



Meeting Minutes

Historic Zoning Commission

Monday, October 14, 2024

6:00 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

Commissioner LeMarinel called the meeting to order at 6:00 PM.

Commissioners Present: Tyler LeMarinel, Mary Pearce, Kathy Worthington, Michael Orr, Bob Barrett, Brian Laster, Madalyn Ingram, and Holly Thompson

Commissioners Absent: None

Staff Present: Kelly Dannenfelser, Blake Harper, Emily Huffer, and Elizabeth Bulay

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 LeMarinel asked for citizen comments. There were none.

1. Public Comment For 904 Fair Street

Sponsors:

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

2. Consideration Of Approval Of Minutes

Sponsors:

Minutes from the previous meeting have not yet been provided and will be voted on at the next meeting.

ANNOUNCEMENTS

Ms. Huffer announced that the regularly scheduled DRC Meeting will take place on Monday, October 21, 2024, beginning at 4:00 PM.

APPLICATIONS

3. Consideration Of Alterations (Rear Deck Addition) At 100 Cottage Ln.; Daniel Jones, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Emily Huffer. The property at 100 Cottage Lane was constructed in 2014 and is part of the Boyd Mill Avenue Historic District. The proposal includes constructing a deck on the rear of the principal building. The deck is proposed to be 7' x 15' and will be composed of composite decking with an aluminum railing. The proposed location of the deck is appropriately placed per the Guidelines, as it is at the rear of the building. However, based off the plot of the original building, the proposed deck will encroach into the rear setback, right up to the property line. A variance would need to be requested for the placement of this rear deck.

Recommendation: Staff recommends approval of the rear deck with conditions.

Applicant: Daniel Jones. Mr. Jones did not have any additional information to add.

Citizen Comments: None

Motion

Commissioner Orr motioned to approve Alterations (Rear Deck Addition) at 100 Cottage Lane with staff conditions, seconded by Commissioner Worthington.

Discussion: None

The motion carried 8-0.

4. Consideration Of Alterations to The Previously Approved Retaining Wall and Fencing At 904 Fair St.; Greg Gamble, Applicant

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Emily Huffer. The construction of a retaining wall at 904 Fair Street was previously approved at the March 2024 Historic Zoning Commission meeting. The Certificate of Appropriateness approved fencing around the property that consisted of wood privacy fencing for the rear of the property (with a height of 6') and an iron picket fence for the front and a portion of the side yard fencing. Additionally, the COA approved the construction of a concrete block retaining wall to not exceed 5' in height, when 5' from the property line then it will step back from the property line further and be raised to 6' in height. The length of the approved wall was 13'-4" along the setback line. The wall has been constructed, and the length of the wall has increased in all areas from what was approved in the approved COA. The application came before the HZC during the August HZC meeting but was deferred, and a site visit was scheduled to view the retaining wall.

The Design Guidelines recommend the following for retaining walls:

- Build new retaining walls of stone or brick.

- Select retaining wall materials that are similar in scale, texture, color, and form as those historically used in the district and that are compatible with the main building.
- Avoid the use of concrete blocks, poured concrete, and exposed concrete masonry units as surface materials.

The concrete block wall does not meet the Design Guidelines' recommendations, but the Historic Zoning Commission approved its construction as there was a precedent for a white concrete wall on the property previously. Part of this application proposes painting the concrete wall a cream color that will match the existing retaining wall on the property. Since the last HZC meeting and DRC site visit, the application has incorporated feedback from both meetings into this application. The fence height is proposed to be altered from 6' to 7' to minimize the view of the retaining wall from 9th Avenue North.

The Guidelines recommend:

- Limit height to 7 feet in the rear yard

The proposed fence height is appropriate within the Guidelines.

Recommendation: Since the retaining wall style and materials were previously approved by the Historic Zoning Commission, staff recommends approval of the added length of wall and the fence height of the fence with conditions.

Applicant: Greg Gamble. Mr. Gamble explained that his firm was contacted by the Hardcastle's to help navigate the approval process and permitting after premature construction of the retaining wall had begun. The request is for the height of the privacy fence to be increased to seven feet instead of six feet so that the retaining wall is out of view of neighboring properties. The retaining wall is constructed with the same concrete block as used around the garage and on an existing wall on the property. The retaining wall length was greater than the thirteen feet as shown by the survey. The length of the retaining wall will allow the storm water runoff to be more easily managed for the Hardcastle's and keep the water from running directly onto the neighbor's property.

Citizen Comments:

Gina Level, 110 Lewisburg Avenue, and 217 Lewisburg Avenue (previously). Ms. Level explained that in updating her home at 217 Lewisburg Avenue following the design guidelines, many revisions and changes were required. The Commission coached the Level's through the process so that the results were compliant with the guidelines and pleasing to everyone involved. Ms. Level's asked the Commissioners to provide the same guidance through compliance of the design guidelines, to maintain the historic value of the district.

Cathey Scott, 900 Fair Street. Ms. Scott asked the Commission to hold the Hardcastle's accountable to the design guidelines like everyone else. The situation is a good example of what happens when rules and regulations are not followed. The Scott's moved to Franklin and invested heavily in their historic home and property. Ms. Scott noted that it's very disheartening when others disregard the rules and regulations that sustain historical value.

Steve Scott, 900 Fair Street. Mr. Scott expressed his concern about the wood privacy fence hiding the concrete retaining wall. The concrete block retaining wall will far outlive the life of a wood fence. A seven-foot privacy fence is not a justifiable reason to allow construction of a retaining wall that does not meet the requirements of the design guidelines and is not the correct message to send to the community.

Motion

Commissioner Laster motioned to deny Alterations to The Previously Approved Retaining Wall and Fencing At 904 Fair Street, seconded by Commissioner Pearce

Commissioner Laster explained that if the original request/application had been for a retaining wall of forty-four feet, the application would have been denied because the wall did not meet the requirements of the design guidelines. The Commission was under the impression that the retaining wall would be thirteen feet in length and not in view of the public view shed. The material of the wall should meet the design guideline requirements.

Commissioner Pearce stated that she was hesitant to approve the thirteen-foot cinder block retaining wall, but now that the wall is profoundly longer, this application cannot be supported.

Commissioner Orr stated that the project is a mess, and he cannot support approval of the application as it stands. Commissioner Orr noted that he expected to see a revised application that reduced the wall height.

Commissioner Barrett stated that his concern is about the length of the wall and the disregard for the natural slope of the lot.

Chair LeMarinel reminded the Commissioner and citizens that the HZC doesn't review drainage and stormwater, but the HZC does review site and setting of the property. Alterations often do relate to the site and setting of a property.

Commissioner Pearce noted a recent discussion that recommended the best way to maintain the site and setting of an historic property is to reduce the amount of manipulation of the site.

Commissioner Laster added that applicants, over the years, have requested use of landscaping or fencing that falls outside the design guidelines, but are viewed as temporary. A retaining wall is considered a permanent architectural element and a fence blocking the view of the element does not negate consideration of the design guidelines.

The motion carried 8-0.

5. **Consideration Of Window Alterations At 137 4th Ave. N.; Laura DiPasquale, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Emily Huffer. At 137 4th Avenue North, the National Register of Historic Places describes the principal building as contributing to the Downtown Franklin Historic District. The proposal is to repair all the windows on the building. As proposed, the alterations to the windows are appropriate.

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

Applicant Speaker: Katherine Morrow. Ms. Morrow asked for approval of the application so that the windows could be removed, reframed, glaze scraped off and new glaze applied.

Citizen Comments: None

Motion

Commissioner Pearce motioned to approve with conditions Window Alterations at 137 4th Avenue North, seconded by Commissioner Laster.

Discussion: None

The motion carried 8-0.

6. **Consideration Of Window Alterations At 115 2nd Ave. S. (Hiram Masonic Lodge); John Baumgartner, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Emily Huffer. The Hiram Lodge, constructed in 1823, is recognized as a National Historic Landmark. The proposal includes the repair of 15 windows on the South and North sides of the building. As proposed, the repair and restoration to the windows are appropriate and are supported by the Guidelines.

Recommendation: Staff recommends approval with conditions outlined in the staff report.

Applicant Speaker: John Baumgartner. Mr. Baumgartner stated that the windows are in dire need of preservation and repair and, with the Commission's approval, work can begin next week. The contractor has experience with historical preservation and has completed work at the Hermitage.

Citizen Comments: None

Motion

Commissioner Laster motioned to approve with conditions Window Alterations at 115 2nd Avenue South (Hiram Masonic Lodge), seconded by Commissioner Barrett.

Commissioner Laster noted that he had seen the contractor's window preservation work at the Hermitage and the group did excellent work.

The motion carried 8-0.

7. Consideration Of Signage (Convenience) At 232 Franklin Rd.; JT Manor, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. 232 Franklin Road is the site of a commercial building located in the Franklin Road Historic District. The proposal includes the installation of five convenience signs on the site for parking. Two signs will be classified as entry and exit convenience signs and three are considered as additional convenience signage for parking spaces, either wall-mounted or U-channel mounted. Convenience signage does not count towards the total sign maximum recommended for buildings as they assist in traffic circulation.

1. **Location:** The Guidelines state that a maximum of 1 per entrance and 1 per exit are permitted for convenience signs. Limited additional signs may be approved when they are not visible from the right of way. Within the application two convenience signs are proposed near the entrance and exit to the site. An additional 3 convenience signs are demarcated with yellow dots at the front of the building. The proposed locations of the entry and exit convenience signs are appropriate as they are positioned to circulate traffic on the site. The locations of the additional three convenience signs are not appropriate as they will be highly visible at the front of the building based on the recommendations of the Guidelines.
2. **Sign Area:** The Guidelines state that convenience signs may be two-sided with a maximum of 4.5 square feet per side. Where not visible from the right of way, convenience signs used for parking spaces may be up to 1.5 square feet. There are 2 convenience signs proposed at the entry and exit to the property. One is demarcated with a red dot and is proposed to be 4.8 sq. ft. and does not meet the recommendations of the Guidelines or the Zoning Ordinance. The Zoning Ordinance permits convenience signs to be at a maximum of 4.5 sq. ft. The second sign at the entry and exit is demarcated with a blue dot and is proposed to be 3 sq. ft. and is appropriate. The proposed additional signs are 1.5 sq. ft. and are appropriately sized.
3. **Height:** The Guidelines state that convenience signs should be at a maximum of 4 feet tall. Where not visible from the right-of-way, convenience signs used for parking spaces may be up to 6.5 feet tall. The proposed sign height will be 5.5' from the ground level. The proposed sign heights do not meet the recommendations of the Guidelines for the entry and exit convenience sign height maximum.

The proposed materials, design and color are appropriate.

As proposed, a few signs or aspects do not meet the recommendations of the Guidelines and requirements of the Zoning Ordinance. The additional convenience signage (in front of the business, for each parking space) does not meet the recommendation of the Guidelines as they will be highly visible from the right of way. One of the entry and exit convenience signs exceeds the sign area recommendations of the Guidelines and Zoning Ordinance. The height of the entry and exit convenience signage does not meet the recommendation of the Guidelines for height maximums but does meet the standards from the Zoning Ordinance as a mounting height of 6 feet is allowed.

Recommendation: Staff recommends approval of the convenience signage with conditions outlined in the staff report.

Applicant Speaker: David Schafer. Mr. Schafer stated that the owner has had problems with people parking incorrectly in the lot. The plan is to replace the owner's handwritten "Tow" signs with more appropriate signage.

Citizen Comments: None

Motion

Commissioner Orr motioned to approve with conditions Signage (Convenience) at 232 Franklin Road, seconded by Commissioner Pearce.

Chair LeMarinel stated that he understands the necessity for the convenience signage (paid parking signs) but cautioned that parking convenience signage may begin to pop up all over town to a degree that is too much. This is a good example of why the rules and guidelines exist. Also, because of the zoning ordinances regulations, the HZC doesn't have the ability to approve "all" signage.

Ms. Bulay stated that the zoning ordinances were updated this summer. The zoning ordinance no longer regulates additional signage that is used to designate parking spaces. However, the size recommendations are regulated by the zoning ordinance.

Commissioner Pearce stated that she understands the need to limit signage for paid parking spaces as it could completely change the character of downtown Franklin. Ms. Pearce noted that she is in favor of regulating signage as much as possible.

The motion carried 8-0.

8. Consideration Of Door Replacement (Principal) At 108 Church St.; Rita Cheng, Applicant.**Sponsors:**

Project Leader: Elizabeth Bulay. 108 Church Street is a corner unit facing Church Street and is in the Brownstones in the downtown Franklin historic district. The applicant is requesting replacement of a door on the porch of the third floor. The applicant noted that the door and threshold are compromised due to leaking. The door could be replaced in kind, but there are concerns the same internal damage will happen again. The visibility of the door is low this time of year due to the trees and landscaping. However, visibility from Church Street is greater at other times of the year. The proposed replacement door is Renewal by Anderson, which features a double opening with an arched transom. The guidelines recommend doors to be designed and compatible with the historic district. Also, doors should be designed so that they are secondary in appearance to the historic building. The proposed door has a similar configuration to doors seen on the first floor and the second floor of the Brownstones. However, the proposed door will break the rhythm of the windows and doors that currently read as windows.

Recommendation: Staff recommends approval with staff conditions outlined in the staff report.

Applicant Speaker: None

Citizen Comments: None

Chair LeMarinel stated that after talking to legal counsel, the absence of the applicant does not preclude discussion of the application or deferral to the next meeting.

Motion

Commissioner Laster motioned to defer the application to the November 11, 2024, HZC meeting as the applicant is not present, seconded by Commissioner Pearce.

Commissioner Laster stated that the homeowner should have input when the application is being discussed.

Commissioner Pearce also noted that the HZC does not discuss an application without the homeowner being present.

Commissioner Orr asked if there was something about the application that was controversial. If not, is it necessary for the applicant to be in attendance if the Commission is going to approve the item anyway? What would the applicant need to say that would make a difference?

Commissioner Pearce stated that it is more about having the applicant present when discussing the appropriateness of the request.

Chair LeMarinel stated that after the last meeting there was a situation where the applicant didn't think it was necessary to attend the meeting. Legal confirmed that if applicant is not present for discussion of the application. The HZC may vote to defer or deny the item.

The motion to defer carried 6-2 (Commissioner LeMarinel and Orr voting no).

9. **Consideration Of Fencing At 1102 W. Main St.; Joshua Thurman, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer

Project Leader: Emily Huffer. The property located at 1102 West Main Street is a part of the Hincheyville National Register District. The principal building is circa 1900 and is a Greek-Revival styled building. The proposal includes the installation of fencing in the front yard fronting the street and along the side yards. The fence will be composed of wood and painted white. The fence will be 36 inches in height and then be in 8-foot sections. At the front walkway, the fence will have a gate that will also utilize a similar design to be compatible to the proposed fencing. At the entrance to the driveway, there will be a gate in the same picket design as the fence, and it will be in two equal sections and will utilize mechanical equipment to open and close. The fencing and gates are appropriate.

Recommendation: Staff recommends approval of the proposed fencing and gates with conditions.

Applicant Speaker: Joshua Thurman. Mr. Thurman stated that the fence would add to the historical character of the property. Also, the family has four children and a dog, the fence will provide more safety from the increasing traffic on West Main Street.

Citizen Comments: None

Motion

Commissioner Orr motioned to approve with conditions Fencing At 1102 West Main Street, seconded by Commissioner Barrett.

Commissioner Laster stated that the fence is an appropriate style for the home.

The motion carried 8-0.

Mr. Harper noted that regarding the absence of the applicant when his or her item is before the Commission, HZC Bylaws indicate that item may be deferred or denied.

10. **Consideration Of Alteration (Accessory Structure Roof) At 900 Fair St.; Stephen Scott, Applicant.**

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. 900 Fair Street is in the Hincheyville National Register Historic District. This property is a corner lot that fronts 9th Avenue North and Fair Street. There are two existing accessory structures on the property. The proposal is to replace the existing green metal roofs that are found on both accessory structures. The roofs have been damaged by hail. It is proposed to replace them with an in-kind metal roof in a bronze color. The bronze color will match the existing trim and gutters found on the principal building on the property. Both structures also have existing bronze-painted trim elements as well. The proposed replacement for the roofs of the two accessory structures is appropriate and is compatible with the historic principal building and district.

Recommendation: Staff recommends approval of the roof replacement on the accessory structures with conditions outlined in the staff report.

Applicant Speaker: Stephen Scott. Mr. Scott stated that the buildings were damaged by hail in May, and it was a good opportunity to match the bronze color of the existing trim and gutters of the main house.

Citizen Comments: None

Motion

Commissioner Worthington motioned to approve with conditions Alteration (Accessory Structure Roof) at 900 Fair Street, seconded by Commissioner Laster.

The motion carried 8-0.

11. Consideration Of Alteration (Roof) At 125 S. Margin St.; Gregg Dvorak, Applicant.

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

Project Leader: Elizabeth Bulay. 125 South Margin Street is the site of a historic commercial building constructed circa 1910. The building has a gable asphalt shingle roof with a false front and board and batten exterior. The building features asphalt shingle roofing on the main section of the building and metal shed roofs. The roof is seen from the side elevations along South Margin Street but is not visible from the front elevation. The proposal is to replace the existing 3-tab asphalt shingle roof on the commercial building. This section of roofing has had repairs, coatings applied, and tarps placed to maintain the roofing. The roof structure is a barrel-shape that rises 6 feet in height and is 65' wide by 75' long. It is proposed to replace the asphalt shingle roofing with an EPDM rubber roof membrane in a white color.

The Guidelines recommend the following for roofs on historic structures:

- Preserve historic commercial roof forms and materials. Roofing sections on the main and other visible facades should remain unaltered.
- If localized damage occurs, replace the damaged materials only. If partial or wholesale replacement is needed, use materials whose composition and appearance match the historic materials.

Since the roof is barrel-shaped, the slope of the roof does not support the utilization of shingles for a roofing material. The utilization of a rubber membrane that is code-compliant would be appropriate.

Recommendation: Staff recommends approval of the roof replacement with a rubber membrane on the building with the following conditions outlined in the staff report.

Applicant Speaker: Gregg Dvorak.

Citizen comments: None

Motion

Commissioner Laster motioned to approve with conditions Alteration (Roof) At 125 South Margin Street, seconded by Commissioner Ingram.

Commissioner Worthington asked the applicant about the color of the roof and noted that the color should be approved by staff.

Commissioner Thompson noted the light color of the proposed material and asked how the material will weather over the years.

The applicant stated that the roof color would be presented to staff with no problems. Regarding the weathering of the TPO roof, the material wears similarly to a shingle roof and can be cleaned.

Commissioner Ingram asked if the material could be applied in a tile pattern.

The applicant stated that TPO material would be applied in ten-foot sections of 100-foot rolls to provide a more continuous

look.

Commissioner Pearce stated that she understands the structural need for this type of material but would like to see an example building where this type of roofing material has been used. Also, Commissioner Pearce asked Mr. LeMarinel to give his professional opinion about the proposed material.

Chair LeMarinel stated the light color of TPO material in this highly visible location will be very bright. A light gray color may work but TPO has a sheen or shine to the color that will eventually go away with time. The EPDM is a mat black color.

Chair LeMarinel and Commissioner Pearce both agreed that an example of the color should be provided.

The applicant asked the Commission if they would like to see examples of the EPDM and TPO in the white and light gray.

Chair LeMarinel stated that that seems to be direction the discussion is going.

Commissioner Orr stated that he had a tough time approving a rubber roof for a building built in 1910.

Commissioner Ingram suggested further discussion at the next DRC meeting.

Commissioner Thompson asked the applicant for other roofing material options for a barrel roof, perhaps metal.

The applicant stated that the existing building has been coated with some sort of flat material, but it's difficult to see what the original surface material was. Metal and shingle roofs are not an option in this situation.

Chair LeMarinel stated that buildings of a similar age in Nashville have modified roofs mopped with asphalt. Even though this building has a parapet, there is a lot of roof visibility on each side. Mr. LeMarinel noted that he doesn't have a problem with the material proposed, as it relates to the guidelines, other than the color must be determined. The Commission needs to see the color before installation of the roof.

Commissioner Laster noted the very light roof color in the application photos.

Ms. Bulay stated that the photo is from Google street view and has a lot of light reflection, but the roof color in person is more of a light gray.

The applicant noted that the existing coating painted over the shingles is a very light color.

The motion carried 5-3 (Commissioners Orr, Thompson and Pearce voting no).

Commissioner Pearce noted that she is pleased that the city is allowing the HZC to participate in the Sea Side Institute.

OTHER BUSINESS

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

RECEIPT OF ADMINISTRATIVE COA APPROVALS ON BEHALF OF THE HZC

12. Administrative COA 149 1st Ave. N. Signage (Band, Window, Projecting); Signs First of Franklin, Mike Alexander, Applicant.

Sponsors:

13. Administrative COA 708 W. Main St. Rear Yard Fencing, Cecil Pickens, Applicant.

Sponsors:

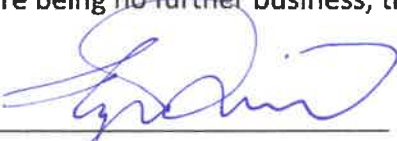
14. Administrative COA 109 1st Ave. N. Signage (Projecting Sign Reface), Erica Reynolds, Applicant.

Sponsors:

ADJOURN

Commissioner Orr motioned to adjourn, seconded by Commissioner Worthington.

There being no further business, the meeting adjourned at 7:01 PM.



Chair



Date