



Meeting Minutes

Historic Zoning Commission

Monday, March 11, 2024

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@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 may sit in the Boardroom or wait in the lobby.

CALL TO ORDER

Vice Chair Pearce called the meeting to order at 5:00 PM.

Board Members Present: Bob Barrett, Lisa Marquardt, Brian Laster, Tyler LeMarinel, Mary Pearce, Susan Besser, Michael Orr, and Kathy Worthington

Board Members Absent: Josh Denton

Staff Members Present: Kelly Dannenfelser, Blake Harper, Elizabeth Bulay, and Jared Carter

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.)

Vice Chair Pearce asked for citizen comments. There were none.

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklintn.gov before noon on the day of 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

Sponsors:

Commissioner LeMarinel motioned to approve the February 12, 2024, HZC meeting minutes, seconded by Commissioner Barrett. The motion carried 8-0.

ANNOUNCEMENTS

Ms. Dannenfelser announced that the HZC, Design Review Committee meeting will be held on Monday, March 18, 2024, in the Boardroom. The Law Department will be providing a bi-annual training for the HZC and other voting bodies on March 27, 2024, from 8:30 am-2pm at City Hall. Ms. Dannenfelser noted that attendance is highly encouraged. Lastly, Ms. Huffer is unexpectedly absent from the meeting, but staff will handle her responsibilities during the meeting.

Vice Chair Pearce announced that a home on Winslow Court, part of the Historical District, built by Danny and Teresa Anderson, received a National Homebuilders design award.

APPLICATIONS

2. Consideration of Alterations (Shutters) At 215 Lewisburg Ave.; David Still, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Elizabeth Bulay. The application includes the removal of the non-historic aluminum shutters and the utilization of wood shutters. This building was constructed ca. 1945 and was previously clad in synthetic siding, which was removed, and wood siding was previously approved to be installed. The application includes a ca. 1950s photo of the historic wood shutters with a cutout, which the application intends to utilize the same design and material. The Guidelines recommend restoring the original design and using historic photographs when possible. The proposed wood shutters are appropriate for this building as it was shown in the historic photograph within the application.

Recommendation:

Staff recommends approval of this application with conditions outlined in the staff report.

Applicant: David Still. Mr. Still stated that he came across the 1950s photo showing evidence of wood shutters.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Board.

Motion

Commissioner Laster motioned to approve alterations (shutters) at 215 Lewisburg Avenue with staff conditions, seconded by Commissioner Marquardt.

Commissioner Worthington asked Mr. Still if he knew what the shape of the cutout on the shutters.

Mr. Still stated that he wasn't exactly sure but is open to suggestions but is probably a diamond shape. He went on to say that years ago when people closed the shutters, the cutout allowed a way to see out.

Commissioner Orr asked if the shutters will be working or faux shutters.

Mr. Still stated that he had planned for the shutters to be faux shutters.

Commissioner Laster stated that there are several homes along Fair Street that have shutters with a cutout.

There being no further discussion, Vice Chair Pearce asked the Commissioners to vote.

The motion carried 8-0.

3. Consideration of Alterations (Courtyard) At 159 1st Ave. N.; Andy Berry, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. The construction of the archways was previously approved in December 2022. The previously approved design consisted of a flat wooden arbor top on the masonry columns. The application recently appeared before the Design Review Committee during its December 2023 meeting.

Arbors:

The proposal includes the addition of two arbors, one fronting E. Main St. (between the Italian restaurant and the bookstore), and the other internally on the property fronting the drive and alley behind the adjacent bank property. The arbors will be identical, with masonry columns that were reused from the previous Harpeth Square. The top of each arbor will utilize rectangular tubed steel in an arched design and will measure 13' 6" in height.

The Guidelines recommend the following:

Generally, site and setting alterations should be considered as appropriate when they are undertaken in locations that are not visible from public view, do not involve the removal of historic features, and do not detract from or overwhelm the context of the historic districts. The proposal does not meet these Guidelines, and the arbors will be seen from the street view and could detract or overwhelm the historic district due to the tall scale, design, and materials. The use of arbors with a rounded, metal top is not typical in the Downtown Franklin Historic District. While this design is utilized elsewhere on the Harpeth Square property, it is in a more concealed location that does not front East Main Street. The design of the arbor has been altered since the previous submittal and utilizes a design that is like the large arbor that is on the property.

Utility Screening:

The proposal includes the installation of new metal welded wire fencing that acts as a lattice, to be covered in vines, to provide screening around utilities found near the arbors at the western end of the courtyard. The application does not specify the proposed height around the utilities, but the Guidelines do support the use of landscaping to conceal mechanical equipment.

The Guidelines recommend the following:

Place ground-mounted mechanical equipment behind buildings and screen it from street view with landscaping, fencing, or walls. While it is unknown the clearance needed around the mechanical equipment, the proposed screening appears to meet the intent of the Design Guidelines.

Recommendation:

Staff recommends denial of the arbor portion of the application based on the following Guidelines: Generally, site and setting alterations should be considered as appropriate when they are undertaken in locations that are not visible from public view, do not involve the removal of historic features, and do not detract from or overwhelm the context of the historic districts. Staff recommends approval of the screening of the mechanical equipment with conditions outlined in the staff report.

Applicant: Steve Bacon. Mr. Bacon stated that the arbors are in keeping with the hotel logo and with other arbors on the hotel property and were previously approved. The columns are not from Harpeth Square but from a home in South Carolina. Mr. Bacon explained that the purpose of the arbors is to provide more visibility to hotel retailers and to provide a clear view and entry way into the courtyard.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Commissioners.

Motion

Commissioner Marquardt motioned to deny approval of the arbors and approve the mechanical screening for the property located at 159 1st Avenue North, seconded by Commissioner Besser.

Commissioner Laster stated that the proposed arbors follow the theme of the hotel and seem to meet the intent of the guidelines.

Vice Chair Pearce expressed her concerns about the scale of the proposed arbors. Although previous arbors were approved, this was a misstep by the HZC based on feedback from citizens. Also, the previously approved arbors were to be vine covered which has not been the case. More specifics on the overall height dimensions are needed.

Mr. Bacon explained that the columns are 8-9 feet with the arched portion 58" above the columns making the overall height

13 feet. Also, designers are scheduled to install planters and integrate the vines on the existing arbors which should have been completed much sooner. If a flat piece were to be installed on top of the columns the view of the courtyard would be obstructed. By adding the 58" arched portion above the columns, allows the customers to clearly see the courtyard.

Commissioner LeMarinel stated that the location is less visible, and he is indifferent other than not loving the arched arbor. An arched arbor is not something that would be seen in an historic district, although the building is not historic. The previously approved flat arbor is preferred, and the location of the arbor doesn't seem to be a hinderance.

Vice Chair Pearce asked Commissioner LeMarinel if he would like to add an amendment to the motion.

Commissioner LeMarinel explained that he agrees with the motion to deny the arched arbor and approves of the mechanical screening. If the motion passes, the applicant would still have the approval of the original arbor with the flat top.

Commissioner Marquardt stated that the location of the non-historic building is in a historic district and an arched arbor is not consistent and out of context with what would be typically seen.

Commissioner Orr stated that if the applicant constructs the arbor with a flat top, he would essentially be constructing something inconsistent with any other design element on the property. By not allowing the additional arched arbors, inconsistency is the only option for the applicant.

Mr. Bacon again stated that the arched arbor is part of the hotel logo and theme throughout the building. Mr. Bacon explained that he thought a precedent had been set with the previously approved arched arbors and pushback on additional requests was unexpected.

Commissioner Marquardt noted that the initial archway proposal was slightly controversial but because the location is 2nd Avenue and not Main Street the unique design can be supported.

Vice Chair Pearce recognized Mr. Thompson for citizen comments.

Milton Thompson suggested that a roof line like the historic courthouse be used.

Vice Chair Pearce restated the motion on the floor. The motion is for approval of the electrical screening and fence and disapproval of the arched arbor as presented.

There being no further discussion, Vice Chair Pearce asked the Commissioners to vote.

The motion carried 5-3 (Commissioners Laster, Pearce, and Orr voting against).

4. Consideration of Alterations (Doors) At 230 Franklin Rd. (Building 7); Luke Dougal, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. This proposal includes two door alternatives to Building 7 (The Carousel Building) at the Factory. This item was deferred during the February 2024 Historic Zoning Commission meeting. The first option is an 8' tall glazed, coiling overhead garage door with a 2' transom above the garage doors. The second option proposed is an operable storefront door. The Guidelines recommend the following: Design pedestrian doors simply and use similar designs and materials to those on accessory structures traditionally found in the district. The proposed storefront door alternative (option two) is more appropriate and consistent with pedestrian entrances seen at the Factory Campus.

Recommendation:

Staff recommends approval of the storefront doors (option two) with conditions outlined in the staff report.

Applicant: Luke Dougal. Mr. Dougal clarified that the proposed overhead door is not a coiling door but a traditional overhead door. The overhead door on the Gable side would open all the way up via vertical tracks. On the east side, the overhead doors would follow the pitch of the roof. Mr. Dougal also noted that the exact same overhead door was used on

Building 11 for the Food Hall, providing consistency throughout the Factory campus. Lastly, Mr. Dougal asked the Board to consider the overhead door option as this option provides a better experience for the end user from a design and operation standpoint.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Board.

Motion

Commissioner LeMarinel motioned to approve option one for alterations at 230 Franklin Road (building 7), seconded by Commissioner Laster.

Commissioner LeMarinel noted that given the precedent for overhead doors, building 11, similar overhead doors provide consistency throughout the Factory Campus.

Commissioner Laster stated that the double storefront doors appear more like the entrance to the building. The overhead doors work and are not in conflict with the design guidelines.

The motion carried 8-0.

5. Consideration of Site Alterations (Fencing) At 223 4th Ave. N.; Debra Bibb, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. This proposal is to install a privacy fence at 224 4th Avenue North along the northern (right side) property line for screening of the new adjacent parking lot. The site features a stone cottage that was constructed circa 1939 and has a white-picket fence in the front yard. The proposed fence will be 6 feet tall and taper slightly as it approaches the street. The proposed location will span 78 feet and is proposed to be installed in line with the existing picket fencing located in the front yard. The Historic Design Guidelines provide recommendations for fencing based on two locations: front yards and rear yards. The front yard is classified as a location within 20 feet of the front façade. Rear yards are classified as being at least 20 feet behind the front façade. The Zoning Ordinance distinguishes the locations differently for front yards and rear yards; they are divided by the front façade of the house.

Front Yard Fencing:

The Guidelines recommend the following: Use wood picket, open-weave brick designs, or cast iron in front yards and areas visible from the street with at least 25 percent transparency with a height limit of 3 feet. As proposed, the fencing does not meet the intent of the Guidelines for Front Yard Fencing. The newer parking lot on the adjacent property near the side lot line is not a common occurrence within the historic district. Plant material was employed for screening the parking, but it is still visible from the subject site due to the installation size of the material and the proximity of the historic house. While the Guidelines recommend that the 3-foot-tall front yard picket fencing be extended to at least 20 feet behind the front facade, the Zoning Ordinance would allow for the 6-foot-tall privacy fencing to begin at the front facade line, should the Commission consider this to be appropriate.

Rear Yard Fencing:

The Guidelines recommend the following for rear yard fencing: Use wood picket, vertical wood plank, split rail, horse fencing, brick, cast iron, or similar metal fencing, as appropriate, based on the site and setting. Avoid chain-link fencing. As proposed, the fencing located in the rear yard is appropriate and aligns with the Design Guidelines; however, it does not meet the Floodplain requirements. (See project considerations below.) The Historic Design Guidelines would support the utilization of a Shadow Box Fence or a flap gate system in the rear yard to address the Floodplain requirements. Project Considerations: The following issues were addressed by the Zoning Administrator in Building and Neighborhood Services. The applicant will need to obtain a Floodplain Development Permit prior to any disturbance in the FFO. Per Section 4.3.4.B, Walls, and open fencing such as horse board fencing, wrought iron/aluminum fencing or flap gate systems are the only types of fencing allowed in the FFO, so as to not block the flow of water.

Recommendation:

Staff recommends approval with conditions outlined on the staff report.

Applicant: Milton Thompson. Mr. Thompson stated that the owner has requested a privacy fence to run along the property line to screen the activity from the adjacent parking area.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Board.

Motion

Commissioner Laster motioned to approve site alterations (fencing) at 223 4th Avenue North with staff conditions and to replace condition #2 to default to the zoning ordinance for fence height and location, seconded by Commissioner LeMarinel.

Commissioner Laster stated that screening between the residential property and the commercial property is inadequate.

Commissioner LeMarinel stated that it will be interesting to see what a 6-foot fence tapering to a 3-foot fence will look like and how the zoning ordinance will affect the height restrictions. The Commission is sympathetic of the need for privacy but more information is needed including a photo or drawing of the side elevation.

Commissioner Laster clarified his motion by stating that the tapering would begin at the front façade of the house and fencing would not go completely to the street.

Mr. Thompson stated that the owner would like for the fence to be as tall as permissible under the zoning ordinance. Tapering could be done in one 6-foot section of the fence or in two 6-foot sections.

Ms. Bulay clarified that the applicant is requesting a 6-foot fence and that condition number one states that the fencing should match the existing picket fence.

Vice Chair Pearce stated that it appears that more information and discussion is needed and would be more appropriate to discuss during the Design Review Meeting.

Motion to Defer

Commissioner Laster motioned to defer item number 5, alterations (fencing) at 223 4th Avenue North to the next HZC voting meeting, seconded by Commissioner Besser.

Commissioner Worthington suggested the applicant include drawings depicting the height and type of fence including specific measurements.

The motion to defer carried 8-0.

Vice Chair Pearce and Commissioner Laster invited Mr. Thompson to the Design Review Meeting.

6. Consideration of Site Alterations (Gates) At 151 Franklin Rd.; Amy Bethurum, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Kelly Dannenfelser. The application seeks a retroactive Certificate of Appropriateness for the removal of the historic iron gates and the installation of new metal gates. The property is locally known as the Henry H. Mayberry House or Riverview Estate. The building was constructed in 1902 and is Neo-Classical or Classical Revival architecturally styled. The age of the original gates was not included within the application but was a period appropriate to the house. The design of the historic gates was ornate and included elaborate filigree detailing and several fleurs-de-lis at the bottom of the gate. The driveway entrance was widened to the principal building thus creating a larger entrance as a requirement of the Splendor Ridge development. Now the original gates do not fit into the widened stone columns. The proposal came before the May 2023 Design Review Committee meeting, where feedback on the new gates was provided about the modern feel of the proposed gates and using a design more like the original gates to reinforce the interpretation of the house. Since this meeting, the new gates were installed without approval by the Historic Zoning Commission. The Design Guidelines state the following for gates: Preserve and maintain the design of historic fences, walls, retaining walls, and gates. Design fences and walls to be compatible with the architectural style of the building. For example, wood picket fencing is appropriate for vernacular frame houses, while cast-iron fencing and brick columns are more appropriate for more ornate, high-style

architecture. The original, ornate iron gates were appropriate to the building and site, as the principal building is a Neo-Classical architectural style, which is an ornate style to Franklin. While the new gates do incorporate an X-detail that is seen on the balcony of the historic building, keeping the style and design of the historic gates is recommended by the Guidelines. The proposal to replace the historic gates with the new, more modern gate design does not align with the Design Guidelines.

Recommendation:

Staff recommends denial of the application because the application does not meet the recommendations of the Design Guidelines.

Applicant Speaker: Amy Bethurum. Ms. Bethurum explained that due to the construction on Franklin Road along with the construction of Splendor Ridge, the rebuilding costs have been astronomical. The previous metal gates (circa 1940) were not in working condition and had to be removed along with the pillars the gates attached to. Once the construction was complete the pillars had to be rebuilt, sidewalks installed, driveway widened, and new gates fitted. The gates were installed before Ms. Bethurum realized approval would be required from the HZC. Frequently, walkers, bikers, and runners venture into her yard or take photos in the yard and even jump over her fence from Splendor Ridge. Ms. Bethurum stated that the gates were installed for her and her daughter's safety. The design of the gates have clean lines and provide protection from random people who think the yard and home is a park.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Board.

Motion

Commissioner Marquardt motioned to approve site alterations (gates) for the property at 151 Franklin Road, seconded by Commissioner Orr.

Commissioner Marquardt stated that her reason for going against staff recommendation is that although the design of the gate is more modern, it doesn't take away from the historical character of the property.

Vice Chair Pearce stated that the stone pillars were removed for safety considerations and as part of the Splendor Ridge requirements for development.

Ms. Dannenfelser clarified that there are two sets of gates included in the application, a gate in front of the house and a gate down by the river. The Commission is being asked to approve the gates retroactively.

Commissioner Laster stated that the old gates installed in 1940 are considered historic and asked Ms. Bethurum about the old gate dimensions and the distance of the pillars, once rebuilt.

Ms. Bethurum explained that the pillars had to be rebuilt and setback an additional four feet on each side making the old gates too short by about eight feet.

There being no further discussion, Vice Chair Pearce asked the members to vote.

The motion carried 6-2 (Commissioners Laster and Besser voting against).

7. Consideration of Relocation and Addition (Accessory Structure) At 425 Boyd Mill Ave.; Stephanie Bach, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Kelly Dannenfelser. The proposal includes relocating the existing accessory structure and then constructing an addition to it. The proposal shifts the existing 288 sq. ft. structure to the interior of the property. The National Register for Historic Places considered this structure to be contributing to the property. The Design Guidelines state that relocation is highly discouraged, but it may be preferable to demolition. The applicant has incorporated the feedback from past DRC meetings so that the structure is saved, and its unique front features remain but will be less visible from the street view. The application includes the proposal to construct a new 970 sq. ft. addition to the existing 288 sq. ft. accessory structure.

Feedback on this application was incorporated from previous DRC meetings into this design. The Guidelines recommend Design alterations and additions so that the entirety of the accessory structure is compatible and visually subordinate. Design additions to be compatible with the historic building yet clearly identifiable using differentiating methods such as roof breaks, wall insets, wall off-sets, material changes, and lower eave lines. Use lap, weatherboard, or clapboard siding for frame additions. Lap siding exposure should be consistent with that on adjacent historic buildings. Use details and ornamentation that are similar in character and proportions, but less elaborate than those on the historic building. Use windows with historic profiles and dimensions with a double-hung appearance. Use true divided-light (TDL) or simulated divided-light (SDL) windows rather than snap-in muntin's or grids between the glass (GBG) styles. Place dormers on additions in locations with obscured visibility from the front facade or street. The principal building's footprint is 2,692 sq. ft. and the total square footage of the accessory structure with the addition will equate to 1,258 sq. ft. The addition plus the historic accessory structure equates to 46% of the principal building's footprint, which meets the Zoning Ordinance. The overall height of the accessory structure is three feet less than the principal building. The dormers must be lowered so that they are located off the main ridgeline per the Guideline recommendations.

Recommendation:

Staff recommends approval of the relocation and addition (accessory structure) with conditions outlined in the staff report.

Applicant Speaker: Blake Daniels. Mr. Daniels stated that the height and square footage of the home had been officially measured since the deferral last month. The height of the principal building is three feet higher than originally thought. Renderings have been provided as requested, at the last meeting. Mr. Daniels agreed with staff's condition regarding lowering the dormer.

There being no citizen comments, Vice Chair Pearce asked for a motion from the Board.

Motion

Commissioner Worthington motioned to approve relocation and addition (Accessory Structure) At 425 Boyd Mill Ave with staff conditions, seconded by Commissioner Orr.

Commissioner Besser stated that she would like to know the reasoning behind the approval for relocation of the accessory building as the HZC has focused on preserving accessory buildings. Also, Ms. Besser noted the lack of a clear break between the old and new portions of the building.

Vice Chair Pearce explained that the subdivision development caused changes to become necessary for practical and livability reasons. Ms. Pearce also noted that by approving the application, the Board is surrendering to the fact that the historical fabric of the accessory building will be lost.

Commissioner Laster noted that the original proposal was for complete demolition of the accessory structure. The applicant attended the DRC meeting and came back with a more complimentary design/plan to save or reuse the garage in a new location. Generally, Mr. Laster noted that he doesn't support relocation of accessory structures but given the circumstances of the new development directly behind the property, the application can be supported.

Commissioner Worthington stated that the site visit offered a new perspective as the accessory structure is not nearly as large as it appears in the renderings. Yes, the garage is being relocated but given the situation paired with a new design, the application is appropriate.

Commissioner LeMarinel stated that he agrees with Ms. Besser that the historic building will be lost, but the snowball of events create a unique situation. Because of the uniqueness of this situation, the application can be supported, but this does not set a precedent for relocation of accessory buildings. The design is beautiful but realistically the historic building will be lost.

There being no further discussion, Vice Chair asked the Commissioners to vote.

The motion carried 7-1 (Commissioner Besser voting against).

8. **Consideration of New Construction (Accessory Structure) At 120 Aldersgate Way; Amy Tavalin, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Elizabeth Bulay. This application previously attended the February Design Review Committee meeting to receive feedback on the design and design elements of the proposed accessory structure. The application incorporated the feedback from the DRC meeting into its design by shifting the accessory structure so that it would be behind the front corner of the building and the cupola was removed from the design. **PLACEMENT, FORM & SIZE:** The placement of the accessory structure is now located behind the front corner of the principal building. The structure will measure 20,160 sq. ft. The form of the building will be compatible and lower in scale to the principal building. The Design Guidelines and Zoning Ordinance state that new accessory structures must be behind the rear plane of the principal building. If the structure were to be behind the rear plane of the building, it would be in the floodplain, which is not permitted by the Zoning Ordinance. The accessory structure's location must receive a variance from the Board of Zoning Appeals prior to site plan approval. As proposed, the form and size appear to meet the intent of the Design Guidelines. While the structure is not behind the rear plane of the building, it is on the side away from Franklin Road, making it have obscured visibility from the Franklin Road historic corridor. **MATERIALS & ORNAMENTATION:** The proposed materials include a similar brick color to the principal building and a dark gray/black standing seam metal roof. Additionally, on three of the four ends of the structure, a similar arch that is seen on the church is utilized on each end of the structure. While it is unknown if the arch is the same scale and proportion as what is seen on the principal building, it appears to meet the intent of the Design Guidelines.

Recommendation:

Staff recommends approval of the application with conditions outlined in the staff report.

Project Consideration:

Ms. Bulay noted one project consideration. If the structure encroaches into the floodplain, a floodplain development permit will be required and the structure will be required to meet floodplain development requirements.

Applicant Speaker: Amy Tavalin, Jeff Sidel. Ms. Tavalin stated that the feedback from the DRC meeting was helpful and thanked the Commissioners and staff.

There being no public comment, Vice Chair Pearce asked the Commissioners for a motion.

Commissioner LeMarinel stated that the original accessory location was moved out of the floodplain but wasn't positioned behind the principal building, as the guidelines recommend. Now that accessory building is moved back behind the principal building, the building lies in the floodplain.

Mr. Sidel, with Morton Buildings, estimated 300 square feet of the accessory building would be considered in the floodplain.

Motion

Commissioner LeMarinel motioned to approve new construction (accessory structure) at 120 Aldersgate Way with staff conditions and to allow the structure to be moved forward far enough to be out of the floodplain, seconded by Commissioner Laster.

Commissioner Laster asked staff for more details regarding the need for a variance request (staff condition 1) and if the need for a variance request is necessary if the accessory structure is moved out of the floodplain.

Ms. Dannenfelser explained that the zoning ordinance requires the accessory structure to be behind the principal building. A variance request would be necessary because moving the building forward would mean the accessory building is in front of the principal building. Staff's guidance is to keep the building on the same plane but slightly behind the principal building. A variance request would be necessary for the alternate location slightly in front on the church. A floodplain request would be handled through the Building and Neighborhood Services department.

Vice Chair Pearce stated that the lighting originally proposed is different than what is seen on the drawings. Also, the arch on one end of the building doesn't seem sensible and should read the same way as the other side. The arch on the entrance gives a nod to the church but it's not necessary to link all the design elements but more importantly to differentiate the

elements in historical situations.

Mr. Sidel explained that the lighting elements in the renderings were computer generated as a part of the overall look of the drawings. The existing lighting can be used on the new accessory building.

Amendment

Vice Chair Pearce amended the motion to include removal of the arch design from the façade facing Mack Hatcher and replace with the square design as seen on the other sides of the accessory building, seconded by Commissioner Laster.

The motion to amend carried 6-2 (Commissioners Marquardt and Worthington voting against).

The motion as amended carried 8-0.

9. Consideration of Site Alterations At 904 Fair St.; Greg Gamble, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Kelly Dannenfelser. As proposed, the wall on the eastern side of the property will be 5 feet in height. The Zoning Ordinance states that retaining walls shall be set back from a lot line a minimum of five feet. The applicant, after completion of the staff report, indicated that the wall is four feet two inches away from the property line. The applicant intends to deconstruct the wall and replace it so that it meets the minimum requirement for setback of five feet. The proposed retaining wall is to be made of concrete blocks. The Design Guidelines, regarding retaining walls, recommend the use of stone or brick and to avoid the use of concrete blocks.

Fencing

This application proposes the installation of two different types of fencing in two different locations. The first proposal is to install a 3-foot-tall iron picket fence in the front yard along the right-side lot line that is proposed to end 20 feet behind the front facade. There is an existing iron picket fence along the sidewalk on the front façade of the property and the proposed fence appears to match it. This proposed fence type is appropriate and meets the requirements of the Guidelines for front yard fencing. The second fencing proposed within this application is to install a 6-foot-tall privacy fence in the rear yard along the perimeter of the right side. The fencing would not continue around the entirety of the rear perimeter. The proposed fence type is appropriate for rear yard fencing.

Recommendation::

Staff recommends denial of the retaining wall based on the material selected and approval of the retaining wall with staff conditions outlined in the staff report.

Applicant Speaker: Greg Gamble. Mr. Gamble referred to illustrations of the existing wall and explained that the owners originally hired a contractor to make much needed repairs but ended up removing the retaining wall without a permit. The contractor was instructed to replace the retaining wall with the same material which was concrete block. The partially constructed concrete wall, sitting four feet two inches from the property line, will need to be removed and reconstructed at least five feet from the property line to comply with the zoning ordinance. The owners would also like to construct a privacy fence identical to the neighboring property to the south. Additionally, Mr. Gamble noted that the retaining wall is impossible to see from most street view vantage points in all directions of the property, as shown in photos provided in the application packet. The finished floor elevation of the home sits higher than the wall height. The choice of materials was based on the existing retaining walls on the property.

There being no public comment, Vice Chair Pearce asked the Commissioners for a motion.

Motion

Commissioner Orr motioned to approve site alterations at 904 Fair Street with staff conditions, seconded by Commissioner Worthington.

Commissioner LeMarinel asked if there is a floodplain consideration pertaining to the type of fencing that would be required.

Mr. Gamble noted that new FEMA floodplain maps should be adopted in a few months reducing the floodplain area significantly. Mr. Gamble stated that he does not anticipate the need for floodplain consideration for the subject property.

The motion carried 8-0.

10. **Consideration of Alterations (Principal) At 424 S. Margin St.; Hudson Walker, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Elizabeth Bulay. The application intends to replace in-kind the side porch ceiling with new tongue and groove bead board and the repair and rehabilitation of the windows on the building.

Side Porch Ceiling

The proposal includes replacing the existing tongue and groove bead board with new in-kind materials. As proposed, this portion of the application meets the intent of the Guidelines.

Window Repair/Rehabilitation

The proposal includes restoring the windows on the building. This proposal came before a Design Review Committee meeting in September 2023. The current application intends to repair and restore the existing windows and exterior doors. This will include replacing broken panes of glass, the repair of any rotten wood with exterior grade wood filler or wooden plugs or muntins where necessary, and re-putting and glazing the windowpanes where necessary. As proposed, this portion of the application meets the intent of the Guidelines.

Recommendation:

Staff recommends approval of this application with conditions outlined in the staff report.

Applicant Speaker: Hudson Walker. Mr. Walker stated that as outlined in the proposal, he plans to follow the recommended guidelines.

There being no public comment, Vice Chair Pearce asked the Commissioners for a motion.

Motion

Commissioner Laster motioned to approve alterations at 424 South Margin Street with staff conditions, seconded by Commissioner LeMarinel.

Commissioner Laster noted that he is pleased to see the historical windows are being preserved and maintained instead of being replaced.

The motion carried 7-0 (Commissioner Besser absent for the vote).

11. **Consideration of New Construction (Accessory Structure) At 230 1st Ave. S.; Treg Warner, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. This application is seeking a retroactive Certificate of Appropriateness for the new construction of an accessory structure at 230 1st Ave. S. The accessory structure was previously constructed on another site and was recently moved to the property. A minor accessory structure is existing on the property that sits behind the principal building. The accessory structure is wood framed and in a described cottage style. The structure utilizes lap siding and a metal roof. The pitch of the roof was not provided. The accessory structure is proposed to sit on a concrete block foundation. On the front façade of the accessory structure, a small awning is located over the entrance. The material of the awning was not provided. The windows on the accessory structure are double hung in appearance, but window specifications were not provided within the application. The accessory structure is behind the rear plane of the principal building in the southwest corner of the lot. The structure is parallel to the principal building and is in a traditional location and is secondary in prominence. The total height of the accessory structure was not included. The accessory structure is one story and is visually subordinate to the principal building in size, mass, and height. The structure is 14 feet by 24 feet, measuring 336 square feet.

The principal building is 1066 square feet. The footprint of all the buildings, including the accessory structure, amounts to covering 15% of the lot.

Recommendation:

Staff recommends approval with conditions outlined in the staff report.

Applicant Speaker: Treg Warner. Mr. Warner did not have any new information to add.

There being no public comment, Vice Chair Pearce asked the Commissioners for a motion.

Motion

Commissioner Marquardt motioned to approve new construction (accessory structure) at 230 1st Ave. S. with staff conditions, seconded by Commissioner LeMarinel.

Vice Chair Pearce noted that she is disappointed to see the number of applications requiring retroactive approvals. Regarding the accessory structure of the current application, Ms. Pearce added that she is pleased to say that the HZC would have approved this application had it come before the Commission before work had begun.

Commissioner LeMarinel noted that he was pleasantly surprised, when he drove by, that the extent of work completed without a permit was small in scale.

Commissioner Laster added that Jake Fisher built this home, for workers, along with many other homes in Franklin during 1892 to 1898.

There being no further discussion, Vice Chair Pearce asked the Commissioners to vote.

The motion carried 8-0.

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

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Kelly Dannenfelser. A retroactive Certificate of Appropriateness for the demolition of the historic accessory structure was issued by the Historic Zoning Commission at the March 2023 meeting. The current application includes the construction of a new 844.67 sq. ft. accessory structure.

Placement & Orientation

The placement of the proposed accessory structure will be situated in the right rear corner of the lot behind the principal building. The Guidelines recommend orienting an accessory structure's front facade to be parallel with the principal building front facade and place them in traditional locations in line with other visible accessory structures in the district. The previous location of the historic accessory structure was located near the driveway. It would be appropriate to have the new accessory structure where the previous structure was located or to position the structure at the end of the driveway behind the principal building to align with the Design Guidelines. The principal building is a ca. 1940 bungalow and the Guidelines recommend to Design accessory structures to be compatible with and visually subordinate in size, mass, and height to the principal building they support. To design accessory structures with simple forms that are reflective of the principal building. The Zoning Ordinance states: The building footprint (of an accessory structure) shall not exceed 50 percent of the building footprint of the principal building. As proposed, the accessory structure meets the intent of the Guidelines for building form, but the square footage of the principal building is needed to ensure that it meets the size recommendations.

Materials

The proposed materials and window specifications have not been provided within the application. It appears that the front windows of the structure will utilize a double-hung, single-lite design, while the historic design on the principal building is a nine-over-one window pattern. Additionally, the windows on the front facade of the structure appear to be different sizes. On the principal building, the windows on the front facade are symmetric and balance the front door. To maintain consistency, similar window patterns and the design shall be used to align with the Design Guidelines. The application shows

horizontal siding and what appears to be a shingle roof. The materials and window specifications should be included and called out within the application for staff to give a complete recommendation.

Recommendation:

Staff recommends the application be denied on the grounds stated in the staff report relating to the Design Guidelines.

Applicant Speaker: Eric Smith, Valley View Builders. Mr. Smith stated that adjustments could be made regarding the windows. The kitchen location is what dictates with size and location of the windows and requests that the windows be permitted as proposed. Regarding the location of the accessory structure, the owner requested the specific location on the property. Mr. Smith also mentioned that two years ago when the original application was presented, there were no comments about the accessory building location.

There being no public comment, Vice Chair Pearce asked the Commissioners for a motion.

Motion

Commissioner Laster motioned to defer the consideration of new Construction (accessory structure) at 316 Bridge St to the next voting meeting, seconded by Commissioner Worthington.

Commissioner Laster stated that there is too much unknown information for the HZC to make an informed decision. The applicant is invited and welcomed to attend the DRC meeting where more discussion can occur. When the application came before the HZC originally, it was discovered that an accessory building was demolished without approval. Staff recommends locating the new accessory building in the same location where the demolished (historical) building stood.

There being no further discussion, Vice Chair Pearce asked the Board to vote.

The motion carried 8-0.

OTHER BUSINESS

Vice Chair Pearce stated that although the meeting has had several retroactively requests for approval which is unfortunate, the HZC is incredibly important in keeping the city of Franklin among the most recognizable small cities and a desirable place to visit.

RECEIPT OF ADMINISTRATIVE COA APPROVALS ON BEHALF OF THE HZC

13. Wall Signage At 108 Bridge St.; James Sloan, Applicant.

Sponsors:

14. Post-and-Arm Sign At 108 Bridge St.; James Sloan, Applicant.

Sponsors:

15. Minor Alterations To Rear Addition At 800 Fair St.; Ben McCreary, Applicant.

Sponsors:

16. Wayfinding Signage At 230 Franklin Rd.; Nick Redford, Applicant.

Sponsors:

17. **Window Signage and Sandwich Board Sign At 436 Main St.; Jeffery Sonsino, Applicant.**

Sponsors:

18. **Post-and-Panel, Convenience, and Wall Signs At 110 3rd Ave. N.; Marianne DeMeyers, Applicant.**

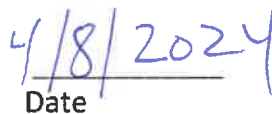
Sponsors:

19. **Sandwich Board Sign At 400 Main St.; Megan Preston, Applicant.**

Sponsors:**ADJOURN**

Commissioner LeMarinel motion to adjourn the March 11, 2024, Historic Zoning Commission Meeting, seconded by Commissioner Besser. The motion carried 8-0.

There being no further business, the meeting adjourned at 6:57 PM.


Chair
Date

