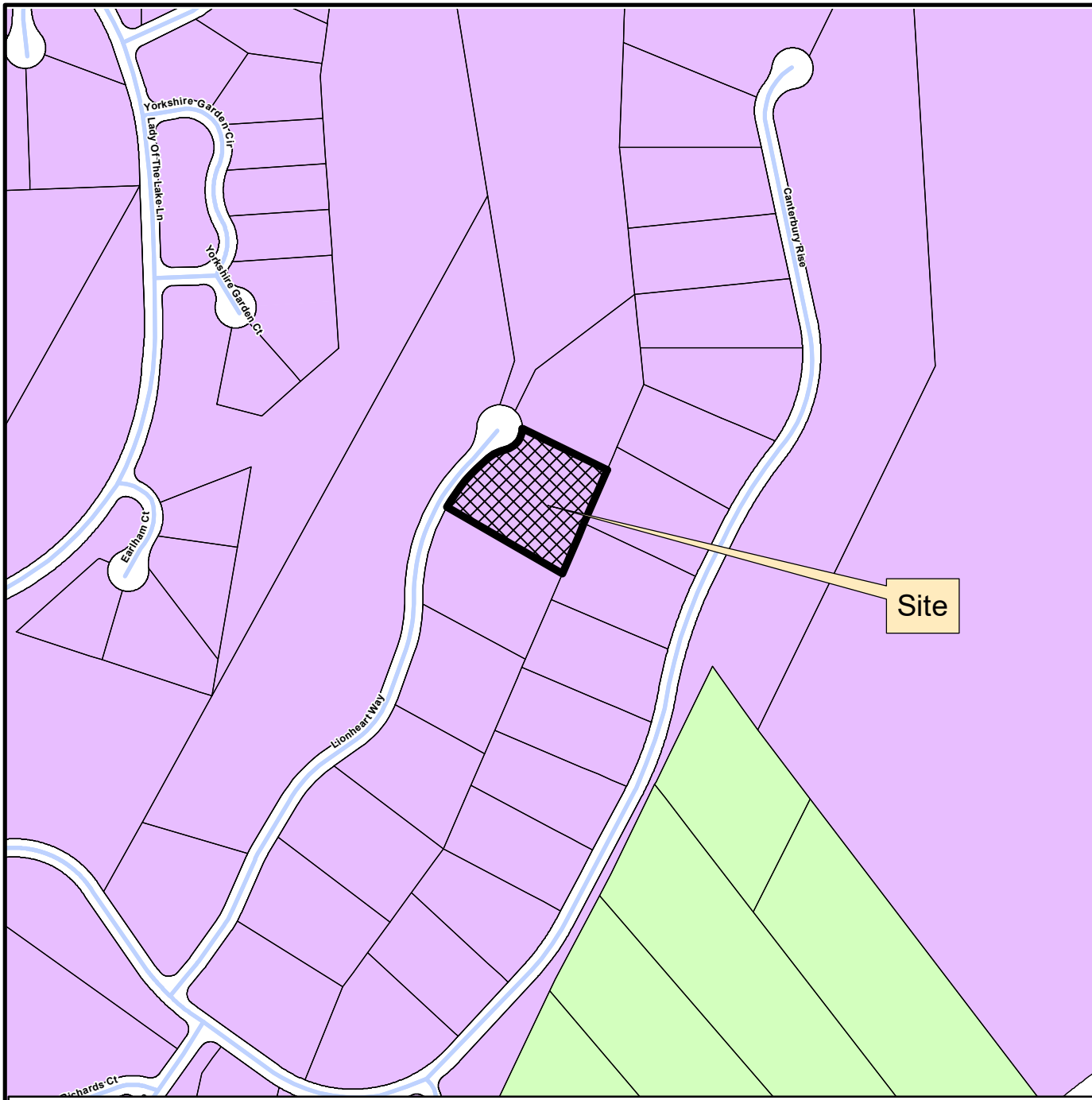
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning appeals move to approve the **Variance Request To Allow More Than The Maximum Number Of Retaining Walls On A Site, And Variance Request To Allow For A Taller Than Allowable Retaining Wall Within A Front Yard, And Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater, For The Property Located At 326 Lionheart Way** because the criteria for granting a variance have been met.

326 LIONHEART WAY
TAX MAP 061F, GROUP C, PARCEL 00500
BOARD OF ZONING APPEALS
11/3/2022

Legend

-  326LionheartWay
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial District



Site

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.



0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE

--CONSTRUCTION PLANS--

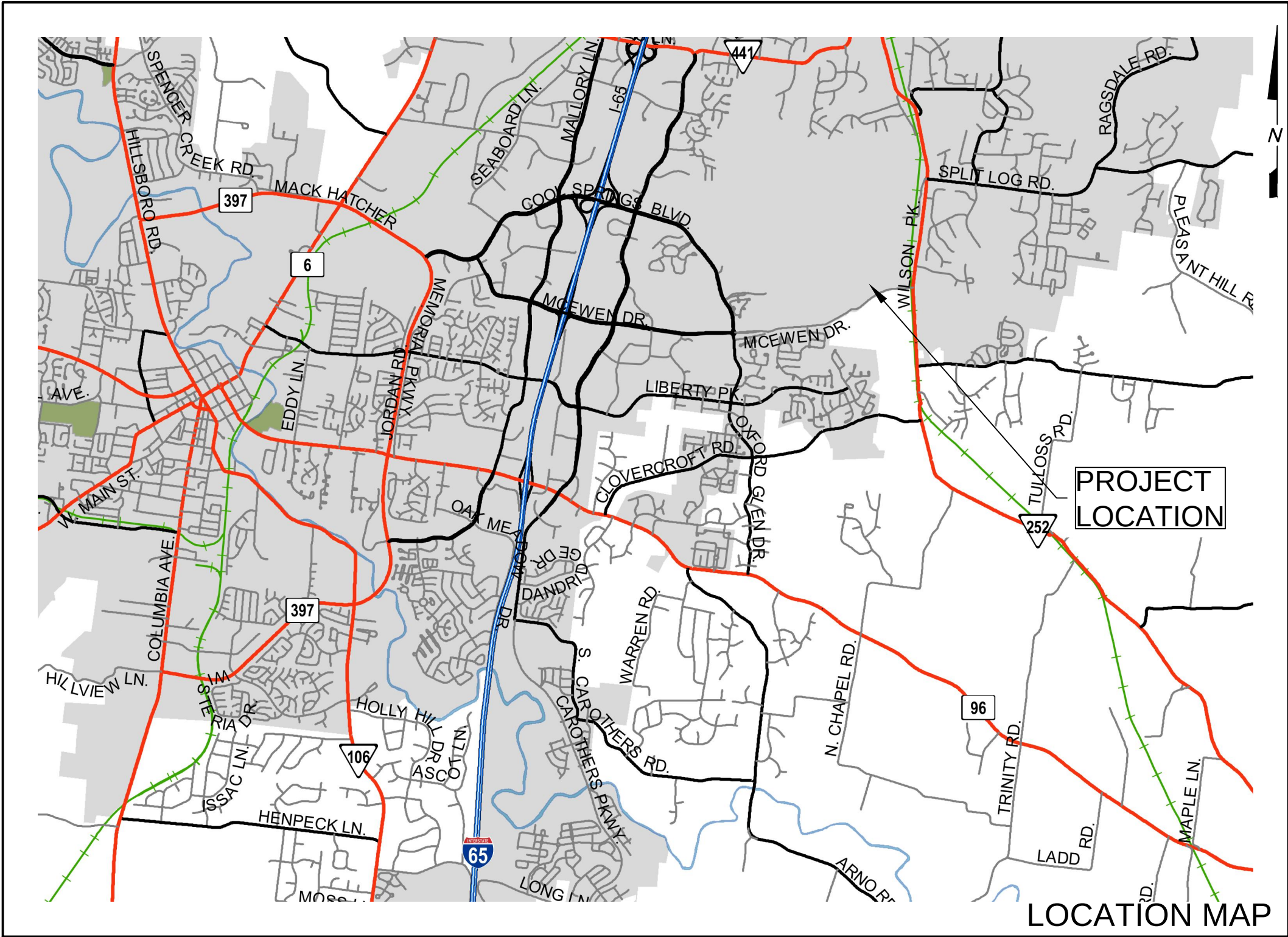
326 LIONHEART WAY
ARAB RESIDENCE

FRANKLIN, TENNESSEE

INDEX OF DRAWINGS

DESCRIPTION
TITLE SHEET
EXISTING SITE LAYOUT
PROPOSED SITE LAYOUT
PROPOSED GRADING PLAN
EROSION PREVENTION & SEDIMENT CONTROL
STANDARD DETAILS

SHEET
T1
C1
C2
C3
C4
C5



MID - TENN
ENGINEERING CO.
648 HIGHWAY 52 BYPASS W.
LAFAYETTE, TN (615) 666-2385





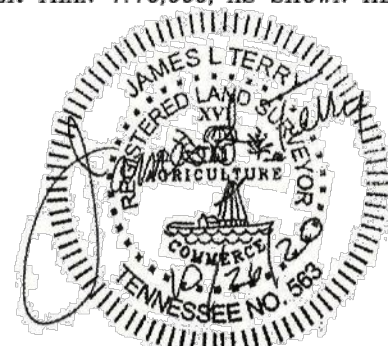
- NOTES:
1. NORTH BASED ON GPS OBSERVATION.
 2. PROPERTY RECORDED IN BK. 6819, PG. 161, R.O.W.C.,TN.
 3. PROPERTY SUBJECT TO ALL NOTES AND REQUIREMENTS AS RECORDED IN AVALON P.U.D. SUBD. SECT. 5, PLAT BK. P49, PG.172, R.O.W.C., TN.
 4. PROPERTY MAP NO. FOR THIS PROPERTY IS 061--FF-C PARCEL 00600
 5. OWNER: ACIE C. MURRAY, JR.
ADDRESS: 322 LIONHEART WAY
FRANKLIN, TENN 37067
 6. THIS SURVEY MEETS THE REQUIREMENTS OF A "GENERAL PROPERTY SURVEY" AS PER STANDARDS OF PRACTICES, 0820-3-07(1) ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE. THIS SURVEY OF PRACTICES, 0820-3--06 ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE.
 7. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE & UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE. PUBLIC RECORDS OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO WITH CAUTION AND CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY IN TENNESSEE. IT IS A REQUIREMENT, PER THE UNDERGROUND UTILITY LOCATING ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-800-351-1111
 8. NO TITLE SEARCH WAS PROVIDED TO THIS SURVEYOR, THEREFORE, THIS SURVEY IS SUBJECT TO THE FINDINGS OF A CURRENT TITLE SEARCH.
 9. PROPERTY DESIGNATED AS A CRITICAL LOT AND MUST HAVE A SEPERATE CRITICAL LOT PLAN.
 10. THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED BY CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47187C0229F, DATED SEPT 29, 2006
 11. PUBLIC WATER PROVIDED BY MICROFTON UTILITY DISTRICT.
 12. PUBLIC SEWER PROVIDED BY FRANKLIN WATER & SEWER DISTRICT.

CURVE DATA

NO.	RAD.	LENGTH	DELTA	TAN	CH	CHD. BEARING
21	50.00'	64.56'	73°58'37"	37.66'	60.17'	S39°46'06"W
22	90.00'	41.66'	26°31'11"	21.21'	41.29'	N63°29'49"E
24	395.00'	139.71'	20°15'54"	70.59'	138.98'	N40°06'17"E

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE REQUIREMENTS OF AN URBAN LAND SURVEY (CATEGORY 1) AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:10,000, AS SHOWN HEREON.

LEGEND	
MH	MAN HOLE
SS	SANITARY SEWER
W	WATER
OHL	OVERHEAD ELECTRIC LINE
EOP	EDGE OF PAVEMENT
CMP	CORRUGATED METAL PIPE
CP	CONC. PIPE
FH	FIRE HYDRANT
WV	WATER VALVE



TENN. LAND SURVEYOR #563

TOPOGRAPHICAL SURVEY
FOR
LIBERTY CONSTRUCTION

326 LIONHEART WAY
14th CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE
DATE : OCT. 20, 2020 SCALE : 1" = 20'

PREPARED BY: JAMES L. TERRY
2812 BRANWOOD DR
NASHVILLE, TENNESSEE 37214

615-405-7525



SCALE IN FEET

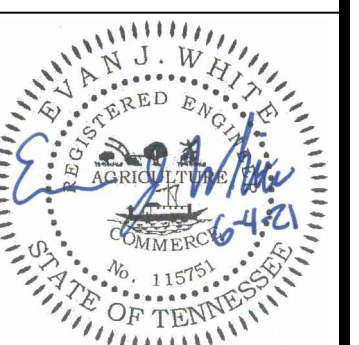
REVISIONS				
NO.	DATE	DESCRIPTION	BY	CHKD
Δ	2/27/2020	CHANGED ASPHALT TO GRAVEL PARKING	J.D.C.	E.J.W.

**MID - TENN
ENGINEERING CO.**
648 HIGHWAY 52 BYPASS W.
LAFAYETTE, TN (615) 666-2385



HAMID ARAB HOUSE
326 LIONHEART WAY
FRANKLIN, TENNESSEE

EXISTING SITE LAYOUT



SHEET	J.D.C.	E.J.W.
	DRAWN BY: J.D.C.	DATE: 6-04-21
	SCALE: 1" = 20'	JOB NO. 940001

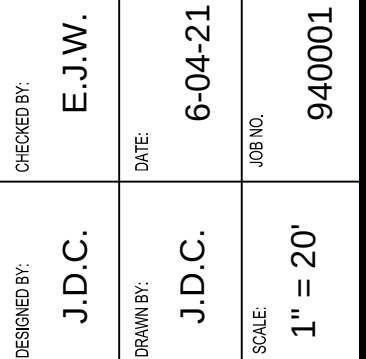
C1

ZONING:	100-RESIDENTIAL
AREA OF TRACT:	1.28 AC.
EXISTING BUILDING GROSS S.F.	0 S.F.
PROPOSED BUILDING FOOTPRINT GROSS S.F.	6,916 S.F.
EXISTING IMPERVIOUS SURFACE AREA	0 S.F.
TOTAL PROPOSED IMPERVIOUS SURFACE AREA	17,687 S.F.
IMPERVIOUS TO LOT RATIO	32.0%

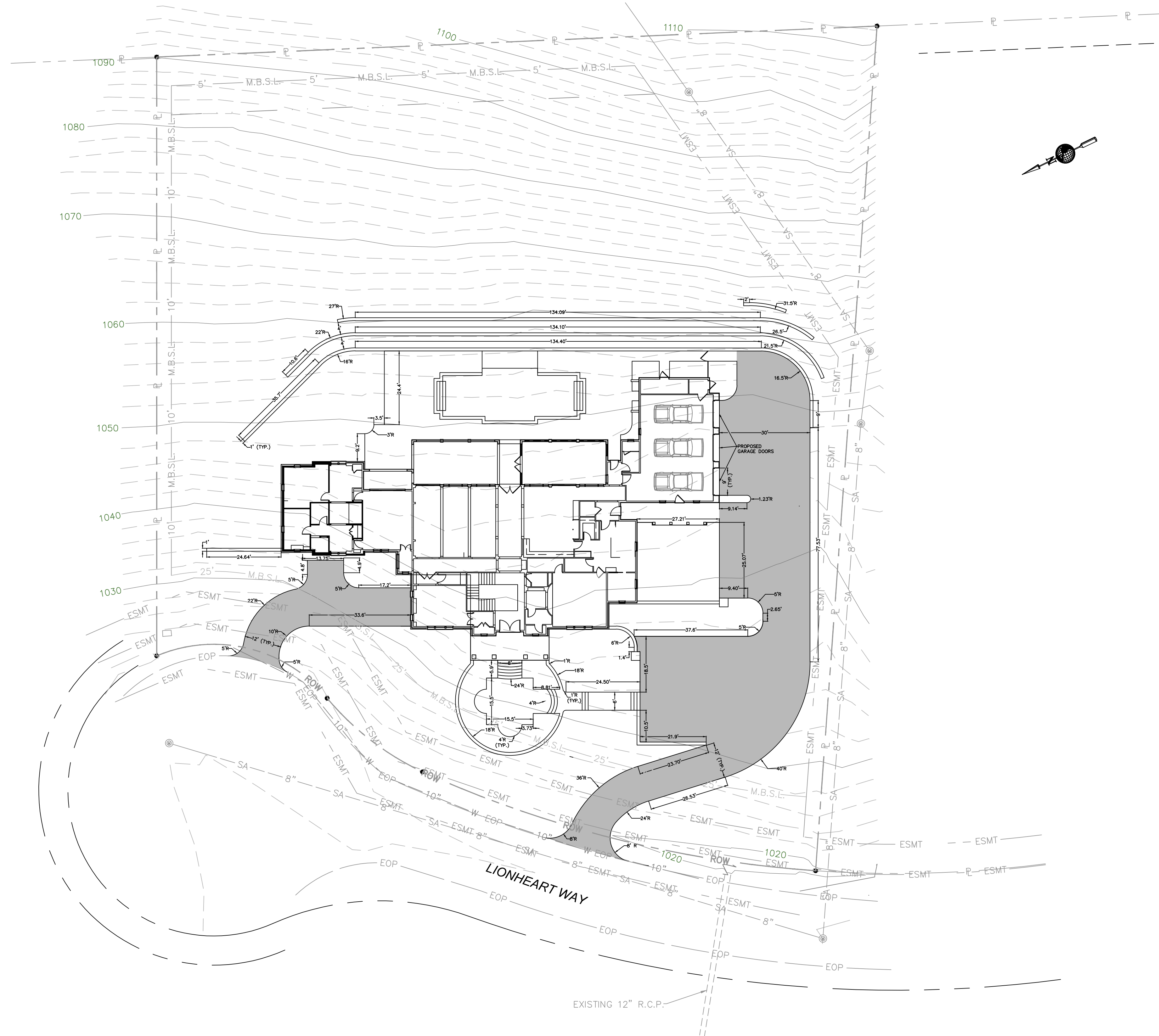
[illegible]

HAMID ARAB HOUSE
326 LIONHEART WAY
FRANKLIN, TENNESSEE

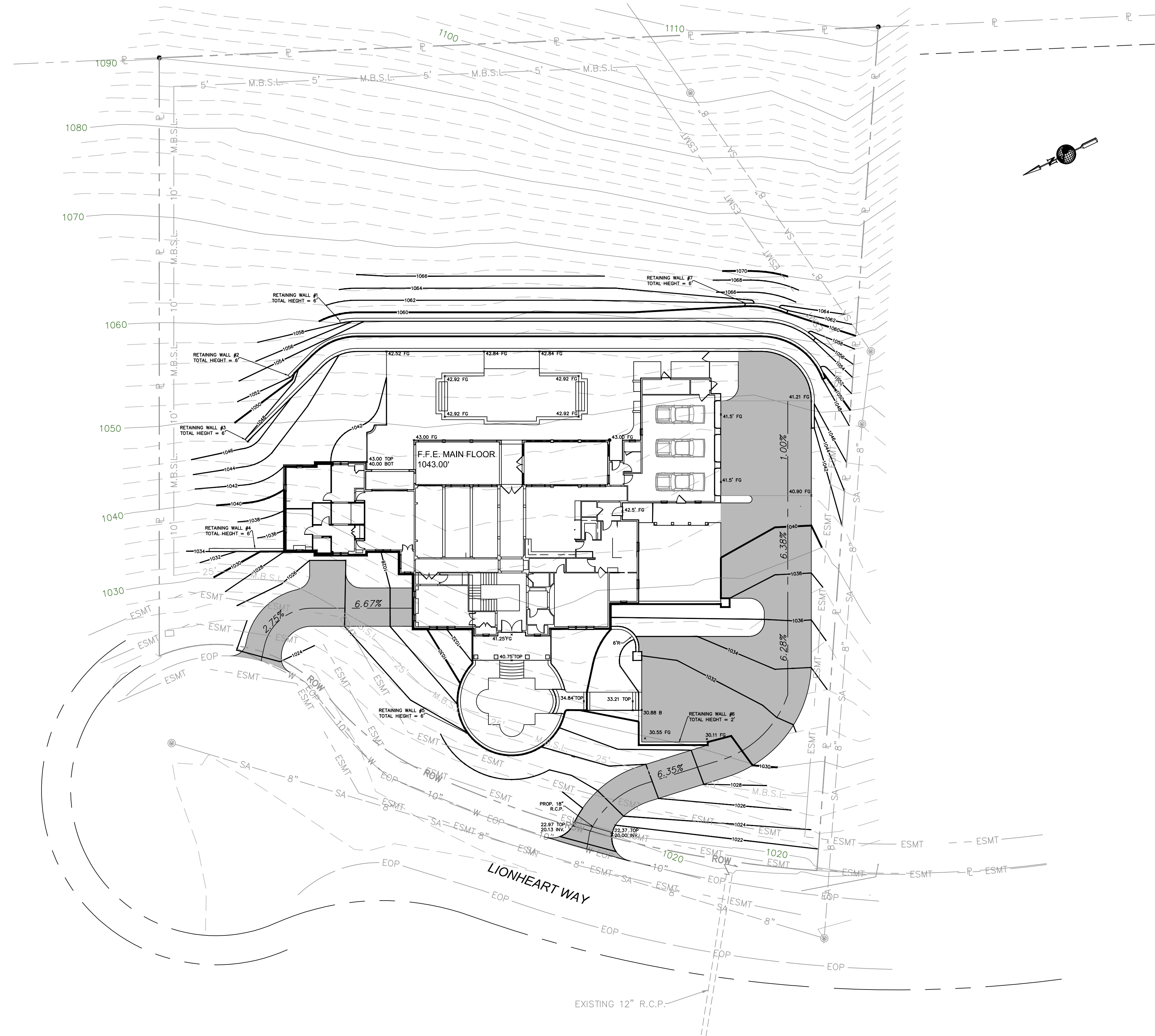
PROPOSED SITE LAYOUT



Page 58 of 117



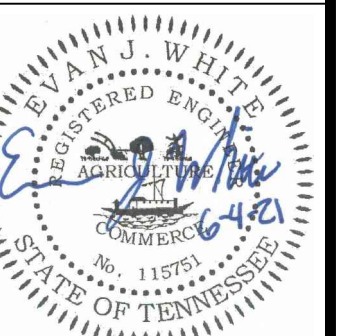
AVALON SUBDIVISION
OWNER AND CONTRACTOR:
AURORA BUILDING CO., LLC
4701 TROUSDALE DR. #210
NASHVILLE, TN 37220



**MID - TENN
ENGINEERING CO.**
646 HIGHWAY 52 BYPASS W.
LAFAYETTE, TN (615) 666-2385

HAMID ARAB HOUSE
326 LIONHEART WAY
FRANKLIN, TENNESSEE

PROPOSED GRADING PLAN



J.D.C.	E.J.W.
OWN BY: J.D.C.	DATE: 6-03-21
SCALE: 1" = 20'	JOB NO. 940001

C3

LEGEND

CONCRETE WASHOUT

OUTLET PROTECTION

MU

SEEDING WITH MULCH (ALL DISTURBED AREAS NOT RECEIVING MATTING)

CONSTRUCTION EXIT

FILTER RING

SF * * SF **

CONCRETE WASHOUT

OUTLET PROTECTION

MU

SEEDING WITH MULCH (ALL DISTURBED AREAS NOT RECEIVING MATTING)

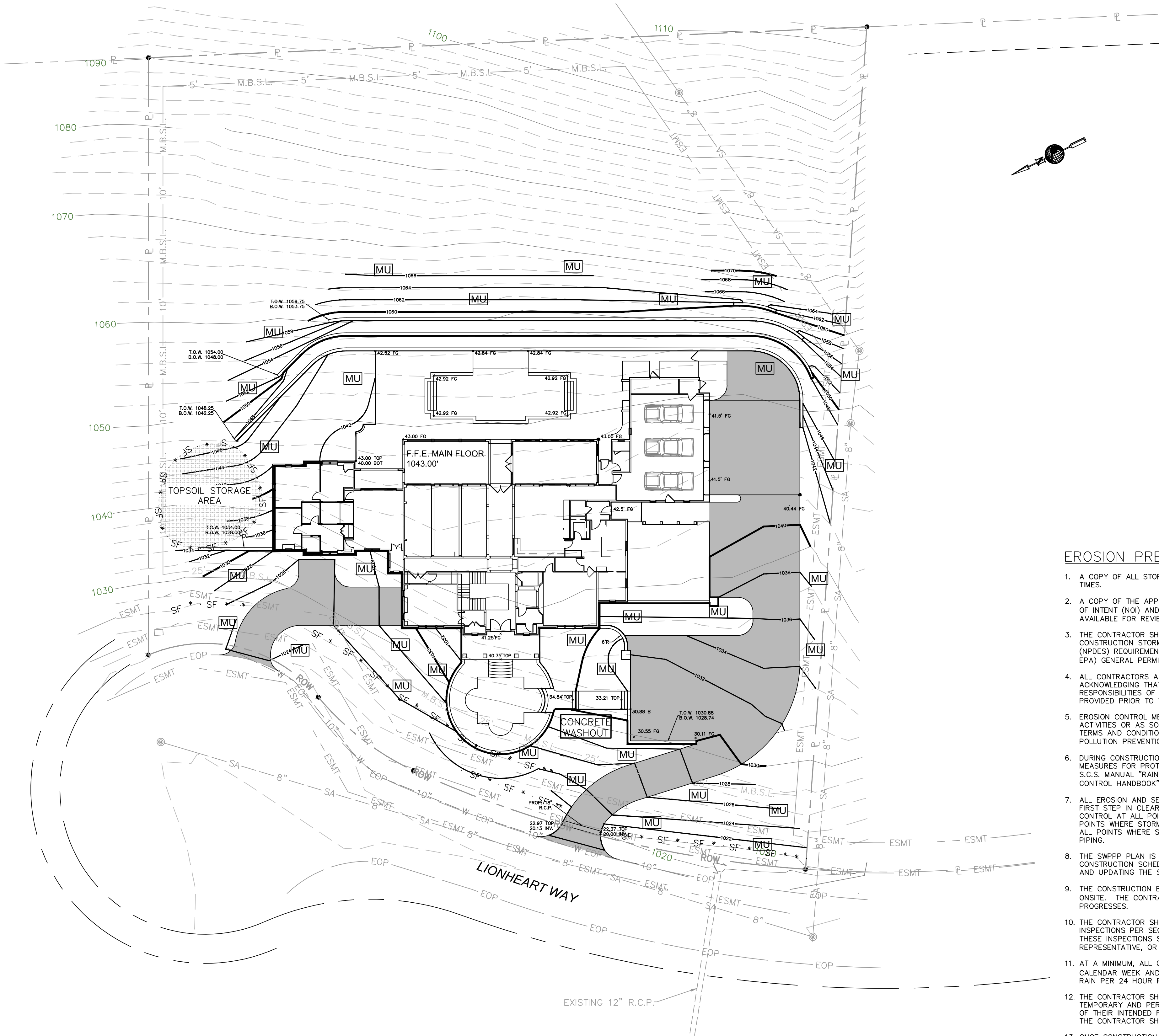
CONSTRUCTION EXIT

FILTER RING

SF * * SF **

NOTE: TWO LETTER DESIGNATIONS REFER TO THE T.D.E.C. EROSION CONTROL AND SEDIMENT HANDBOOK.

AVALON SUBDIVISION
OWNER AND CONTRACTOR:
AURORA BUILDING CO., LLC
4701 TROUSDALE DR. #210
NASHVILLE, TN 37220



EROSION PREVENTION AND SEDIMENT CONTROLS

1. A COPY OF ALL STORMWATER RELATED PERMITS SHALL BE POSTED ON-SITE AT ALL TIMES.
2. A COPY OF THE APPROVED STORM WATER POLLUTION PREVENTION PLAN (SWPPP), NOTICE OF INTENT (NOI) AND RELATED DOCUMENTS SHALL BE MAINTAINED ON THE SITE AND AVAILABLE FOR REVIEW UPON REQUEST.
3. THE CONTRACTOR SHALL BE DESIGNATED A CO-PERMITTEE TO THE GENERAL CONSTRUCTION STORM WATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS UNDER THE T.D.E.C. ENVIRONMENTAL PROTECTION AGENCY (TDEC EPA) GENERAL PERMIT.
4. ALL CONTRACTORS AND SUB-CONTRACTORS SHALL PROVIDE SIGNATURES TO THE OWNER ACKNOWLEDGING THAT THEY REVIEWED AND UNDERSTAND THE CONDITIONS AND RESPONSIBILITIES OF THE GENERAL PERMIT AND SWPPP. THESE SIGNATURES SHALL BE PROVIDED PRIOR TO THE COMMENCEMENT OF WORK ON THE CONSTRUCTION SITE.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO INITIAL DISTURBANCE ACTIVITIES OR AS SOON AS PRACTICAL. THE CONTRACTOR SHALL COMPLY WITH THE TERMS AND CONDITIONS OF THE TENNESSEE EPA GENERAL PERMIT AND THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) DEVELOPED FOR THE PROJECT.
6. DURING CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE PROPER SOIL EROSION MEASURES FOR PROTECTION OF ALL ADJOINING ROADS, LANDS, AND STREAMS. REFER TO S.C.S. MANUAL "RAINWATER AND LAND DEVELOPMENT" AND T.D.E.C. "EROSION & SEDIMENT CONTROL HANDBOOK" FOR REQUIREMENTS.
7. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING AND GRUBBING. THE CONTRACTOR SHALL PROVIDE SEDIMENT CONTROL AT ALL POINTS WHERE STORM WATER LEAVES THE LIMITS OF THE PROJECT, ALL POINTS WHERE STORM WATER ENTERS A STREAM THAT TRAVERSES THE PROJECT, AND ALL POINTS WHERE STORM WATER ENTERS PORTIONS OF COMPLETED UNDERGROUND PIPING.
8. THE SWPPP PLAN IS A DYNAMIC PLAN BASED UPON SITE CONDITIONS AND THE CONSTRUCTION SCHEDULE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING AND UPDATING THE SWPPP AS THE PROJECT PROCEEDS.
9. THE CONSTRUCTION BMP'S WITHIN THESE PLANS REPRESENT THE MINIMUM REQUIRED ONSITE. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN ONSITE BMP'S AS THE PROJECT PROGRESSES.
10. THE CONTRACTOR SHALL PROVIDE QUALIFIED INSPECTION PERSONNEL TO CONDUCT INSPECTIONS PER SECTION 3.5.8 OF THE TENNESSEE GENERAL PERMIT. RECORDS OF THESE INSPECTIONS SHALL BE KEPT AND MADE AVAILABLE TO THE OWNER, THE OWNER'S REPRESENTATIVE, OR THE JURISDICTIONAL AGENCIES IF REQUESTED.
11. AT A MINIMUM, ALL CONTROLS ON THE SITE SHALL BE INSPECTED AT LEAST TWICE PER CALENDAR WEEK AND WITHIN 24 HOURS AFTER ANY STORM EVENT GREATER THAN 1" OF RAIN PER 24 HOUR PERIOD. INSPECTION PERIOD SHALL BE AT LEAST 72 HOURS APART.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF ALL TEMPORARY AND PERMANENT CONTROL PRACTICES TO ENSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION. SHOULD A STRUCTURE OR FEATURE BECOME DAMAGED, THE CONTRACTOR SHALL REPAIR OR REPLACE AT NO ADDITIONAL COST TO THE OWNER.
13. ONCE CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED AND THE SITE HAS MET FINAL STABILIZATION REQUIREMENTS WITH ALL TEMPORARY BMP'S REMOVED, THE AUTHORIZED SITE REPRESENTATIVE MAY FILE A NOTICE OF TERMINATION (NOT) WITH T.D.E.C..
14. ALL SLOPES 3:1 OR GREATER SHALL USE SLOPE STABILIZATION METHODS SHOWN IN DETAILS.
15. PERMANENT METHODS OF ENERGY DISSIPATION SHALL BE PLACED AT DOWNSPOUTS AND OTHER HIGH CONCENTRATION AREAS.

DESIGNED BY: J.D.C.

DRAWN BY: J.D.C.

SCALE: 1" = 20'

CHECKED BY: E.J.W.

DATE: 6-04-21

JOB NO.: 940001

SHEET

EROSION PREVENTION & SEDIMENT CONTROL

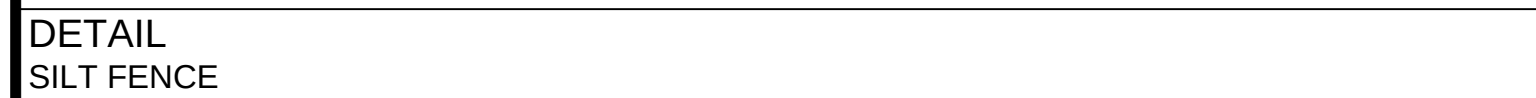
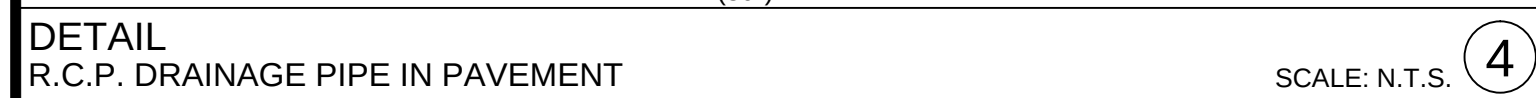
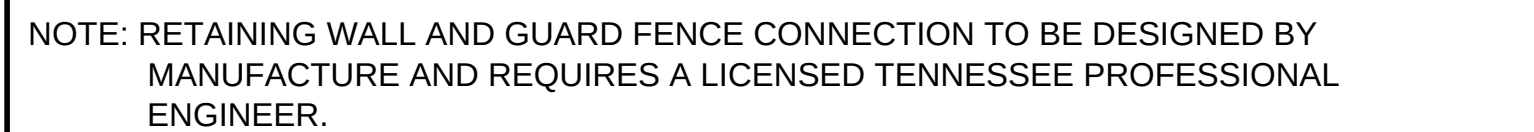
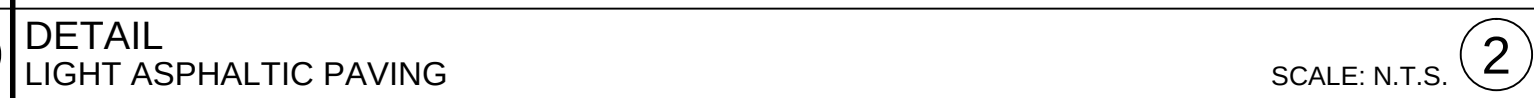
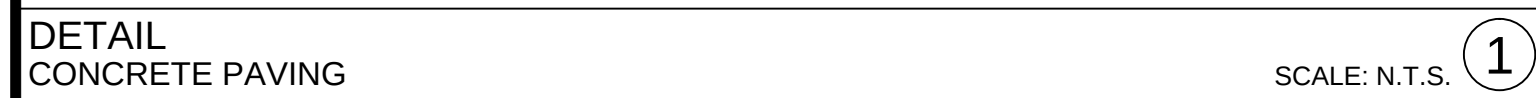
SEAN J. WHITE
REGISTERED ENGINEER
No. 11575
STATE OF TENNESSEE
COMMERCIAL

6/4/21

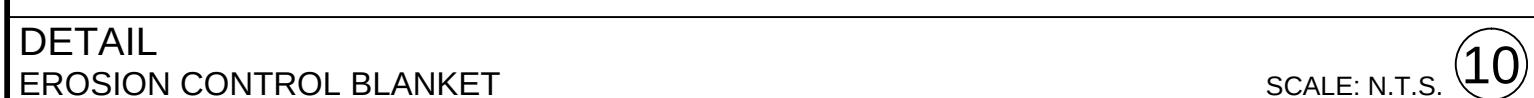
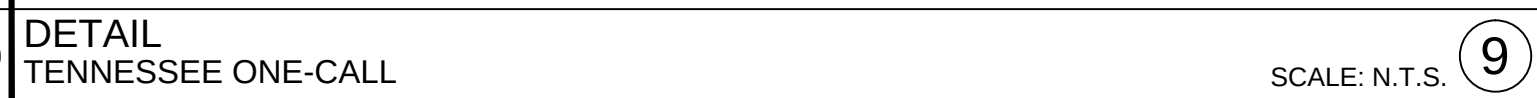
HAMID ARAB HOUSE
326 LIONHEART WAY
FRANKLIN, TENNESSEE

MID - TENN
ENGINEERING CO.
648 HIGHWAY 59 BYPASS W.
LAFAYETTE, TN 37155
(615) 666-2385

NO. DATE
2/27/2020
BY J.D.C.
DESCRIPTION
CHANGED ASPHALT TO GRAVEL PARKING
E.J.W.
CKD



SCALE: N.T.S. 8



NO.	DATE	DESCRIPTION	BY	CKD

HAMID ARAB HOUSE
326 LIONHEART WAY
FRANKLIN, TENNESSEE

STANDARD SITE DETAILS



SHEET	DESIGNED BY:	J.D.C.	CHECKED BY:	E.J.W.
	DRAWN BY:	J.D.C.	DATE:	6-04-21
	SCALE:	AS-NOTED	JOB NO.	940001

C5



MID-TENN ENGINEERING COMPANY

October 3, 2022

Chelsea Randolph, Principal Planner
City of Franklin
109 3rd Avenue South
Franklin, Tennessee 37064

RE: BZA Variance Request
Hamid Arab Residence, 326 Lionheart Way, Franklin, TN
Avalon P.U.D. Subdivision Lot 123, Sect 5, Plat BK P49, Pg. 172
Map 061-FF-C, Parcel 00600

Ms. Randolph,

Mid-Tenn Engineering is requesting three variances for Mr. Hamid Arab's lot, located at 326 Lionheart Way, Lot 123 of the Avalon Subdivision, in Franklin, TN. Below are the three lot variances we are requesting.

- Chapter 4.4.6 (Lots, Uses, and Structures Established Prior to the Effective Date of this Ordinance)
 - *Part B – Development shall be prohibited on natural slopes of 20 percent or greater.*

The lot at 326 Lionheart Way is located within the "Hill Side Overlay" zone in Franklin. A majority of the natural slopes range between 33-50 percent. Therefore, we are requesting a variance from Chapter 4.4.6, allowing Mr. Hamid Arab to build within his lot.

- Chapter 13.2.4 (Retaining Walls for Residential Lots)
 - *Front Yard Retaining Wall Height – Maximum 2 feet height*

As mentioned, in the variance request above, Mr. Arab's lot is located within the "Hill Side Overlay" zone in Franklin. Because of the existing natural grade ranging between 33-50 percent, there is more elevation change needing to be retained than is capable with a 2 foot high wall. Also, more walls cannot be utilized because an additional wall would have to extend into an existing utility easement. We are requesting a variance from the 2 feet maximum wall height. The submitted plans have two walls in the front yard. One meets the two feet requirement but the other is six feet high. However, this wall is incorporated into the entrance of the home, allowing for an aesthetically pleasing appearance.

- Chapter 13.2.4 (Number of Retaining Walls)
 - *Maximum 3 Per Lot*

Because the lot is located within the "Hill Side Overlay", there is more grade that must be retained, than is possible with three walls six feet in height. The submitted lot development has been designed with a total of five retaining walls. We are requesting a variance to allow for more than three retaining walls on the lot. The majority of the walls will be located in the rear and side of the proposed residential home.

An extensive effort was made to design Mr. Arab's lot development in a manner that would fit within all of the City's Zoning Ordinances. However, as described in the variance requests above, the lot has exceptional topographic conditions that don't allow for a lot design to fit within the Zoning Ordinance parameters. Without the City of Franklin granting all of the requested variances, Mr. Arab's lot will be rendered non-developable. Thank you for your consideration of these variance requests. If you have any questions regarding this matter, please contact me by phone at 615-666-2385 or by email at jared.claiborne@nctc.com and we can discuss it further.



Jared D. Claiborne, P.E.



File #: 21-03721

DATE: October 11, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Ariella Stanford, Planner

SUBJECT:

Variance Request For A 43-Foot Encroachment Into the Required 75-Foot Front Yard Setback To Relocate The Historic Rosenwald School, For The Property Located At 423 S Margin Street (FZO §3.12.5).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7987
Applicant: Stephanie Stewart
Owner: Cyril Stewart

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: CI - Civic Institutional District, Civic/Institutional
Northeast: R4 - Residential 4 District / PD Planned District, Residential Single Family
Northwest: R4 – Residential 4 District, Residential Single Family
Southeast: R4 – Residential 4 District / PD Planned District, Residential Single Family/Residential Multifamily
Southwest: R4 – Residential 4 District, Residential Single Family/Residential Duplex

Applicable Zoning Ordinance Provisions

20.10 Variance

- A. The purpose of a variance is to:
1. 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
 2. 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.

3.12.5 - Zoning Districts, CI - Civic Institutional District, Dimensional Standards

Principal Building Setbacks	Minimum
Front Yard Abutting Arterial Street	75 feet

Background

The subject parcel is located at 423 S. Margin Street and is zoned CI - Civic Institutional District. The property is located within the Historic Preservation Overlay and the Central Franklin Overlay District. The Heritage Foundation is proposing the relocation of a historic Rosenwald school from southern Williamson County. Being a corner lot, the Zoning Ordinance treats both S Margin Street and Lewisburg Avenue as frontage yards, requiring 75' setbacks. Previously, structures that existed on this site were setback just over thirty feet. The applicant is requesting a 32' setback from Lewisburg Avenue for the schoolhouse. Variance requests for historic structures in the Historic Preservation Overlay are required to receive 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 October, 2022 meeting for the schoolhouse to encroach into the 75-foot setback by 43 feet. The proposal is the most sensitive to the architectural qualities of the site's contributing structure and presents the least amount of adverse impact on the contributing status of the historic structure and the context of the overall historic district.

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 property is exceptional due to its historical condition. Due to the requirements of the Historic Zoning Commission and the Tennessee Historical Commission, the Lee-Buckner Rosenwald school cannot be placed elsewhere on the site. Historic preservation guidelines require the preservation of historically significant stone walls, the preservation of significant landscape or property surrounding a historic building, as well as the specific orientation of historic buildings. These factors apply to this site and the historical context of the schoolhouse. Staff finds this requirement met.

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

To move the schoolhouse to comply with the 75' requirement would require demolition of a historic stone wall and block the view of the historic Haynes Berry house. This would result in undue hardship for the owner of the property. Therefore, staff finds that 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.

Staff finds that this proposed plan would not cause substantial detriment to the public good. The intent of the Zoning Ordinance in this case is to maintain a buffer between buildings and the street that is consistent along the given street for aesthetic purposes. Because the applicant has positioned the building fronting S Margin Street, and the building is situated as far from Lewisburg Avenue as it can be, staff finds this proposal to meet the intent of the Ordinance. In addition, there are existing buildings fronting Lewisburg Avenue that range from 40-100 feet away from the property line, so this design would be relatively consistent with the rest of the street. Staff finds that this criteria is met.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

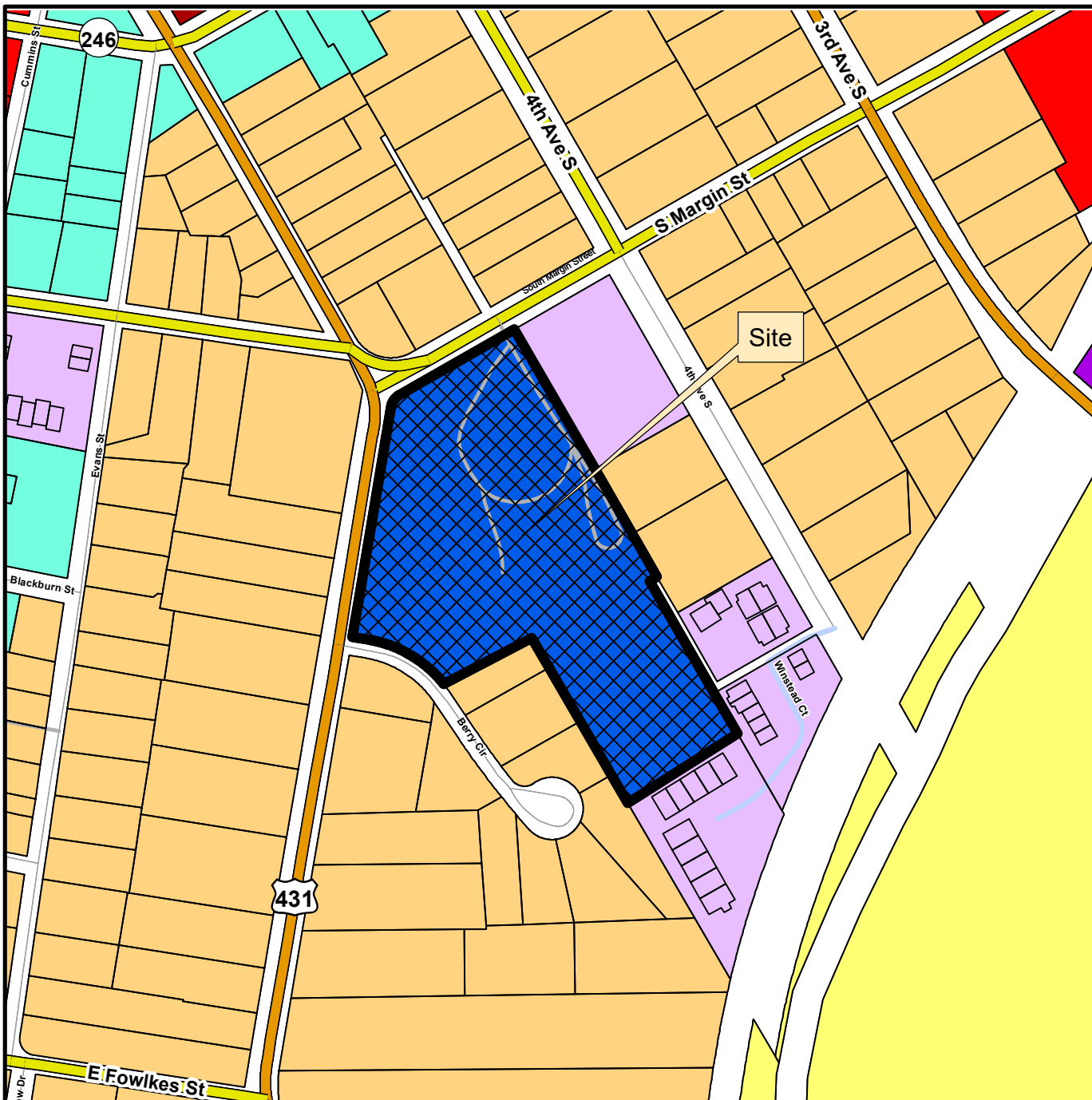
RECOMMENDED MOTION: Staff recommends the Board of Zoning appeals move to approve the variance request For A 43-Foot Encroachment Into the Required 75-Foot Front Yard Setback To

Relocate The Historic Rosenwald School, For The Property Located At 423 S Margin Street because the criteria for granting a variance have been met.

423 S, MARGIN STREET
TAX MAP 078F, GROUP F, PARCEL 02500
BOARD OF ZONING APPEALS
11/3/2022

Legend

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



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 herein.
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0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE

Setback Variance Request Franklin Grove

City of Franklin Board of Zoning Appeals

November 3, 2022



FRANKLIN
Grove

Project Description and Variance Request

- Project Description
 - Franklin Grove Estate & Gardens is a transformation of the former O'More campus to house an art museum in the historic Perkins-Winstead home, an Innovation/Entrepreneur center in the historic Haynes-Berry house, and to relocate the Lee-Buckner Rosenwald School, all on the 5-acre site developed as botanical gardens. It will be a treasure for Franklin and the region.
- Variance Request
 - The current CI zoning stipulates 25' side and rear setbacks and a 75' setback for front yards abutting arterial streets. Lewisburg is an arterial street. This request is for approval of a 32' setback along Lewisburg.

Criteria for Appeals

Criteria 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;

Justification:

The property is exceptional due to its shape and historic elements. Due to the requirements of historic zoning, the Tennessee Historical Commission and other preservation experts, the Lee-Buckner Rosenwald school cannot be placed elsewhere on the site. The topography of the site is also exceptional with the vertical separation from the street to the usable parts of the site.

Criteria for Appeals

Criteria 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

Justification:

To move the schoolhouse to comply with the 75' requirement would require demolition of a historic stone wall and block the view of the historic Haynes Berry house. These are conditions unique to this site and not typical of other properties.

Criteria for Appeals

Criteria 3

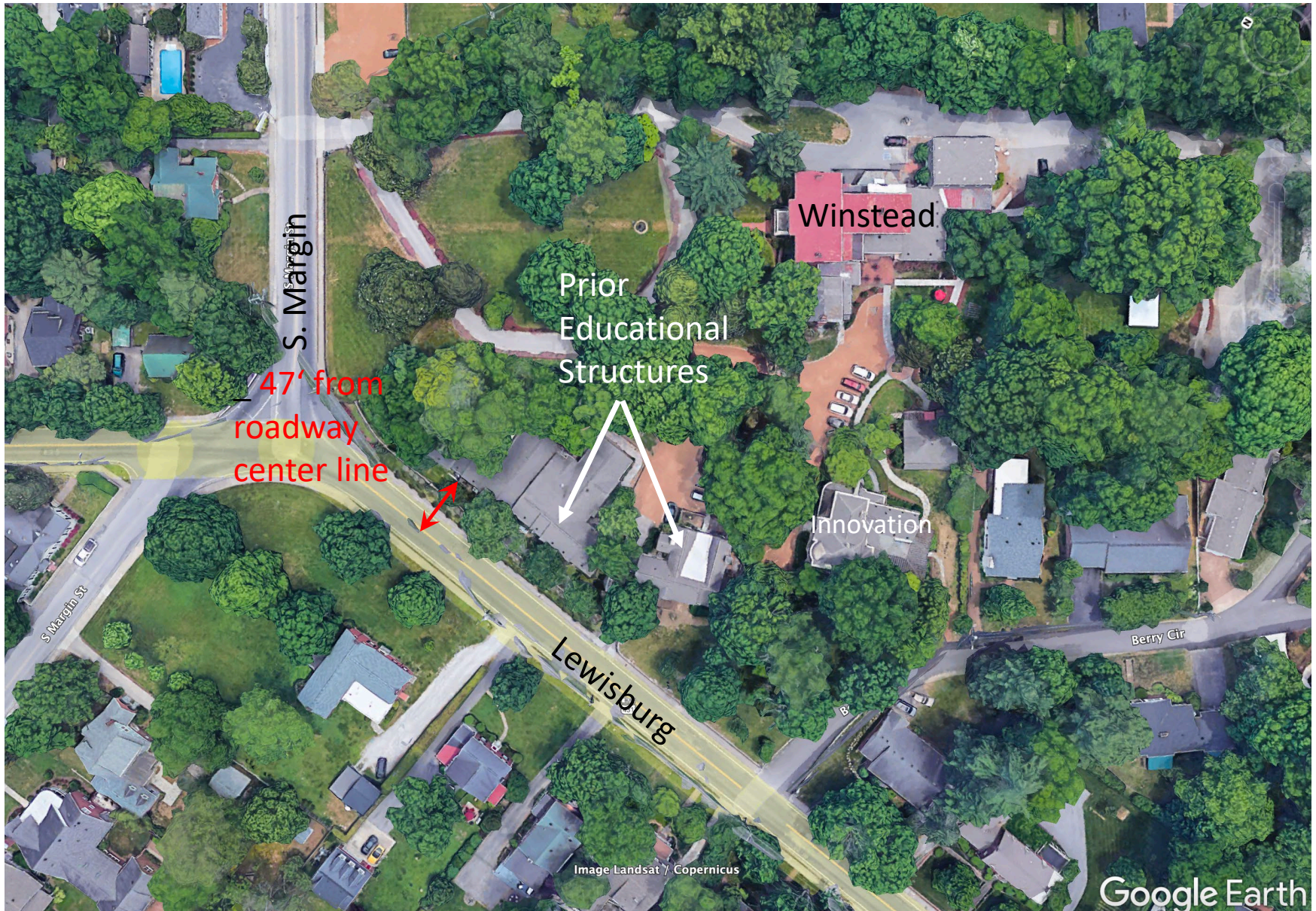
Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning map and this Ordinance. In accordance with State law, all three criteria must be met to grant a variance. Variances are typically considered for dimensional 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.

Justification:

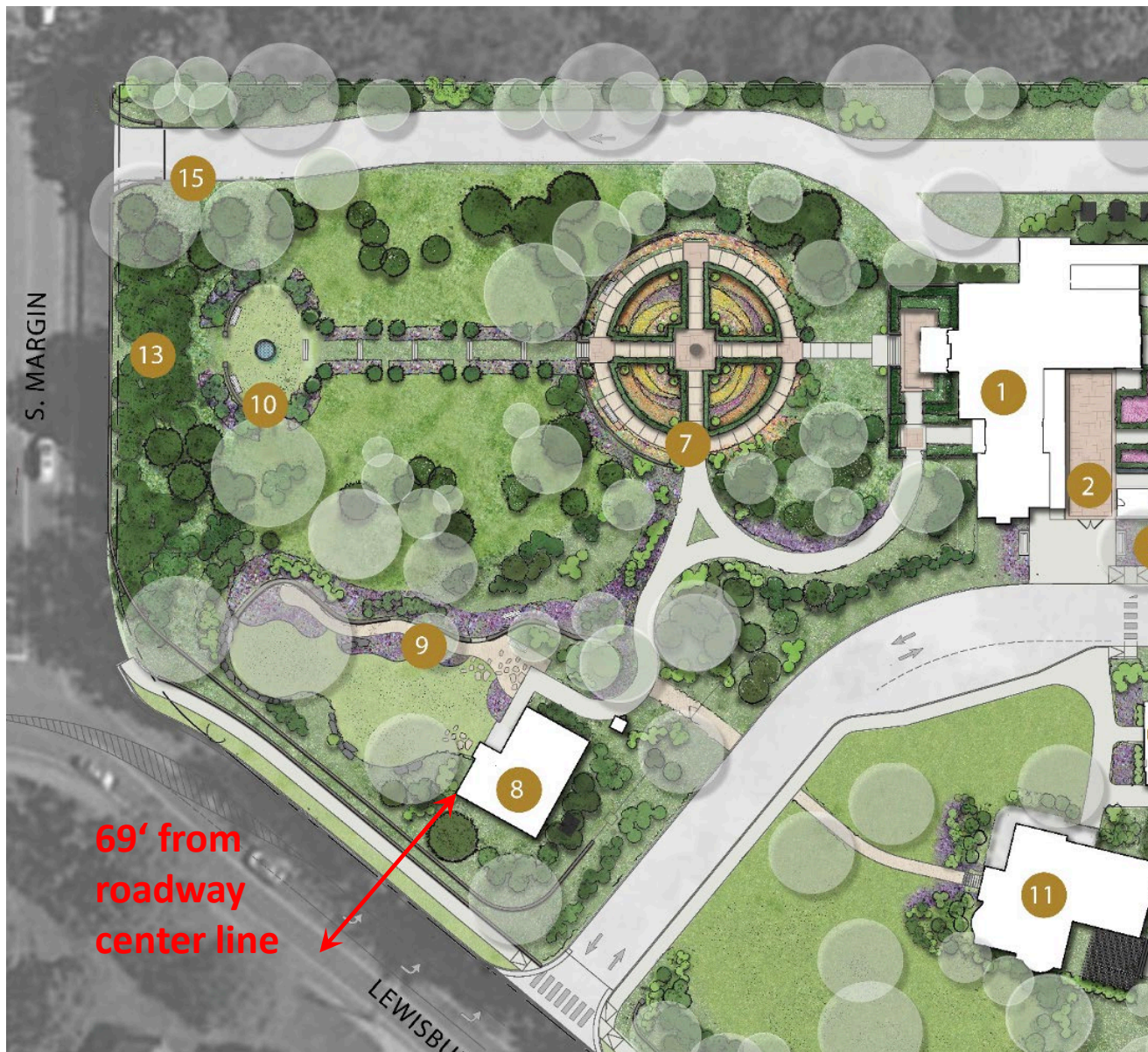
The proposed plan improves on conditions existing for the past thirty years and enhances the public good and does not impair the intent and purpose of the Zoning Ordinance.

Other Relevant Points:

- The Zoning Ordinance requires that front yards in the CI district be 75'. This project, as proposed, more than fulfills that requirement as the front yard is over 150' to the school and over 300' to the historic structures.
- However, the city interprets corner lots as having two fronts, one on each street. This site, the neighborhood and the city, has never seen the Lewisburg side as a front yard. For well over a century, it was the side yard for two historic homes. During the O'More time, it was treated as a back yard for two educational structures.
- The proposed plan does not treat Lewisburg as a front yard but, instead, as the primary entrance to lush gardens and immaculately restored historic structures.
- This request is truly unique, based on conditions that are not likely to be seen again.
- The 75' requirement seems to be intended to keep deep front yards along arterial streets. The existing front yard setbacks along Lewisburg range from 40' to over 100' (further south).
- The Perkins-Winstead house, LeHew Innovation Center, and proposed school all front to Margin Street, making the Lewisburg frontage the side yards. The two existing structures setback over 300' and the school is proposed to setback over 150' from Margin.
- The two educational buildings that existed for over thirty years, backed onto Lewisburg, only 30' and 33' from the right of way.
- The proposed location of the school is 32' from the right of way.
- The historic view from Lewisburg was a 5' sidewalk against the curb, a 3' stone retaining wall, and a 6' high brick wall. The back of the two educational structures were 30' and 33' from the right of way.
- The proposed view from Lewisburg will be buffered by a left turn lane, 6' grass planting strip between the curb and sidewalk, a 6' sidewalk, a 4' landscape strip, a 3' stone retaining wall, a 4' wide landscaping strip, a 3' high brick retaining wall, and a 23' wide landscaped area with trees to replicate the original setting of the school.



Aerial View of O'More Campus



FRANKLIN
Grove
ESTATE & GARDENS

LEGEND

- 1 MUSEUM OF ART
- 2 WELCOME GARDEN & LOGGIA
- 3 PARTERRE GARDEN
- 4 SMOKEHOUSE
- 5 OAK GARDEN
- 6 SECRET GARDEN
- 7 DISPLAY GARDEN
- 8 LEE-BUCKNER ROSENWALD SCHOOL
- 9 HISTORY WALK
- 10 LOWER LAWN
- 11 INNOVATION CENTER
- 12 CARRIAGE HOUSE
- 13 LOWER HILLSIDE GARDEN
- 14 PARKING
- 15 TRAFFIC CONTROL ARM

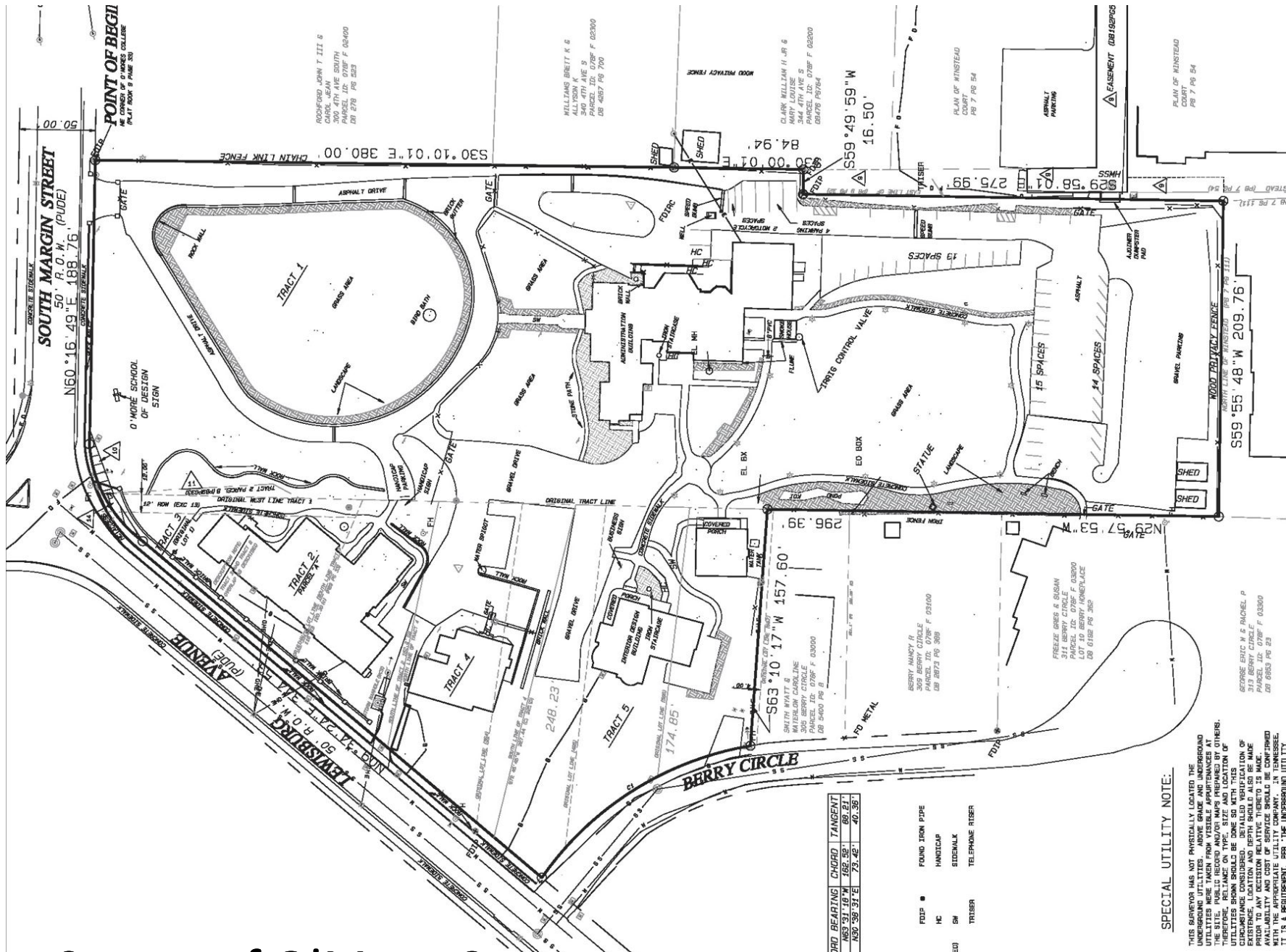
Proposed Site Plan (enlarged partial image)



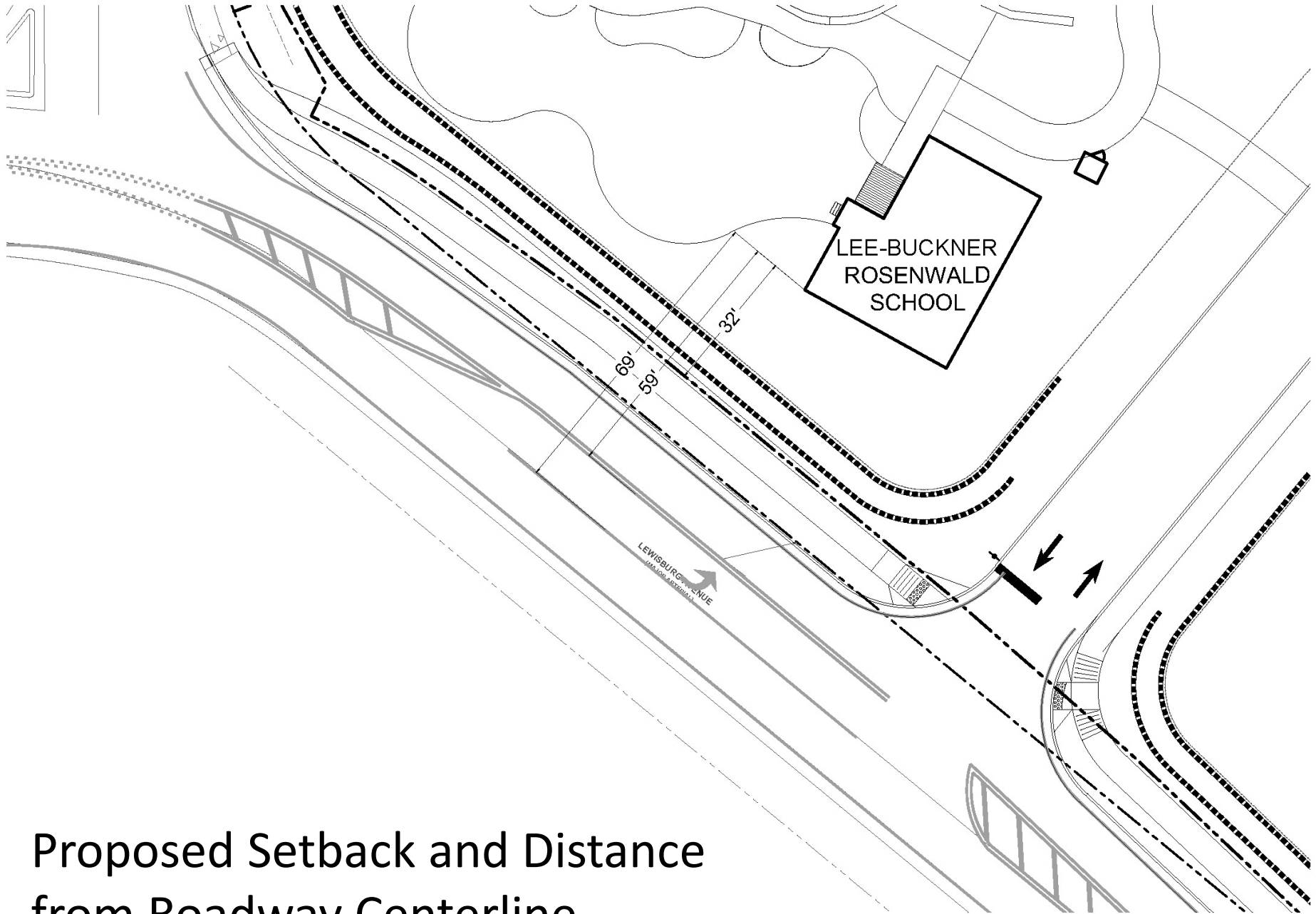
View of O'More Campus Looking North on Lewisburg



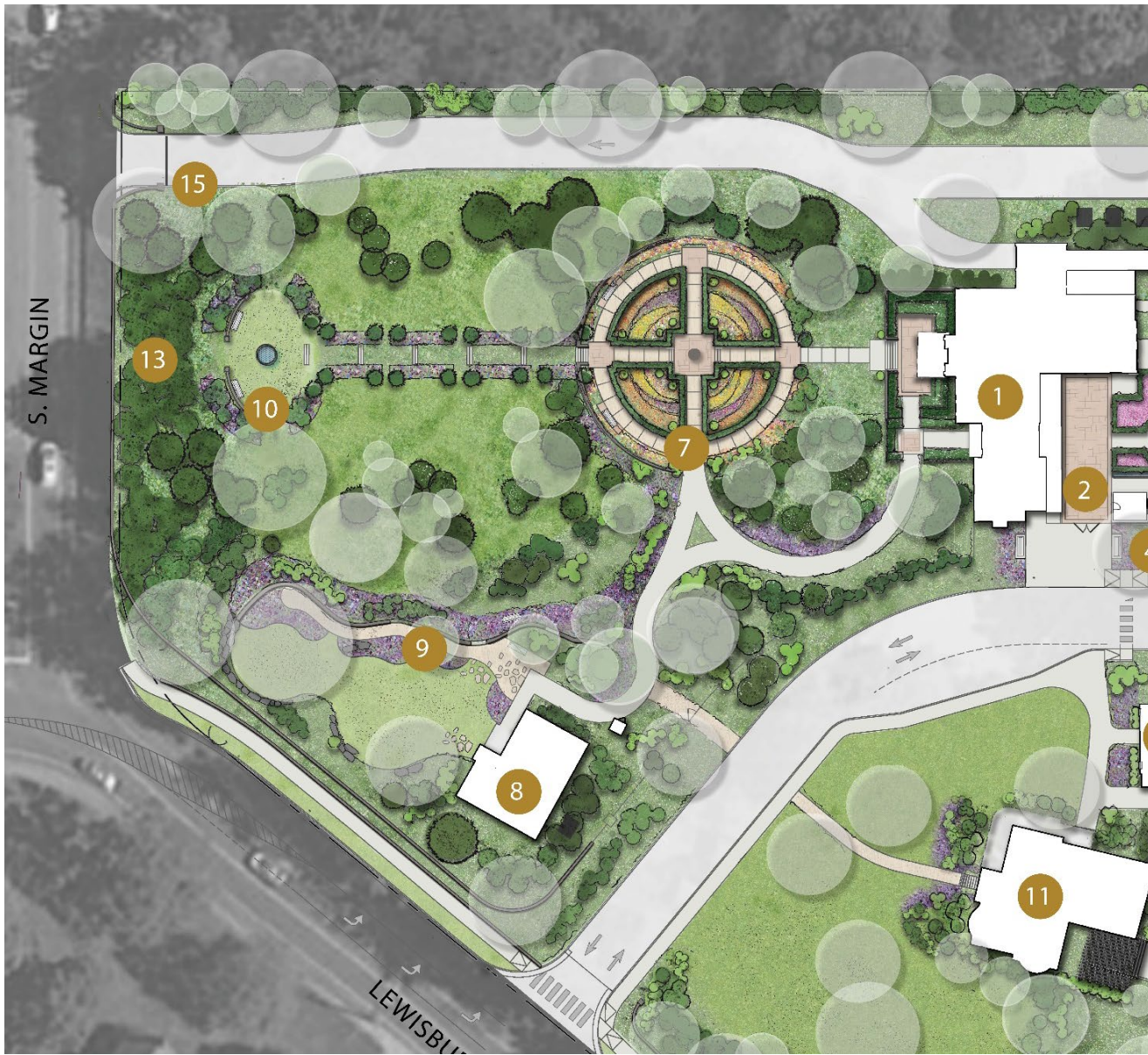
O'More View Looking North on Lewisburg



Survey of O'More Campus



Proposed Setback and Distance
from Roadway Centerline

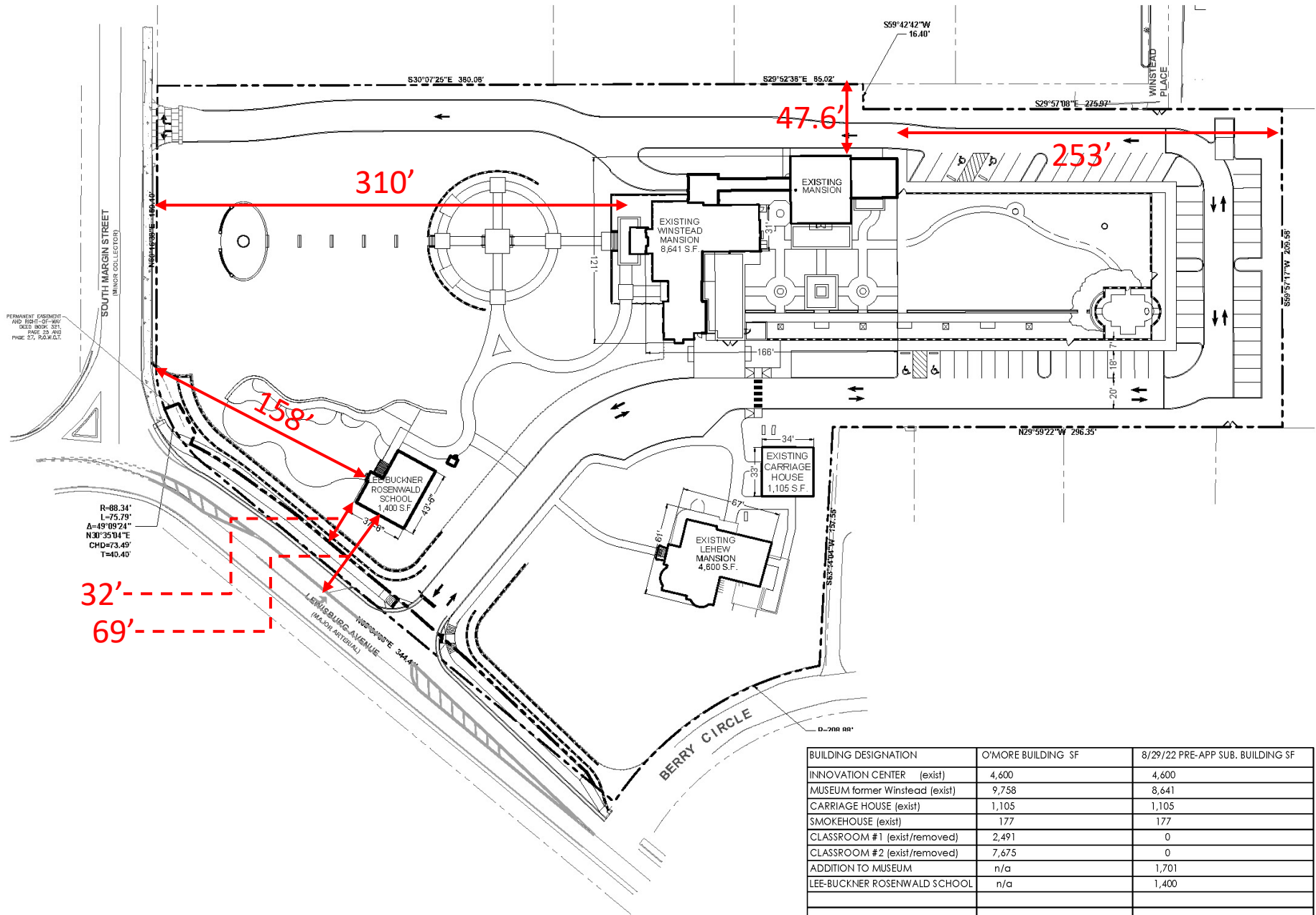


FRANKLIN
Grove
ESTATE & GARDENS

LEGEND

- 1 MUSEUM OF ART
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- 13 LOWER HILLSIDE GARDEN
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Proposed Site Plan of Front Yard



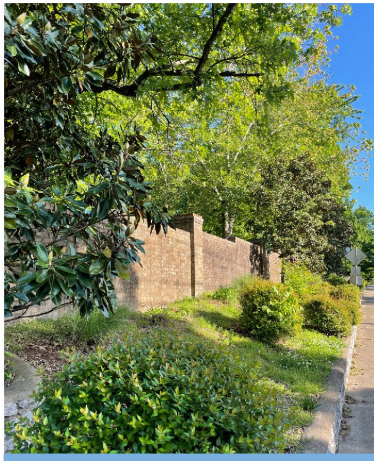
BUILDING DESIGNATION	O'MORE BUILDING SF	8/29/22 PRE-APP SUB. BUILDING SF
INNOVATION CENTER (exist)	4,600	4,600
MUSEUM former Winstead (exist)	9,758	8,641
CARRIAGE HOUSE (exist)	1,105	1,105
SMOKEHOUSE (exist)	177	177
CLASSROOM #1 (exist/removed)	2,491	0
CLASSROOM #2 (exist/removed)	7,675	0
ADDITION TO MUSEUM	n/a	1,701
LEE-BUCKNER ROSENWALD SCHOOL	n/a	1,400
TOTAL	25,806 SF	17,624 SF

WALL & FENCE PLAN

EXISTING LEWISBURG WALLS



STONE & BRICK WALLS



BRICK WALLS

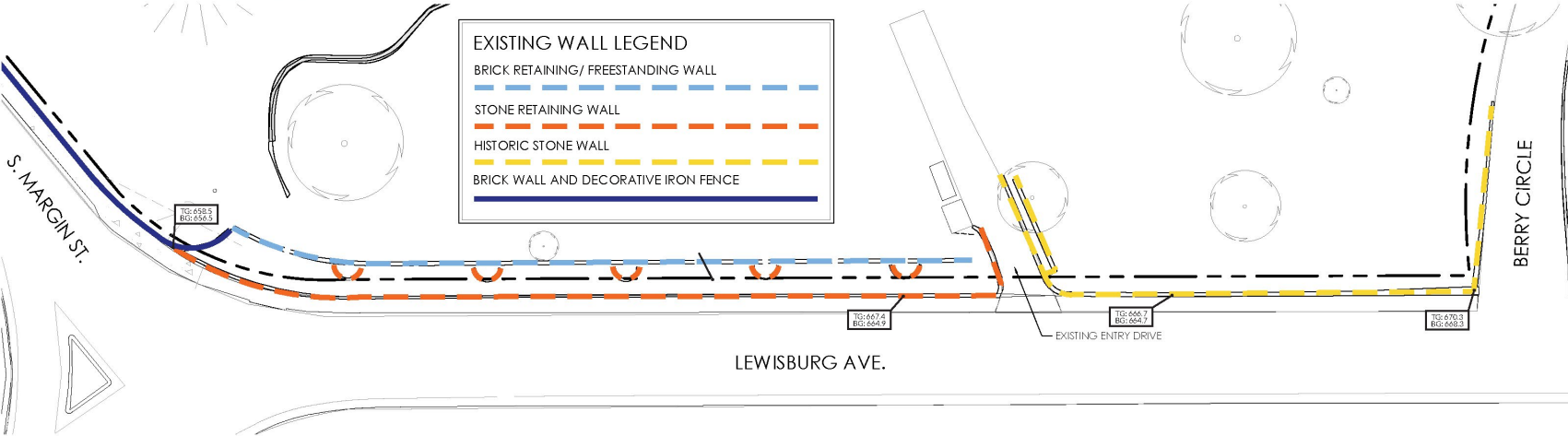


STONE & BRICK WALLS



HISTORIC STONE WALL

LEWISBURG AVE EXISTING WALL LOCATIONS



WALL & FENCE PLAN COMPARISON TO EXISTING

EXISTING PHOTOS: SHOWN FOR MATERIAL REFERENCE TO MATCH EXISTING



BRICK WALLS



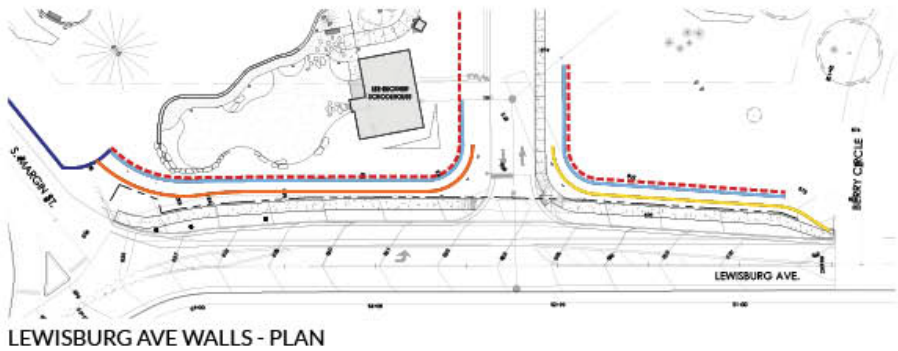
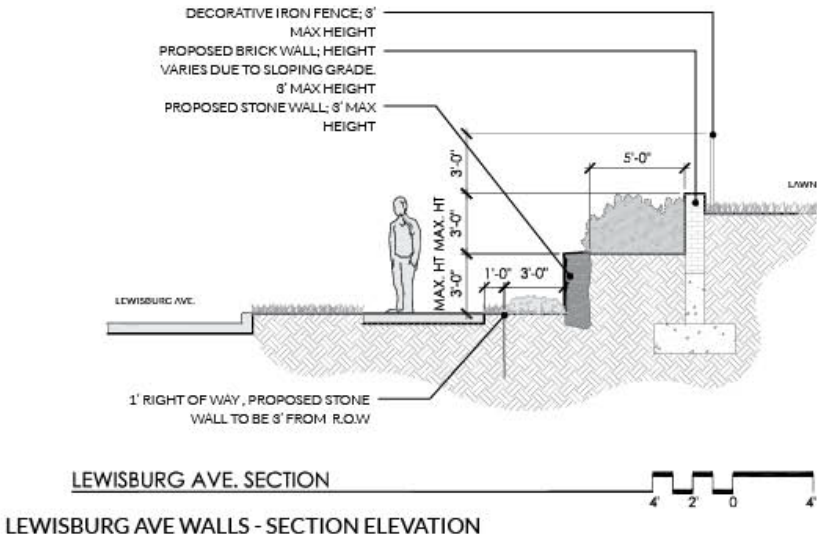
HISTORIC STONE WALL



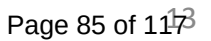
STONE WALLS



DECORATIVE IRON FENCE



LEWISBURG AVE EXISTING & PROPOSED WALL OVERLAY



Why Lee-Buckner Rosenwald School?

The story of the Franklin Grove site cannot be told without a strong emphasis on education.

- In the 1830's the "Female Seminary of the Franklin Grove"
- In 1866 a Freedmen's Bureau School was housed in the Hines-McNutt house.
- In 1866 the Buena Vista school for boys was held in the Hines-McNutt House.
- 1979-2018 the site was the home of the O'More College of Design
- The Heritage Classroom was started more than 30 years ago. The program is a free educational program, produced by the Heritage Foundation, designed to help students learn more about historic preservation and local history. Between 2013 and 2018 the program reached 15,000 children.
- In 2018 the Foundation purchased the historic Lee-Buckner Rosenwald School, one of the few remaining Rosenwald schools in the country.
- Having this school on site allows the telling of a larger story of education, both on this site and beyond.

Why This Location for the School?

In numerous conversations with the Franklin Historic Commission, the Tennessee Historical Commission, the African American Heritage Society of Williamson County, Tennessee State Historian Dr. Carroll Van West, the National Trust for Historic Preservation, Lee Buckner Alumni, local historians, and many others, the findings were:

1. The school would not be appropriate or acceptable behind the historic mansions
2. The school should be located to not obstruct the view of the historic homes.
3. The school should be placed facing due north, in the same orientation as it has always been.
4. The school should not encroach on the historic serpentine wall just to the east of the proposed location.
5. The location should be prominent and visible but not overshadowing the historic homes.
6. The school should be set in a glade of trees, to reflect the original location.
7. The school should face a lawn to provide a place for educational activities.

Justification Summary

1. The property is exceptional due to its shape and historic elements. Due to the requirements of historic zoning, the Tennessee Historical Commission and other preservation experts, the Lee-Buckner Rosenwald school cannot be placed elsewhere on the site. The topography of the site is also exceptional with the vertical separation from the street to the usable parts of the site.
2. To move the schoolhouse to comply with the 75' requirement would require demolition of a historic stone wall and block the view of the historic Haynes Berry house. These are conditions unique to this site and not typical of other properties.
3. The proposed plan improves on conditions existing for the past thirty years and enhances the public good and does not impair the intent and purpose of the Zoning Ordinance.
4. The hardship is not "self-inflicted". On any other 5-acre site other options would be available. However, due to requirements of the City of Franklin Street Standards, the Historic Overlay, The Tennessee Historic Commission, this is the only location acceptable.



FRANKLIN
Grove

October 10, 2022

Ms. Chelsea Randolph
Board of Zoning Appeals
City of Franklin
City Hall
109 3rd Avenue South
Franklin, TN 37064

Re: Variance Request to Board of Zoning Appeals for Franklin Grove

Dear Ms. Randolph:

This letter is a request for a Board of Zoning hearing on November 3rd, 2022 for a setback variance along Lewisburg Pike. The supporting materials have been submitted via the city IDT portal.

As part of this redevelopment of the site, the Heritage Foundation is proposing the relocation of a historic Rosenwald school from south Williamson County. It is an important part of telling the long and critical story of education on this site.

Being a corner lot, the Zoning Ordinance treats both Margin and Lewisburg as “front yards”, requiring 75’ setbacks. Structures that existed on this site were setback just over thirty feet. We are requesting a 32’ setback for the schoolhouse.

Some relevant points in this proposal are;

- This request is truly unique, based on conditions that are not likely to be seen again.
- The 75’ requirement seems to be intended to keep deep front yards along arterial streets. The existing front yard setbacks along Lewisburg range from 40’ to over 100’ (further south).
- The Perkins-Winstead house, LeHew Innovation Center, and proposed school all front to Margin Street, making the Lewisburg frontage the side yards. The two existing structures setback over 300’ and the school is proposed to setback over 150’ from Margin.
- The two educational buildings that existed for over thirty years, actually backed onto Lewisburg, only 30’ and 33’ from the right of way.
- The historic view from Lewisburg was a 5’ sidewalk against the curb, a 3’ stone retaining wall, and a 6’ high brick wall. The back of the two educational structures were 30’ and 33’ from the right of way and 35 and 38’ from the curb.
- The proposed view from Lewisburg will be buffered by a 6’ grass planting strip between the curb and sidewalk, a 6’ sidewalk, a 4’ wide landscaping strip, 3’ stone retaining wall, a 4’ landscaping strip, a 3’ high brick retaining wall, and a 37’ wide landscaped area with



FRANKLIN
Grove

trees to replicate the original setting of the school. This makes the schoolhouse 32' from the right of way and 45' from the curb.

In accordance with the city and state requirements, the following apply:

1. The property is exceptional due to its shape and historic elements. Due to the requirements of historic zoning, the Tennessee Historical Commission and other preservation experts, the Lee-Buckner Rosenwald school cannot be placed elsewhere on the site. The topography of the site is also exceptional with the vertical separation from the street to the usable parts of the site.
2. To move the schoolhouse to comply with the 75' requirement would require demolition of a historic stone wall and block the view of the historic Haynes Berry house. These are conditions unique to this site and not typical of other properties.
3. The proposed plan improves on conditions existing for the past thirty years and enhances the public good and does not impair the intent and purpose of the Zoning Ordinance.

We look forward to working with you on this project.

A handwritten signature in black ink, reading "Cyril Stewart". The signature is written in a cursive, flowing style.

Cyril Stewart, AIA
Applicant for the Heritage Foundation

From: wnins.com <jhr954@aol.com>
Sent: Wednesday, November 2, 2022 7:52 AM
To: Planning Intake <planningintake@franklintn.gov>
Subject: Variance Request--Rosenwald School

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Members of the Board of Zoning Appeals:

I am a near neighbor of Franklin Grove, residing at 219 Fifth Avenue South. I have worked for several historic sites and am very much a proponent of preservation of historic structures and viewsheds. I was very pleased when the Heritage Foundation acquired the O'More College property.

However, I am writing to make known my opposition to granting the variance requested by the Heritage Foundation. The view up Fifth Avenue of the Berry House and the Franklin Grove property is lovely. I would hate to see that view obstructed.

I realize there was once a school on that property, but it wasn't in the proposed location, and it wasn't in a 20th century clapboard structure.

A former zoning board member said to me, "There's absolutely no context for that building in that location." She went on state what she thought was a suitable location.

Why does the Heritage Foundation insist on that particular spot? I thought the Foundation was in favor of protecting viewsheds. Can't they find a location that will not so change that corner? Either on their property there or elsewhere?

James Redford



HISTORIC
FRANKLIN
TENNESSEE

Franklin Historic Zoning Commission Certificate of Appropriateness (COA)

Address: 423 S. Margin St. (Franklin Historic District)
Applicant: Stephanie Stewart
Owner: Heritage Foundation of Williamson County
Project #: 7953

Type of Work: Consideration of Alterations to Buildings, Alterations to Site & Setting, Relocation of Existing Accessory within Site, & Relocation of Building onto Site

Status: Approved with Conditions

- Parking, Walkways, & Driveways
- Select Grading Alterations
- Select Fences & Walls
- Select Alterations to the Winstead House
- Alterations to the Carriage House
- Relocation of Lee-Buckner Rosenwald School onto Site
- Relocation of Smokehouse within Site

Denial: Lighting

(See “Approved Work Specifications” & “Non-Approved Work” below)

Approval Date: October 10, 2022
Expiration Date: October 10, 2024 (if work has not commenced)

BACKGROUND

The applicant is requesting a Certificate of Appropriateness (COA) for a series of work.

APPLICABLE DESIGN GUIDELINES

- Secretary of Interior’s Standards for Rehabilitation
- Chapter 2 – Historic Residential Buildings, Additions to Historic Residential Buildings, Non-Historic Residential Buildings
- Chapter 5 – Historic Accessory Structures, Non-Historic Accessory Structures
- Chapter 6 – Site & Setting
- Chapter 7 – Fences, Walls, & Gates
- Chapter 9 – Modern Features
- Chapter 10 – Demolition & Relocation

APPROVED WORK SPECIFICATIONS

The following portions of the application are approved, with the listed conditions:

1. **Parking, Walkways, & Driveways** (generally correspond to pages 7-8, 22-23 of attached application)
 - **Conditions of Approval:**
 - i. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
 - ii. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.
2. **Grading Alterations** (generally correspond to pages 9-14 of attached application)
 - **Conditions of Approval:**
 - i. In accordance with the Guidelines, **the proposed grading change/retaining wall construction directly in front of the Winstead House entrance must be removed from the design.** Revised plans must be submitted to the Preservation Planner for review and approval prior to site plan approval.
 - ii. In accordance with the Guidelines, **the proposed ramp at the ca. 1990 hyphen addition must either be removed from the proposal, or the applicant must submit additional information to substantiate review by the HZC in light of the applicable Guidelines.** Specifically, additional information detailing on how the grade is proposed to be situated at this location must be provided, as well as an elevation rendering the proposed ramp design.
 - iii. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
 - iv. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.
3. **Fences & Walls** (generally correspond to pages 24-36 of attached application)
 - **Conditions of Approval:**
 - i. In accordance with the Guidelines, **the proposed grading change/retaining wall construction directly in front of the Winstead House entrance must be removed from the design.** Revised plans must be submitted to the Preservation Planner for review and approval prior to site plan approval.
 - ii. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
 - iii. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

4. **Alterations to the Winstead House** (generally correspond to pages 14, 43-52 of attached application)

- **Conditions of Approval:**

- i. In accordance with the Guidelines, **the portion of the loggia on the west elevation must be removed from the proposal.** The revised elevations must be submitted to the Preservation Planner for review and approval prior to site plan approval.
- ii. **The proposal to add square footage at the second level to fill in a facade break between the lapped addition and the original building at the east elevation (see page 50 of application, at the Storage and Janitor Closet location) is not consistent with the Guidelines and must be removed from the proposal.** The revised elevations must be submitted to the Preservation Planner for review and approval prior to site plan approval.
- iii. **The hipped gable rendered above the sleeping porch must be removed.** The revised elevations must be submitted to the Preservation Planner for review and approval prior to site plan approval.
- iv. **The applicant shall work with staff on determining the appropriate detailing/trim for the portion of the building that current features a Mansard-style roof.**
- v. **All new windows at the approve new construction and altered existing areas must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood.** The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
- vi. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
- vii. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

5. **Alterations to the Carriage House** (generally correspond to page 55 of attached application)

- **Conditions of Approval:**

- i. **All new windows at the approve new construction and altered existing areas must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood.** The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
- ii. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.

- iii. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.
6. **Relocation of the Lee-Buckner Rosenwald School onto Site** (generally correspond to page 54 of attached application)
- **Conditions of Approval:**
 - i. **All replacement siding must consist of wood.**
 - ii. **All new windows must have historic profile and dimension and consist of either wood.** The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
 - iii. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
 - iv. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.
7. **Relocation of Smokehouse within Site** (generally correspond to page 53 of attached application)
- **Conditions of Approval:**
 - i. **All new windows at the approve new construction and altered existing areas must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood.** The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
 - ii. The application must meet all the requirements of the City of Franklin prior to issuance of a building permit, including site plan approval.
 - iii. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

NON-APPROVED WORK

The following portions of the application are **not approved**:

- **Lighting (generally correspond to pages 37-40 of attached application)**

Amanda Rose, AICP
Preservation Planner
City of Franklin Planning & Sustainability Department
615.550.6737 | www.franklintn.gov/planning



File #: 21-03727

DATE: October 11, 2022
TO: Board of Zoning Appeals
FROM: Emily Wright, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Ariella Stanford, Planner

SUBJECT:

Variance Request For A 5-Foot Encroachment Into the Required 15-Foot Side Yard Setback To Construct A Two-Car Attached Garage And A Single-Family Home, For The Property Located At 127 Lancaster Drive. (FZO §3.4.5)

PURPOSE:

PROJECT INFORMATION

COF Project Number: 7977
Applicant: Jeff Castor
Owner: Mark Grosvenor

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: R1 – Residential 1 District, Residential Single Family
North: R1 – Residential 1 District, Residential Single Family
South: R1 – Residential 1 District, Residential Single Family
East: R1 – Residential 1 District, Residential Single Family/Residential Duplex
West: R1 – Residential 1 District, Residential Single Family

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. 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
2. 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.

3.4.5 - Zoning Districts, R1-Residential District, Dimensional Standards

For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern. When there are platted front yard setbacks but no side or rear yard setbacks, then 10-foot side and 25-foot rear yard setbacks shall apply.

Background

The subject parcel is located at 127 Lancaster Drive and is zoned R1 – Residential 1 District and within the Central Franklin Overlay (CFO). As outlined in Chapter 3 of the Zoning Ordinance, for lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern. This lot is within a recorded subdivision platted with 15-foot side yard setbacks. The variance request is to allow a 5-foot encroachment into the 15-foot side yard setback to construct a two-car attached garage.

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 shape of the platted lot is unique, which is a result of the uniquely curved shape of Virginia Court abutting the property. This lot is also located on the corner of Virginia Court and Lancaster Drive. This also presents unique circumstances to this lot. Because of the unique shape and location of this lot, the staff finds that 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. However, due to the unique shape of the lot, the garage would be out of compliance with the required 15-foot rear yard setback. Due to the unique shape of the property, the strict application of the Zoning Ordinance would result in exceptional practical difficulties for a home with a two-car attached garage from being constructed without violating the Zoning Ordinance. Therefore, the staff finds that 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.

This request meets the required setbacks for all other property lines of the lot. The plat was subdivided in such a way that corner lots had a unique condition from all other lots within the cul-de-sac and were platted with shallower setbacks. Considering it is a minimal 5-foot encroachment into this already unique (and shallower) setback, staff finds that it 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:

None.

RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning appeals move to approve the variance request For A 5-Foot Encroachment Into the Required 15-Foot Side Yard Setback To Construct A Two-Car Attached Garage And A Single-Family Home, For The Property Located At 127 Lancaster Drive because the criteria for granting a variance have been met.

127 LANCASTER DR
TAX MAP 063N, GROUP B, PARCEL 04700
BOARD OF ZONING APPEALS
11/3/2022

Legend

-  127LancasterDr
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial District



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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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Feet



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TENNESSEE

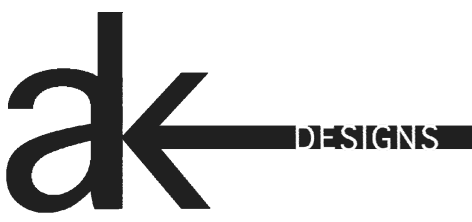


127 LANCASTER DRIVE

FRANKLIN, TENNESSEE



09.05.22



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FRANKLIN, TENNESSEE

Perspectives

Revision Date:

1.	Revised CDs - 09.30.22
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Project Number: A22022
Date: 09.05.22
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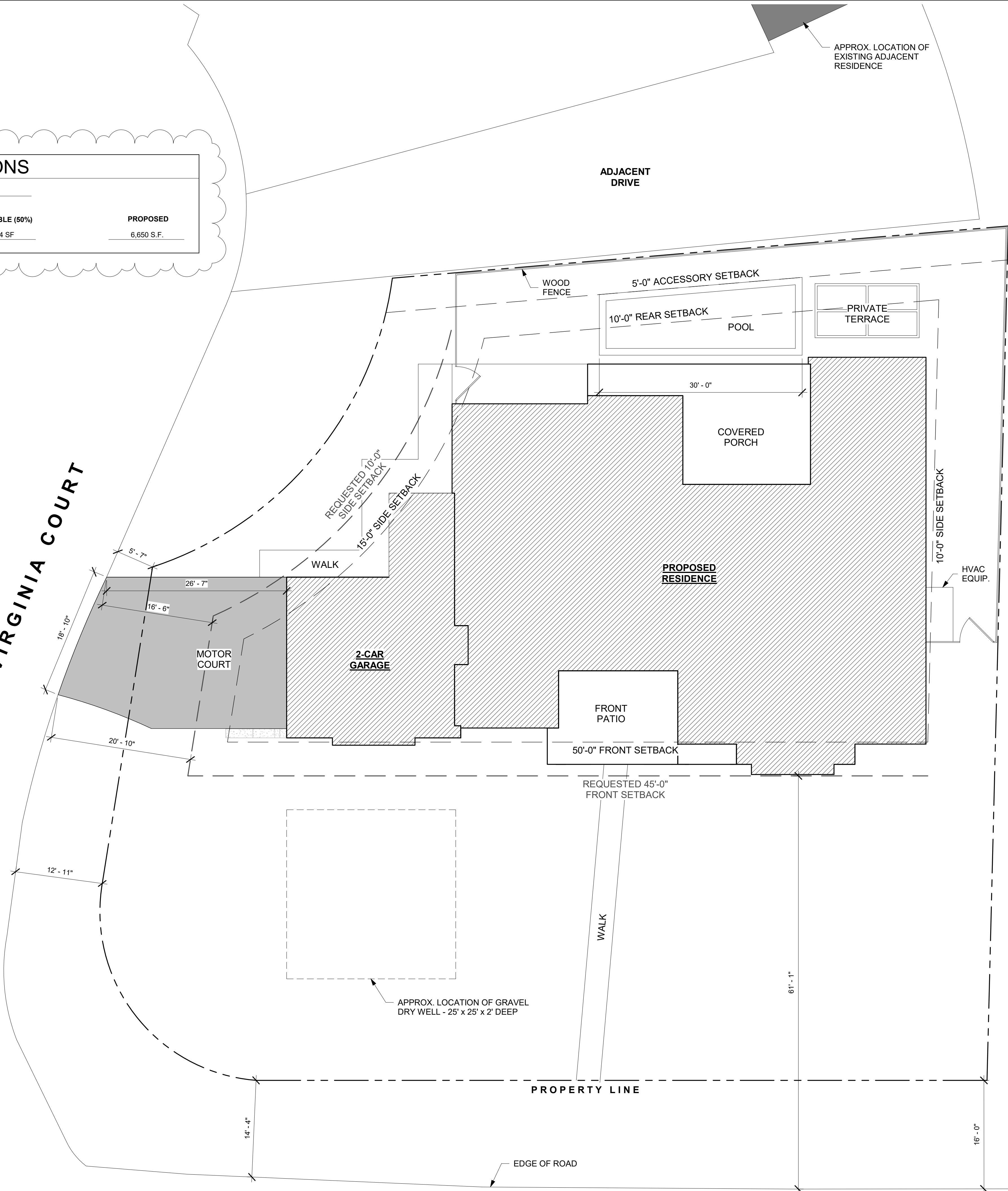
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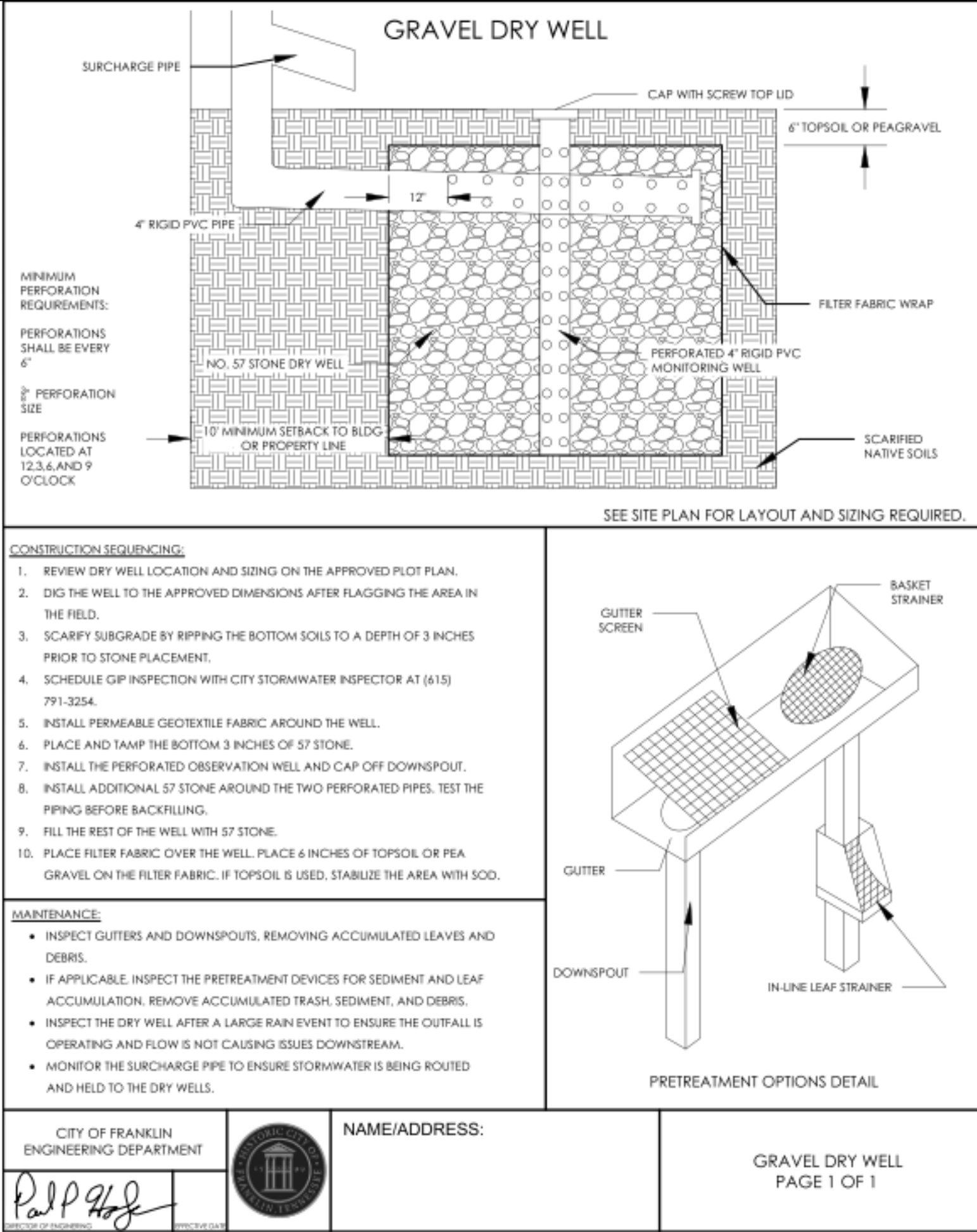
SITE CALCULATIONS

LOT SQ. FOOTAGE:	14,368 S.F.	
IMPERVIOUS AREA	ALLOWABLE (50%) 7,184 SF	PROPOSED 6,650 S.F.

VIRGINIA COURT

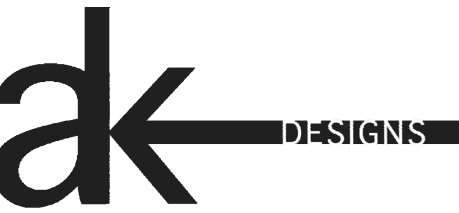


LANCASTER DRIVE



SITE PAN

SCALE: 1/8" = 1'-0"



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127 LANCASTER DRIVE

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Site Plan

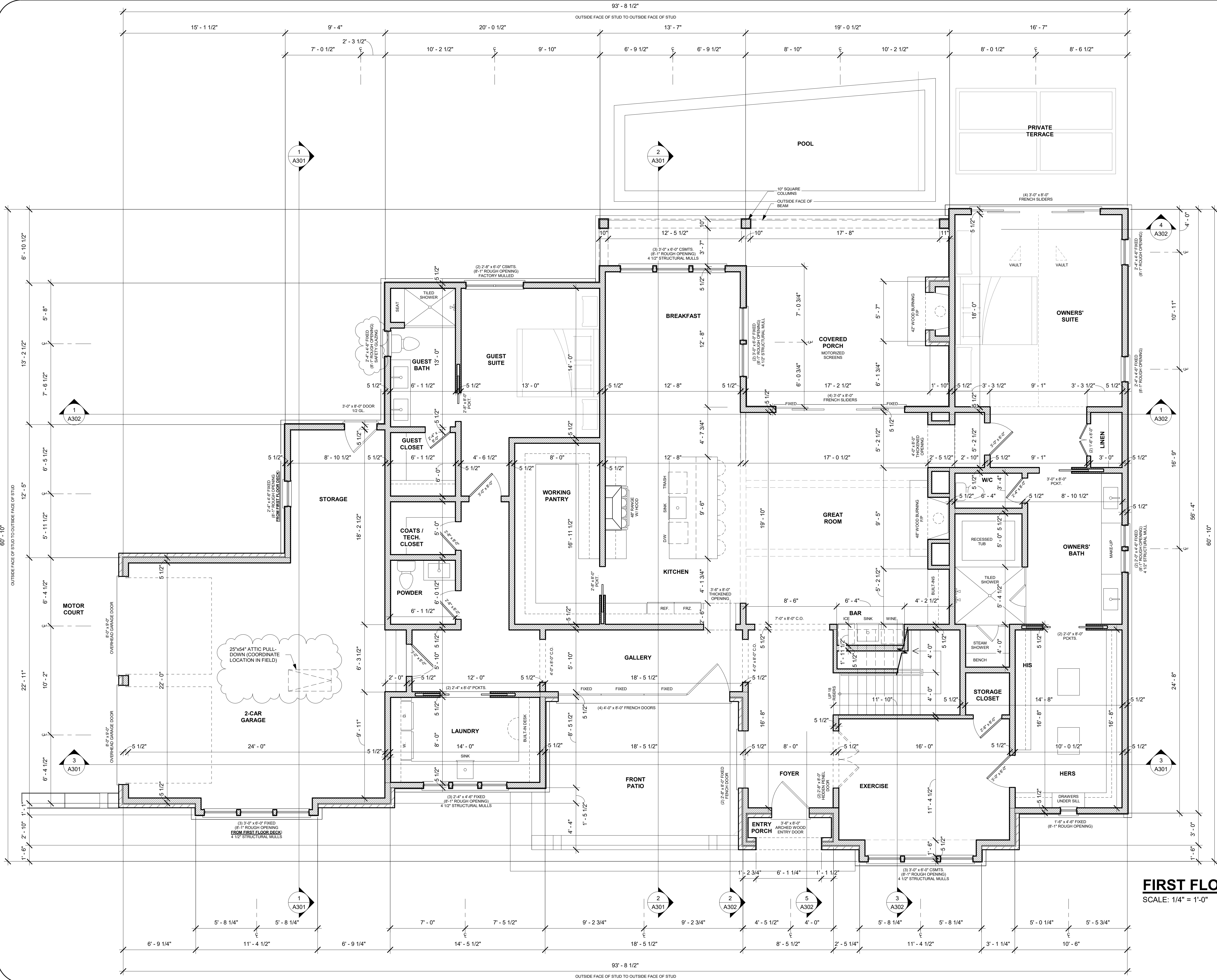
Revision Date:

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Date: 09.05.22
Scale: As indicated

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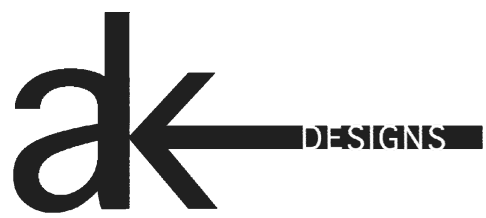
- GENERAL NOTES**
- CONTRACTOR TO VERIFY ALL STRUCTURAL CONDITIONS WITH LICENSED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION. STRUCTURAL INFORMATION WITHIN IS INTENDED FOR DESIGN CONSIDERATION ONLY.
 - CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
 - CONTRACTOR TO ENSURE ADEQUATE CONSTRUCTION OF ALL NON-STRUCTURAL ELEMENTS INCLUDING, BUT NOT LIMITED TO: MATERIALS SEPARATION, FLOORING MATERIAL DIMENSION, INSULATION, TERMITE TREATMENT, PROPER DRAINAGE ETC....
 - DIMENSIONS ARE SHOWN FROM OUTSIDE FACE OF STUD AND CENTERLINES OF OPENINGS, UNLESS NOTED OTHERWISE.
 - CONTRACTOR TO ASSESS RELATIONSHIP OF ACTUAL FINISH FLOOR HEIGHT TO GRADE AND COORDINATE EGRESS AS REQUIRED BY CODE. CONTRACTOR SHALL CONTACT DESIGNER TO ADDRESS DESIGN INTENT WHERE APPLICABLE.
 - SUBSTITUTION OF FOUNDATION SYSTEMS SHALL BE COORDINATED TO ENSURE DESIGN INTENT (I.E. FINISH FLOOR MATERIAL RELATIONSHIPS, ETC.) IS PRESERVED AND TO CONFORM WITH LOCAL BUILDING CODES.

Square Footage
(SQUARE FOOTAGE IS TAKEN FROM THE OUTSIDE FACE OF STUD.)

SQUARE FOOTAGE	
FIRST FLOOR	3,159
SECOND FLOOR	1,552
TOTAL HEATED	4,711
ENTRY PORCH	25
COVERED PORCH	407
2-CAR GARAGE	585
STORAGE	116
TOTAL UNHEATED	1,133
TOTAL UNDER ROOF	5,844
FRONT PATIO	270

NOTE:
SEE FRAMING PACKAGE FOR ALL JOIST ORIENTATION AND SPACING, TYPICAL ALL LOCATIONS. SUPPLEMENT AND SIZE BEAMS PER STRUCTURAL ENGINEER.

FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



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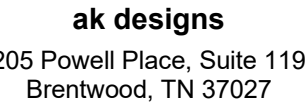
First Floor Plan

Revision Date:

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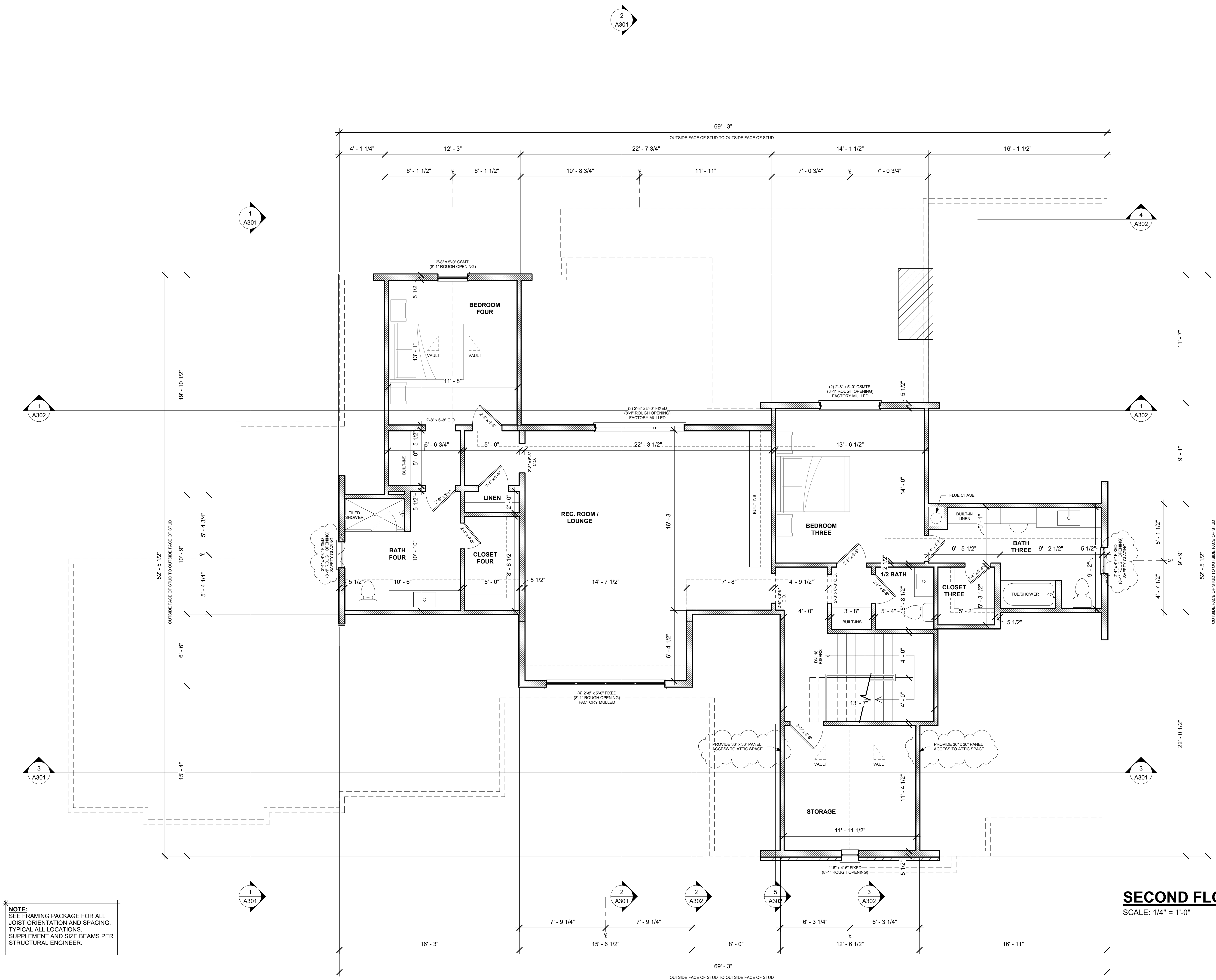
FRANKLIN, TENNESSEE

Revision Date:

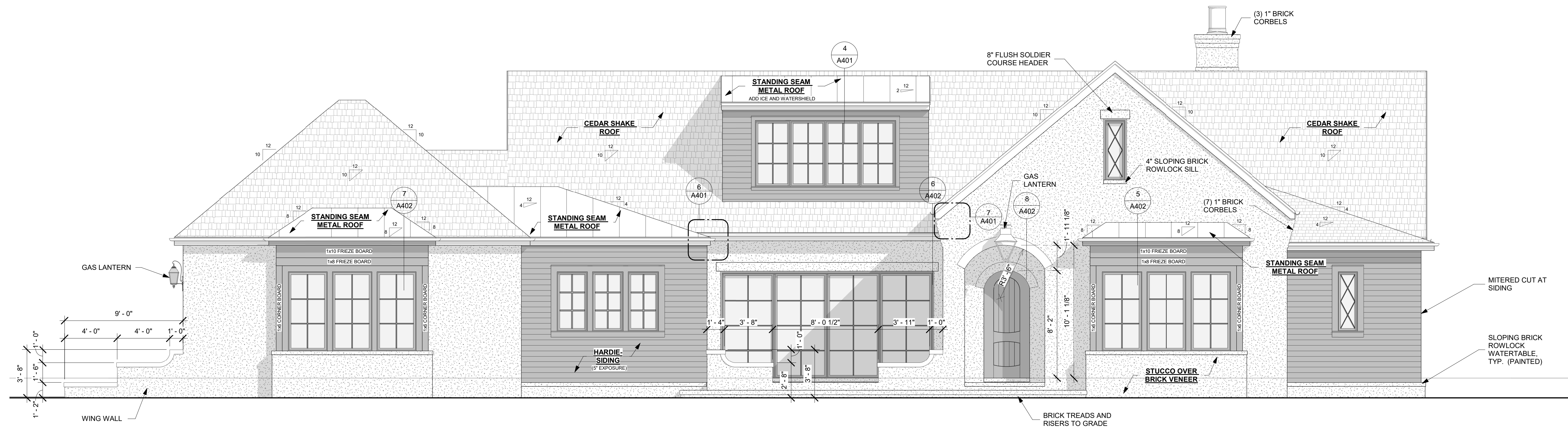
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A102



SCALE: 1/4" = 1'-0"

**FRONT ELEVATION**

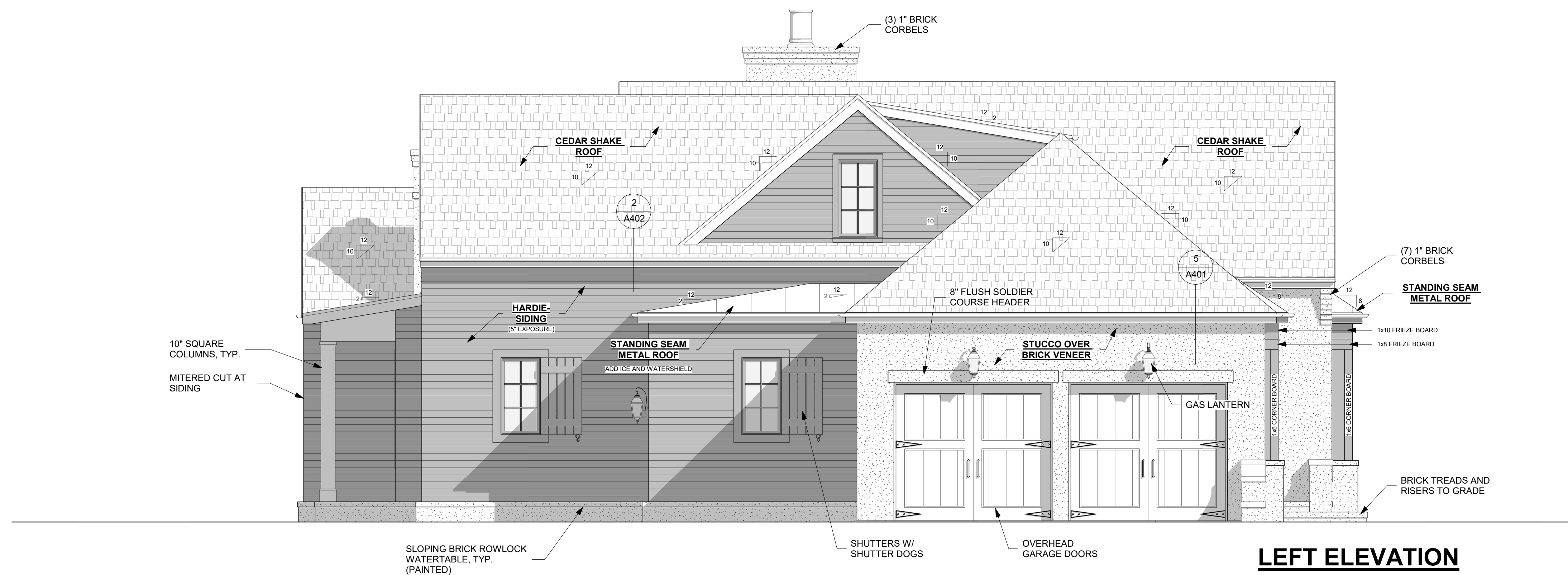
SCALE: 1/4" = 1'-0"

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
2. ALL HORIZONTAL MATERIAL CHANGES
3. SIDES OF DORMERS
4. SIDES OF WALLS AT INTERSECTING ROOF LINES
5. CHIMNEY/ROOF INTERSECTIONS
6. PORCH ROOF, DECK AND WALL INTERSECTIONS
7. ABOVE CORNICE RETURNS
8. SKIRT ASSEMBLIES
9. ANY OTHER FACADE PENETRATIONS (E.G. FDN. VENTS GABLE VENTS, ETC.)

TYPICAL INSULATION LOCATIONS:

1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

**LEFT ELEVATION**

SCALE: 1/4" = 1'-0"

Front & Left Elevations

Revision Date:

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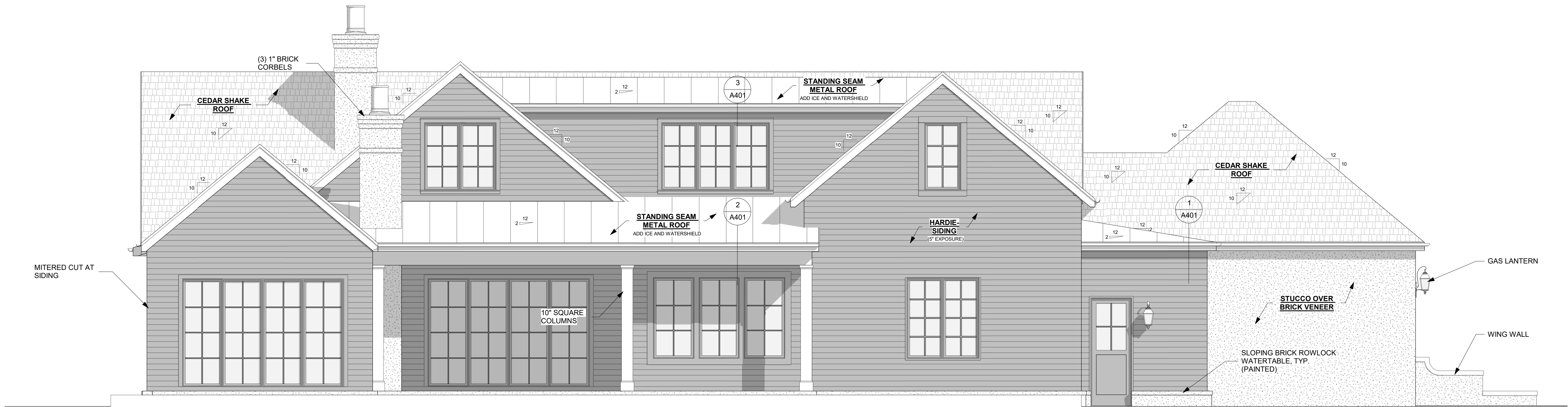
Project Number: A22022

Date: 09.05.22

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A201



REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

TYPICAL INSULATION LOCATIONS:

1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
2. ALL HORIZONTAL MATERIAL CHANGES
3. SIDES OF DORMERS
4. SIDES OF WALLS AT INTERSECTING ROOF LINES
5. CHIMNEY/ROOF INTERSECTIONS
6. PORCH ROOF, DECK AND WALL INTERSECTIONS
7. ABOVE CORNICE RETURNS
8. SKIRT ASSEMBLIES
9. ANY OTHER FACADE PENETRATIONS (E.G. FDN. VENTS GABLE VENTS, ETC.)

Right & Rear Elevations

Revision Date:

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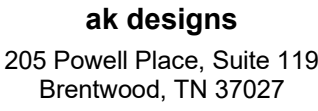
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FRANKLIN, TENNESSEE

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Building Sections

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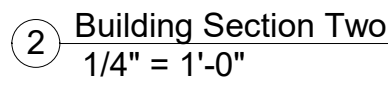
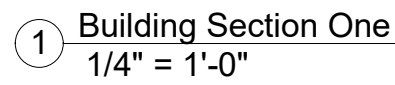
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Date: 09.05.22

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TYPICAL INSULATION LOCATIONS:

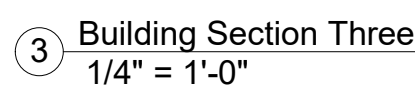
1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

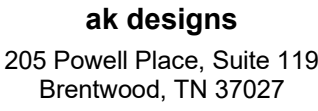
TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES,
2. ALL HORIZONTAL MATERIAL CHANGES
3. SIDES OF DORMERS
4. SIDES OF WALLS AT INTERSECTING ROOF LINES
5. CHIMNEY/ROOF INTERSECTIONS
6. PORCH ROOF, DECK AND WALL INTERSECTIONS
7. ABOVE CORNICE RETURNS
8. SKIRT ASSEMBLIES
9. ANY OTHER FACADE PENETRATIONS (E.G. FDN. VENTS GABLE VENTS, ETC.)

GENERAL BUILDING SECTION NOTES:

1. CONTRACTOR TO VERIFY DEPTHS OF FOOTINGS MEET OR EXCEED ALL APPLICABLE CODES.
2. CONTRACTOR SHALL CONSULT A LICENSED STRUCTURAL ENGINEER FOR DESIGN OF FOUNDATION SYSTEM, INCLUDING SIZE AND REINFORCING OF CONTINUOUS FOOTERS, PIERS, CONCRETE BLOCK/POURED WALLS, SLABS AND THICKENED SLABS.
3. CONTRACTOR TO VERIFY ADEQUATE NATURAL BEARING CONDITIONS OR PROVIDE COMPACTED FILL TO MEET OR EXCEED ALL APPLICABLE CODES.
4. CONTRACTOR TO ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURE BY MEANS OF NATURAL GRADING AND/OR BURIED DRAINAGE SYSTEMS.
5. CONTRACTOR SHALL CONSULT A LICENSED STRUCTURAL ENGINEER FOR ALL STRUCTURAL TIES, BRACING AND CONNECTION REQUIREMENTS BETWEEN FRAMING AND FOUNDATION SYSTEM.
6. INSULATION NOT SHOWN FOR CLARITY OF DRAWINGS, BUILDER TO ENSURE INSULATION MEETS OR EXCEEDS ALL APPLICABLE CODES.
7. CONTRACTOR SHALL PROVIDE TIE BRACES AND COLLAR TIES PER CODE.
8. CONTRACTOR SHALL ENSURE ALL CONCRETE SLABS SHOWN AWAY FROM THE STRUCTURE AT A DEGREE SATISFACTORY TO ALL APPLICABLE CODES.
9. CONTRACTOR SHALL CONSULT A LICENSED STRUCTURAL ENGINEER TO VERIFY REQUIREMENTS FOR STRUCTURAL RIDGE BEAMS, AS REQUIRED TO MEET OR EXCEED ALL APPLICABLE CODES.

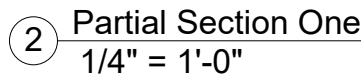
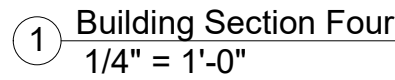




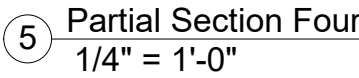
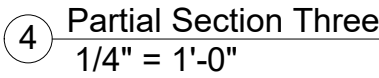
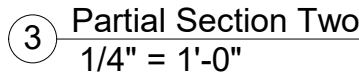
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FRANKLIN, TENNESSEE



1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE



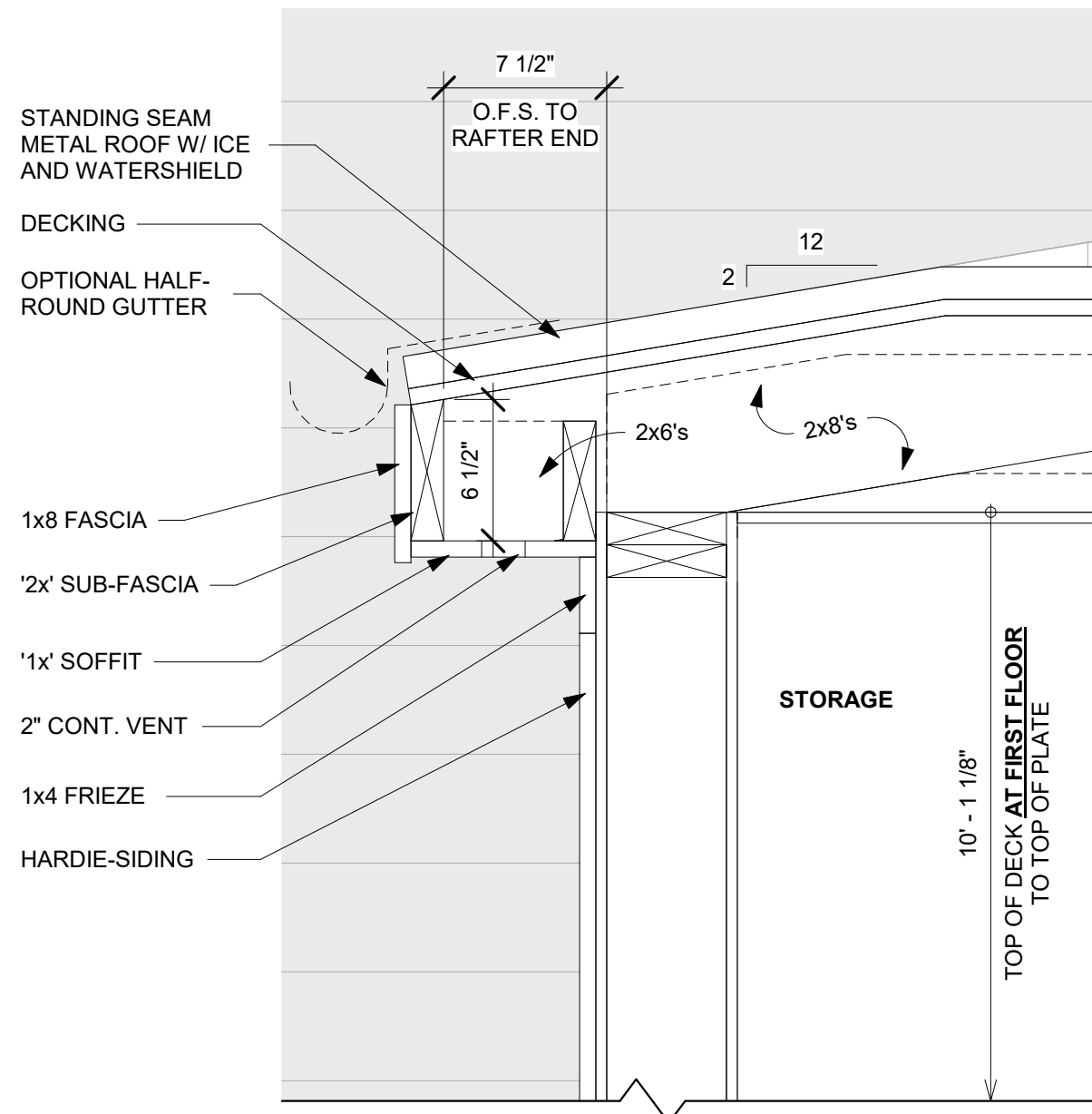
1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
2. ALL HORIZONTAL MATERIAL CHANGES
3. SIDES OF DORMERS
4. SIDES OF WALLS AT INTERSECTING ROOF LINES
5. CHIMNEY/ROOF INTERSECTIONS
6. PORCH ROOF, DECK AND WALL INTERSECTIONS
7. ABOVE CORNICE RETURNS
8. SKIRT ASSEMBLIES
9. ANY OTHER FACADE PENETRATIONS (E.G. FDN. VENTS GABLE VENTS, ETC.)

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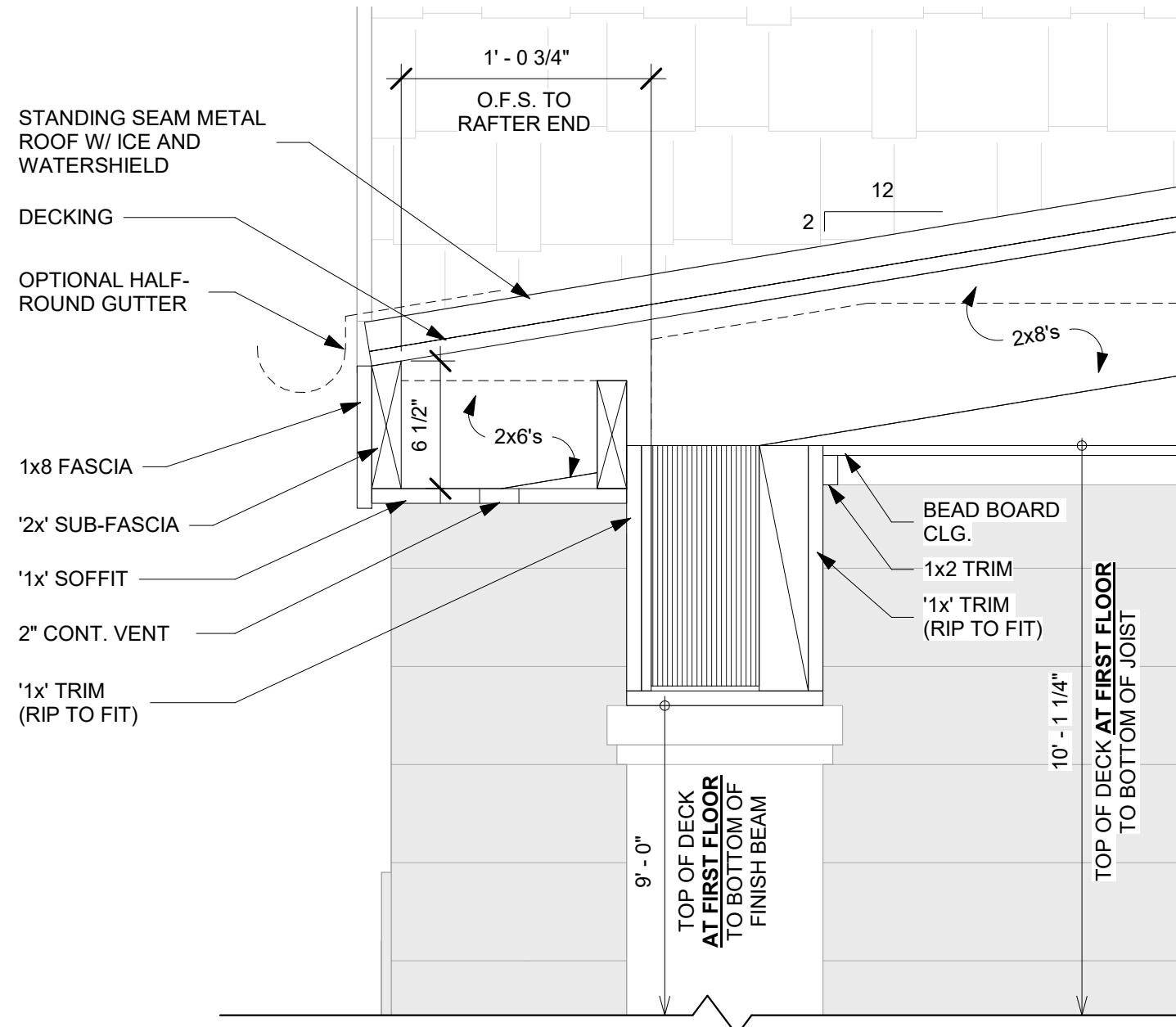
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Project Number: A22022
Date: 09.05.22
Scale: 1/4" = 1'-0"

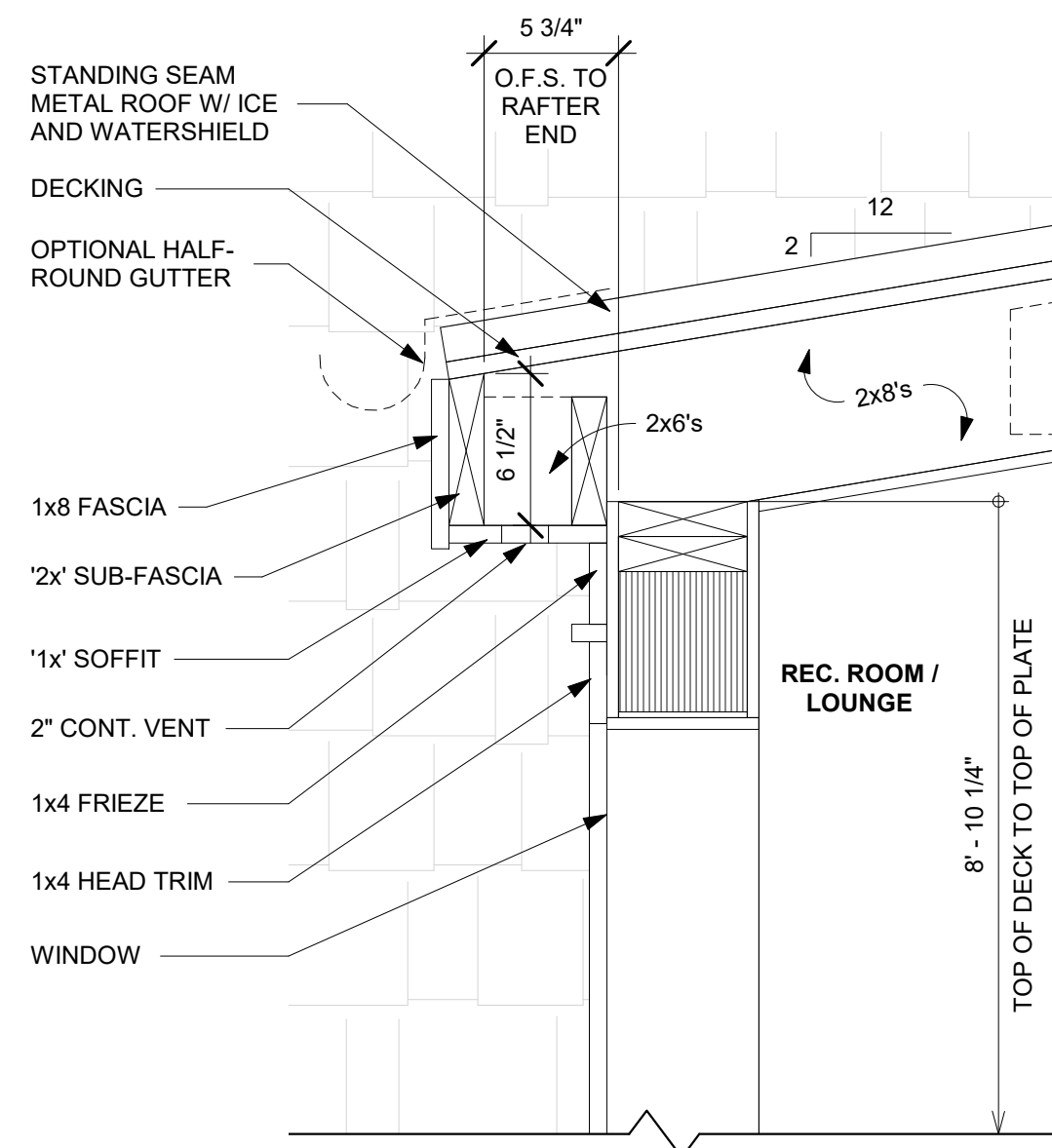
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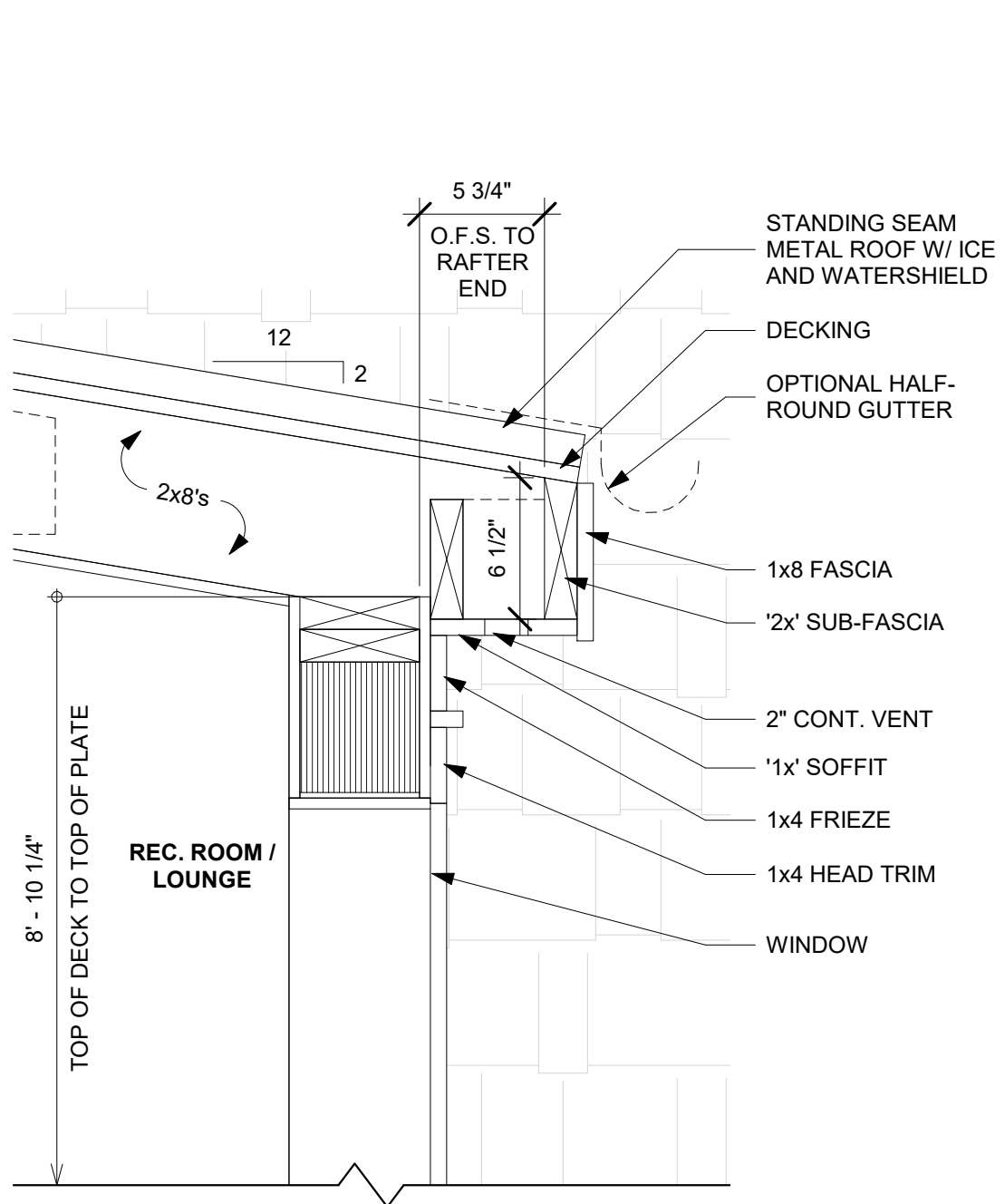
1 Cornice Detail at Storage
1 1/2" = 1'-0"



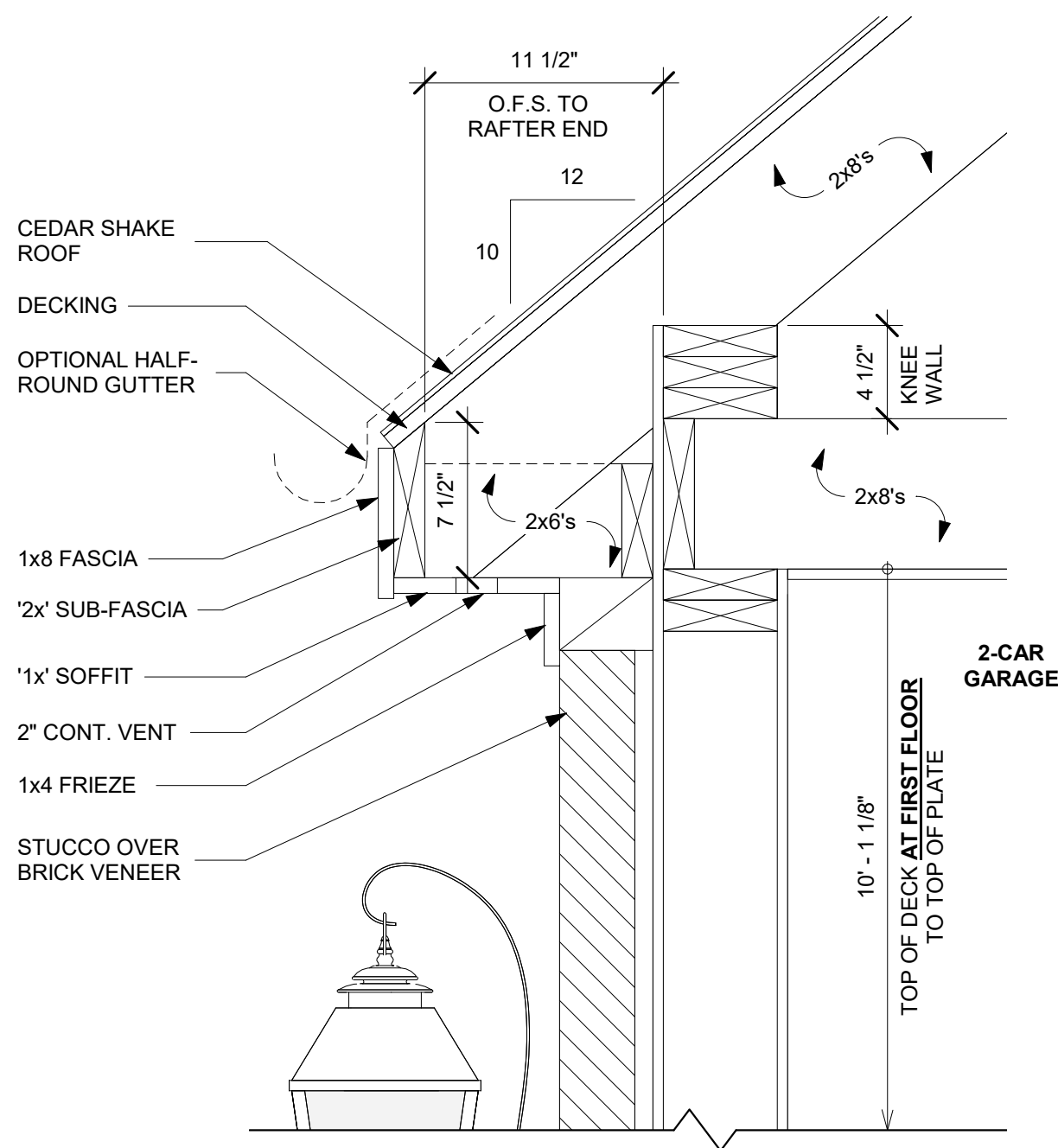
2 Cornice Detail at Covered Porch
1 1/2" = 1'-0"



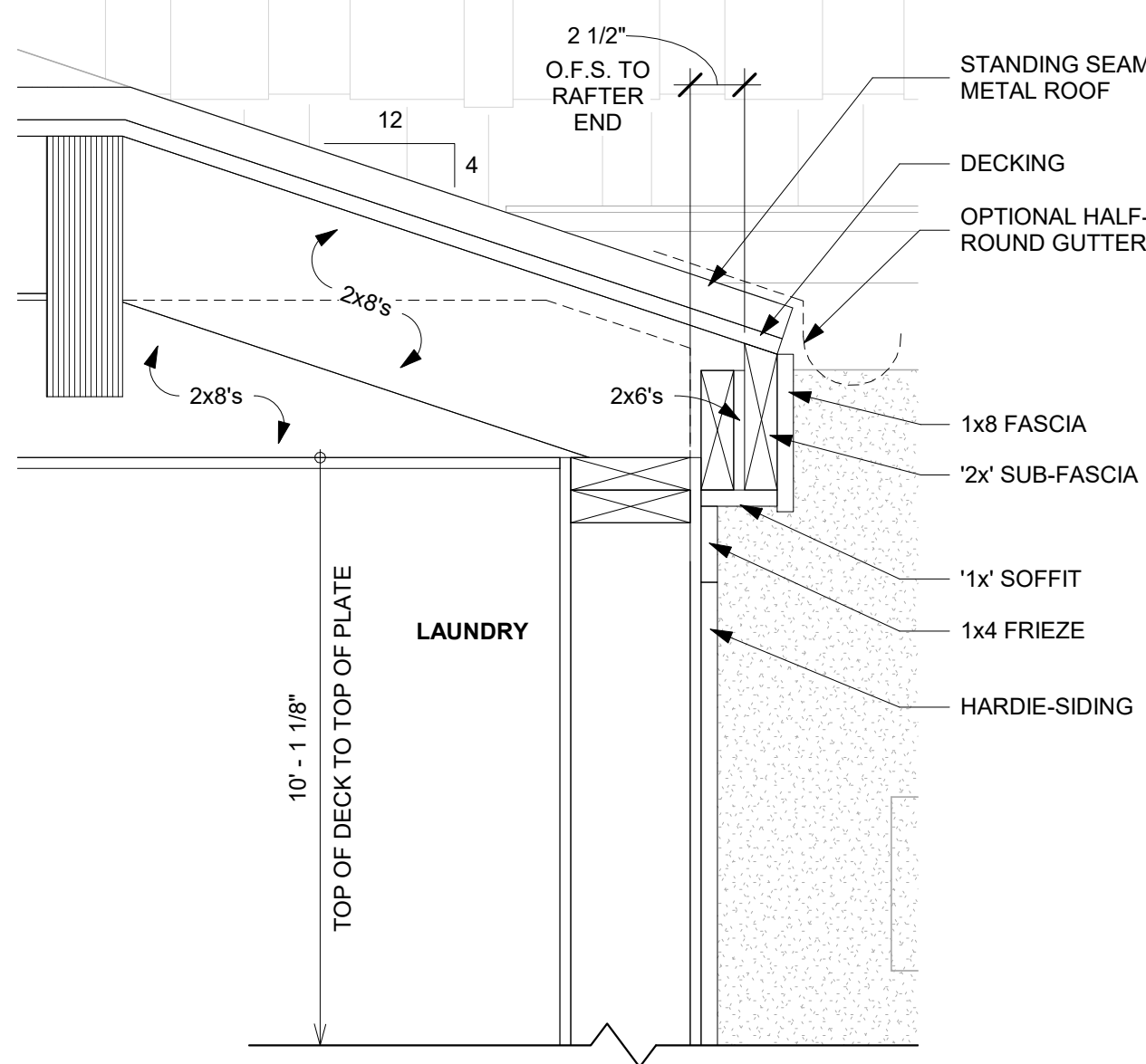
3 Cornice Detail One at Rec. Room/Lounge
1 1/2" = 1'-0"



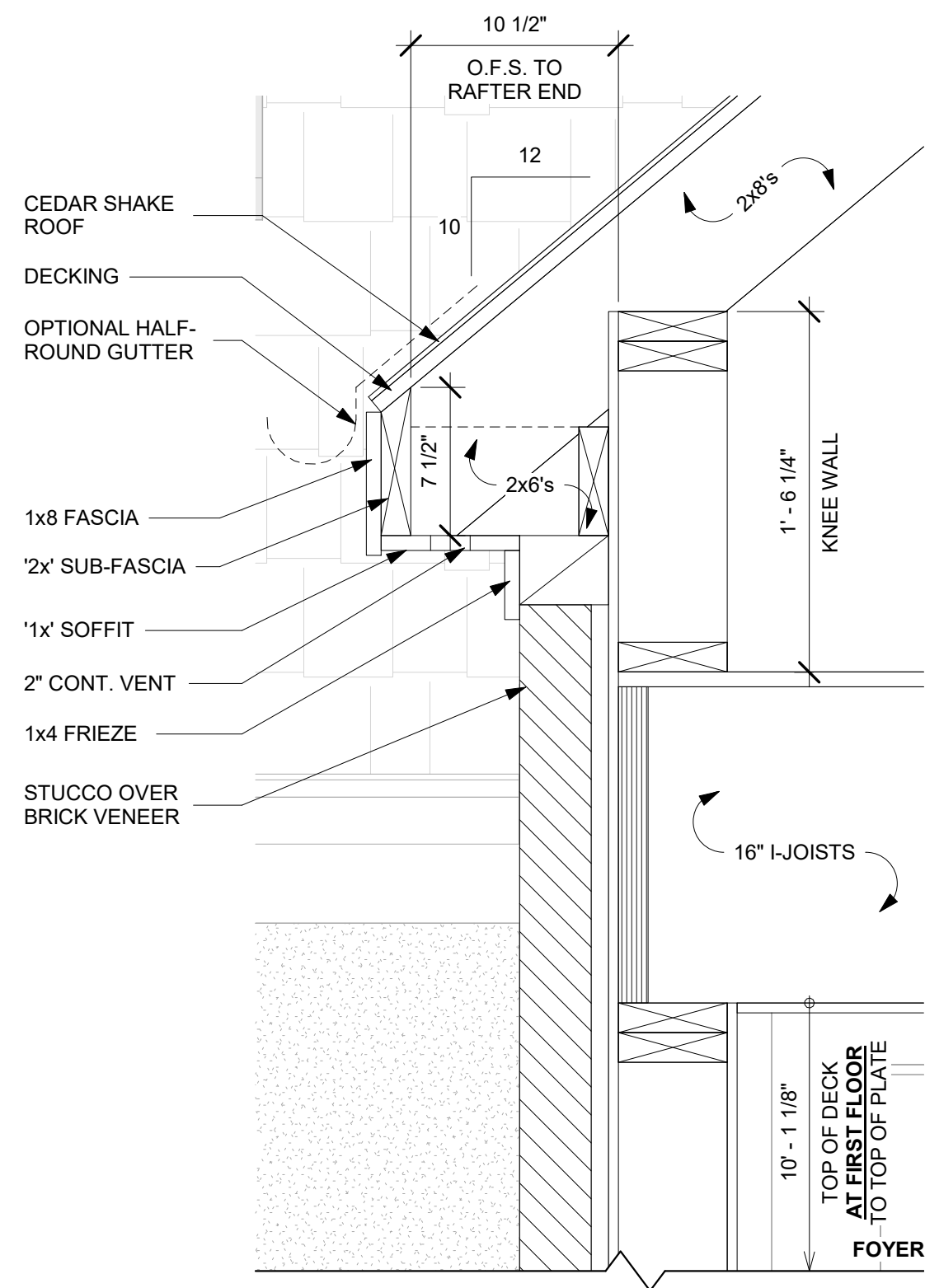
4 Cornice Detail Two at Rec. Room/Lounge
1 1/2" = 1'-0"



5 Cornice Detail Two at 2-Car Garage
1 1/2" = 1'-0"



6 Cornice Detail at Laundry
1 1/2" = 1'-0"



7 Cornice Detail at Foyer
1 1/2" = 1'-0"

TYPICAL FLASHING APPLICATION:

- WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
- ALL HORIZONTAL MATERIAL CHANGES
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- CHIMNEY/ROOF INTERSECTIONS
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- FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE



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127 LANCASTER DRIVE

FRANKLIN, TENNESSEE

Details

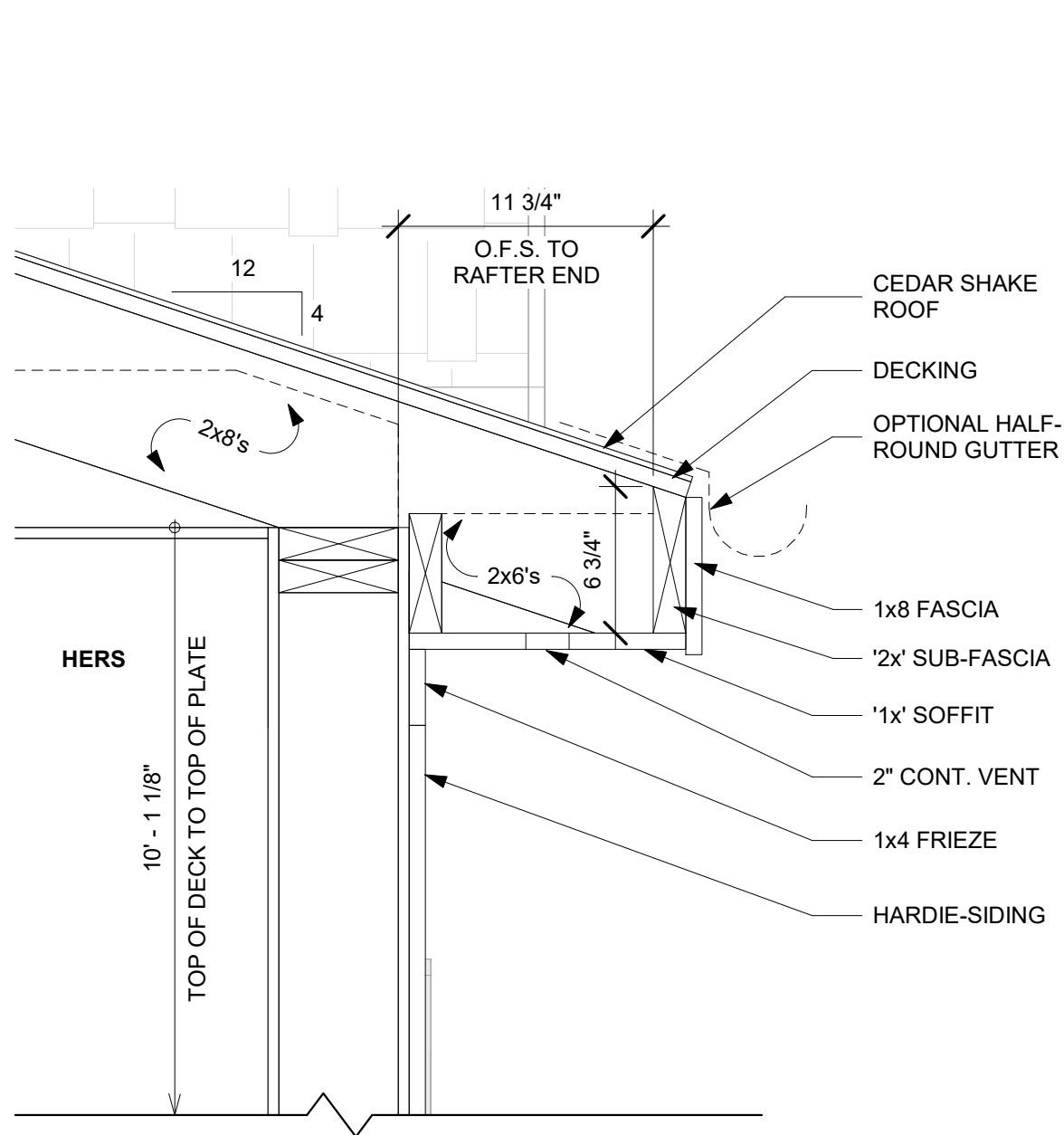
Revision Date:

1.	Revised CDs - 09.30.22
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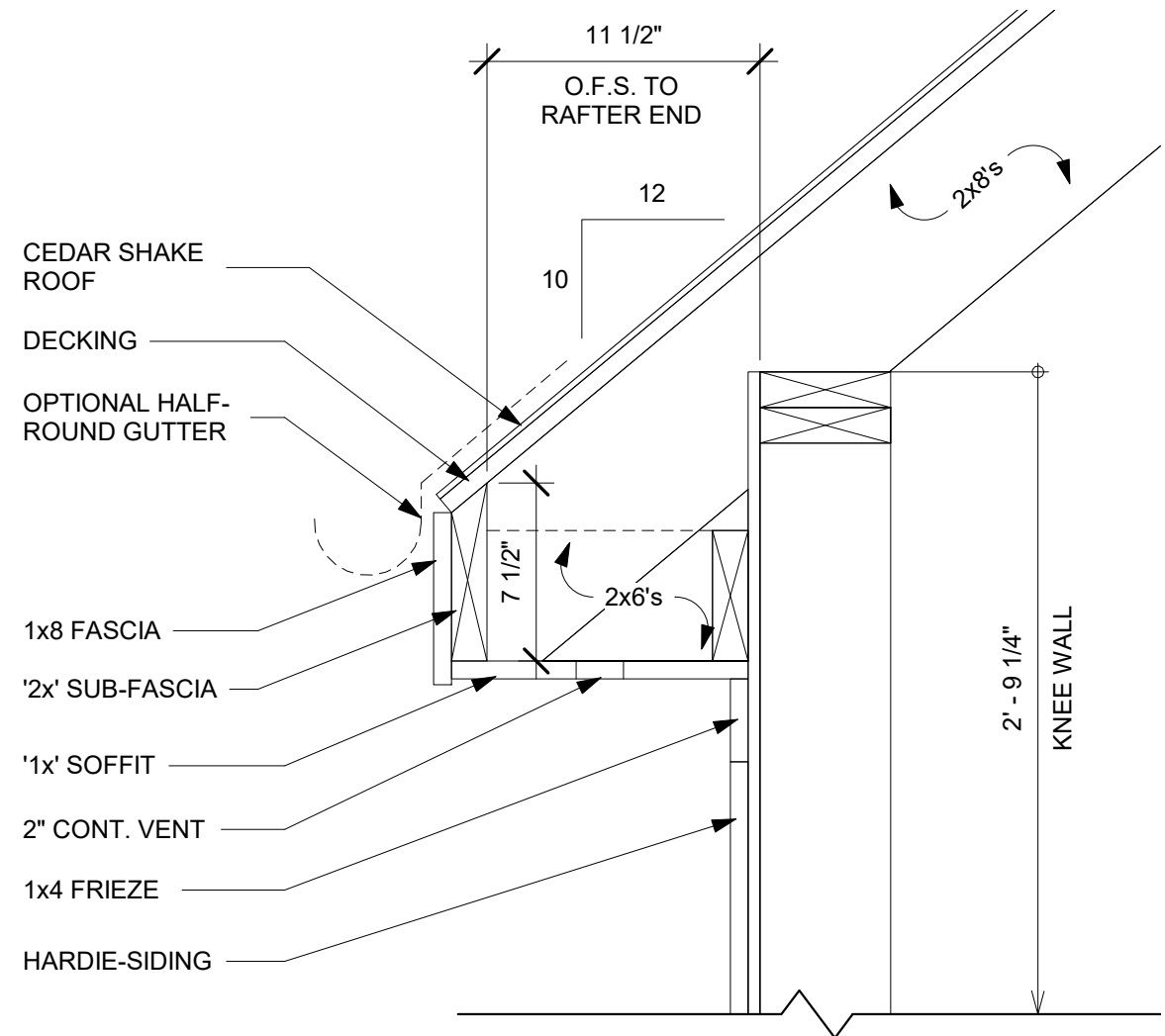
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Date: 09.05.22
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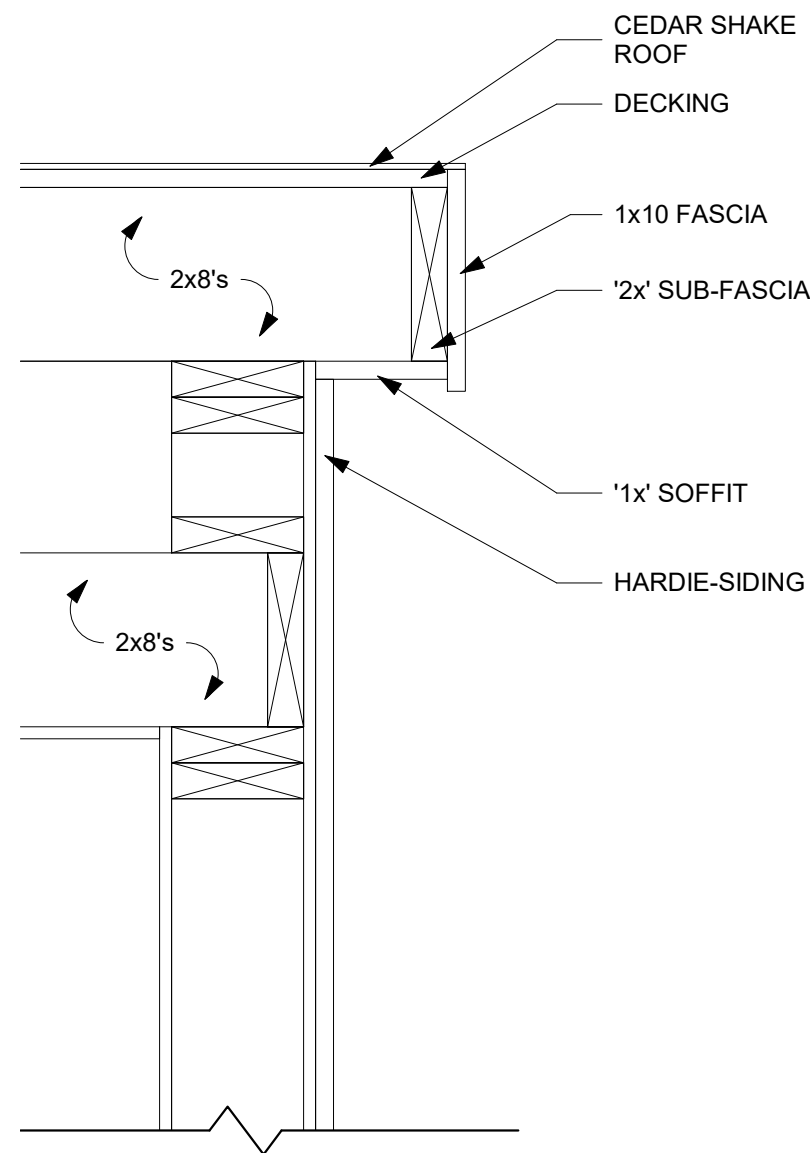
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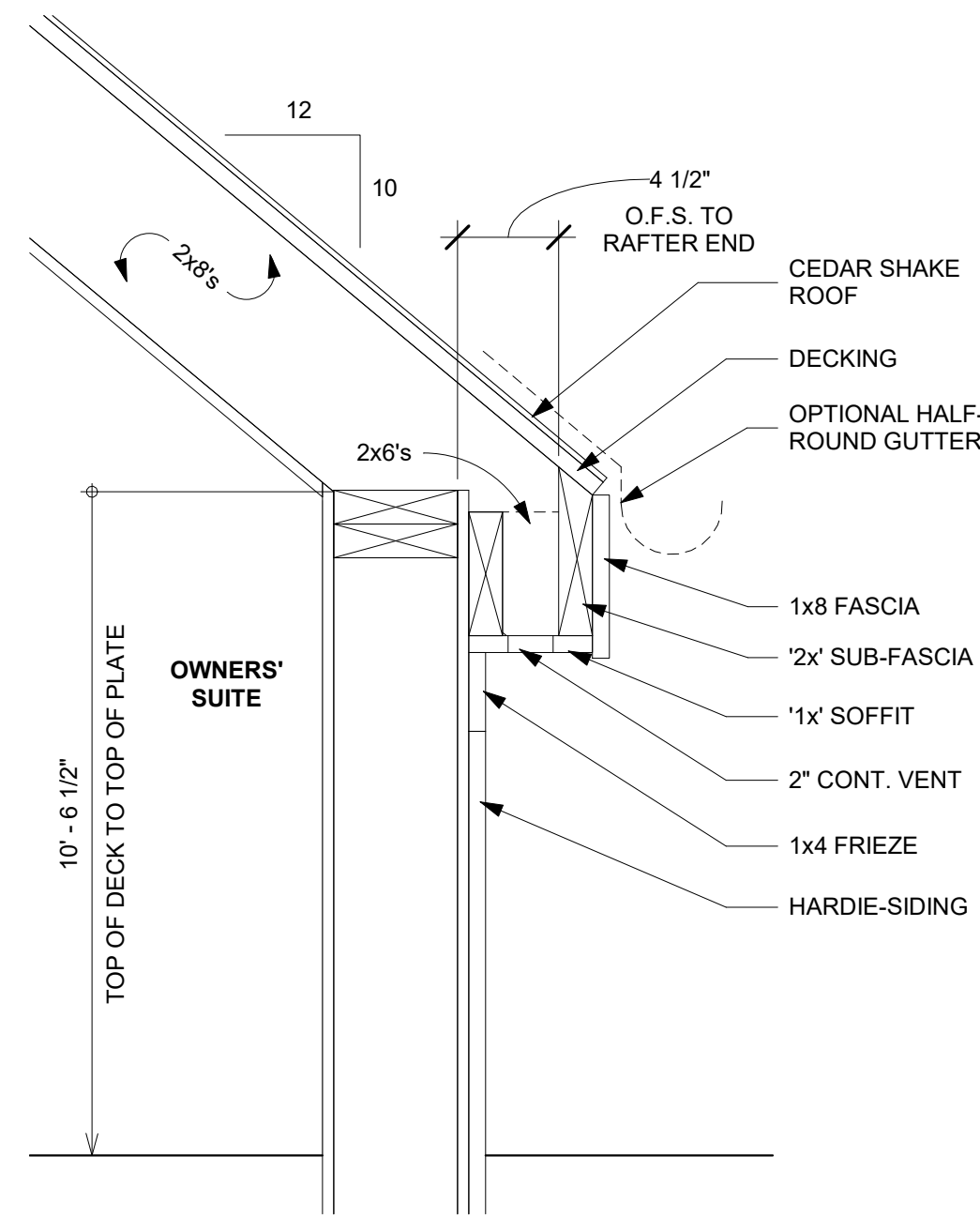
1 Cornice Detail at Hers
1 1/2" = 1'-0"



2 Cornice Detail at Guest Bath
1 1/2" = 1'-0"



3 Cornice Detail at Typical Rake
1 1/2" = 1'-0"



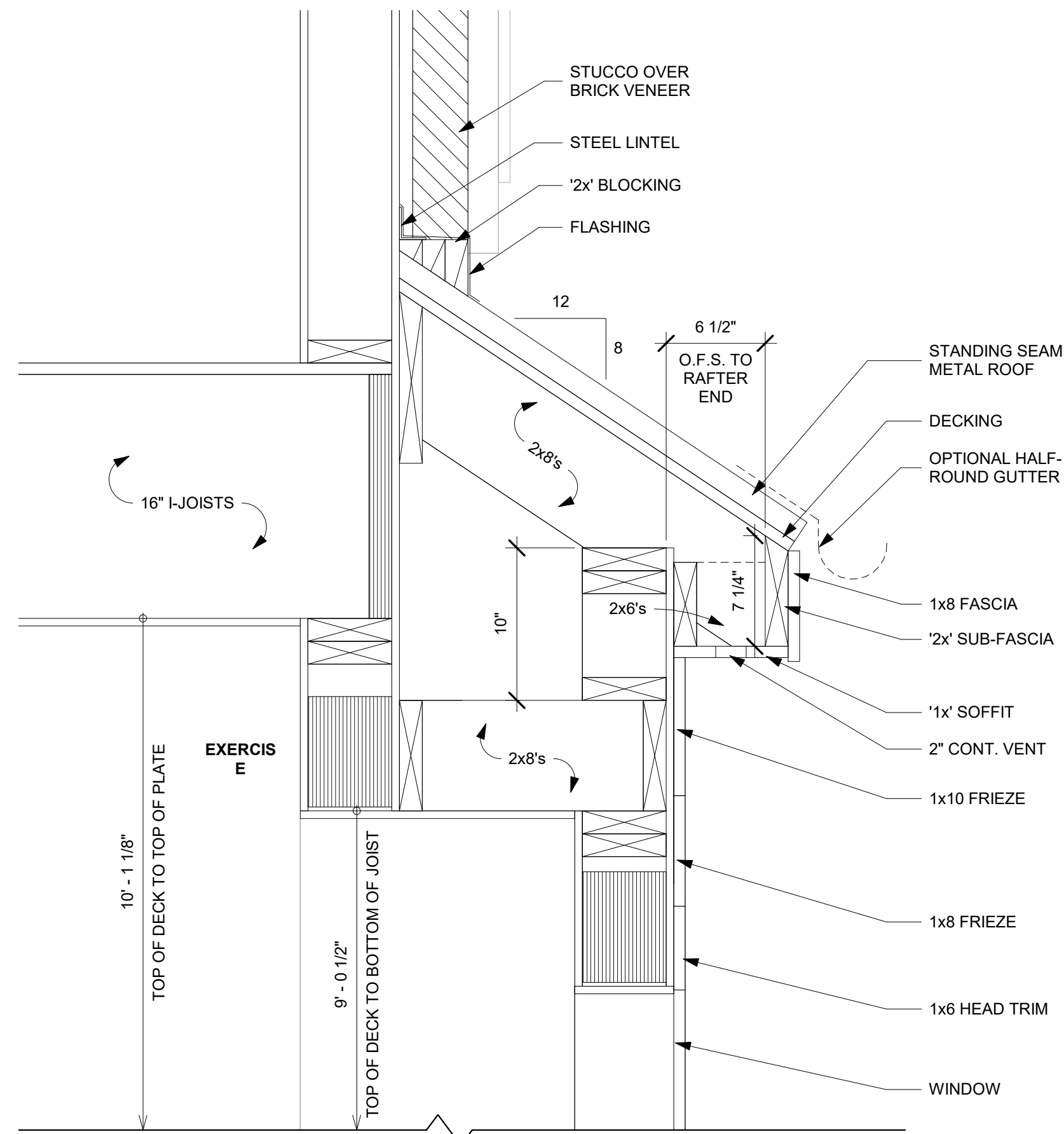
4 Cornice Detail at Owners' Suite
1 1/2" = 1'-0"

TYPICAL INSULATION LOCATIONS:

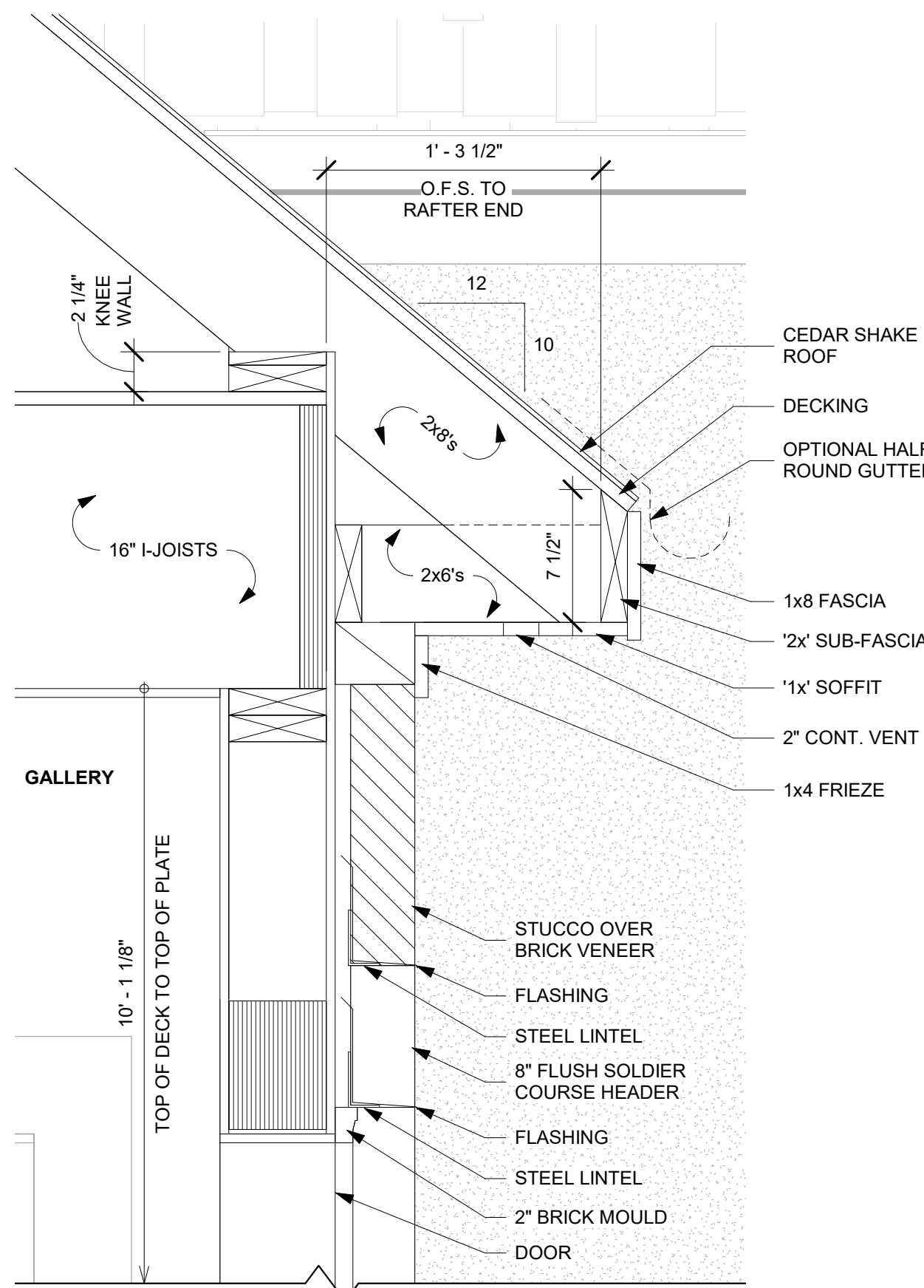
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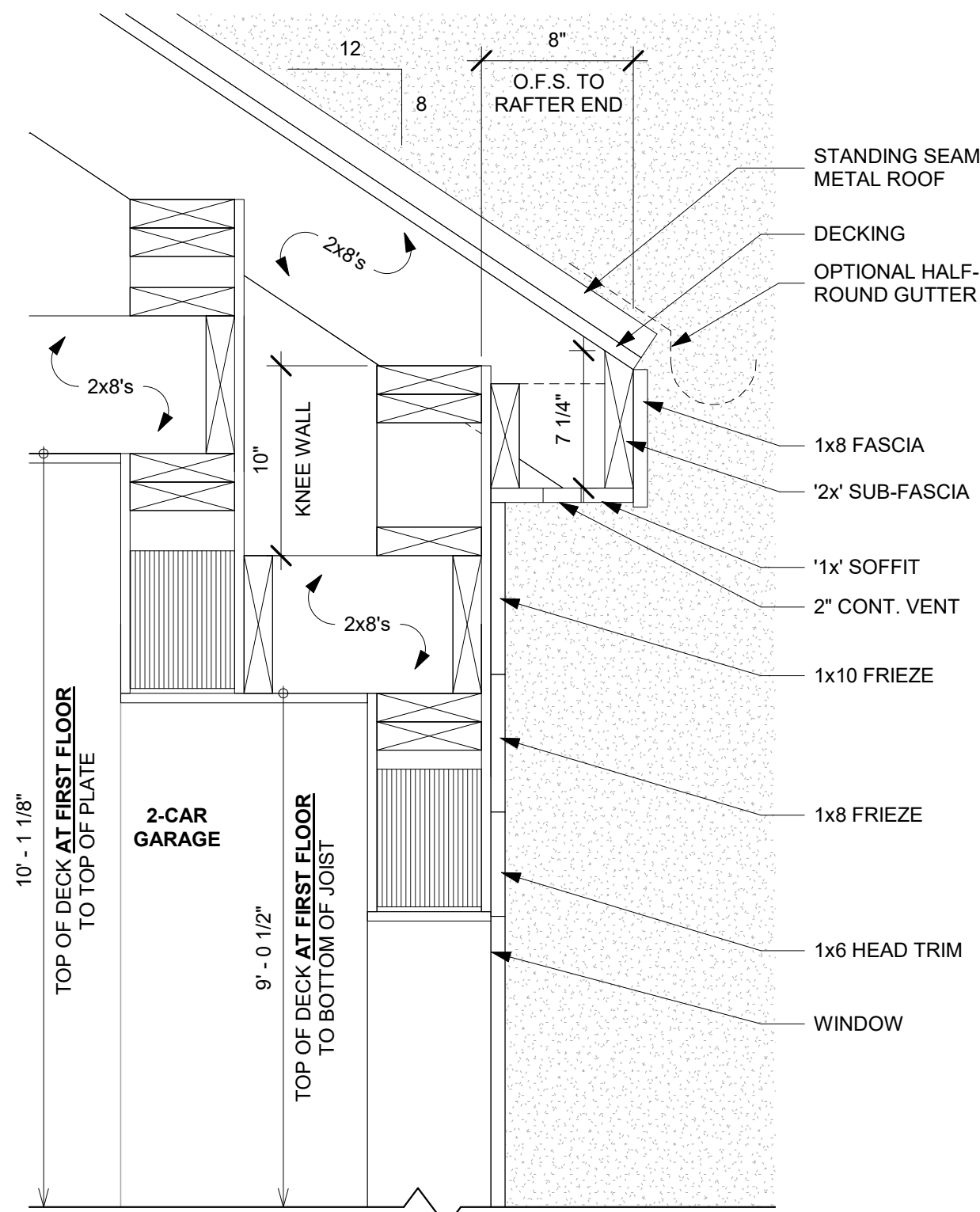
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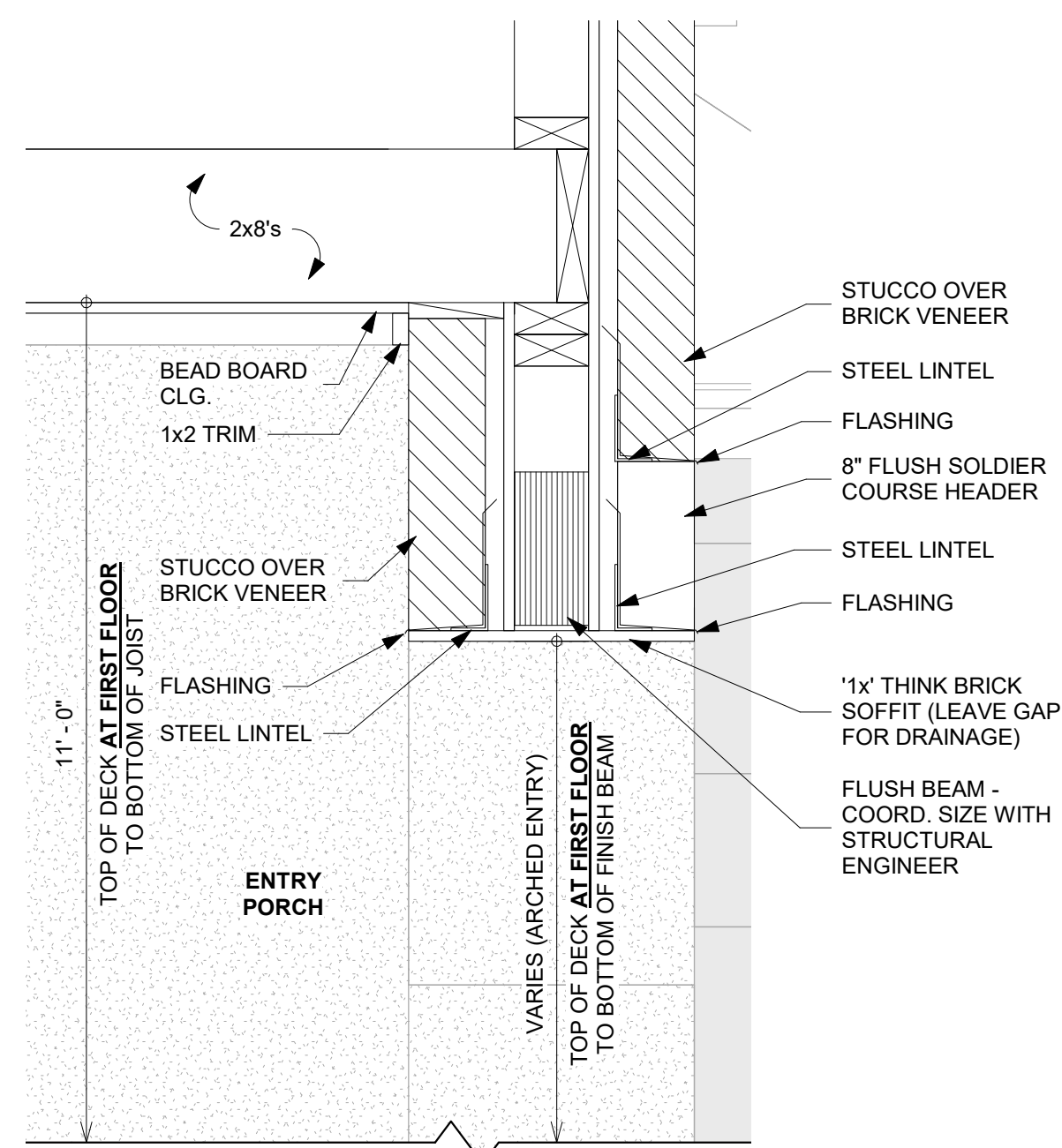
5 Cornice Detail at Exercise
1 1/2" = 1'-0"



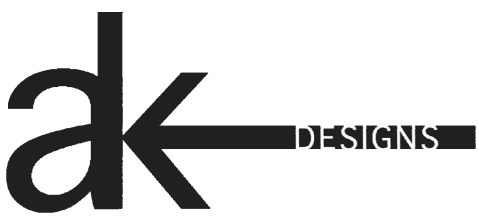
6 Cornice Detail at Gallery
1 1/2" = 1'-0"



7 Cornice Detail One at 2-Car Garage
1 1/2" = 1'-0"



8 Cornice Detail at Entry Porch
1 1/2" = 1'-0"



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127 LANCASTER DRIVE

FRANKLIN, TENNESSEE

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1.	Revised CDs - 09.30.22
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Roof Plan

Revision Date:

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Project Number: A22022
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Scale: 1/4" = 1'-0"

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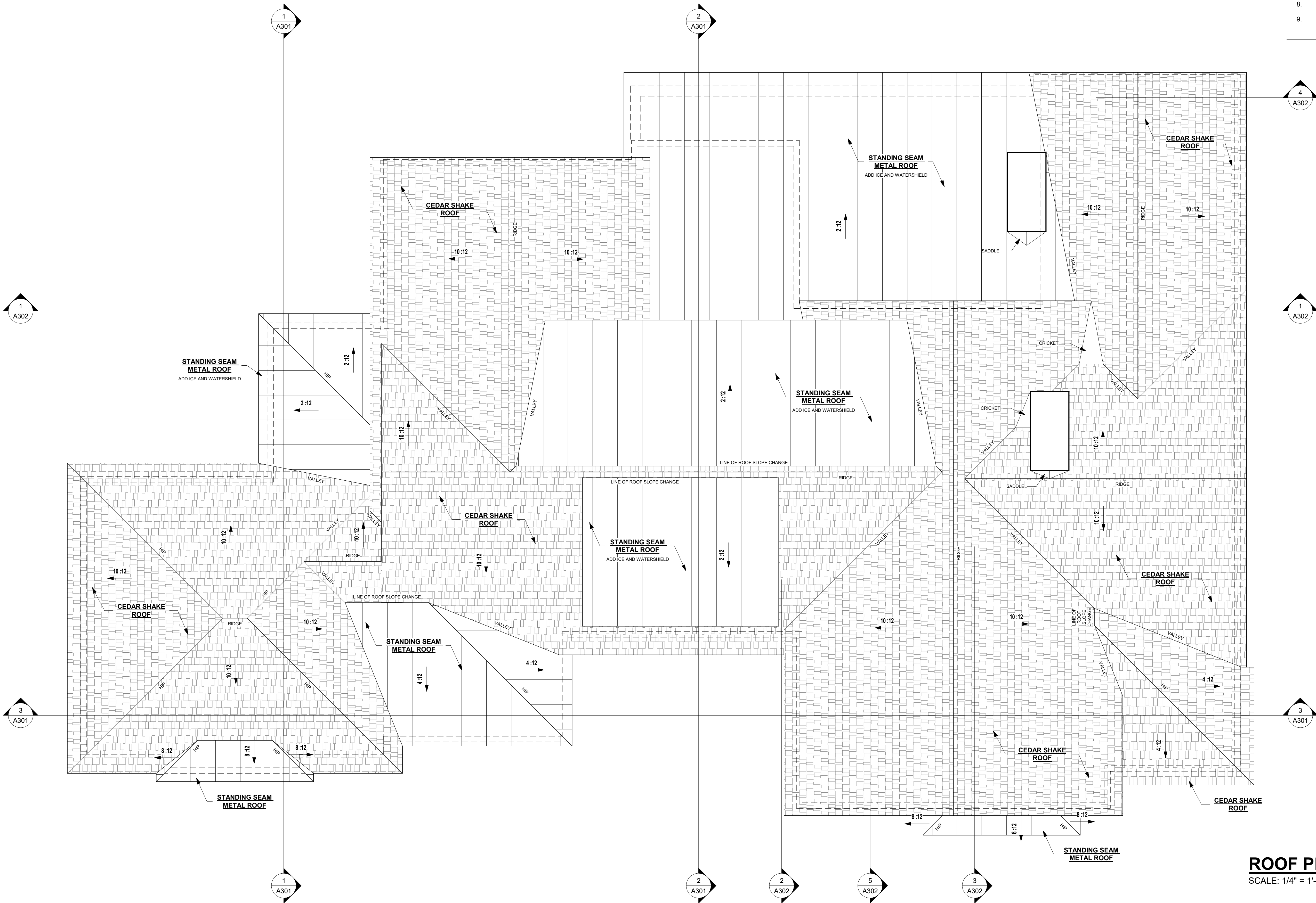
A501

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
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TYPICAL INSULATION LOCATIONS:

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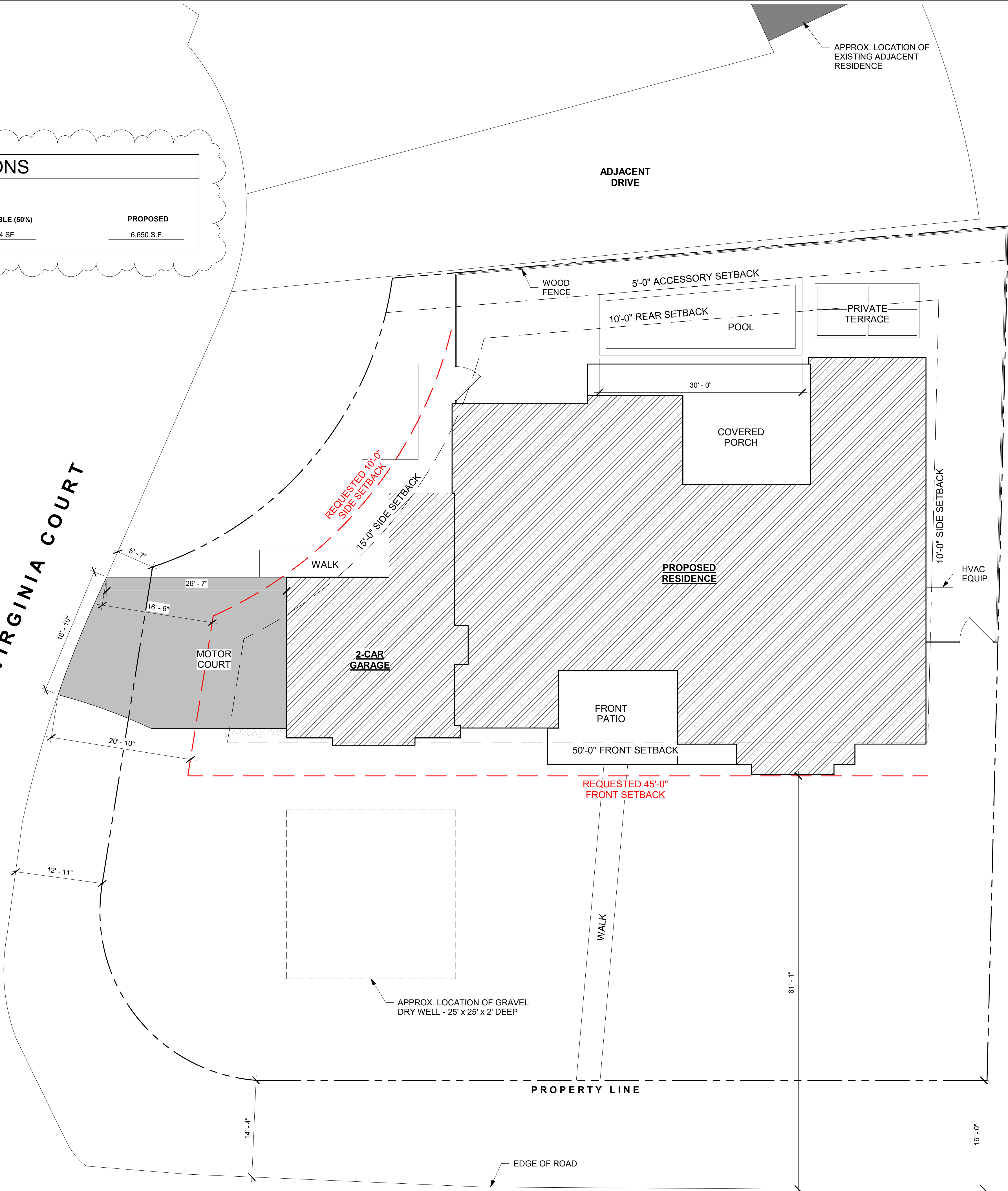


ROOF PLAN
SCALE: 1/4" = 1'-0"

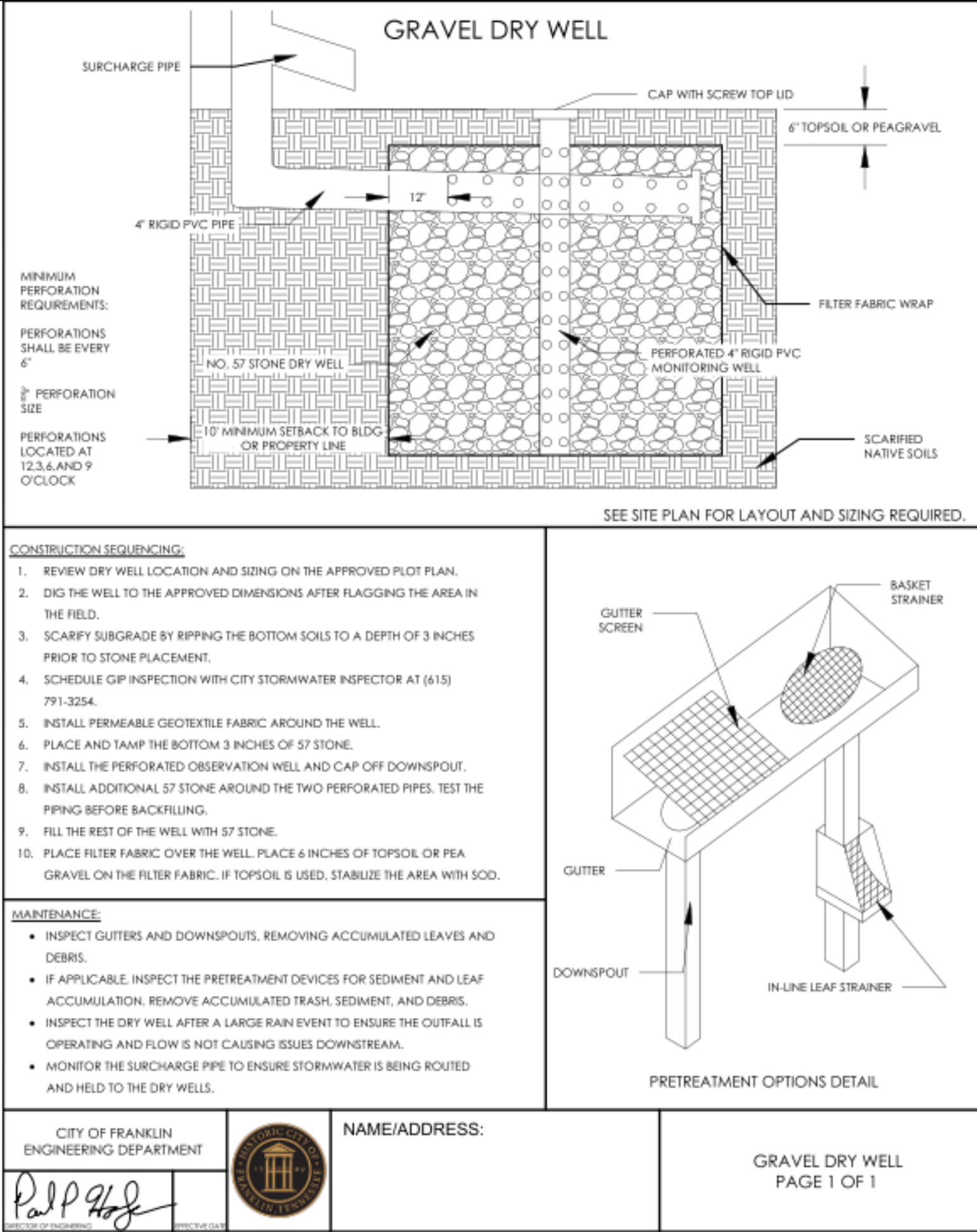
SITE CALCULATIONS

LOT SQ. FOOTAGE:	14,368 S.F.	
IMPERVIOUS AREA	ALLOWABLE (50%)	PROPOSED
	7,184 SF	6,650 S.F.

VIRGINIA COURT



LANCASTER DRIVE



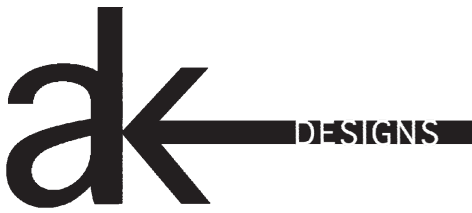
- CONSTRUCTION SEQUENCING:**
1. REVIEW DRY WELL LOCATION AND SIZING ON THE APPROVED PLOT PLAN.
 2. DIG THE WELL TO THE APPROVED DIMENSIONS AFTER FLAGGING THE AREA IN THE FIELD.
 3. SCARIFY SUBGRADE BY RIPPING THE BOTTOM SOILS TO A DEPTH OF 3 INCHES PRIOR TO STONE PLACEMENT.
 4. SCHEDULE GIP INSPECTION WITH CITY STORMWATER INSPECTOR AT (615) 791-3254.
 5. INSTALL PERMEABLE GEOTEXTILE FABRIC AROUND THE WELL.
 6. PLACE AND TAMP THE BOTTOM 3 INCHES OF 57 STONE.
 7. INSTALL THE PERFORATED OBSERVATION WELL AND CAP OFF DOWNSPOUT.
 8. INSTALL ADDITIONAL 57 STONE AROUND THE TWO PERFORATED PIPES. TEST THE PIPING BEFORE BACKFILLING.
 9. FILL THE REST OF THE WELL WITH 57 STONE.
 10. PLACE FILTER FABRIC OVER THE WELL. PLACE 6 INCHES OF TOPSOIL OR PEA GRAVEL ON THE FILTER FABRIC. IF TOPSOIL IS USED, STABILIZE THE AREA WITH SOO.

- MAINTENANCE:**
- INSPECT GUTTERS AND DOWNSPOUTS, REMOVING ACCUMULATED LEAVES AND DEBRIS.
 - IF APPLICABLE, INSPECT THE PRETREATMENT DEVICES FOR SEDIMENT AND LEAF ACCUMULATION. REMOVE ACCUMULATED TRASH, SEDIMENT, AND DEBRIS.
 - INSPECT THE DRY WELL AFTER A LARGE RAIN EVENT TO ENSURE THE OUTFALL IS OPERATING AND FLOW IS NOT CAUSING ISSUES DOWNSTREAM.
 - MONITOR THE SURCHARGE PIPE TO ENSURE STORMWATER IS BEING ROUTED AND HELD TO THE DRY WELLS.

CITY OF FRANKLIN ENGINEERING DEPARTMENT	NAME/ADDRESS:	GRAVEL DRY WELL PAGE 1 OF 1

SITE PAN

SCALE: 1/8" = 1'-0"



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FRANKLIN, TENNESSEE

Site Plan

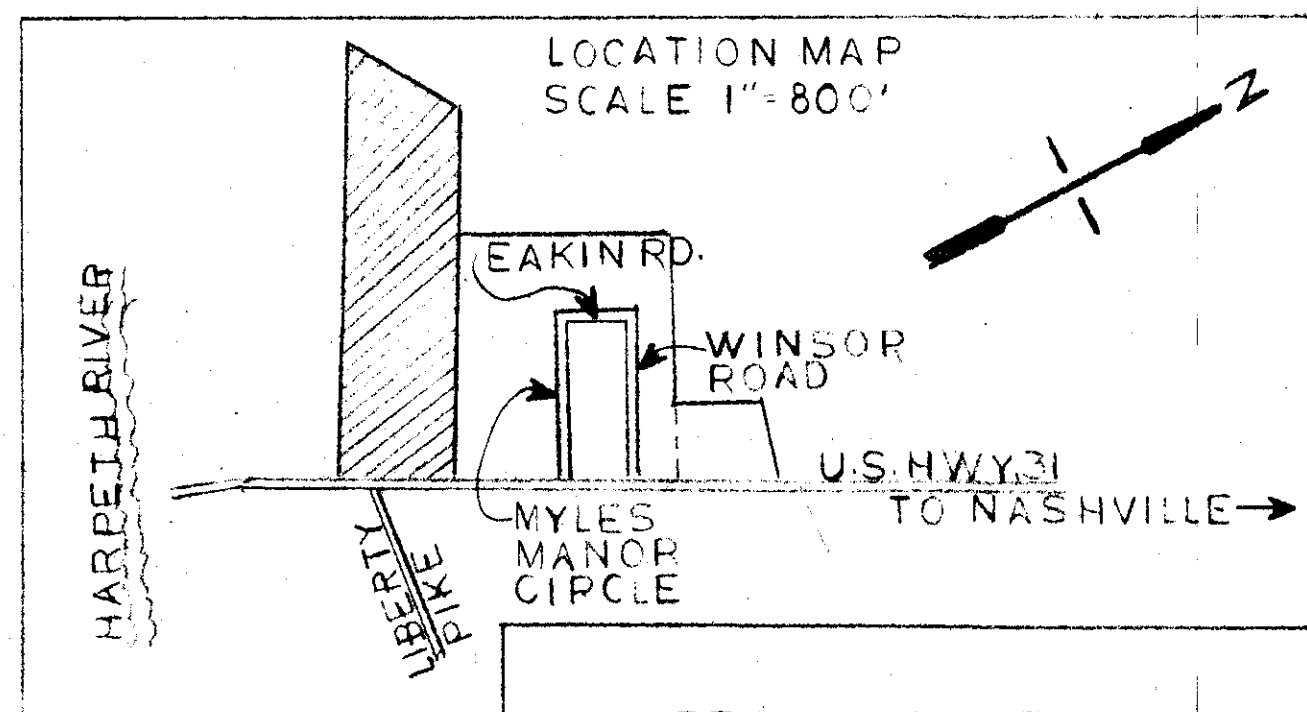
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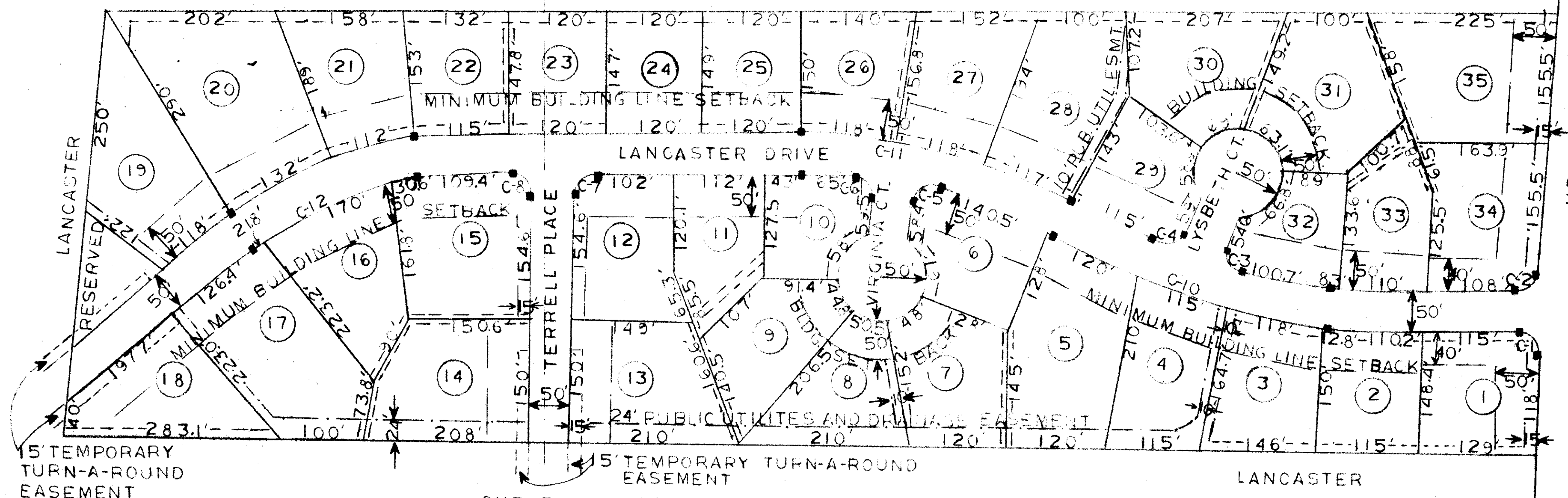
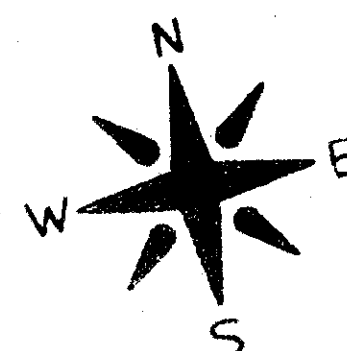
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A001



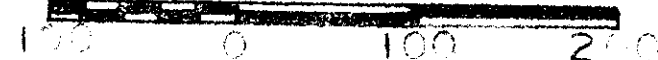
DOTTED LINES DENOTES EASEMENTS FOR PUBLIC UTILITIES AND DRAINAGE. ALL EASEMENTS TEN FEET WIDE EXCEPT AS NOTED. EASEMENTS ARE EQUALLY DIVIDED BETWEEN EACH LOT WHEN SHOWN ON ADJACENT LOT.



CURVE DATA		
RADIUS	TANGENT	LENGTH
C-1 TO C-9 25.00'	25.00'	39.27'
C-10 11.40'		35.5'
C-11 11.40'		32.4'
C-12 6.50'		23.1'

FINAL PLAN OF HARPETH MEADOWS
A PART OF ROBERT LANCASTER FARM
NINTH CIVIL DISTRICT
WILLIAMSON COUNTY, TENNESSEE
SCALE 1"=100'
BY C.K. McLEMORE MAY 1967

SYMBOL ■ CONCRETE MONUMENTS
IRON PINS AT ALL OTHER LOT CORNERS
SCALE IN FEET



REGISTER'S OFFICE
STATE OF TENNESSEE
WILLIAMSON COUNTY
Received for record the 19 day
of June 1967 at 9:00 o'clock
Noted in Note Book 19 page 126A
and Recorded in Plat Book No. 3
page 16 Fee \$
Witness my hand
JIMMIE D. BENNETT, JR.
REGISTER

3/16

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR USE AS NOTED.

6-17-67

Robert Lancaster

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE FRANKLIN, TENNESSEE, REGIONAL PLANNING COMMISSION AND THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN HEREON, TO THE SPECIFICATIONS OF THE CITY ENGINEER.

6-16-67

C.K. McLeMore
SURVEYOR

CERTIFICATION OF THE APPROVAL OF WATER AND SEWAGE SYSTEMS

I HEREBY CERTIFY THAT THE WATER SUPPLY AND SEWAGE DISPOSAL UTILITY SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, IN THE SUBDIVISION PLAT ENTITLED: HARPETH MEADOWS FULLY MEET THE REQUIREMENTS OF THE TENNESSEE STATE HEALTH DEPARTMENT, AND ARE HEREBY APPROVED AS SHOWN.

6-17-67

John Moore
COUNTY HEALTH OFFICER

CERTIFICATION OF THE APPROVAL OF STREETS AND UTILITIES

I HEREBY CERTIFY: (1) THAT STREETS, UTILITIES AND OTHER IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY SPECIFICATIONS IN THE SUBDIVISION ENTITLED: HARPETH MEADOWS IN LIEU (SECURITY BOND FOR \$3,490 POSTED)

6-19-67

Frank Palmer
CITY ENGINEER

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR FRANKLIN, TENNESSEE, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTRAR.

6-19-67

Wm R. Owen
SECRETARY, PLANNING COMMISSION

1. No portion of the described tract lies within Floodway, and is shown in the area Zone X as said tract shows on FEMA FIRM Map Number 47187C0211G on the Flood Insurance Rate Maps for City of Franklin, Tennessee (effective date September 29, 2006).

2. This survey was prepared from current deeds of record without benefit of facts and does not represent a title search or a guarantee of title, and is subject to any state of facts a current, full, or accurate search may reveal. No investigation of independent search for easements, encumbrances, restrictive covenants, or ownership title evidence has occurred. The surveyor reserves the right to revise any easement(s) not provided for or known of per the date of this survey.

3. The utility information shown hereon was taken from actual field evidence, utility agency records, or any other available evidence. Other utilities may exist and may not be shown, or may vary from where shown. No guarantee is expressed or implied in regard to the utility location shown hereon. The Owner(s) and Contractor(s) should assume responsibility to verify utility existence, size, location, depth and availability of service, and be solely responsible for contacting the utility location service prior to commencing construction.

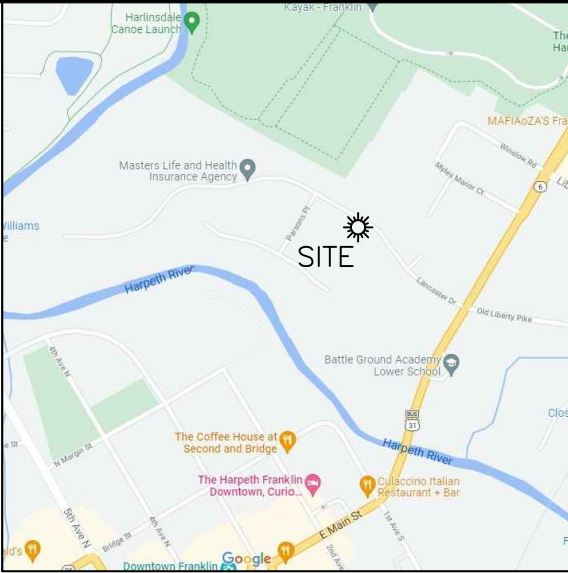
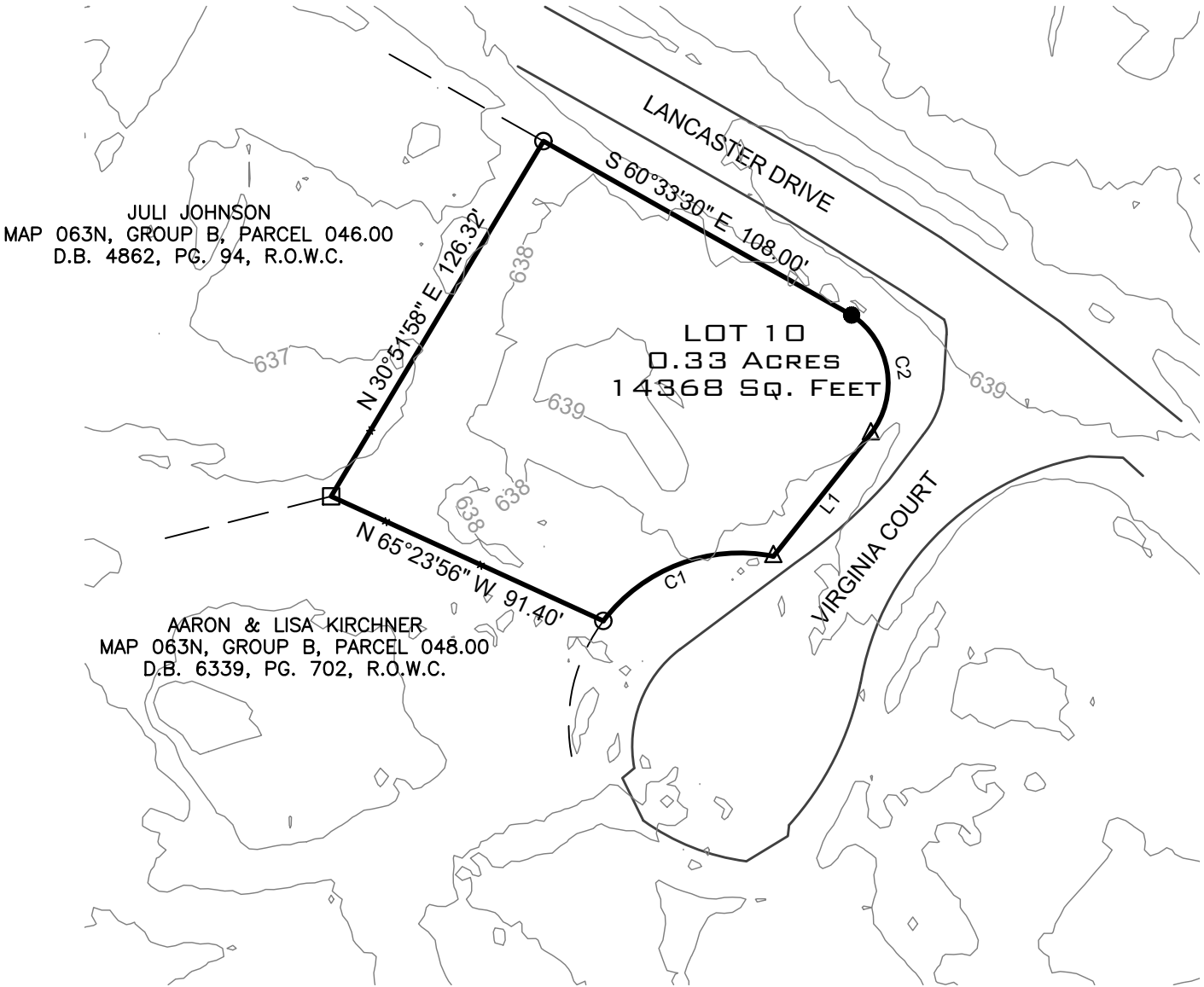
3. Basis of bearings is based on the Tennessee State Plane Coordinate System 4100 Zone on the 1983 North American Datum (NAD83).

4. In Tennessee it is a requirement of the "Underground Utility Damage Prevent Act" that anyone who engages in excavation must notify all known underground utility owner(s) no less than three nor more than ten working days prior to the date of their intent to excavate and also to avoid any hazard or conflict. The Tennessee One Call telephone number is 1-800-351-1111. No utilities were called, nor marked for this project.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY, THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS BETTER THAN 1: 10,000, AND IS IN COMPLIANCE WITH THE CURRENT "TENNESSEE STANDARDS OF PRACTICE FOR LAND SURVEYING".

J. Mark Cantrell
J. MARK CANTRELL, TN PLS# 1859

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	52.32'	58.50'	55.50'	S 69°09'30" W	64°03'33"
C2	25.00'	41.17'	36.67'	S 09°12'33" E	94°21'34"
LINE	BEARING	DISTANCE			
L1	S 38°28'30" W	47.84'			



VICINITY MAP (NOT TO SCALE)

CONTOUR LINES SHOWN HEREON WERE TIED TO STATE PLANE COORDINATES AND DOWNLOADED FROM LIDAR ON THE STATE OF TENNESSEE GIS DATABASE



IF YOU DIG TENNESSEE...
CALL US FIRST!
1-800-351-1111
TENNESSEE ONE CALL
IT'S THE LAW



08-11-2021

SHEET:

1 OF 1

DATE:

08.11.2022

SCALE:

1" = 50'

REVISIONS

NO.	DATE

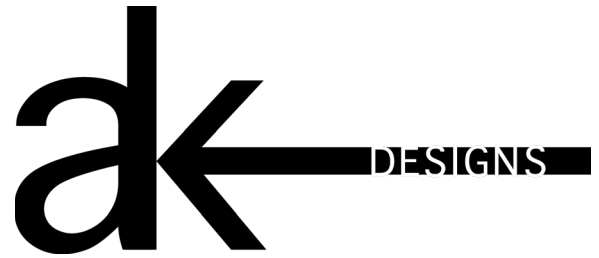
PROJECT:

22-0135

LIDAR EXHIBIT, 127 LANCASTER DRIVE
MARK & SHANLYNN GROSVENOR, OWNERS
DEED BOOK 8899, PAGE 117, R.O.W.C.
LOT 10, HARPETH MEADOWS
PLAT BOOK 3, PAGE 16, R.O.W.C.
MAP 063N, GROUP B, PARCEL 047.00
WILLIAMSON COUNTY, TENNESSEE



T-SQUARE ENGINEERING
SURVEY DIVISION
1329 WEST MAIN STREET, FRANKLIN, TN. 37067



CITY OF FRANKLIN BOARD OF ZONING APPEALS
109 3RD AVENUE SOUTH
FRANKLIN TN 37064

SEPTEMBER 30, 2022

Dear Board,

Thank you for your consideration of our request for variance for the property at 127 Lancaster Drive. Our request is to allow for a 45' front setback along Lancaster Drive rather than the platted 50' setback and a 10' side setback along Virginia Court rather than the platted 15'. We believe there are several justifications for our request but the two most significant are the overall site size and the fact that our property lines are set back considerably from the edge of the road.

First, the zoning restrictions for R-1 are for a lot size of 30,000 sf. Our lot size is only 14,368 sf. The standard R-1 setbacks imposed on a 30,000 sf site results in approximately 9,000 sf of developable area. The platted setbacks for this site result in a developable area of only 5,260 sf. This is a considerable difference in allowable home size in comparison to the neighboring properties especially given the height restrictions that are also enforced in this area.

Second, is that the property line is already set back considerably from the edge of the road. Along Lancaster Drive, the property line is approximately 15' back from the edge of the road. Along Virginia Court the property line is set back a range of 6' to 12'. The proposed 45' setback along Lancaster Drive plus the 15' from the edge of the road actually meets the 60' front setback for the R-1 Residential District. Further, you will notice from the provided site plan that most of the structure is within the 50' platted setback except for the Front Patio and the bay to the right side of the front elevation that give the elevation its depth and aesthetic appeal. Also, according to GIS data, the setback appears to be consistent with the adjacent property on Lancaster Drive. Along Virginia Court we have a proposed 2-Garage that would meet the minimum 22' distance from the edge of curb.

To respond directly to the variance checklist:

- This request is justified based upon site shape/size.
- The undue hardship is based upon the application of zoning restrictions to a larger required site area and the odd situation that the property lines are set back so far from the edge of road.
- We believe that the requested setbacks offer consistency with the R-1 setback requirements while offering developable area to allow for a home size that is consistent with neighboring properties.

Thank you again for the consideration.

Sincerely,

Andrew King
AK DESIGNS

From: [Atkerson, John](#)
To: [Planning Intake](#)
Cc: [Lynne Atkerson](#); [John Atkerson](#)
Subject: Variance Request - 127 Lancaster Drive
Date: Monday, October 24, 2022 10:08:37 AM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

We are the Atkersons at 130 Lancaster Drive, across the street from 127 Lancaster Drive. We are unable to make the public hearing.

We have no objection to the side yard setback variance at 127 Lancaster Drive.

Thank you.

John Atkerson
Director of Facility Implementation
GEODIS | Contract Logistics

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