



DRAFT Meeting Minutes

Board of Zoning Appeals

Thursday, May 4, 2023

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.franklinton.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@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 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

Commissioners Present:

Greg Caesar

Jeff Fleishour

Jonathon Langley, Chair

William Scales

Commissioners Absent:

Lee Reeves

Staff Present:

Amy Diaz-Barriga

Ariella Stanford

Lori Jarosz

Bill Squires

APPROVAL OF MINUTES

1. Consideration Of Approval Of The March 2, 2023 BZA Minutes.

Sponsors:

Commissioner Greg Caesar motioned to approve the minutes from the March 2, 2023, BZA meeting, seconded by Commissioner William Scales.

Vote Tally: 4-0

Motion passes

ANNOUNCEMENTS

Ms. Diaz-Barriga stated that an invitation for a one-hour training would be sent to members of the Board.

APPLICATIONS

2. Variance Request To Allow Parking To Extend Beyond The Rear Of A Nonresidential Principal Building With Yard Frontage, For The Property Located At 264 Natchez Street (F.Z.O. §7.3).

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

Staff Presenting: Ariella Stanford. Ms. Stanford stated that the subject parcel is located at 264 Natchez Street and is zoned CI Civic and Institutional District. The property is located within the Historic Preservation Overlay and the Central Franklin Overlay District. The African American Heritage Foundation is proposing to renovate the historic Merrill Williams Home to its original condition and use the facility as a Community Center. The existing structures on the property are a 2-story home located at the center of the lot, and a detached garage in the northern corner of the lot. The home is a historic structure and cannot be relocated or rebuilt without jeopardizing its status on the National Register of Historic Places. To comply with the existing structures, the proposed location of parking extends beyond the rear of the principal building. Nonresidential properties with Yard Frontage are required to locate parking to the rear of the principal building. For this reason, the applicant is requesting a Variance to allow parking to extend beyond the rear of the principal building. The applicant has also provided a parking chart which displays the number of parking spaces that are needed according to their building use; however, the building use listed is not correct. The building use listed is Office, but Office is not a permitted use in the Civic Institutional Zoning District. While no Zoning Determination has been formally provided, it is likely that the proposed Community Center would fall under Charitable, Fraternal, or Social Organization as its building use. The parking requirement for this use is listed as 'variable'. The property was recently rezoned, which may explain the discrepancy. For this reason, Staff is under the

assumption that the parking chart is inaccurate, and the amount of parking provided in the plans is the amount needed for the Community Center. In addition, this project has received approval with conditions from the Historic Zoning Commission. 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 site. 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. Because the home and the detached garage are historic structures, they cannot be relocated or rebuilt without jeopardizing their status on the national registry of historic places. This extremely limits the possible location for necessary parking. The amount of parking provided in the plan is required to accommodate parking for the existing historic structure, and the location of parking is the most logical orientation, given the location of the existing structures. The distance between the rear of the structure and the back lot line can only accommodate one drive aisle and a single row of parking. The parking must extend beyond the rear of the building to accommodate the ADA required parking spaces, and to allow for ADA access to the structure's rear door and ramp. Staff finds this criterion is 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. Staff finds that the application of a provision enacted under the Zoning Ordinance would result in undue hardship upon the owner of the property. According to the Zoning Ordinance, the parking must be located to the rear of the principal building. With the location of the existing structures, and their Page 8 of 14 inability to move the structures, the applicant is not able to comply with this requirement of the Zoning Ordinance. The only plausible location for ADA parking extends beyond the rear of the principal building, as shown in the proposed layout. This regulation of the Zoning Ordinance creates an exceptional hardship for the owner of the property. Staff finds this criterion 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 for parking to be secondary to the building and its relationship to the street, so that views from the street are not of parking lots. The proposed plan locates parking as far to the rear as possible. The proposed plan also includes landscaping to provide a buffer between the parking and 11th Avenue. Because the proposed parking is situated as far from Natchez Street as it can be, staff finds this proposal to meet the intent of the Ordinance. Staff finds this criterion is met.

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to approve the variance request to allow parking to extend beyond the rear of a nonresidential principal building with yard frontage, for the property located at 264 Natchez Street, because the criteria for granting a variance have been met.

Applicant: Greg Gamble representing the African American Heritage Foundation. Mr. Gamble is consulting for this foundation as they transition this once residential home into a community center on Natchez Street. Mr. Gamble stated that the focus of discussions had been centered around possible uses for the Merrell Williams House, which helped them determine the necessary amount of parking spaces for those uses. Mr. Gamble then introduced Mary Pearce, who would explain what the foundation is intending to use the building for.

Citizen Comments:

Mary Pearce. Ms. Pearce stated that the African American Heritage Society was founded 20 years ago by herself, Rick Warrick, Bazelia Harris, Mary Mills and Louise Patton. The first housing project was the restoration of the McLemore house that was built by an emancipated person. Ms. Pearce explained that the Natchez Street historic district is on the National Register of Historic Districts but is not protected by historic overlay zoning and as a result some of the historically important buildings are being lost to build large homes. Action should be taken to save Natchez Street, which is a cornerstone of Franklin's black history. The Fred and Maggie Williams home was purchased by the African American Heritage Society. Members have raised 1.2 million dollars and have established a partnership with Middle Tennessee State University. Graduate students and preservation students will be present in the house to tell the story and history of Natchez Street. There will be small meeting rooms available for the community to reserve. The walls of the home will also tell the story of Natchez Street and its historical significance. A room upstairs will show what the room of a young girl in that period would have looked like. Ms. Pearce stated that a parking variance would be needed to support the use of the house and she thanked the city staff for their support.

Mr. Gamble stated that the project has received a certificate of appropriateness from the Historic Zoning Commission with the location of parking where they are showing it in their proposal and the team has been working closely with the city staff and the HZC to meet all modifications and conditions.

Motion to close public comment:

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

Vote Tally: 4-0

Motion Passes

Commissioner Scales asked Mr. Gamble to elaborate on their landscaping plans, and how the landscaping will obscure the parking.

Mr. Gamble explained that there will be 30-36" tall evergreen landscaping that will be alongside the parking lot to screen the parking area.

Commissioner Scales asked if they intend to maintain that landscaping at that height.

Mr. Gamble responded that they would like to maintain the landscaping at that height. It allows for safety in the parking lot, so people can see over the landscaping into the parking lot, but it screens the cars.

Commissioner Caesar asked staff how the current ordinance interprets placement of parking areas, seeing as this is a corner lot.

Ms. Diaz-Barriga explained that because the building's use is non-residential and is treated as non-residential, the language regarding yard frontage of the ordinance states that the parking be behind the rear façade of the building. There are parking spaces beyond the rear façade creating the need for the variance request.

Commissioner Fleishour noted that the area has mixed parking configurations where spaces are even or slightly in front of the buildings.

Mr. Gamble stated that the issues involve the space between the rear of the structure to the rear property line. To create enough ADA parking spaces with access to the ramp, all parking spaces not completely behind the building.

Commissioner Fleishour stated that he is in support of the project.

Commissioner Caesar stated that this property should be held to a high standard, to preserve this prized community. He requested confirmation that Staff had not received any citizen comments in opposition to the request.

Staff confirmed that there were not any citizen comments received in opposition to the request.

Motion on item:

Commissioner Fleishour motioned to approve the variance request to allow parking to extend beyond the rear of a nonresidential principal building with yard frontage, for the property located at 264 Natchez Street because the criteria for a variance request have been met, seconded by Commissioner Scales.

Vote Tally: 4-0

Motion Passes

OTHER BUSINESS

No Other Business.

ADJOURN

Commissioner Caesar motioned to adjourn the May 4, 2023 BZA Meeting, seconded by Commissioner Fleishour.

Vote Tally: 4-0

Motion Passes

There being no further business, the meeting adjourned at 06:17 PM p.m.

Chair

Date

