



Meeting Agenda

Board of Zoning Appeals

Thursday, September 5, 2024

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.

Applicants are encouraged to attend the meeting, even if they agree with staff recommendation. The Board of Zoning Appeals may defer or disapprove an application/request unless someone is present to represent it.

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklinton.gov until 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.

CALL TO ORDER

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.)

APPROVAL OF MINUTES

1. Consideration Of Approval Of The August 1, 2024 BZA Minutes

ANNOUNCEMENTS

BZA ANNUAL CALENDAR

2. Consideration Of Approval Of The 2025 BZA Deadlines And Schedules Calendar

APPLICATIONS

3. A **Variance Request** To Allow An Accessory Structure To Be Located 2 Feet From The Side Lot Line For The Property Located At 206 Lewisburg Avenue (F.Z.O. 3.7.5.).

Sponsors:

Amy Diaz-Barriga, Ariella Stanford

4. A **Variance Request** To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Lot Lines And A **Variance Request** To Allow A Front Yard Retaining Wall To Be A Maximum Of 4 Feet Tall For The Property Located At 128 Barlow Drive (F.Z.O. 13.2.2. and 13.2.4).

Sponsors:

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.



Meeting Minutes

Board of Zoning Appeals

Thursday, August 1, 2024

6:00 PM

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Comments on agenda items may be made in person at city hall or by emailing planningintake@franklinton.gov until noon of 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.

CALL TO ORDER

Chair Langley called the meeting to order at 6:00 PM.

Board Members Present: Jonathan Langley, Dorinda Smith, William Scales, and Jeff Fleishour

Board Members Absent: Lee Reeves

Staff Members Present: Bill Squires, Shanna McCoy, Chelsea Randolph, and Kelly Dannenfelser

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.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The July 11, 2024 BZA Minutes

Sponsors:

A motion was made by Board Member Smith, seconded by Board Member Scales, to approve the Minutes from the July 11, 2024, meeting. The motion carried 3-0 (Board Member Fleishour not present for vote).

ANNOUNCEMENTS

Chelsea Randolph is filling in for Ariella Stanford for the meeting.

APPLICATIONS

2. **A Variance Request To Allow An Accessory Structure To Be Located A Minimum Of 0 Feet From The Rear Property Line For The Property Located At 3025 Natures Landing Drive (2014 F.Z.O. 4.1.2.(6)).**

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Chelsea Randolph. Ms. Randolph stated that the applicable Zoning Ordinance requirements can be found in the 2014 F.Z.O. 4.1.2.(6) - General Standards and Limitations for Accessory Structures. The subject property is located at 3025 Natures Landing Drive and is zoned R-2 Residential District. This property is located in the Nature's Landing Subdivision which is Vested in the 2014 Zoning Ordinance, so this property must comply with the regulations of the 2014 Zoning Ordinance. The applicant is proposing retaining walls to level the sloped yard, along with an outdoor structure which includes a fireplace, and outdoor living features with a pergola. The Building and Neighborhood Services department has advised that this would be qualified as an accessory structure, and therefore must comply with the 5' setback requirement. The retaining walls are also proposed to be located right at the property line, but the 2014 Zoning Ordinance does not have regulations preventing retaining walls from being located at the property line. The retaining walls and accessory structure are proposed at this location primarily because there is an existing Sanitary Sewer Easement that extends across the center of the backyard. The existing Sanitary Sewer Easement is located 3' from the existing back patio of the house and extends 16' towards the rear property line. This leaves 12'-10" from the easement to the back property line, without accounting for the 5' Accessory Structure Setback from the rear property line. With the 5' setback, there is 7'10" of developable space between the Sanitary Sewer Easement and accessory structure setback from the rear property line. The applicant worked with Ben McNeil in our Water Management Department to ensure that the structure would not encroach on the Sanitary Sewer Easement. To prevent encroachment on the Sanitary Sewer Easement, the applicant is requesting a Variance to allow the accessory structure to be located a minimum of 0 feet from the property line.

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 Sanitary Sewer Easement encompasses more than half of the backyard space. With the Sanitary Sewer Easement and the 5' setback requirement, there is just under 8 feet of developable space, which severely limits the usable space for the homeowner. Staff finds this criteria 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. To comply with the 5' accessory structure setback and prevent encroaching on the Sanitary Sewer Easement, it becomes difficult for the homeowner to utilize their remaining backyard space. The easement and rear accessory structure setback leave a very narrow space for any structure to be in the backyard. Staff finds 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 request would not be a detriment to the public good or impair the intent of the Zoning Ordinance. The land behind this property is dedicated Open Space as a part of the Nature's Landing Subdivision, with a creek running through it. So the accessory structure being at the rear property line would not disturb any neighbors directly behind the property. Part of the intent of this Zoning Ordinance regulation is so that accessory structures are not too close to neighboring properties, and to have aesthetic consistency with setbacks. Because this property only has a dedicated open space behind it, the accessory structure wouldn't be too close to any neighboring buildings or structures. In addition, the rear property lines abutting the open space for the lots on the same side of the street as this property are not uniform. This is likely due to the location of the FFO surrounding the creek to the rear of these properties. For this reason, it would not be clearly evident that this accessory structure is misaligned with the neighboring property line setbacks along the street, seeing as the property lines vary. For these reasons, Staff finds this criteria met.

Recommendation: Staff recommends the Board of Zoning Appeals move to approve the Variance Request To Allow An Accessory Structure To Be Located A Minimum Of 0 Feet From The Rear Property Line For the property located at 3025

Natures Landing Drive, because the criteria for granting a variance have been met.

Applicant Presentation: Jason Brownlee. Mr. Brownlee stated that the biggest challenge of the project is the slope of the backyard. The homeowners have young children, making the slope dangerous. Mr. Brownlee worked with staff to create a functional and usable area that also meets the other requirements of the city.

Board Member Scales asked Mr. Brownlee for information about how the backyard would be made usable.

Mr. Brownlee stated that by raising the grade of the backyard not completely level but more level than it currently exists will enable the space to be usable by the homeowners.

Board Member Smith asked what the plan is for the space between the hardscape and the patio.

Mr. Brownlee explained that several options were considered, but grass was determined to be the best choice.

Citizen Comments: None

Board Member Scales motioned to close the public comment on Item #2, seconded by Board Member Smith. The motion carried 4-0.

Motion

Board Member Scales motioned to approve a variance request to allow an accessory structure to be located a minimum of 0 feet from the rear property line for the property located at 3025 Natures Landing Drive because the criteria for meeting a variance have been met, seconded by Board Member Smith.

Board Member Scales stated that the topography of the lot along with the easement makes it difficult to create usable space for the homeowners.

Chair Langley agreed with Board Member Scales and stated that in reviewing the plans there is a drastic drop-off in the backyard.

Board Member Smith stated that she drove by the property to see the rear slope and agreed that the slope is dramatic. Along with the open wild area behind the home, construction would not impact neighbors.

The motion carried 4-0.

3. A Variance Request To Allow For The Unfinished Side Of A Fence To Be Facing The Adjacent Property To The East For The Property Located At 500 Murfreesboro Road (F.Z.O. 13.1.3.E.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Chelsea Randolph. The subject property is located at 500 Murfreesboro Road and is zoned R-2 Residential. It is also located within the Scenic Corridor Overlay, Central Franklin Overlay, and Flood Fringe Overlay. A Variance Request to allow a driveway to encroach into the front yard area located in front of the principal building was approved on January 11, 2024. Since approval of the Variance, the driveway has been constructed. As shown in the plans submitted for the approved Variance Request, the property currently has a 10-foot-wide driveway extending from Murfreesboro Road to the detached garage, and extending in front of the existing house, connecting to Ewingville Drive. Since the construction of the existing driveway configuration, fencing has also been installed on the property. The installed fences wrap around the existing home, along the North, South, East, and West sides of the property. The portions of the fence along the North, South, and West sides of the property are compliant with the regulations of the Zoning Ordinance. The portion of the fence that extends along the Eastern property line is not in compliance with the Zoning Ordinance. The Building and Neighborhood Services Department received a comment from a neighbor of this property, that the fence may not be in compliance with our regulations. Upon inspection from a Municipal Inspections Officer in the Building and Neighborhood Services Department, it was determined that the portion of the fence along the Eastern property line is in violation of Zoning Ordinance regulation 13.1.3. E. This portion of the fence has the "finished" side of the fence facing

inward to the property, so the unfinished side faces outward toward the adjoining lot to the East. The applicant has expressed that the fence was installed this way to avoid encroaching onto his neighbor's property. The applicant has provided documentation (included in the attachments) to show that the applicant has had to file an Order Of Protection against his neighbor. The applicant decided, with the limited space between the existing driveway and the side property line, that the fence had to be installed with the "finished" side facing inward. For this reason, this Variance Request is to allow the unfinished side of a fence to remain as constructed, facing the adjacent property to the East.

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. The locations of the existing driveway and the detached garage in relation to the property line limit the location of the fence along the Eastern property line. The existing driveway is located 24"-26" inches from the Eastern property line, so to install a fence in that location, it would have to be located at or near the property line. The applicant was instructed by his contractor that to install the fence with the "finished" side facing outward towards the adjacent property, he would need at least 3 feet of space to work from the "finished" side. Since there is only about 2 feet between the driveway and the Eastern property line, the contractor would not be able to install the fence with the "finished" side outward at that location without encroaching onto the neighbor's property. In addition, the driveway is the minimum width of 10' as outlined in the Zoning Ordinance chapter 10.1.17, and it cannot be moved over farther because it is already located very close to the existing house. Seeing as the owner would not be able to construct the fence along this side of the property line with the "finished" side facing outward and without encroaching on the neighbor's property, staff finds this criteria is met.
2. To construct the fence along this property line with the "finished" side facing outward, the contractor would have to encroach onto the neighbor's property due to insufficient area between the existing drive and the property line. Given the location of the existing driveway in relation to the house and detached garage, the driveway, and therefore the fence, cannot be moved farther from the property line to give more room to install it facing the correct way. Since the fence cannot be installed according to the Zoning Ordinance at this location without encroaching onto the neighbor's property, staff finds this criteria is met.
3. Staff finds that this request may be a detriment to the public good, and it would impair the intent of the Zoning Ordinance. Staff finds that the intent of this specific regulation is for both safety and aesthetic reasons. The posts and support wood on the unfinished side of a fence can be used to climb over the fence, so constructing the "finished" side facing outward prevents people outside the property from climbing over the fence. In addition, part of the intent is to have aesthetic consistency with the "finished" side of the fence facing outward toward the street and other residential properties. With this portion of the fence having the unfinished side facing outward towards the neighboring property, it does not meet the aesthetic aspect of the intent of this ordinance regulation. Staff finds this criteria is not met.

Recommendation: Staff recommends the Board of Zoning Appeals move to deny the Variance Request To Allow For The Unfinished Side Of A Fence To Be Facing The Adjacent Property To The East For The Property Located At 500 Murfreesboro Road, because the criteria for granting a variance have not been met.

Applicant: David Douglas. Mr. Douglas stated that 3 of the four sides of the fence were intentionally constructed and installed properly. He stated that he has done everything he can to comply with zoning and building department requirements in every way possible. Mr. Stratton then explained the background behind not being able to install the pickets on the outside/finished side of the fence. While the contractor was installing the final side of the fence, Mr. Stratton (an adjacent neighbor) proceeded to light a common tree stump that they share on their property line on fire and use a leaf blower to blow the fire into the face of the contractor. So Mr. Douglas told his contractor to stand down, leave the property, and come back at another point. The next morning, to avoid trespassing on Mr. Stratton's property, the contractor installed the pickets on the inside of the fence. Mr. Douglas asked the Board to consider the two competing laws carefully. If the pickets are to be installed as the Zoning Board and Building Department would like, then he must risk trespassing onto Mr. Stratton's property. He has been told that the Variance appeal board is the place to find resolution when you have two competing laws. There is a history of disagreement with Mr. Stratton thus the construction of the fence. Mr. Douglas stated that he had done his best to accommodate his own rights without infringing on the rights of Mr. Stratton. Mr. Douglas stated that according to the zoning ordinance, the fence and the finished side (if there is a shared property line and the fence is right on the property line) don't necessarily make the fence owned by one property owner or the other. If you have shared lots, any one lot is going to have fence pickets on the interior with this type of fence, so aesthetically he doesn't see how that is

ever accomplished unless you have a double sided fence. Mr. Douglas stated that he would put any type of fence up if he was allowed to, and Mr. Stratton is welcome to install pickets, at his expense, on his side of the fence to make the fence double-sided if he wants to.

Public Comment:

Jimmy Stratton, 502 Murfreesboro Road. Mr. Stratton stated that the sign outside says, "It's not to be about people." This situation is about the illegal fence constructed by Mr. Douglas. According to Mr. Stratton, the previous fence was removed in violation of Tennessee Law, a class 3 misdemeanor. The fence that was put up is in violation of the codes. Mr. Douglas stated claims that are partially true but he committed perjury and tampered with evidence, according to Mr. Stratton. Also, Mr. Stratton believes his neighbors have created their own hardships. The bottom line is the criteria for granting a variance have not been met.

John Steigel on behalf of his father, 100 Bluegrass Drive. Mr. Steigel stated that his father's property is adjacent to Mr. Stratton. While cleaning out leaves along the property boundary for his 81-year-old father, Mr. Stratton called the police seemingly for trespassing, according to Mr. Steigel. The next day, a no trespassing sign was displayed along with two new plants planted along the boundary. Over the years, Mr. Stratton has been difficult to talk to and come to agreement with amicably. So he can attest to the issues that have come up with Mr. Stratton.

Board Member Smith motioned to close the public comment, seconded by Board Member Scales. The motion carried 4-0.

Chair Langley asked staff about their viewpoint regarding a shared property line, fence ownership, and fence finished side verses unfinished side.

Ms. McCoy stated that if a fence is placed on a property line, fence ownership would be the person who installs the fence, and the finished side would face out to the adjacent property. In this situation, Mr. Douglas is building the fence, so he would be the owner and the finished side would face Mr. Stratton's property. The city has addressed this type of situation consistently over the years.

Board Member Smith asked staff for more specifics regarding what "encroachment" refers to in this situation; encroachment of the fence or encroachment of the workers when installing the fence.

Ms. Randolph stated that encroachment refers to the amount of space workers would need to install the fencing. So, the encroachment of the worker.

Board Member Smith stated that the worker's encroachment would be short-term, lasting one or two days.

Board Member Smith also stated that there are two fences on the property, a three-foot fence and a six-foot privacy fence. Which fence is the variance request referring to or is it both?

Ms. McCoy stated that the three-foot fence that's in the front yard is compliant, but the fence becomes non-compliant when it changes to the east side, as the posts are different.

Board Member Smith stated that when driving along Murfreesboro Road, the differences are difficult to see.

Motion

Board Member Smith motioned to deny the variance request to allow for the unfinished side of a fence to be facing the adjacent property to the east of the property located at 500 Murfreesboro Road because the criteria required to grant a variance request has not been met, seconded by Board Member Scales.

Board Member Smith stated that this is a tricky no-win situation, but given the home's location as one of the main routes into downtown Franklin and the multiple overlays governing the property, the BZA should remain true to the zoning ordinance. The personal dynamics between neighbors is understood and to be the most amenable neighbor would be to install the fence according to the zoning ordinance.

Board Member Fleishour suggested a condition to allow Mr. Douglas to install the fence correctly.

Chair Langley noted that the Board cannot create a condition on a motion to deny.

Mr. Squires stated that the Board may not impose a condition on the current motion, but the Board may incorporate a condition on a motion for approval. The condition would be a limitation or modification of approval.

Board Member Scales agreed with Board Member Fleishour that the applicant should be able to install the fence correctly, according to the zoning ordinance. Mr. Douglas is being prevented from installing the fence correctly, resulting in the request for a variance.

Board Member Smith noted that a request for a variance would not be necessary if the applicant is able to install the fence correctly.

Board Member Fleishour stated that had Mr. Douglas been allowed to install the fence correctly in the first place, Mr. Strafford would not have the unfinished side of the fence facing his property.

Chair Langley stated that the purpose of the Board of Zoning Appeals regarding a variance request is to evaluate the application based on the three criteria required for granting a variance. In this situation, the three criteria have not been met. Outside of evaluating this application on these standards, the BZA is not the appropriate forum to govern interpersonal dynamics between neighbors.

Board Member Scales stated upon denial of the variance request, the applicant can take steps to install the fence according to the zoning requirements that will maintain the aesthetics and comply with the multiple overlay districts for this entrance into downtown Franklin.

Chair Langley asked the Board to vote via roll call.

The motion to deny the request carried 4-0.

OTHER BUSINESS

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

ADJOURN

Board Member Scales motioned to adjourn the August 1, 2024, BZA Meeting, seconded by Board Member Smith.

There being no further business, the meeting adjourned at 6:42 PM.

Chair

Date

BOARD OF ZONING APPEALS

2025 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**
12/9/2024	12/18/2024	1/2/2025
1/13/2025	1/22/2025	2/6/2025
2/10/2025	2/19/2025	3/6/2025
3/10/2025	3/19/2025	4/3/2025
4/7/2025	4/16/2025	5/1/2025
5/12/2025	5/21/2025	6/5/2025
6/9/2025	6/18/2025	7/3/2025
7/14/2025	7/23/2025	8/7/2025
8/11/2025	8/20/2025	9/4/2025
9/8/2025	9/17/2025	10/2/2025
10/13/2025	10/22/2025	11/6/2025
11/10/2025	11/19/2025	12/4/2025
12/15/2025	12/23/2025	1/8/2026

* 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. The exception is shown in **red. To find out where a meeting will be held, please go to www.franklinn.gov/agendas



File #: 21-0591

DATE: August 12, 2024
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow An Accessory Structure To Be Located 2 Feet From The Side Lot Line For The Property Located At 206 Lewisburg Avenue (F.Z.O. 3.7.5.).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8572
Applicant: Michael Hendren
Owner: Michael Hendren and Kathleen Hendren

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: R-4 Residential / Residential Single Family
North: R-4 Residential / Residential Single Family
South: R-4 Residential / Residential Single Family
East: R-4 Residential / Residential Single Family
West: R-4 Residential / 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.

3.7.5 R4 - Residential 4 District; Dimensional Standards

Accessory Structure Setbacks

Location

At least 5 feet behind the principal building
At least 5 feet from any lot line

Background

The subject property is located at 206 Lewisburg Avenue. It is zoned R-4 Residential District and is within the Historic Preservation Overlay and Central Franklin Overlay. The applicant is proposing a 2-car carport aligned with the existing driveway, located in the backyard area. The existing driveway is approximately 20 feet wide, and the proposed 2-car carport is approximately 22 feet wide which is consistent with a typical 2-car carport. The existing driveway runs along the northern property line, abutting the property line. In order to align with the existing driveway, the proposed carport is located 2 feet from the northern property line. Carports are classified as accessory structures, and the Zoning Ordinance requires accessory structures to be located at least 5 feet from any property line. For this reason, the applicant is requesting a Variance for an accessory structure to be located 2 feet from the side lot line.

Because this property is located in the Historic Preservation Overlay, an accessory structure is required to be approved by the Historic Zoning Commission (HZA). This proposed accessory structure was approved by the Historic Zoning Commission on July 8, 2024 with the following conditions:

1. If a variance for the location is not granted, the structure must be setback 5' from the property line.
2. Window specifications showing three-dimensional cut-outs with dimensions must be provided to the Preservation Planner before the building permit submittal.
3. The application must meet all the requirements of the City of Franklin prior to the issuance of a building permit.
4. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

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 existing driveway is located between the existing home and the northern property line, abutting both. Since the existing driveway is located right up against both the home and the property line, it could not be moved farther from the property line than its existing location. So in order to construct a 2-car carport to align with the driveway, it would need to be closer to the property line than 5 feet. In addition, the backyard space is limited and there is a shed located roughly in the middle of the backyard area, which is preventing the applicant from moving the carport and re-orienting it. Staff finds this criteria 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.

In order to comply with the setback requirements, the carport would have to be misaligned with the

existing driveway. This would make it inaccessible for 2 cars as a front-loading carport. If the carport were to be moved to the backyard area and be side-facing, it would take up the majority of the backyard space and the existing shed would need to be relocated or removed. Staff finds 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 carport would not be a detriment to the public good and would not impair the intent of the Zoning Ordinance. The existing driveway is already located against the property line, so the structure would not be any closer to the neighbor's property than the location where cars are currently able to be parked in the existing driveway. In addition to proximity to neighbors, aesthetic consistency contributes to the intent of the Ordinance. Since the proposed carport aligns with the existing driveway, it is more aesthetically consistent with the common design of carports than for it to be misaligned with the driveway to comply with the setbacks. Staff finds this criteria is met.

FINANCIAL IMPACT:

Unknown.

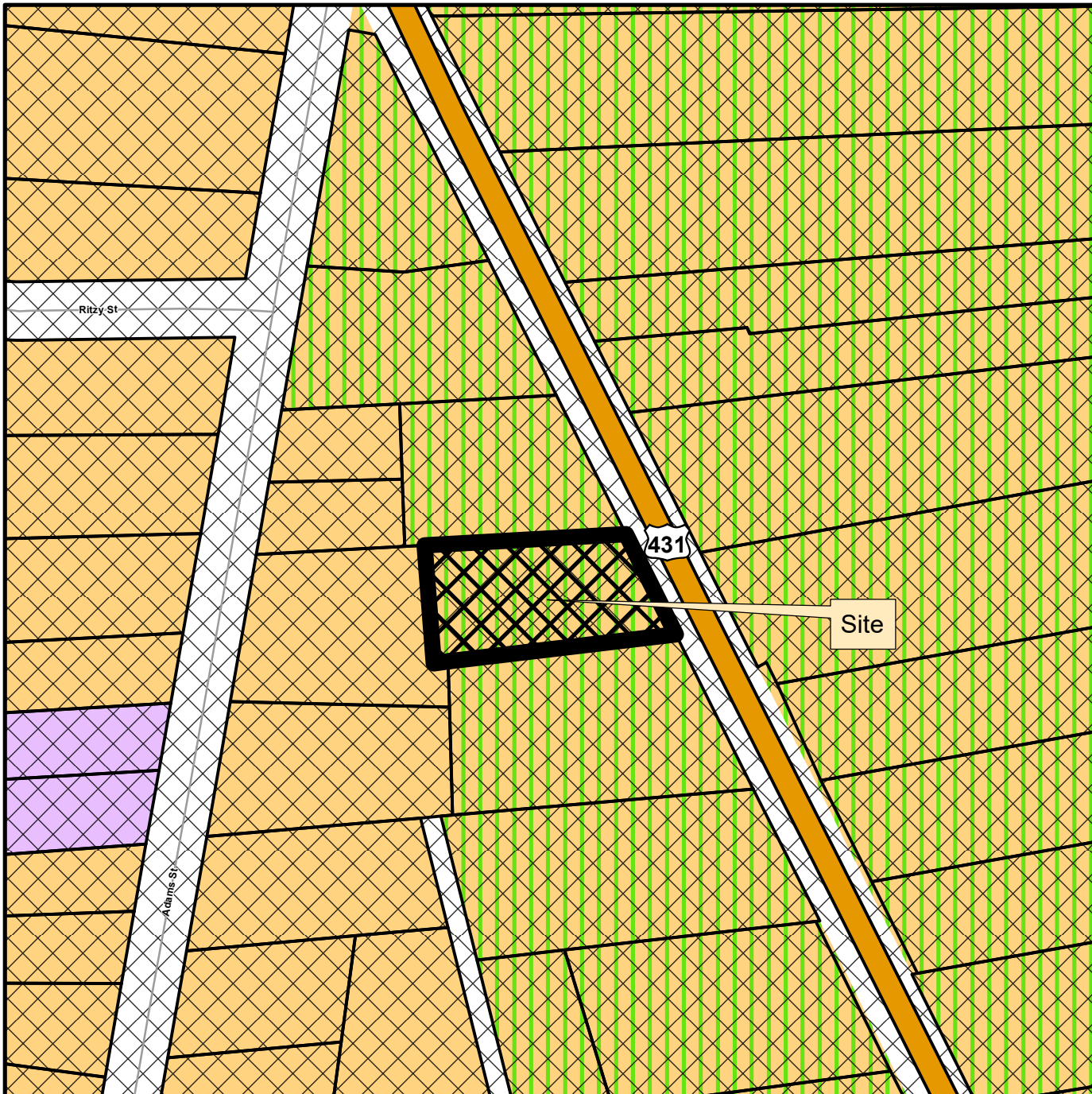
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to approve the **Variance Request To Allow An Accessory Structure To Be Located 2 Feet From The Side Lot Line For The Property Located At 206 Lewisburg Avenue**, because the criteria for granting a variance have been met.

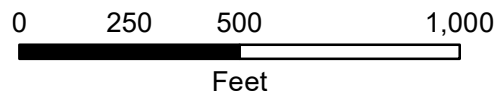
206 LEWISBURG AVENUE
TAX MAP 078, GROUP E, PARCEL 00400
BOARD OF ZONING APPEALS
AUGUST 5, 2024

Legend

-  206 Lewisburg Ave
-  Central Franklin Overlay
-  Historic Preservation Overlay
-  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.
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HISTORIC
FRANKLIN
TENNESSEE

CITY OF FRANKLIN

07a) BZA VARIANCE APPLICATION

206 LEWISBURG AVENUE

MICHAEL HENDREN

August 11, 2024

JUSTIFICATION LETTER

This Justification Letter supports the application for a zoning variance: specifically requesting that a proposed accessory building – a two vehicles carport with storage space, be constructed within 2 feet of the neighboring property to the north, varying from the side set-back regulations included in the Zoning Ordinance.

- The request is justified as the property lacks sufficient width to construct the improvements in compliance with the established set-back line without the demolition of a raised stone patio at the rear of the house. The proposed accessory building is 22 feet wide, consistent with recommendations that two vehicle carports be 22 to 24 feet wide.
- The site plan accompanying the application includes two pink lines with reflect compliance with either 5 feet or 7 feet set-backs as well as a green line reflecting the requested variance. Absent demolition of the raised stone patio, two vehicles could not feasibly negotiate the proposed carport without the requested variance. It is noteworthy that the existing driveway abuts the property line.
- Approval is not detrimental to the public good and will not substantially impair the intent and purpose of the set-back requirements of the Zoning Ordinance. The owner has met with the owners of the contiguous residence, and they are in agreement with the set-back variance. Additionally, aesthetics will be enhanced as the improvements will obstruct the street view of a large brick gambrel roof over two stories on the contiguous property that is within 5 feet of the rear of the subject property.

Thank you.

Mike Hendren
206 Lewisburg Avenue
Franklin, TN 37064

GENERAL NOTES:

1. CONTRACTOR TO VERIFY ALL STRUCTURAL CONDITIONS WITH LICENSED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION. STRUCTURAL INFORMATION WITHIN IS INTENDED FOR DESIGN CONSIDERATION ONLY.
2. CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
3. CONTRACTOR TO ENSURE ADEQUATE CONSTRUCTION OF ALL NON-STRUCTURAL ELEMENTS INCLUDING, BUT NOT LIMITED TO, MATERIALS SEPARATION, FLOORING MATERIAL, DIMENSION, INSULATION, TERMITES TREATMENT, PROPER DRAINAGE ETC...
4. DIMENSIONS ARE SHOWN FROM OUTSIDE FACE OF STUD AND CENTERLINES OF OPENINGS, UNLESS NOTED OTHERWISE.
5. 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.
6. 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.

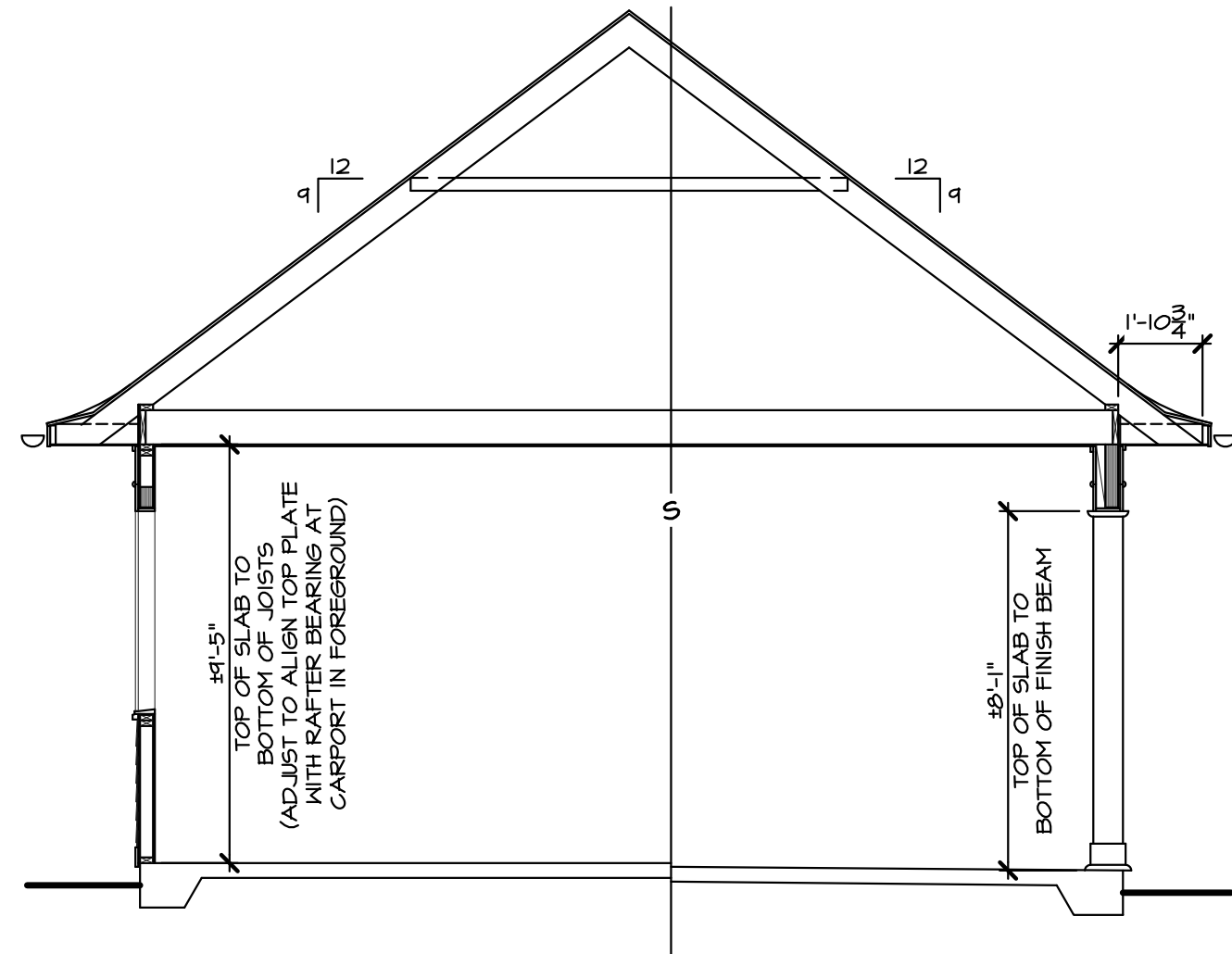
TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS (HEADS, JAMBS, & SILLS PER MFR.)
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.)

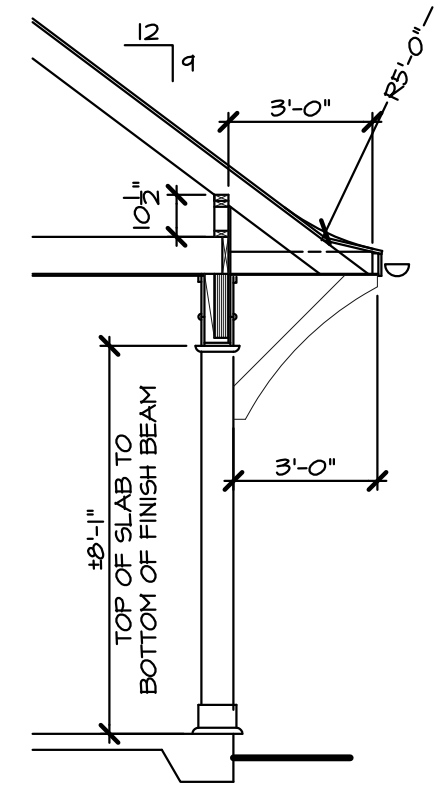
FLASHING TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS, OR PER BEST PRACTICES WHERE SPECIFICATIONS ARE NOT AVAILABLE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE INSTALLED FLASHING MEETS OR EXCEEDS MANUFACTURER'S SPECIFICATIONS, AND ALL APPLICABLE CODES.

GENERAL BUILDING SECTION NOTES:

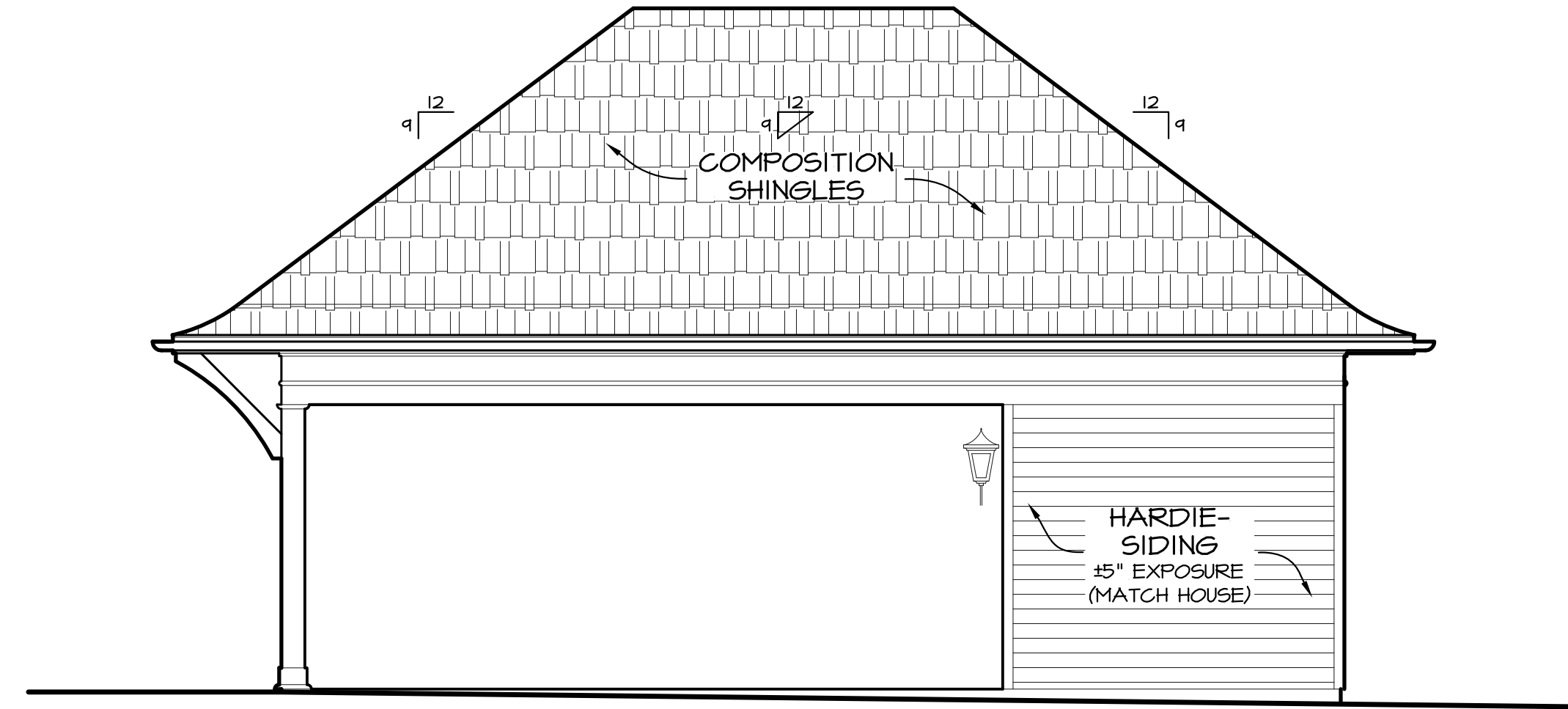
1. CONTRACTOR TO VERIFY DEPTHS OF FOOTINGS MEET OR EXCEED ALL APPLICABLE CODES.
2. CONTRACTOR SHALL CONSULT A LICENSED STRUCTURAL ENGINEER FOR DESIGN OF FOUNDATION SYSTEM, INCLUDING SIZE AND REINFORCING OF CONTINUOUS FOOTERS, PIERS, CONCRETE BLOCK/POURED WALLS, SLABS AND THICKENED SLABS.
3. CONTRACTOR 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 SLOPE 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.



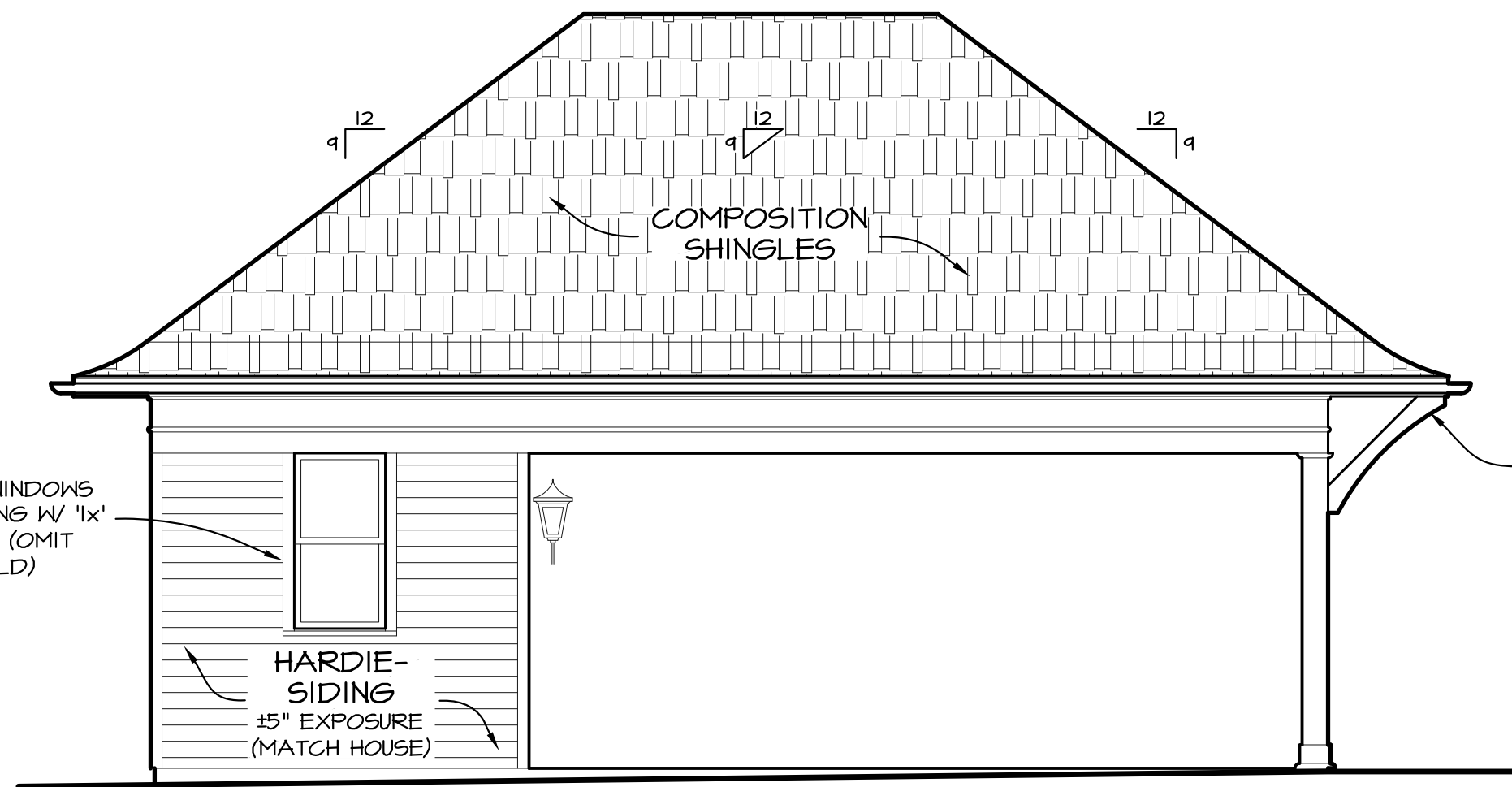
1 BUILDING SECTION
SCALE: 1/4"=1'-0"



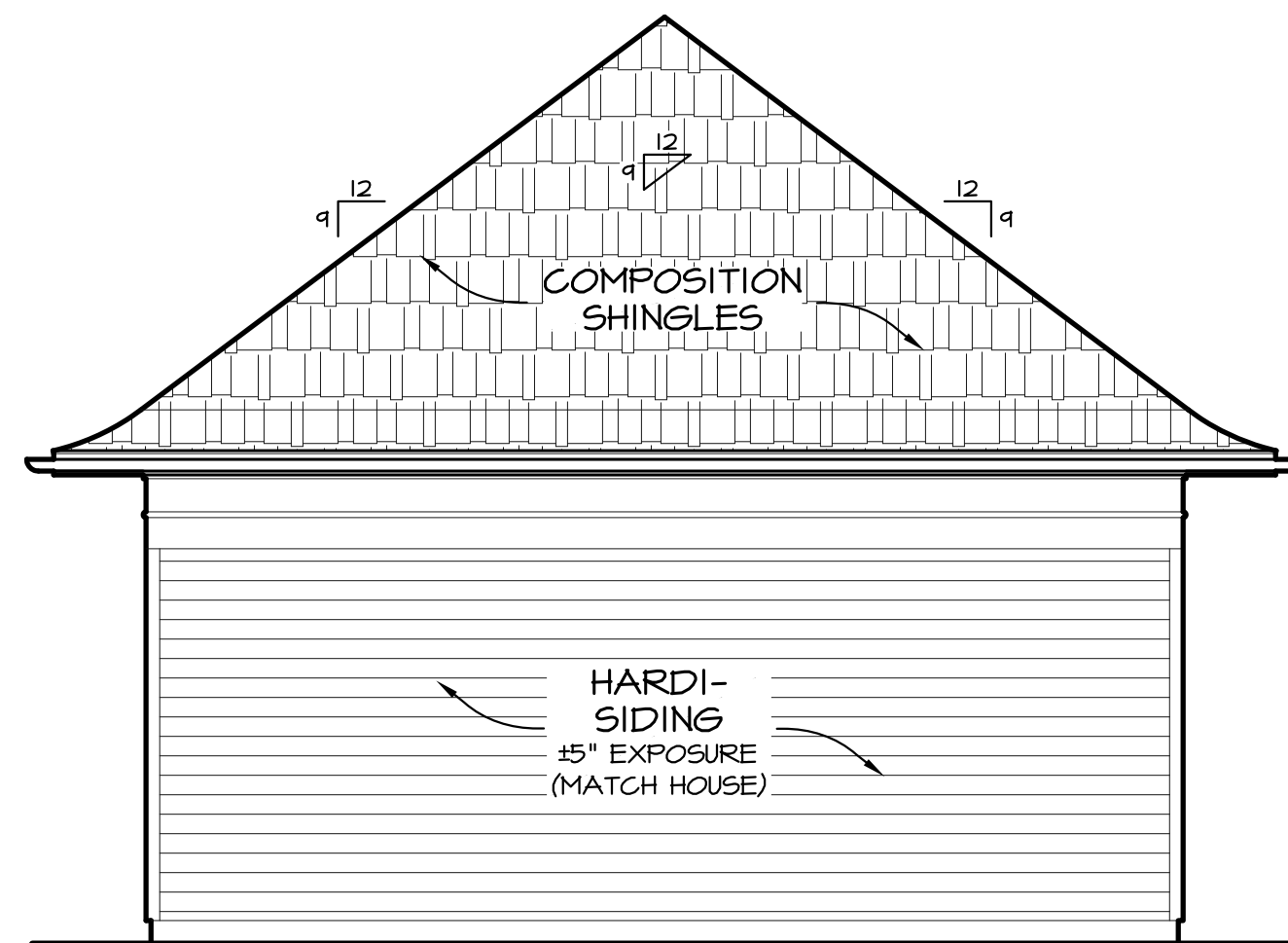
2 WALL SECTION
SCALE: 1/4"=1'-0"



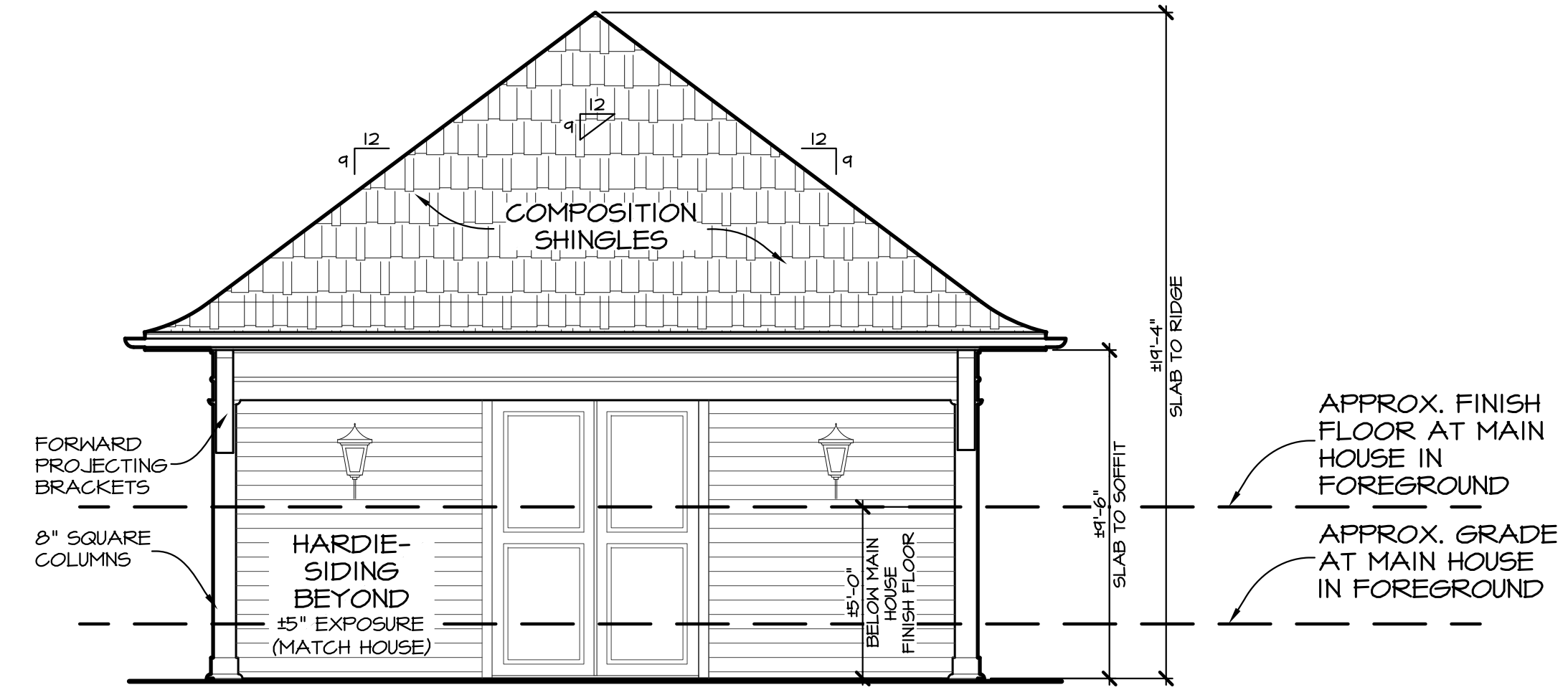
RIGHT ELEVATION
SCALE: 1/4"=1'-0"



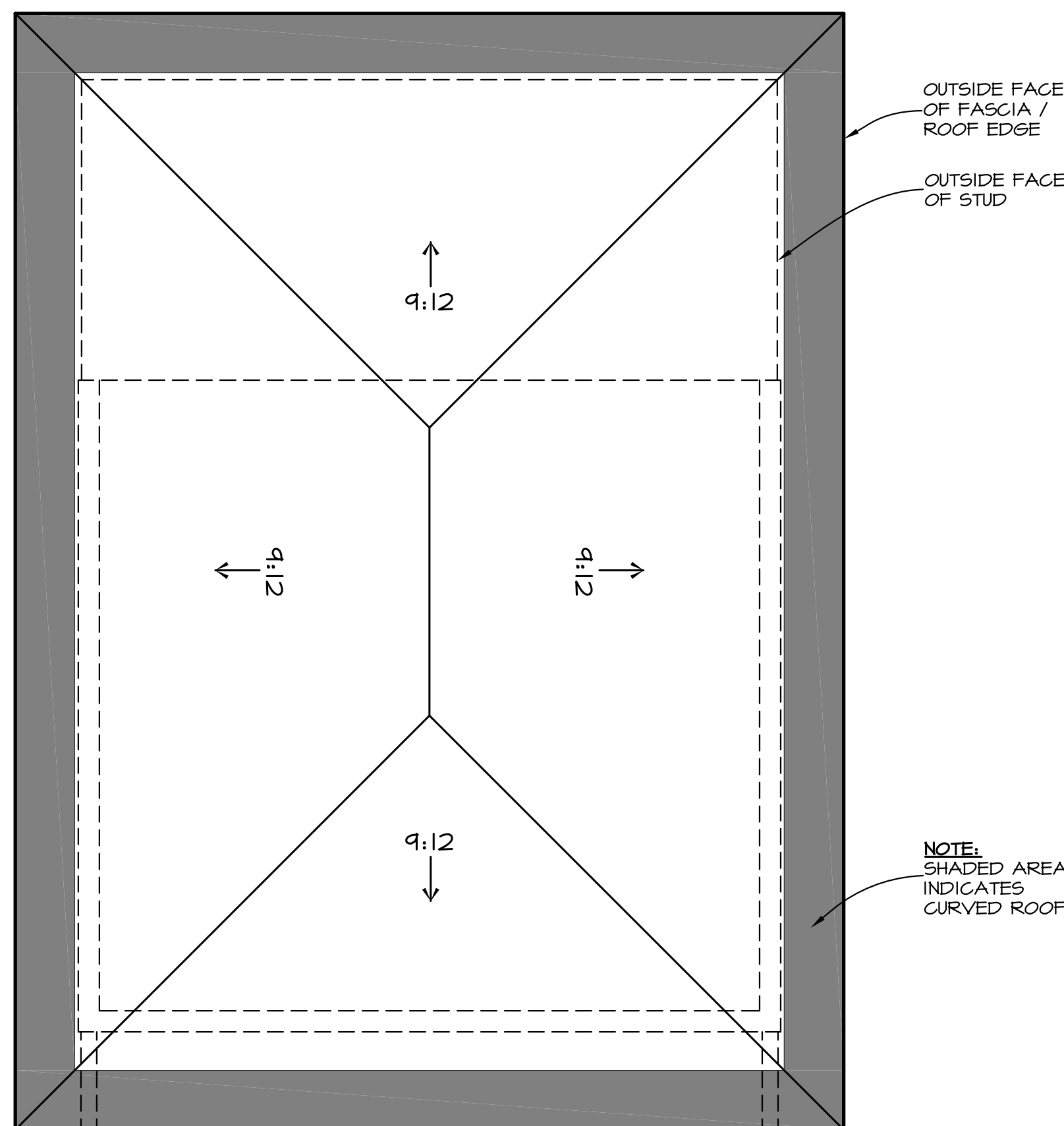
LEFT ELEVATION
SCALE: 1/4"=1'-0"



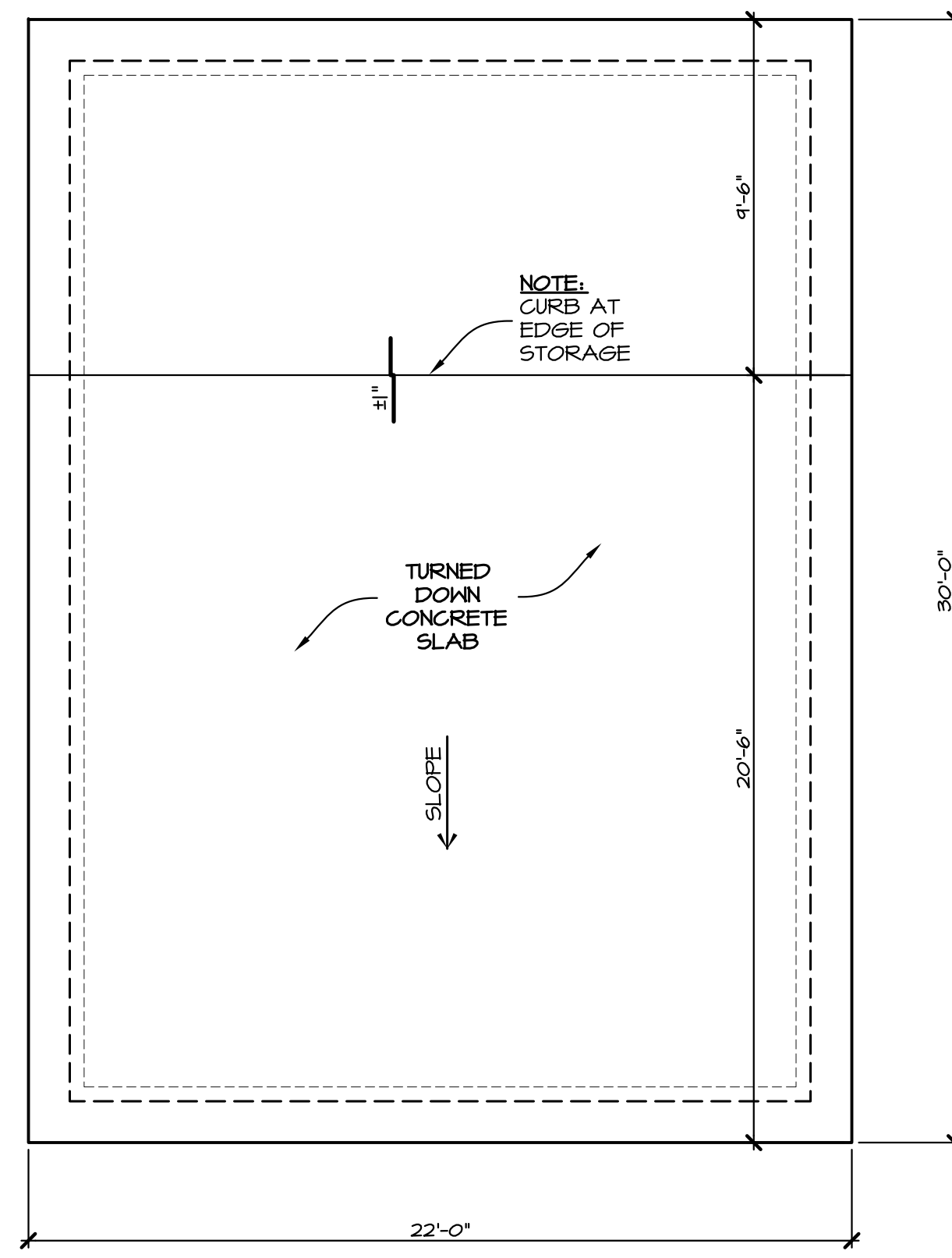
REAR ELEVATION
SCALE: 1/4"=1'-0"



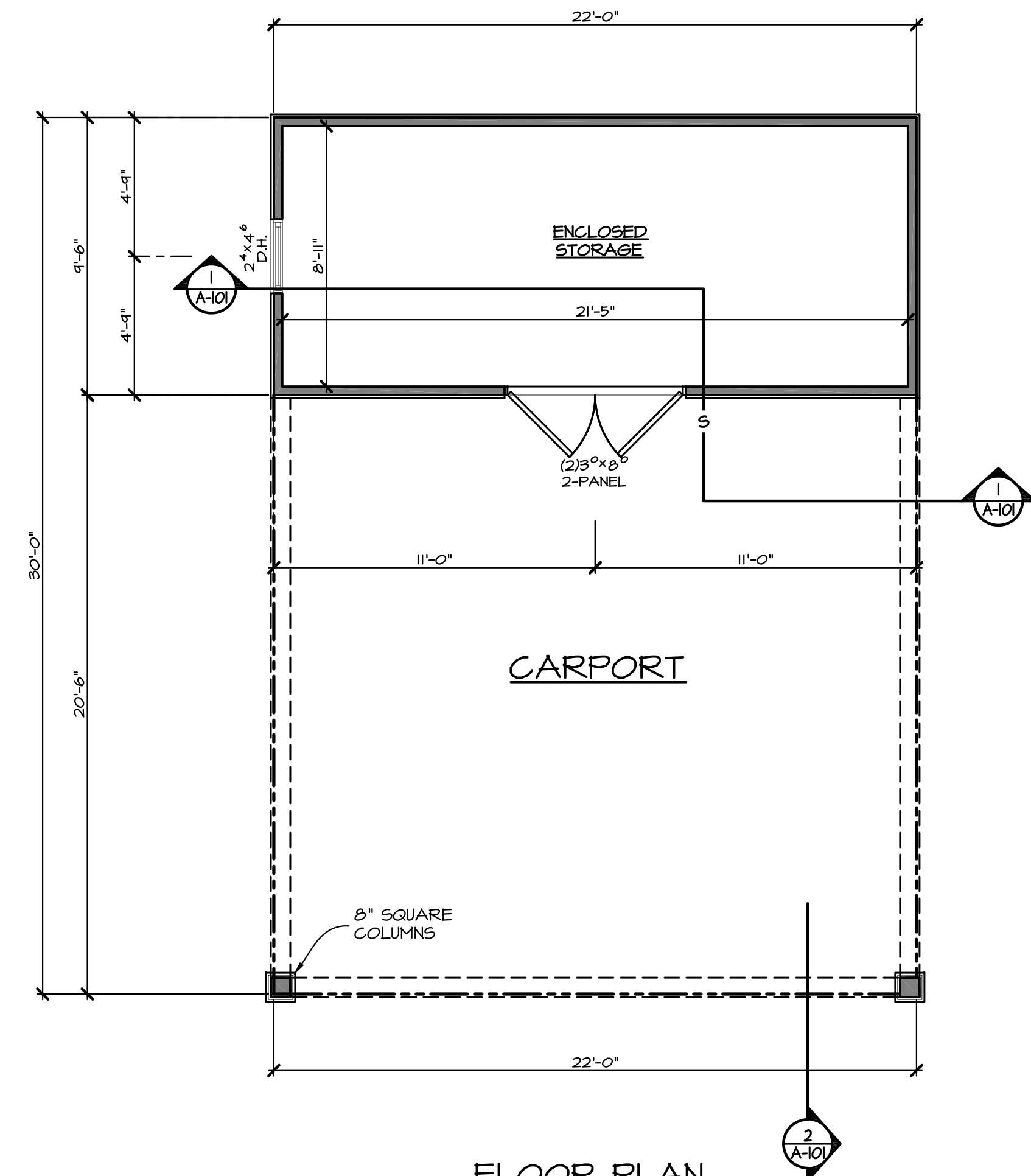
FRONT (STREET SIDE) ELEVATION
SCALE: 1/4"=1'-0"



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



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



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

Notice:

THE DESIGN AND DRAWINGS CONTAINED WITHIN ARE A DOCUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF P.SHEA | DESIGN. THESE DOCUMENTS ARE PROVIDED FOR A ONE-TIME USE AND SHALL NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT EXPRESSED WRITTEN CONSENT.

DO NOT SCALE drawings, use given dimensions. Contact designer to verify dimensions as needed.

These drawings are for DESIGN INTENT ONLY. It is the contractor's responsibility to ensure construction meets or exceeds all applicable codes.

It is the contractor's responsibility to coordinate all mechanical, structural, electrical and plumbing systems with the framework and aesthetics of this home.

Issues:

No. Date Description
01 05.14.24 Design Development Set
02 06.01.24 Design Development Set







File #: 21-0592

DATE: August 12, 2024
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Lot Lines And A **Variance Request** To Allow A Front Yard Retaining Wall To Be A Maximum Of 4 Feet Tall For The Property Located At 128 Barlow Drive (F.Z.O. 13.2.2. and 13.2.4).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8571
Applicant: Matthew Grayson
Owner: Glenn Grayson Home Builder LLC, Matthew Grayson (Representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: PD Planned District / Residential Single Family
North: PD Planned District / Residential Single Family
South: PD Planned District / Residential Single Family
East: PD Planned District / Residential Single Family
West: PD Planned 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.

13.2.2 Retaining Walls; Location

Retaining walls shall be set back from a lot line a minimum of five feet or the distance equal to the

height of the wall, whichever is greater.

13.2.4 Retaining Walls; Retaining Walls for Residential Uses

Residential Uses

Front Yard Retaining Wall Height

Maximum 2 Feet

Background

The subject property is located at 128 Barlow Drive. It is zoned PD Planned District and is within the Highlands at Ladd Park PUD Subdivision. A single family residential home has been built on the property, and the applicant is proposing a retaining wall in the front yard to support the sloped yard. There is a 15' Middle Tennessee Electric (MTE) Easement occupying the majority of the front yard, which requires approval from the easement holder to build a retaining wall within the easement area. The owner has already obtained approval from MTE for the proposed retaining wall and the approval documentation is attached to the applicant's submittal. In addition to the slopes and a 15' MTE Easement across the majority of the front yard space, there is an electrical pull box which is restricting the location of the proposed retaining wall. The location of the proposed retaining wall is abutting the sidewalk at the front of the property and extends all the way to the side property line to the west. For this reason, the applicant is requesting a Variance to allow the retaining wall to be a minimum of 0 inches from the lot lines. In addition, the proposed retaining wall is a maximum of 4 feet tall in order to support the front yard which has slopes up to 60 percent. The Zoning Ordinance allows front yard retaining walls to have a maximum height of 2 feet. For this reason, the applicant is also requesting a Variance for a front yard retaining wall up to 4 feet in height.

There is additional background information that Staff feels is relevant to acknowledge in this situation. Under today's development review process, lots within subdivisions are required to provide grading information at the Site Plan stage to demonstrate how stormwater runoff will be handled as well as how the lots may be developed without the need for additional variances from the Zoning Ordinance. When the Site Plan was approved for this subdivision section, the city's review process did not require grading for the lot to be shown on the site plan, just for the streets in the subdivision. The existing steep slopes on this lot are a result of this. Under today's review process, grading for the lot would likely have been required prior to being sold, rather than the homeowner having to solve the challenge of the existing slope with the lot construction at a later date.

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:

Request 1: To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Lot Lines

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 drastic slope of the front yard requires a retaining wall in order to prevent spill-over onto the sidewalk along the front lot line. There is a 15' MTE Easement occupying the majority of the front yard area and an electrical pull box at the west corner of the front of the property, abutting the west property line. In order to properly retain grade to stabilize the electrical pull box, the retaining wall would need to be located in front of the pull box, between the pull box and the sidewalk, and all the

way to the west property line. These conditions necessitate the need for a retaining wall in the front yard, and are preventing the location of the retaining wall from being in compliance with the setback requirements. Staff finds this criteria 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.

If the retaining wall were located in compliance with the setback requirements, it would not be able to retain grade to stabilize the electrical pull box properly. The slope in the front yard requires a retaining wall to support it, and the electrical pull box restricts the location to be within the setback requirements. Staff finds 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 would not be a detriment to the public good and it would not impair the intent of the Zoning Ordinance. The intent of the Ordinance in this case is safety and aesthetic concern. The retaining wall is required to support the slopes and the location is restricted by the location of the pull box. The retaining wall is necessary to support the sloped yard in order to protect the integrity of the sidewalk and the neighboring property. So the location of the retaining wall addresses the safety concern by properly supporting the sloped yard and pull box. In addition, the applicant has made an effort to minimize the height of the retaining wall to only the height necessary to support the slope and allow a maintainable front yard. This is an effort to address the aesthetic concern for having the retaining wall closer to the lot lines than 5 feet. Staff finds this criteria is met.

Request 2: To Allow A Front Yard Retaining Wall To Be A Maximum Of 4 Feet Tall

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.

In order to support the sloped front yard and create a yard that is able to be maintained, the retaining wall in the front yard must be taller than 2 feet. The grade in the front yard is up to 60% which is considerably steep to maintain. The applicant would like to achieve 3:1 slope ratio in the front yard so that it can be maintained by the homeowner, and that would require a 4' retaining wall given the existing conditions of the front yard. Given these conditions, Staff finds this criteria 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.

If the retaining wall were to comply with the 2' maximum height requirement for retaining walls in a front yard, the wall would potentially fail to support the sloped yard and the steep slope of the yard would be difficult for the homeowner to maintain. Staff finds 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 would not be a detriment to the public good and it would not impair the intent of the Zoning Ordinance. The retaining wall is necessary to support the sloped yard in order to protect

the integrity of the sidewalk and the neighboring property, so it would not be a detriment to the public good. The intent of the Ordinance in this case is aesthetic concern. The applicant has made an effort to minimize the height of the retaining wall to only the height necessary to support the slope and create a maintainable front yard. The applicant has also made an effort to design the wall in a way that is aesthetically consistent with the existing house and the neighborhood. This is an effort to address the aesthetic concern for having a taller than allowable retaining wall in the front yard. Staff finds this criteria is met.

FINANCIAL IMPACT:

Unknown.

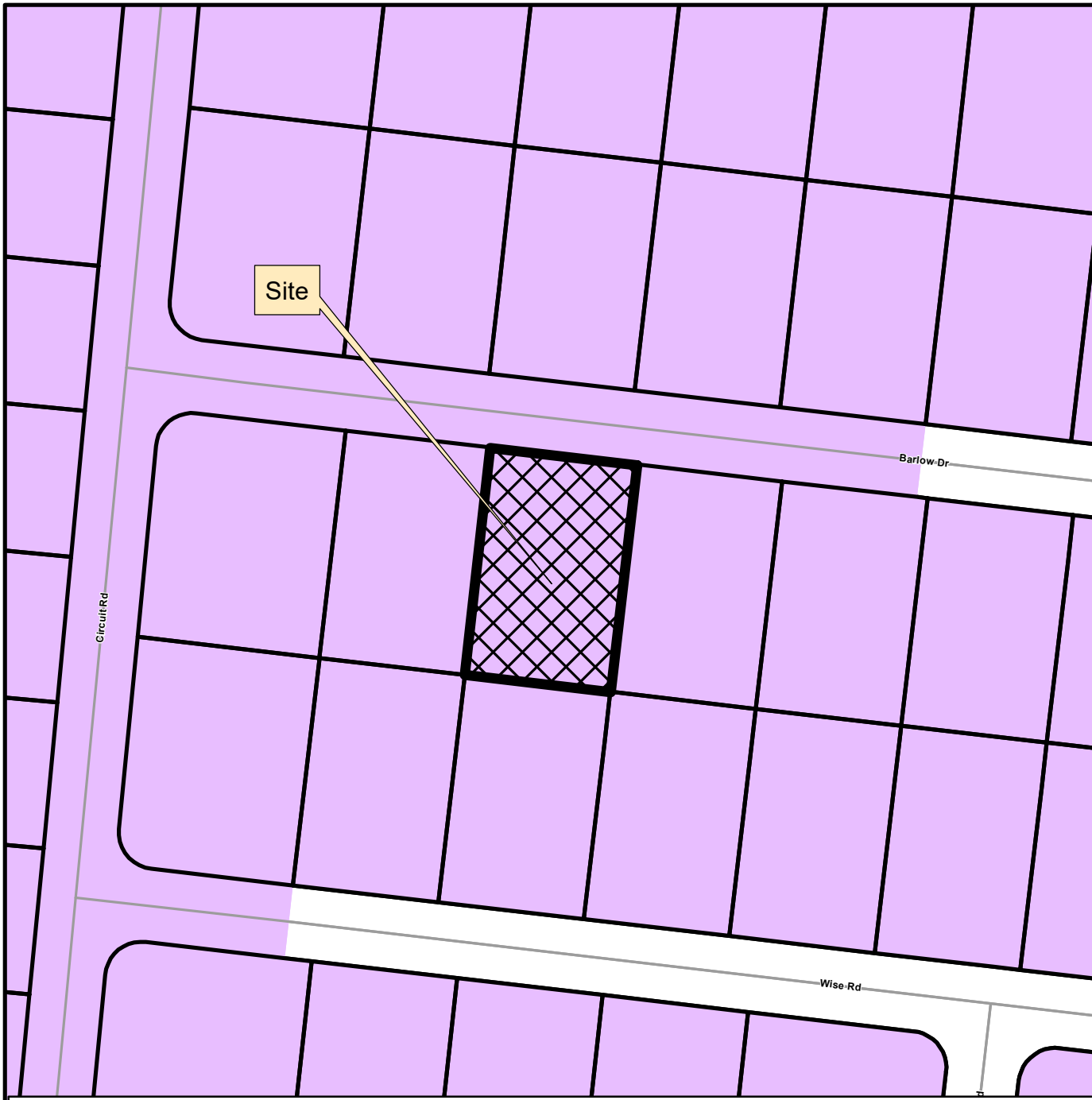
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to approve the **Variance Request** To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Lot Lines And approve the **Variance Request** To Allow A Front Yard Retaining Wall To Be A Maximum Of 4 Feet Tall For The Property Located At 128 Barlow Drive, because the criteria for granting a variance have been met.

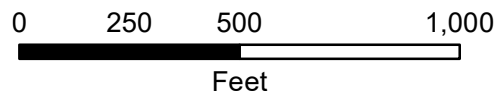
128 BARLOW DRIVE
TAX MAP 106, GROUP O, PARCEL 01800
BOARD OF ZONING APPEALS
AUGUST 5, 2024

Legend

-  128 Barlow Drive
-  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.
All data and materials (c) copyright 2024. All rights reserved.



HISTORIC
FRANKLIN
TENNESSEE

Request 1:

Variance Request to allow for a Taller retaining wall at the front yard of 128 BARLOW DRIVE

- 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;**

Due to the extreme slope in the front yard and limited space between front of house and city sidewalk at 128 BARLOW DRIVE we are requesting a variance to install a taller retaining wall then 2' wall that is in the zoning ordinances. The grade in some areas is about 60% instead of the recommended 30%. We are requesting to install a 5' retaining wall along the backside of city sidewalk. The height of wall is determined that per code the wall is measured from bottom of footing to top of wall. With that said, only 3.5' to 4' of the wall will be above grade and visible. The taller wall will enable us to grade the yard so that it provides better ease of maintenance for homeowner and stabilization of grade.

- 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**

Due to the extreme slope of front yard it will prove to be a burden to homeowner to maintain. The taller retaining wall will enable us to not only reduce slope of yard but also help to better stabilize grade. It will enable us to achieve the desired 3:1 slope in majority of front yard. This retaining wall will also be beneficial in preventing washout along city sidewalk.

- 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.**

The requested wall follows suit with other existing walls in this neighborhood in both size and design. It will be aesthetically pleasing and compliments the design of materials used on the exterior of the actual home. This wall will be constructed of Belgard Allan Block (landscape block) in color of Driftwood. Although it encroaches on the utility easement at

front yard, we have already received approval from Middle Tennessee Electric to construct wall. Therefore, we do not see that it will be a detriment to the public good.

Request 2:

Variance Request to allow retaining wall to be constructed in 5' setback on right side of property line

- 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;**

Due to the extreme slope in the front yard and location of existing electrical pull box at 128 BARLOW DRIVE we are requesting a variance to extend retaining all the way to the right side property line. This is necessary to be able to support the existing electrical pull box and retain grade off the city sidewalk.

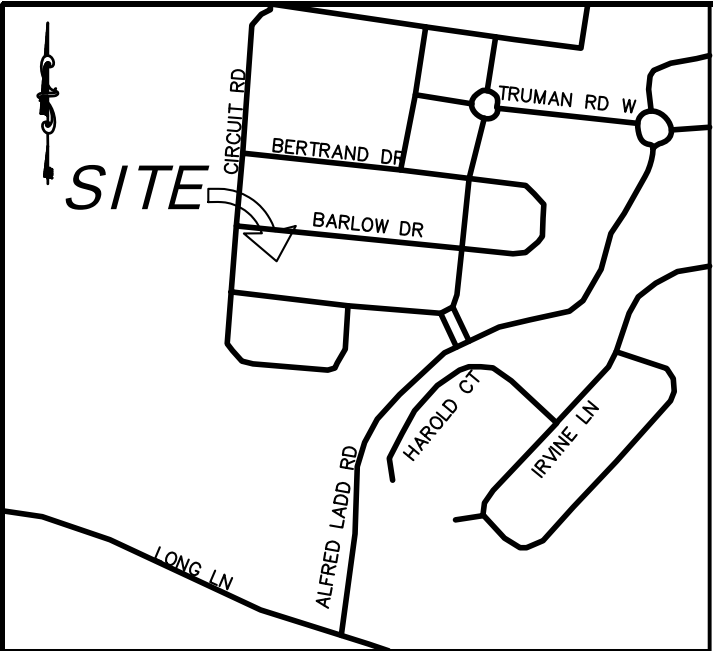
- 2. The strict application of any provision enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional hardship upon the owner of such property; and**

Due to the extreme slope of front yard it will prove to be a burden retain grade off city walk in the 5' setback per zoning ordinances. The extension of wall will enable to better stabilize grade in front of electrical pull box. This retaining wall will also be beneficial in preventing washout along city sidewalk.

- 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.**

The requested wall follows suit with other existing walls in this neighborhood in both size and design. It will be aesthetically pleasing and compliments the design of materials used on the exterior of the actual home. This wall will be constructed of Belgard Allan Block (landscape block) in color of Driftwood. Although it encroaches on the utility easement at

front yard, we have already received approval from Middle Tennessee Electric to construct wall. Therefore, we do not see that it will be a detriment to the public good.



VICINITY MAP
NOT TO SCALE

CRITICAL LOT

CRITICAL TREE LOT NOTE

FOR LOTS DESIGNATED CRITICAL, PRIOR TO ISSUANCE OF A BUILDING PERMIT, A GRADING PLAN COMPLETE WITH THE FOLLOWING INFORMATION AT A SCALE OF 1" = 20'-0" SHALL BE SUBMITTED TO THE PLANNING COMMISSION STAFF FOR APPROVAL: BUILDING LOCATIONS AND FINISHED FLOOR ELEVATIONS; LOCATION OF ALL PROPOSED SITE IMPROVEMENTS; TOP AND BOTTOM ELEVATIONS OF RETAINING WALLS; EXISTING AND PROPOSED CONTOURS AT A MAXIMUM INTERVAL OF TWO FEET; SPECIFIED AND ILLUSTRATED METHODS OF STABILIZING GRADED SLOPES STEEPER THAN 33 PERCENT; LIMITS OF GRADING; AND EXISTING TREES TO BE PRESERVED WITHIN THE LIMITS OF GRADING AND METHOD OF PROTECTION DURING CONSTRUCTION.

APPROVAL WILL BE BASED UPON CARE TO MINIMIZE BOTH LOT AREAS SUBJECT TO GRADING AND THE AMOUNT OF CUT/FILL REQUIRED TO PREPARE THE LOT AS A BUILDING SITE.

NO CORNERS WERE SET OR RESET AT THE TIME OF THIS INSPECTION.

NOTES:

1. THIS PROPERTY IS SUBJECT TO ALL MATTERS SET FORTH ON THE FINAL PLAT OF THE HIGHLANDS AT LADD PARK PUD SUBDIVISION, SECTION 18, RECORDED IN PLAT BOOK P66 PAGE 118 R.O.W.C., TN AND IS SUBJECT TO ALL RESTRICTIONS OF RECORD.

2. THIS TOPOGRAPHIC SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07. THIS DOCUMENT REPRESENTS A LIMITED ACCURACY NON-MONUMENTED SURVEY OF THE PROPERTY DESCRIBED HEREON PERFORMED UNDER THE AUTHORITY OF T.C.A. 62-18-126. IT SHOULD NOT BE RELIED UPON FOR THE CONSTRUCTION OF FENCES OR OTHER IMPROVEMENTS OR FOR ESTABLISHING THE LOCATION OF PROPERTY LINES. NO BOUNDARY CORNERS WERE SET WITH THIS WORK.

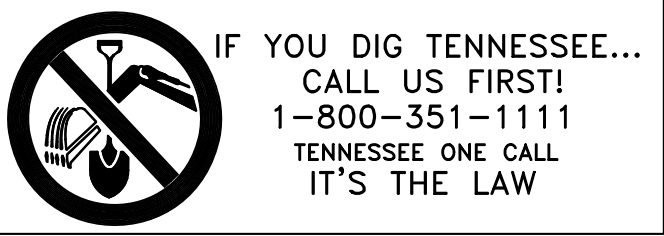
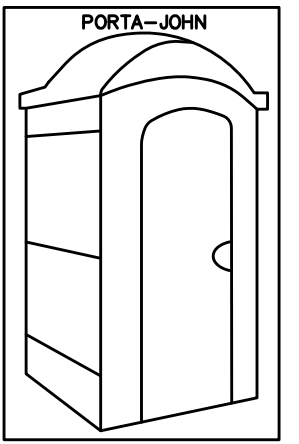
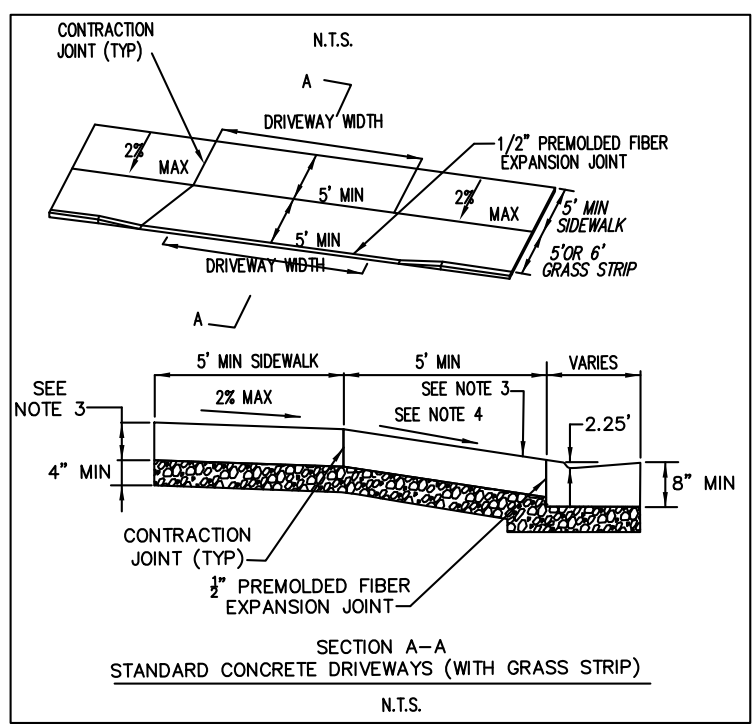
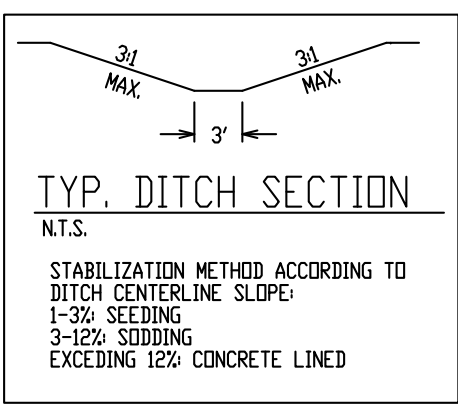
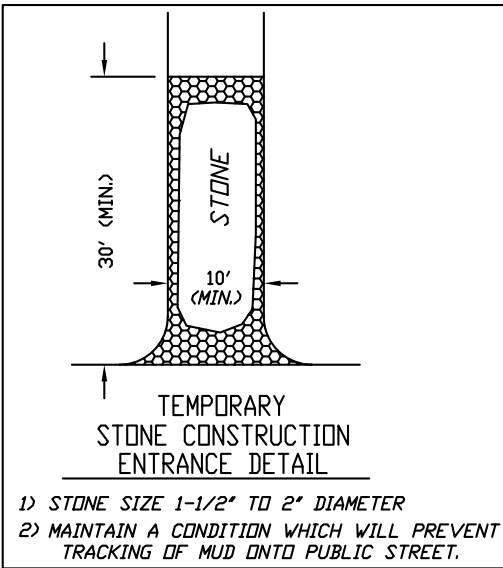
3. THE TOPOGRAPHIC DATA SHOWN ON THIS SURVEY WAS GATHERED USING STANDARD RADIAL SURVEYING TECHNIQUES WITH AN ELECTRONIC TOTAL STATION AND DATA COLLECTOR AND GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS PROCESSED BY TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND IS BASED ON THE 1988 NORTH AMERICAN VERTICAL DATUM (NAVD88).

4. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS.

5. THE PROPERTY SHOWN HEREON IS SUBJECT TO SUCH STATE OF FACT AS AN ACCURATE TITLE SEARCH, FLOOD STUDY, COMPREHENSIVE SURVEY, GEOLOGIC AND SOILS STUDY MAY REVEAL. THIS DOCUMENT IS NOT AUTHORIZED FOR USE IN DETERMINING ANY MATTERS RELATED TO ANY FLOOD ASSESSMENTS OF THE SUBJECT PROPERTY AND IMPROVEMENTS.

6. THE BUILDER IS SOLELY RESPONSIBLE FOR CONFORMING TO ALL ZONING REGULATIONS INCLUDING BUT NOT LIMITED TO BUILDING SETBACK LINES, EASEMENTS AND OTHER BUILDING, IMPROVEMENTS AND PROPERTY RESTRICTIONS AS WELL AS ANY OTHER CONDITIONS AS SET FORTH OR NOTED ON THE SUBDIVISION PLAT AND OTHER LOCAL, STATE OR FEDERAL POLICIES, REGULATIONS AND ORDINANCES THAT MAY APPLY TO THE SUBJECT PROPERTY. THIS PLOT PLAN WAS GENERATED FROM THE FOUNDATION PLAN AS PROVIDED BY OTHERS. THE BUILDER IS RESPONSIBLE FOR VERIFYING ALL BUILDING DIMENSIONS SHOWN AND SHALL REPORT ANY DISCREPANCIES TO H&H LAND SURVEYING BEFORE BEGINNING CONSTRUCTION. THE SHAPE, SIZE AND PLACEMENT OF THE PROPOSED STRUCTURE AND IMPROVEMENTS MAY CHANGE DUE TO LOT CONDITIONS OR OTHER MATTERS THAT MAY AFFECT THE SUBJECT PROPERTY. ALL LOT AND UTILITY INFORMATION SHOWN IS PER PLAT. THE LOCATION OF THE HOUSE AND IMPROVEMENTS SHOWN HEREON IS AS SPECIFIED AND DIRECTED BY THE BUILDER/CONTRACTOR.

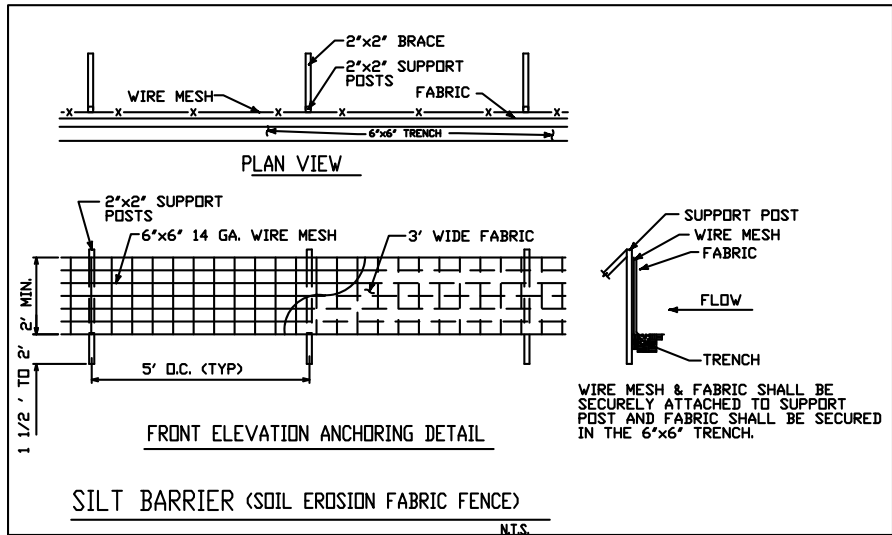
7. THE WITHIN DESCRIBED TRACT OF LAND LIES WITHIN ZONE X (UNSHADED) AS SAID TRACT PLOTS BY SCALE ON MAP NUMBER 47187C0355 F & 47187C0360 F ON THE FLOOD INSURANCE RATE MAPS FOR THE CITY FRANKLIN, WILLIAMSON COUNTY, TENNESSEE (MAPS DATED SEPTEMBER 29, 2006). (PER PLAT BOOK P66, PAGE 18, R.O.W.C., TN)



NOTE: CONTRACTOR TO ASSUME SOLE RESPONSIBILITY TO ENSURE THAT CONSTRUCTION ADHERES TO M.B.S.L.'s.

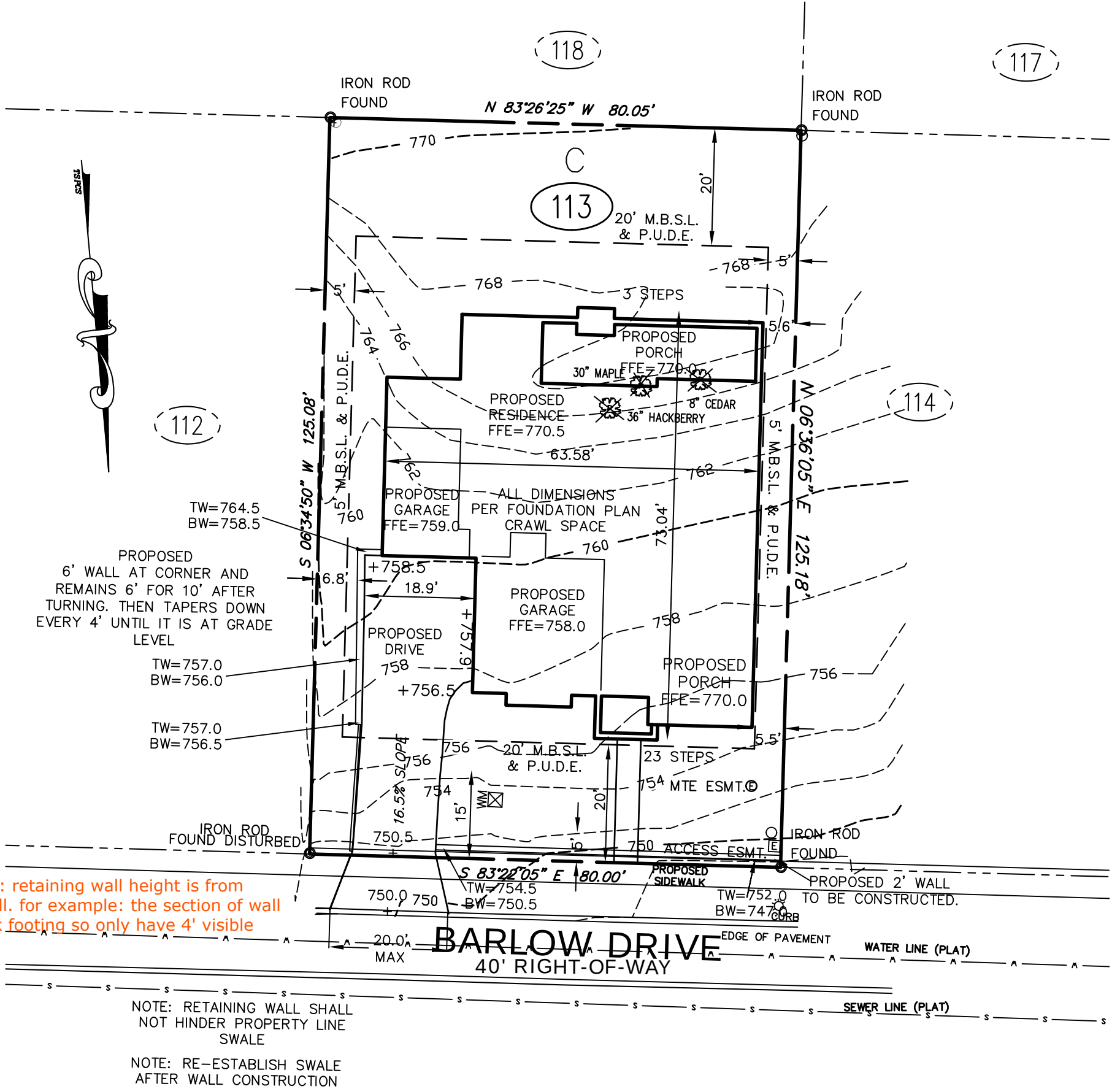
IMPERVIOUS AREA
LOT AREA=10,000.00 SQ.FT.±

PROPOSED
HOUSE WITH PORCHES - 3,760 SQ.FT.±
LEADWALK - 84 SQ.FT.±
DRIVE - 947 SQ.FT.±
WALL - 54 SQ.FT.±
TOTAL = 4,848 SQ.FT.±
COVERAGE PERCENTAGE=48%

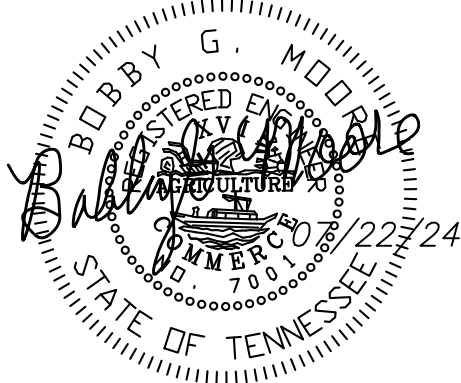


LEGEND

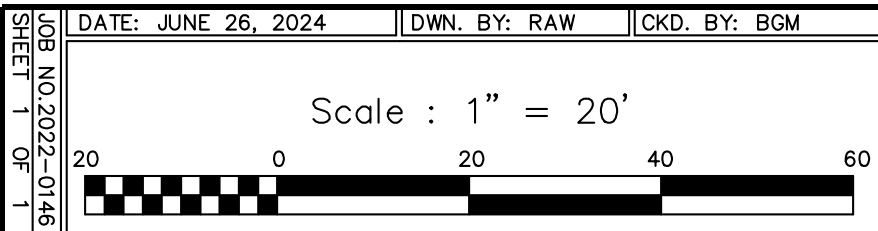
- TREE
- ELECTRIC STUB OUT
- MTE BOX
- WATER METER
- AREA LIGHT
- UNDERGROUND FIBER OPTIC CABLE
- UNDERGROUND WATER LINE
- SEWER LINE



Proposed wall along sidewalk: retaining wall height is from bottom of footer to top of wall. for example: the section of wall listed at 5' will have 12\"/>



OWNER: GLENN GRAYSON HOMEBUILDING
ADDRESS: 128 BARLOW DRIVE
CITY: FRANKLIN, WILLIAMSON COUNTY, TENNESSEE, 37064
LOT #113 SUBD. THE HIGHLANDS AT LADD PARK PUD B SUBDIVISION, SECTION 18
RECORD: PLAT BOOK P66, PAGE 18, (R.O.W.C., TN.)
MAP: 106K GROUP: O PARCEL: 01800
AREA: 10,000.00 SQ.FT. OR 0.230 AC.±
PLAN: # 63.58'X73.04' LHSE
SCALE: 1\"/>
REVISIONS
MK DATE BY CHANGE
1 04/25/22 RAW THE HOUSE WAS FLIPPED AND LOT WAS REGRADED.
2 10/26/22 RAW THE HOUSE WAS REDESIGNED.
3 06/20/23 RAW THE HOUSE WAS REDESIGNED.
4 06/26/24 RAW THE DRIVEWAY WAS REDUCED AND RETAINING WALL WAS ADDED.
5 07/03/24 TSH THE RETAINING WALL ELEV. ADDED
6 07/22/24 RAW RETAINING WALL WAS ADDED



DATE: JUNE 26, 2024 | DWN. BY: RAW | CKD. BY: BGM | TITLE: CRITICAL TREE LOT

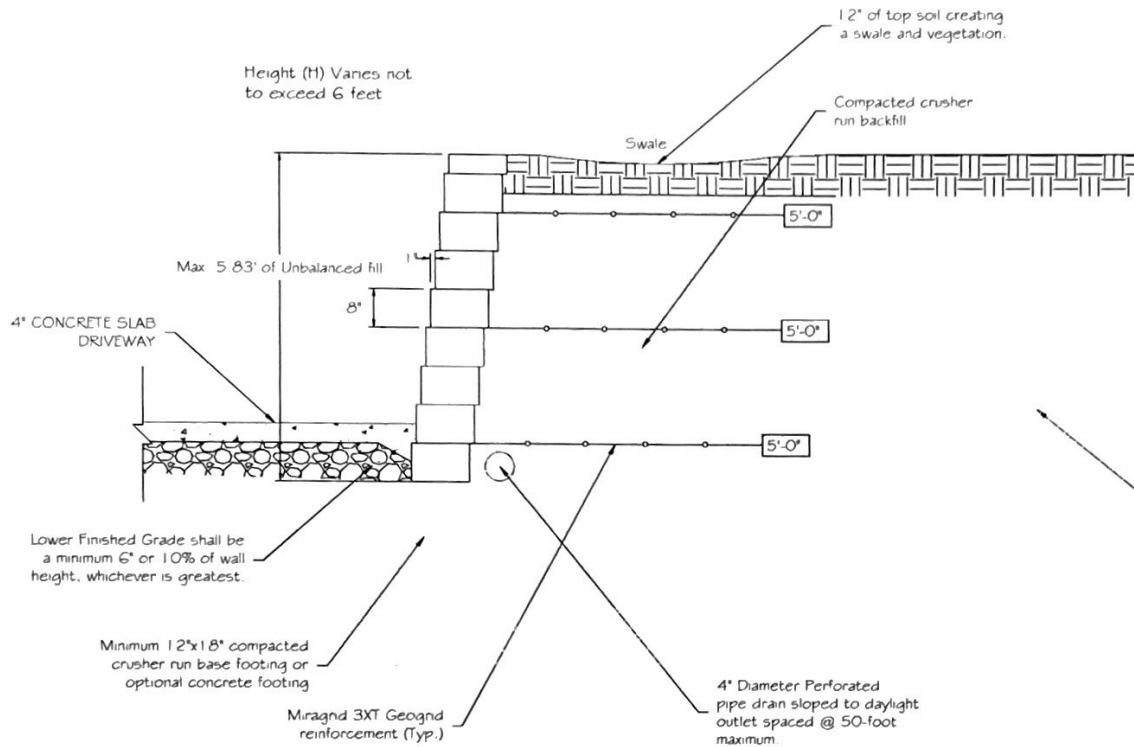
GLENN GRAYSON HOMEBUILDING

LOT 113-THE HIGHLANDS AT LADD PARK PUD SUBDIVISION, SECTION 18
PLAT BOOK P66, PAGE 18, (R.O.W.C., TN.)

H & H LAND SURVEYING, INC.

612 A FITZGUH BLVD.
SMYRNA, TENNESSEE 37167
PHONE: (615) 831-0756





GARNER ENGINEERING INC.
 Structural Engineering Consultants
 P.O. Box 495, Cookeville, TN 38503
 Phone: 931-854-0855 Email: robb@garnerengineering.net

GENERAL NOTES:

1. Strip all vegetation and organic soil from wall area.
2. Bench cut all excavated slopes to the lines and grades. Check and verify wall location and alignment prior to starting wall construction. Contractor responsible for temporary excavation support of structures.
3. Professional engineer shall verify foundation soils as being competent per design standards. Any unsuitable soils shall be removed as directed by engineer and replaced with compacted fill.
4. Follow all applicable provisions of the manufacturers installation procedures.
5. Drainage stone shall be #57 or #67 stone extended a minimum of 12" behind wall.
6. Drainage pipe shall have a minimum 1% slope.
7. Backfill and compact soil fill as each course of units is installed.
8. Contractor is responsible for surface water for moisture control for the fill material.
9. Soil compaction shall be completed by a small handheld vibrating plate.
10. See wall profile for GEOGRID embedment type, length and elevation.
11. GEOGRID shall be as manufacturer's recommendation. The GEOGRID shall be pulled tight prior to backfilling.
12. If existing conditions are different than those stated in the drawings or site soils report, the contractor shall contact the engineer prior to proceeding.
13. Fill shall be placed in 8" lifts.
14. No structure shall be constructed behind the top of the wall for a distance of 5-feet.
15. Retaining Wall Data:

(1) Internal Friction Angle:	35degrees
(2) Soil Density:	115 pcf
(3) Active Fluid Pressure:	94 pcf
(4) Passive Fluid Pressure:	424 pcf
(5) Sliding Friction Coefficient:	0.45
(6) Live Load Surcharge:	50 psf
(7) Hydrostatic Pressure:	N/A
(8) Soil bearing capacity:	2000psf

Note: Hydrostatic pressure was considered but with a low water table and well graded backfill in addition to foundation drainage and weeps, the pressure was not applicable.



				Lot 113 Ladd Park 128 Barlow Drive Franklin, TN FOR Glenn Grayson Home Builders	
				DESCRIPTION: SEGMENTED RETAINING WALL	
DATE	NO.	REVISIONS	BY	DRAWN BY: RTG	DATE: 4/25/24
				SHEET 1 OF 1	JOB NUMBER
				CHECKED BY:	04-24101
				APPROVED BY:	DRAWING NUMBER
				SCALE:	S-1

BELGARD : 16204616-40W

Belgard Allan Block Classic Wall Block AB Collection Driftwood (40 pc./pallet)



[+] Feedback