



Meeting Minutes

Historic Zoning Commission

Monday, November 14, 2022

5:00 PM

Board Room

Notice is hereby given that a meeting of the Historic Zoning Commission will be held on the date and time listed above at 109 3rd Ave. S., Franklin, TN 37064. 615.791.3212 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@franklinton.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 may sit in the Boardroom or wait in the lobby.

CALL TO ORDER

Chair Jim Roberts called the meeting to order at 04:59 PM.

Board Members Present: Susan Besser, Josh Denton, Brian Laster, Tyler LeMarinel, Mary Peach, Jim Roberts, Lisa Marquardt, Kathy Worthington

Board Members Absent: None

APPROVAL OF MINUTES

1. Consideration Of Approval Of Minutes for October 10, 2022

Sponsors:

A motion was made by Commissioner Pearce, seconded by Commissioner Denton, to defer approval of the Minutes from the October 10, 2022, meeting until December. The motion carried 8-0

ANNOUNCEMENTS

- Ms. Rose announced a special 11/21 DRC meeting at 3:00 PM to discuss the Village at 228 proposal. Village 228 is located at the intersection of Franklin Road and Liberty Pike. The applicant would like to speak to the Board as they begin the development plan process.
- Ms. Rose announced the 11/21 DRC meeting at 4:00 PM.
- Ms. Rose announced a special DRC Site Visit at 724 Fair Street on 12/1 at 3:30 PM. Ms. Rose requested that the Commissioners give her a firm yes or no as soon as possible. The goal would be to have at least 5 members present.
- Ms. Rose announced a special 12/19 DRC meeting at 3:00 PM to discuss City Hall.
- Ms. Rose announced the setup for DRC meetings would revert to the commissioners sitting at a table in front of the dais. This will allow the meeting to be more informal and inviting.
- Ms. Rose announced IT Assistance to the commissioners for their email and new laptops. The Surface Pro laptops, available to all who need one, will allow everyone to access meeting information in real-time.

VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

Chair Jim Roberts asked if there were any non-agenda items to be presented. There were none.

CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Jim Roberts asked for citizen comments. There were none.

APPLICATIONS**2. Consideration Of Alterations (Siding, Roofing) at 1368 Eastern Flank Cr; Lisa Clayton, Applicant.**

Sponsors: Kelly Dannenfelser, Amanda Rose

Staff Presentation: Amanda Rose. The applicant is requesting approval retroactively for work that has already taken place on the Eastern Flank Battlefield Park Clubhouse. The applicant appeared before the September DRC Meeting to discuss the application. The request is specific to the siding and roofing work that is taking place on the building. Ms. Rose explained that due to timing issues when the work was approved by the Board of Mayor and Aldermen and when the city adopted the final historic preservation overlay that work commenced because of a miscommunication. The intention of the applicant was to go through the proper channels to receive approvals prior to beginning work. At the DRC meeting, everyone seemed to be comfortable with what had been discussed. The request is limited to the roofing material being replaced in kind which does not require a COA. The siding material was originally a type of faux stucco. The siding, as seen on the overhead screen, has been replaced with a blue lap cementitious siding. The guidelines that apply to this type of building can be found in Chapter 3/Commercial Buildings of the Historic Design Guidelines. Ms. Rose stated that the building is non-historic and does not contribute to a period of significance and is modern in construction. The alterations proposed are found to be more in keeping with the character of the historic districts in general which the guidelines support. It is recommended that the Board take this into consideration because the applicant is a City of Franklin, City sponsored project. Ms. Rose stated that there is no staff "official" recommendation, but she would be happy to answer any questions. Mr. Walker with the Parks Department is present to answer questions, as well.

Chair Roberts asked if there were any citizens who would like to comment on the item. There were none.

A motion was made by Commissioner Pearce, seconded by Commissioner Laster to approve Item 2.

Commissioner Pearce stated that she appreciates the Parks Department for considering the HZC for the project.

Chair Roberts agreed with Ms. Pearce.

The motion carried 8-0.

3. Consideration of Alterations (Storefront/Window & Door) at 212-214 E. Main St.; Denise Carolyn, Applicant.

Sponsors: Kelly Dannenfelser, Amanda Rose, Emily Huffer

Chair Roberts stated the applicant has withdrawn their request, therefore, no action is needed.

4. Consideration of Alterations (Wall Construction for Screening) at 402 Bridge St.; Amanda McCreary, Applicant.

Sponsors: Kelly Dannenfelser, Amanda Rose, Emily Huffer

Staff Presentation: Emily Huffer. Ms. Huffer stated that the subject building fronting Bridge Street and Fourth Avenue was constructed circa 1830 with Federalist detailing. The building is considered a contributing building to the downtown Franklin Historic District. The applicant proposes to construct a wall on the left rear side of the house to conceal the HVAC units and trash receptacles. The new wall is proposed to tie into the existing courtyard wall at the left side of the property and be constructed using a similar style of brick as the courtyard wall and pillars. The wall will include a wood access gate with the final height being determined by the height of the trash cans. The guidelines recommend that fences and walls be compatible with the architectural style of the building and that they support the historic character of the district fences and walls. The design guidelines recommend that fences and walls at the rear of the property should not exceed seven feet in height and gates are recommended to consist of different materials than the fence or wall. It is recommended that the gate should swing as opposed to slide and that all mechanical equipment be concealed behind buildings or to be screened from street view with landscaping. Ms. Huffer stated that the proposed wall request appears to be consistent with the guidelines,

therefore staff recommends the HZC approve the application with conditions.

- 1) The brick must be consistent with the existing walls and pillars. A sample of the brick must be submitted to the preservation planner for review and approval prior to work commencing.
- 2) The wall height should not exceed seven feet in accordance with the zoning ordinance.
- 3) The application must meet all the requirements of the Building and Services department prior to work commencing.
- 4) Any changes to the approved plan must be returned to the preservation planner of the HZC for review and approval.

Applicant Speaker: Amanda McCreary, Architect with Chisel Workshop. Ms. McCreary stated that the proposed wall on the alley side of the property would tie into the existing pillar of the courtyard gate. The proposed wall will not be as tall as the courtyard wall. The proposed wall height is a couple of courses higher than the city of Franklin trashcans. Two wooden gates are proposed to open wide enough to pull the trashcans out on trash day. The goal was to give this area of the property a nicer appearance.

Chair Roberts asked if there were any citizens who would like to comment on this item. There were none.

A motion was made by Commissioner Laster, seconded by Commissioner Worthington to approve with conditions Item 4.

Commissioner Worthington asked the meaning of the dashed line in the applicant materials.

Ms. McCreary stated that the line indicates the existing wall, and the proposed wall will be scaled down so that is one cap on the pillar instead of three caps, as on the existing wall pillars.

Commissioner Pearce added that the proposed wall will have a very low visibility.

Ms. McCreary confirmed that is true.

Commissioner Denton asked Ms. McCreary the age of the existing wall.

Ms. McCreary stated that the wall is similar to walls that were constructed in the 1980's.

The motion carried 8-0.

5. **Consideration of Fencing at 906 Fair St.; Cliff Jones, Applicant.**

Sponsors: Kelly Dannenfelser, Amanda Rose

Staff Presentation: Amanda Rose. Ms. Rose stated that the applicant is requesting a COA for the placement of front yard fencing. The application also includes several other items outside the scope of work for discussion today. The owner is present to address those items. All yard fencing has been approved administratively for issuance of the COA. The flood plain consideration portion of the application is still pending. Ms. Rose stated that alterations to the front entrance walkway and extension of the driveway can be considered for administrative review. The portion of the application to be considered at this meeting is the front yard fencing only. The fencing is proposed to run the length of the front yard on Fair Street and will stop at the driveway. The fencing is proposed to consist of a scalloped white picket using materials of vinyl or wood. No gate has been indicated for placement along the front walkways. More information would be needed from the applicant on the intent of the gates. The guidelines recommend that front yard fencing be located along the front yard property line. Ms. Rose noted that the most common type of front yard fencing is white picket fencing in the historic districts. The guidelines recommend that the fencing be compatible with the architectural style of the building. One should use proportions, height elements and levels of opacity that are similar to those seen in the historic district. The proposal is generally consistent with the architectural style of the building and with the overall character of the historic district. Ms. Rose stated that the front yard fencing is recommended for approval with the following conditions.

- 1) If a gate is proposed for placement along the front fencing, it should be configured to swing and work per the guidelines and that the design of the gate be submitted to staff for review and approval, prior to work commencing.
- 2) All the previous conditions of approval issued for this proposal must remain intact and any changes must be submitted to staff or the HZC for review and approval.

Chair Roberts asked if there were any citizens who would like to comment on this item. There were none.

Applicant Speaker: Mike Hathaway, owner.

A motion was made by Commissioner Laster, seconded by Commissioner Marquardt to approve with conditions to Item 5.

Commissioner Pearce questioned vinyl siding as an acceptable material according to the guidelines.

Ms. Rose stated that the motion would need to be amended to show wood as the material for the fence. Vinyl is not a recommended material in the new design guidelines.

Mr. Hathaway stated that there would not be a gate proposed for the fence.

Commissioner Pearce stated that most front yard fences have gates, and it is traditional to have a gate.

Mr. Hathaway explained that there would be a gap in the fence to allow entrance to the walkway (sidewalk) to the front door of the house.

An amendment to the motion to state the fence must be wood was made by Commissioner Pearce, seconded by Commissioner Denton. The amendment carried 8-0.

The motion as amended carried 8-0.

6. Consideration of New Construction (Accessory Structure) at 316 Bridge St.; Eric Smith, Applicant.

Sponsors: Kelly Dannenfelser, Amanda Rose

Staff Presentation: Amanda Rose. Ms. Rose stated that the applicant appeared before the September DRC meeting to discuss the proposal. The proposal includes the construction of a one-story accessory. The site plan proposes the new building to be located approximately 50 feet behind the rear plane of the principal building. Its size and height are subordinate to the principal building as it measures approximately four feet shorter than the main building ridge. The footprint of the accessory building measures 878 square feet, including the covered porch, which is approximately 34% of the principal building square footage. Ms. Rose described the details as complimentary but less elaborate than the character of the principal historic building. The roof form relates to the pitch and shape of the principal building. Because of the DRC recommendations in September, the applicant has revised the plan to include a bracketed covered entrance instead of a full width porch. The proposed materials include cementitious lap siding (4 ½") of a reveal to match the addition to the principal building. The roof material is an asphalt shingle with a cement block foundation and aluminum clad windows. The exact window specifications have not been provided to staff yet. The cumulative lot coverage on the property is 17.5 percent, which is consistent with the guidelines that recommend no more than 35 percent of the total lot size. Ms. Rose explained the history of the property from information (historic resource inventory) that the staff has collected on all of the historical homes within the historical overlay. At one point (January 2021), there was an historic outbuilding. As of the September 2022 DRC meeting the building was no longer present. The accessory historic outbuilding was on the left side of the property facing Bridge Street. Additional information is needed from the applicant and the property owner to understand the circumstances of the removal or demolition of the accessory building so that staff can prepare the necessary analysis for the entire proposal. There is no information on file that indicates that it was demolished or removed with permission from the Historic Zoning Commission or from the City of Franklin. Ms. Rose stated that she spoke with the applicant and is hopeful new information will be provided at this meeting. Ms. Rose recommended the item be deferred because additional information is needed from the applicant to review the entirety of the proposal including the applicable zoning ordinance requirements and the historic district design guidelines. Ms. Rose noted that the right elevation of the proposed new accessory structure is missing from the plan set. If the Commission chooses to approve the proposal of the new accessory building, it is recommended that the applicant provide the full-scale plan set to the Preservation staff, prior to a building permit being issued. Also, if approved, the accessory structure windows must have a historic profile and dimension with the specifications reviewed by staff. If issued a COA, the application must meet all the requirements of the City of Franklin's Building and Neighborhood Services Department. If any changes are made to the proposal, the applicant must resubmit to staff or the HZC for approval.

Applicant Speaker: Eric Smith. Mr. Smith stated that from what the homeowner told him that the accessory building was present on the property in 1989 when the property was purchased. The building was eight feet by twelve feet with wood framed walls sitting on the ground with no foundation. Mr. Smith explained that over the years, the owner made repairs but determined that the building was not salvageable and had it removed. Mr. Smith read a statement from the homeowner that said in summary, that the owner did not realize the City of Franklin needed to be contacted prior to the removal of the building and it is the desire of the homeowner to build a new accessory building that would increase the charm of the current home.

There were no citizens present to speak regarding this item.

Chair Roberts asked for a motion from the Board.

Commissioner Besser stated that if we defer the item to the next meeting, discussion could not take place.

Chair Roberts stated that it would be helpful for the applicant to have feedback from the Board.

Ms. Rose explained that Ms. Besser is correct, but the Board may ask questions of the applicant or staff to gather information and provide feedback to the applicant.

Chair Roberts offered a suggestion that the applicant attend the DRC meeting before the December HZC meeting.

Commissioner Pearce asked Chair Roberts if enough information has been received from the applicant.

Chair Roberts stated that he did not believe enough information has been received to take any action on the proposal.

Commissioner LeMarinel agreed that not enough information has been received.

Chair Roberts attempted to make the point that the Board needs to provide feedback and ask questions of the applicant so that the applicant will know what changes or additions need to be made to the proposal.

Commissioner Denton asked Ms. Rose what information she believed was needed from the applicant regarding the demolition of an historic accessory building without going through proper the proper channels.

Ms. Rose stated that her report was created before she was able to gain additional information from Mr. Smith about the removal of the historic building. The proper steps would be for the Commission to receive an application requesting demolition of the historic accessory building with the option to approve retroactively. Staff did not have enough information to support the approval of the new structure because of the applicable zoning ordinance requirements, specifically related to the number of buildings on the lot. Ms. Rose also noted that demolition requests are intended to meet the criteria outlined in the guidelines. The guidelines would recommend that demolition be approved only if the building had no architectural or historical integrity, which means the structure is not at least 50 years of age. Also, a report from a structural engineer documenting the structural instability along with estimates for repairs of the structure. The applicant could provide information about economic hardship as outlined in the guidelines. Because the building has already been removed, it is in the Commission's purview to determine how to remedy the situation. It could be determined that the building be reconstructed and placed in its original location. Ms. Rose went on to say that the City of Franklin may not require a demolition permit if there is no foundation as the homeowner indicated in this situation. Photographs from the applicant indicating that there was no foundation could suffice as proper documentation, but a certificate of appropriateness and a demolition permit would be required. Ms. Rose explained that based on the Commission's determination of whether demolition can be supported or how to mitigate will determine if a new accessory building could be approved.

Commissioner Besser asked if the structure can be located using the Sanborn maps?

Ms. Rose stated that based on her research it appears the accessory structure to be original to the light contemporary construction of a 1942 bungalow. The accessory building is listed as a contributing accessory structure within the National Register documentation. The building is listed as being more contemporary to the construction of the house.

Chair Roberts stated that the information needed by the Commission, from the homeowner, is a demolition application that includes the history of when and why the accessory structure was removed along with photographs if available. The information will help the Commission make the best decision going forward.

Mr. Smith stated that he has asked the homeowner for this information. Mr. Smith also stated that he was brought into the project after the application process had begun and he was trying to piece together what has been done and what needs to be done.

Commissioner Denton noted that the removal of the building has been recent, so the homeowner must have hired someone to remove the building who may have documentation of the demolition.

Mr. Smith stated that he believed the homeowner had the structure removed sometime in the last six months.

Commissioner Besser stated that the historic accessory buildings are very much a treasure, and “we don’t want to lose them.”

Commissioner Pearce shared that the HZC has worked with homeowners who have constructed a foundation to support the accessory building if it was contributing to the historic district.

Commissioner LeMarinel stated that it would be hard to consider new construction of an accessory building until the premature removal of the contributing historical accessory building is resolved.

Commissioner Denton clarified that because the structure is gone, it doesn’t remove the obligation of obtaining a demolition permit.

Mr. Smith expressed his concern about obtaining the necessary information for the Commission to grant a demolition permit.

Ms. Rose explained that it would be helpful if the applicant and homeowner could compile all the information available so that the Commission can determine if demolition would have been supported or not. If the Commission does not support a demolition permit, then it would be up to the Commission on how to proceed with mitigation or a possible rebuild as options. It is possible that reconstruction of the building and placement in its original location would help define and support the character of the historic district.

Chair Roberts suggested that there may be additional photos of the structure that would tell more of the story since the owner purchased the property in 1989.

Commissioner Worthington suggested contacting the person who removed the building to acquire as many details as possible.

A motion was made by Commissioner Besser, seconded by Commissioner LeMarinal that item 6. be deferred until the December 12, 2022 meeting.

Guidance from the commission: The applicant needed to obtain any information that is possible about the accessory structure that was demolished.

The motion carried 8-0.

OTHER BUSINESS

Chair Jim Roberts asked if there was any further business. There was none.

RECEIPT OF ADMINISTRATIVE COA APPROVALS ON BEHALF OF THE HZC

7. Minor Alterations (Site & Setting) at 214 3rd Ave. S.; Tony Brown, Applicant.

Sponsors: Amanda Rose

8. **Signage (Band, Window) at 412 Main St.; Angela Evans, Applicant.**

Sponsors: Amanda Rose

9. **Signage (Reface on Sign Structure) at 230 Franklin Rd.; Tim Rucker, Applicant.**

Sponsors: Amanda Rose

ADJOURN

There being no further business, the meeting adjourned at 5:54 p.m.

Chair

Date

