



DRAFT Meeting Minutes

Board of Zoning Appeals

Thursday, September 7, 2023

6:00 PM

Board Room

CALL TO ORDER

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

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

Board Members Absent: Jeff Fleishour

CITIZEN COMMENTS (Open for citizens to be heard on any issue or concern, including those related to items on the agenda. Please submit a Speaker Card at the beginning of the meeting if you would like to address the Commission. If you would like to speak on an agenda item, the Chair will hold your comment until the public comment period associated with the item. As provided by law, the Commission shall make no decisions or consideration of action of citizen comments for items not on the agenda, except to refer the matter to the Planning Director/Staff for administrative consideration, or to a schedule the matter for consideration at a later date. Those addressing the Commission are requested to come to the microphone and identify themselves by name and address for the official record. The Chair may restrict the period for public comment, including the length of the public comment period, the number of individuals who can speak and the length of time each individual may speak. When time allows, the standard individual public comment time is two minutes.)

Chair Langley asked for citizen comments. There were none.

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklin.tn.gov by noon on the day prior to the meeting. Emailed comments will be provided to the Commission and included in the minutes, but not read aloud in their entirety during the meeting.

APPROVAL OF MINUTES

1. **Consideration Of Approval Of Minutes For August 3, 2023.**

Sponsors:

A motion was made by Commissioner Reeves, seconded by Commissioner Scales to approve the Minutes from the August 3, 2023 meeting. The motion carried 4-0.

ANNOUNCEMENTS

Chair Langley asked if Staff had any announcements. There were none.

APPLICATIONS

2. **A Variance Request To Allow A Principal Building To Be Located Up To 225 Feet From The Front Lot Line, For The Property Located At 1005 Merylinger Court (F.Z.O. 3.18.5).**

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

Staff Presentation: Ariella Stanford stated the property is located at 1005 Merylinger Court and is zoned RC Six, Regional Commerce, Six District. The property currently has one existing principal building that is located 165 feet from the front lot line. As allowed in the zoning ordinance for this district, the principal building for this property has landscaped frontage, which requires parking to be located to the side or rear of the principal building. The owner is proposing a one story, 3,600 square feet, gym facility which would be located next to the existing building. Due to the nature of the lot, the principal

building would be located 225 feet from the front lot line. The applicant is requesting a variance to allow the principal building to be located up to 225 feet from the front lot line.

Staff Analysis: The BZA may authorize the variances only when the request has met all three criteria in accordance with the Franklin Zoning Ordinance and State Law. The staff has completed an analysis of the request considering these criteria. Whereby 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 conditions, such a piece of property is not able to accommodate development as required under this ordinance.

The shape and size of this property is unique in nature. The property is located on a cul-de-sac and is only 40 feet wide at the front lot line. The existing building is located 165 feet from the front lot line because the lot is narrow at the front but widens towards the back. With the strange shape of the lot, placing the proposed building adjacent to the existing building, but the front facades of both buildings being aligned, the proposed building would be up to 225 feet from the front lot line. The proposed layout is also necessary to provide access to parking at the rear of the principal building. Staff finds this criterion is met.

The strict application of any provision enacted under the zoning ordinance would result in peculiar and exceptional practical difficulties, or exceptional undue hardship, for the owner of the property. To provide the additional buildings square footage needed for the owner, and to allow driveway access to the site, the proposed building cannot be located between 5 and 30 feet from the front lot line. The building must be placed farther into the site. Staff finds this criterion is met.

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 the design of this site would not cause substantial detriment to the public good and would not impair the intent of the zoning ordinance. Considering the existing building is 165 feet from the front lot line, and the proposed layout allows the front façade of the proposed building to align with the existing principal building, the proposed layout seems the most logical and fitting the context of the existing property ad the street. The intent of the zoning ordinance in this case is to ensure that the location of the principal building is relatively consistent and to ensure that buildings in the Commercial Zoning District are reasonably visible from the street. Due to the nature of the lot, the proposed principal building is located as close to the front lot line as it can be to accommodate the required parking in the back and considering the existing principal building. Given the front façade of the proposed building would be aligned with the existing principal building, the proposed layout is consistent with the current nature of the lot and visibility from the street. Staff finds this criterion is met.

Staff recommends the Board of Zoning Appeals move to approve the variance request to allow a principal building to be located up to 225 feet from the front lot line for the property located at 1005 Merylinger Court. The criteria for granting a variance have been met.

Chair Langley asked if the applicant was present.

Greg Gamble was present and representing the owner, Gunnar Peterson.

Chair Langley asked if there were citizen comments. There were none.

Chair Langley asked for a motion. Greg Caesar made a motion to close the public comment, seconded by Lee Reeves. Motion carried 4-0.

Chair Langley asked if the Board had any questions.

Greg Caesar asked Mr. Gamble if all the parking is still located behind the building. Mr. Gamble confirmed that all parking is still behind the building.

Lee Reeves asked if approving this plan would create another variance issue with parking. Mr. Gamble responded no; the use is Commercial Recreation. The parking requirement for Commercial Recreation is variable and based upon how it is being used. Gunnar Peterson's business is to provide fitness training for individuals one at a time. They don't have a demand for more parking than what is on the site and identified as parking.

No other questions. Chair Langley asked for a motion. William Scales moved to approve, as the criteria for granting a variance had been met, seconded by Lee Reeves. Motion was approved 4-0.

OTHER BUSINESS

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

ADJOURN

There being no further business, the meeting adjourned at 06:10 p.m.


Chair


Date

