City of Franklin

Mailing Address:
109 3rd Ave S
Franklin, TN 37064
(615) 791-3217

Meeting Agenda

Board of Zoning Appeals

Thursday, July 3, 2025	6:00 PM	Eastern Flank Event Facility

MEETING LOCATION
Eastern Flank Event Facility
1368 Eastern Flank Circle

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.franklintn.gov/planning. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Email comments to planningintake@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 at the meeting. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the meeting or wait in the lobby.

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.)

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

APPROVAL OF MINUTES

1. Consideration Of Approval Of The June 5, 2025 BZA Minutes

ANNOUNCEMENTS

APPLICATIONS

2. A **Variance Request** To Allow A 15-Foot Encroachment Into The Required 20-Foot Rear Yard Setback For An Addition To An Existing Principal Building For The Property Located At 406 Forrest Street (F.Z.O. 3.14.5.).

   Sponsors: Amy Diaz-Barriga, Ariella Stanford

3. A **Variance Request** To Allow The Principal Building To Encroach 10 Feet Into The 25-Foot Front Setback Along Winslow Road With An Additional 6-Foot Appurtenance Encroachment For The Property Located At 246 Myles Manor Court (F.Z.O. 3.7.5.).

   Sponsors: Amy Diaz-Barriga, Ariella Stanford

4. A **Variance Request** To Allow A Roof Pitch Of 1.5:12 For An Addition To An Existing Building For The Property Located At 109 Carolyn Avenue (F.Z.O. 6.3).

   Sponsors: Amy Diaz-Barriga, Ariella Stanford

5. A **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 7-Foot Side Yard Setback For An Existing Principal Building, And A **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 5-Foot Side Yard Setback For An Existing Appurtenance On An Accessory Structure, And A **Variance Request** To Allow A Lot To Have A Minimum Landscape Surface Area Of 26 Percent For The Property Located At 417 Forrest Street (F.Z.O. 3.7.5., 12.2.2.).

   Sponsors: Emily Wright, 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.

109 3rd Ave S
Franklin, TN 37064
(615) 791-3217

City of Franklin

Meeting Minutes

Board of Zoning Appeals

Thursday, June 5, 2025 | **6:00 PM** | **Eastern Flank Event Facility**

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.franklintn.gov/planning. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Email comments to planningintake@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 at the meeting. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the meeting or wait in the lobby.

CALL TO ORDER

Chair Langley called the meeting to order at 06:00 PM

Board Members Present: Jonathan Langley (Chair), John Boehms, William Scales, Dorinda Smith, Jeff Fleishour

Board Members Absent: none

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 if there were any citizens who would like to speak to the Board members. There were none.

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

APPROVAL OF MINUTES

1. **Consideration Of Approval Of The May 1, 2025, BZA Minutes**

Sponsors:

A motion was made by Board Member Smith, seconded by Board Member Boehms to approve the Minutes from the May 1, 2025, meeting. The motion carried 5-0.

ANNOUNCEMENTS

Ms. Stanford stated that the applicant, for item #5 (406 Forest Street), has requested a deferral and staff is recommending deferral. Staff also recommended voting on this item first rather than at the end of the meeting. Chair Langley then went to Item #5 for a vote of deferral.

APPLICATIONS

2. **A Variance Request To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Rear Lot Line For The Property Located At 131 Stream Valley Boulevard (F.Z.O. 13.2.2.A.).**

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Ariella Stanford. The subject property is located at 131 Stream Valley Boulevard, and is zoned PD Planned District. There is an existing single-family home on the property and the homeowners had plans for backyard improvements, including a swimming pool. The homeowners hired a contractor to construct a multi- phased backyard improvement. The first step was to construct the retaining wall to level the backyard space, followed by outdoor space improvements, including a pool. After the retaining wall was built and prior to the start of the second phase of the backyard improvements, the contractor went out of business. Because of this, the homeowners hired another contractor for the remainder of the project, including a pool installation. When the new contractor submitted a permit for the pool, it was discovered that the original contractor had not obtained the appropriate permit from the City of Franklin to install the retaining wall, and the wall was installed closer to the property line than allowed by the Zoning Ordinance. The retaining wall is located right up to the rear property line at its closest point, but is not parallel with the rear property line, so the distance from the rear property line varies. The retaining wall reaches 6 feet in height at its tallest point, so the Zoning Ordinance requires that the retaining wall be located at least 6 feet from any property line. For this reason, the applicant is requesting a variance to allow a retaining wall to be located a minimum of 0 inches from the rear property line.

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.

Staff does not find any extraordinary conditions of this property that would prevent a retaining wall from being located the required 6 feet from the rear property line on this property. Staff finds this criteria is not met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff does not find that 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. The hardship of needing to remedy the existing wall that was built out of compliance and without a permit is self-imposed. Staff finds this criteria is not 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 is not a detriment to the public good, nor would it impair the intent of the Zoning Ordinance. The property abutting the rear property line is currently open space, but there is an approved Development Plan for a mixed-use development on that property. The approved development plan shows open space and landscaping abutting the applicant's rear property line, so the retaining wall should not negatively impact that development by being up against the property line. The intent of this ordinance is to ensure that if a retaining wall were to collapse, it would not collapse onto the neighbor's property. The retaining wall holds background that slopes up from this property to the neighbor's property behind, so if the wall were to collapse it would collapse in on the owner's property, and it isn't visible from the property behind. Staff finds this criteria is met.

RECOMMENDATION

Staff recommends the Board of Zoning Appeals move to deny the Variance Request To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Rear Lot Line For The Property Located At 131 Stream Valley Boulevard, because the criteria for granting a variance have not all been met.

Applicant Presentation: Peter and Brooke Reginelli. Mr. Reginelli explained that they were completely blindsided when the new contractor explained that the retaining wall was constructed too close to the property line. Mr. Reginelli stated that he thought he hired a reputable contractor and assumed Franklin Stone knew to follow the procedures required by the city. Ms. Reginelli stated that the property directly behind them has a steep slope and it would be difficult to build a house directly behind their property.

Public Comment:
Board Member Fleishour motioned to close the public comment, seconded by Board Member Scales. The motion carried 5-0.

Questions:
Board Member Smith asked if the retaining wall was removed and re-positioned in the correct location, would there be enough space for a pool.

Mr. Reginelli stated that there would be space for a narrow lap pool.

Board Member Fleishour stated that the water line cannot be in the setback of the property line.

Chair Langley asked if anyone has explored the opportunity for re-grading of the area or is the retaining wall required given the site conditions.

Mr. Reginelli explained that the retaining wall was well-built with drainage considerations. The wall height extends from 2 feet to just over 6 feet in height. The wall stairsteps as the height increases and nicely transitions to the neighboring property.

Board Member Smith noted that the photos can be misleading as the slope is higher than it appears in the photos.

Board Member Scales asked if Franklin Stone had been paid in full and if Franklin Stone was hired for the pool installation.

Ms. Reginelli answered yes, Franklin Stone has been paid and stated that the retaining wall was constructed 3 or 4 years ago shortly after they moved into the home. Recently, when the new contractor attempted to obtain the appropriate permits for pool construction, the issue with the retaining wall location was discovered.

Mr. Reginelli explained that the retaining wall was the first phase of the backyard plan with the pool being the second phase.

MOTION
Board Member Scales motioned to approve a Variance Request To Allow A Retaining Wall To Be Located A Minimum Of 0 Inches From The Rear Lot Line For The Property Located At 131 Stream Valley Boulevard because the criteria for granting a variance request have been met, seconded by Board Member Fleishour.

Board Member Scales stated that the BZA evaluates variance requests on a case-by-case basis. Regarding criteria #3, the situation does not appear to be a detriment to the public good. The applicant did not create the situation and was unaware until recently that the retaining wall was constructed within the 6-foot setback of the property line, creating a practical difficulty. Given the situation, the family with six children cannot use the backyard space as intended, creating an exception. For these reasons, Board Member Scales stated that he believes the criteria for granting a variance request have been met.

Board Member Fleishour agreed with Mr. Scales.

Chair Langley stated that the topography of the lot is unique, and it doesn't appear that regrading of the slope would have been possible. There is an existing tree line where the retaining wall height is 6 feet and the city would probably recommend preservation of the tree line, adding to the uniqueness of the lot.

Board Member Smith stated that in rationalizing criteria number one, she considered whether she would vote to approve the

variance request if the application was presented, three years ago, as a variance request to allow construction of a retaining wall on the property line. Ms. Smith stated that she would vote for approval given the uniqueness and topography of the lot.

The motion carried 5-0

3. A Variance Request To Allow A Principal Building To Be Located 155 Feet From The Front Lot Line For The Property Located At 1268 Lewisburg Pike (F.Z.O. 3.13.5.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Ariella Stanford. This 5.79-acre lot is located at 1268 Lewisburg Pike, and is zoned Neighborhood Commercial District. There is an existing preschool building with associated parking on the property, located at the corner of Lewisburg Pike and Henpeck Lane. There is also a creek (Fivemile Creek) that runs through the property, and wetland buffers associated with the creek that take up a large portion of the property. The applicant is proposing a badminton facility on the property, in addition to the existing preschool. To locate the building outside of the wetland buffers, the applicant is proposing to locate the badminton facility farther north, and farther from the front lot line than the Zoning Ordinance allows. The Zoning Ordinance allows principal buildings in this zoning district to be located a maximum of 45 feet from the front lot line. The applicant is requesting a variance to locate the badminton facility building 155 feet from the front lot line. Staff would also like to note that the wetland buffer zones shown on the submitted concept plan do not match the buffer zones on the plat. The applicant has been working with the City of Franklin Stormwater Management Staff to come up with a design that Staff is satisfied with. With that being said, this proposal will also need to get a Stormwater Variance to go forward with this project.

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:

Criteria #1. Staff Justification
Due to the shape of the lot, along with the wetland area and associated buffer zones on the property, any additional building on the property cannot comply with the maximum front setback requirement in
the Zoning Ordinance. The existing preschool building, parking and roadway access, and wetland area together occupy the front setback areas along both Lewisburg Pike and Henpeck Lane. This property is also unique in shape, contributing to a large portion of the buildable area of the lot being behind the wetland area which is farther from the front lot line than the Zoning Ordinance allows. Staff finds this criteria is met.

Criteria #2. Staff Justification
Compliance with the 45-foot maximum setback regulation in the Zoning Ordinance in this case would result in a large area of this lot being unbuildable, given the wetland and buffer areas, along with the
shape of the lot. Staff finds this criteria is met.

Criteria #3. Staff Justification
This request would not be a detriment to the public good or substantially impair the intent of the Zoning Ordinance. The concept plan is designed to preserve the existing wetland area, maintain efficient stormwater management of the site, and limit disturbance of the site. These efforts ensure coherence with the surrounding properties. The intent of this Zoning Ordinance regulation is that buildings should activate the street by creating an inviting pedestrian experience, and views from the street should not be of parking lots. The concept plan was designed with the building as close to the front lot line as possible, with parking located behind the building. This shows effort to meet the intent of the Zoning Ordinance, and that this design is the minimum necessary deviation from the regulations of the Zoning Ordinance. Staff finds this criteria is met.

RECOMMENDATION
Staff recommends the Board of Zoning Appeals move to approve the Variance Request To Allow A Principal Building To Be Located 155 Feet From The Front Lot Line For The Property Located At 1268 Lewisburg Pike, because the criteria for granting a variance have been met.

Applicant Presentation: Drake Reeder, Gamble Design Collaborative. Mr. Reeder thanked staff for the report and reiterated

that the only deviation from the zoning ordinance is the inability to meet the 45 ft. setback required and preserve as much of the wetland area as possible.

Public Comment:

Katherine Dobie, 1251 Lewisburg Pike. Ms. Dobie asked what was the intended use of the proposed facility.

Board Member Smith motioned to close the public comment, seconded by Board Member Boehms.
The motion carried 5-0.

Questions:
Board Member Smith asked why the zoning ordinance states that the property cannot have a setback further than 45 ft. This area is not pedestrian-friendly and is without a sidewalk. Why is the setback at a maximum of 45 feet?

Ms. Diaz-Barriga explained that the goal of Neighborhood Commercial (NC) zoning is to encourage walkability in the NC nodes around the city. The idea is that when buildings are closer to the street, small retail and neighborhoods, this environment fosters a sense of community. In this situation, although the area is more rural, the Board of Mayor and Aldermen deemed the appropriate designation as Neighbor Commercial. In the future, sidewalks may be built depending on development around the area. The intent of the ordinance is to encourage buildings to be constructed closer to the street rather than further back than the maximum of 45 feet.

MOTION
Board Member Smith motioned to approve a Variance Request To Allow A Principal Building To Be Located 155 Feet From The Front Lot Line For The Property Located At 1268 Lewisburg Pike because the criteria for granting a variance request have been met, seconded Board Member Scales.

The motion carried 5-0.

4. A Variance Request To Allow For Taller Than Allowable Retaining Walls Within A Side/Rear Yard, And A Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater For The Property Located At 415 Canterbury Rise (F.Z.O. 13.2.4., 17.1.2.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Ariella Stanford. This 1.29-acre lot is located at 415 Canterbury Rise within the Avalon Subdivision and is zoned PD for Planned District. The applicant wishes to develop the parcel with a single-family home, the designs of which can be seen in the applicant's submitted materials. The Avalon PUD Subdivision was approved and platted prior to the establishment of the HHO district and the 500-foot Buffer of the Hillside Overlay. This property now lies within the 500-foot Buffer of the Hillside Overlay. As shown in the 'Slopes Greater Than 20% Exhibit', a large portion of the lot is covered in slopes with grades over 20%. This limits the buildable area to a specific portion of the site, seeing as the Franklin Zoning Ordinance does not allow for development on slopes greater than 20% to protect natural features. The steep slopes on the property also create a need for taller retaining walls than the Zoning Ordinance allows. The Zoning Ordinance allows retaining walls up to 6 feet in height, and the proposed development has retaining walls up to approximately 8 feet. Staff would like to note that the applicant anticipated the need for a third variance request for more than 3 retaining walls on the site, but it was determined that the additional walls (highlighted in yellow in the "Retaining Walls" exhibit) are not retaining and do not require an additional variance. The 3 retaining walls, in compliance with the number of retaining walls allowed in the Zoning Ordinance regulations, are highlighted in blue, green, and pink in the "Retaining Walls" exhibit.

Staff has determined that two Variances would be needed to approve the provided designs. These variances are:
To allow for retaining walls to be higher than the maximum 6 feet when in a rear/side yard.
To allow encroachments into areas with a slope of 20% or greater.

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 for retaining walls to be higher than the maximum 6 feet when in a rear/side yard.

Criteria #1. Staff Justification
There are exceptional topographic conditions which require the use of retaining walls to support development. The Franklin Zoning Ordinance allows for retaining walls located in the rear/side yard of a residence to be a maximum of 6 feet in height. The applicant has requested retaining wall heights up to 8-feet in the rear and side yard of the property to ensure structural integrity of the proposed development. Due to the exceptional slope conditions across the site, staff finds the criteria for Request 1 to be met.

Criteria #2. Staff Justification
Strict application of the Zoning Ordinance would create practical difficulties in the development of this site due to exceptional topographic conditions that exist. Due to the exceptionally steep slope conditions, retaining walls taller than 6-feet are necessary to support a single-family home on this site. Therefore, staff finds the criteria for Request 1 to be met.

Criteria #3. Staff Justification
Allowing for taller retaining walls in the rear yard of this site would not be a detriment to the public good, nor would it impair the purpose and intent of the Zoning Ordinance. The Zoning Ordinance limits the height of retaining walls on a residential site to prevent a site from being dominated by retaining walls which may result in aesthetic concerns for neighboring property owners and the community. Because several neighboring lots within the Avalon Subdivision have also had to implement unique retaining walls, this development would not contradict the aesthetic qualities of the neighborhood. In addition, the applicant has determined that retaining walls up to 8-feet are the minimum height necessary to support the proposed development, and they have designed the retaining walls to be tiered to reduce their height. Staff finds the criteria for Request 1 to be met.

Request 2: To allow encroachments into areas with a slope of 20% or greater.

Criteria #1. Staff Justification
While there is a large portion of the lot that has slopes greater than 20%, there is also a large portion of the lot that does not have slopes greater than 20%. Based on the submitted materials, Staff was not able to determine that it would not be possible to build a single-family home on the area with slopes less than 20%. The area of the lot with slopes less than 20% has access to the street, and appears to be approximately half the square footage of the lot. Without more information proving that the area of the lot with slopes less than 20% cannot be developed with a single-family home, Staff cannot determine that this criteria for Request 2 is met.

Criteria #2. Staff Justification
Staff was not provided sufficient justification that the strict application of the Zoning Ordinance in this case would necessarily result in exceptional hardship. Based on the submitted documents, Staff does not have sufficient evidence to determine that the area with slopes less than 20% could not be developed with a single-family home. Staff cannot determine that this criteria for Request 2 is met.

Criteria #3. Staff Justification
Allowing encroachment into areas with slopes of 20% or greater on the site would not be a detriment to the public good, but it may impair the intent of the Zoning Ordinance. The lot is currently neighbored by lots with similar topography that have utilized similar site grading techniques, so this development would not contradict the aesthetic qualities of the neighborhood. The intent of the Zoning Ordinance for this lot is to allow a single-family residential home to be built, and to protect the natural hillsides on lots with steep slopes. Without more information proving that the area of the lot with slopes less than 20% cannot be developed with a single-family home, Staff cannot determine that this criteria for Request 2 is met.

RECOMMENDATION
Staff recommends the Board of Zoning Appeals move to approve the Variance Request To Allow For Taller Than Allowable Retaining Walls Within A Side/Rear Yard, And disapprove A Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater For The Property Located At 415 Canterbury Rise, because the criteria for granting a variance have been met for Request 1, and have not been met for Request 2.

Applicant Presentation: Ed Tessier, Landscape Architect. Mr. Tessier provided additional documentation to show the context

of the buildable area given the zoning ordinance requirements.

Public Comment: An email was received from Kelly Gammer.

Board Member Smith motioned to close the public comment, seconded by Board Member Boehms.
The motion carried 5-0.

QUESTIONS:

Board Member Fleishour asked a question, but his microphone was off, so it was not heard by the general public.

Chair Langley stated that looking at the exhibit provided by the applicant, asked if the buildable area per the exhibits is indicated by the white area.

Mr. Tessier stated, yes.

Ms. Stanford noted that the applicant is hoping to have the front setback set similarly to the other homes along the street which is 55 feet from the front lot line. The platted setback is listed as 25 ft. and officially the applicant does not need to adhere to the 55-foot setback requirements.

Board Member Fleishour noted that because the lot is a corner lot there would be two setbacks.

Chair Langley asked if the new document shows the 25-foot setback.

Mr. Tessier stated yes but also a contextual view is shown (55-foot setback) to keep with the harmony of the street.

MOTION
Board Member Scales motioned to approve a Variance Request To Allow For Taller Than Allowable Retaining Walls Within A Side/Rear Yard, And A Variance Request To Allow For Encroachments Into Areas With Slopes Of 20% Or Greater For The Property Located At 415 Canterbury Rise because the criteria for granting a variance request for request 1 and 2 have been met, seconded by Board Member Fleishour.

Board Member Scales stated that staff comments, regarding request #2, were addressed by the applicant's additional document. The document demonstrates the need to encroach into the 20% slope.

Chair Langley agreed with Board Member Scales and stated that given the corner lot and seeing the context of the neighborhood and the small buildable area helps to understand the situation the applicant is faced with.

The motion carried 5-0.

5. A Variance Request To Allow A 15-Foot Encroachment Into The Required 20-Foot Rear Yard Setback For An Addition To An Existing Principal Building For The Property Located At 406 Forrest Street (F.Z.O. 3.14.5.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Applicant: Phillippe Vander Elst. Mr. Vander Elst was present and confirmed that he would like the item to be deferred to the next meeting.

MOTION
Commissioner Smith motioned to defer, Item #5, A Variance Request To Allow A 15-Foot Encroachment Into The Required 20-Foot Rear Yard Setback For An Addition To An Existing Principal Building For The Property Located At 406 Forrest Street to the July 3, 2025, BZA meeting, seconded by Board Member Scales. The motion carried 5-0.

OTHER BUSINESS

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

ADJOURN

Board Member Smith motioned to adjourn the June 5, 2025, BZA meeting, seconded by Board Member Scales.

The motion carried 5-0.

There being no further business, the meeting adjourned at 06:47 PM.

_____ _____

Chair Date

City of Franklin

109 3rd Ave S.
Franklin, TN 37064
(615) 791-3217

File #: 21-0620

DATE: June 19, 2025

TO: Board of Zoning Appeals

FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A 15-Foot Encroachment Into The Required 20-Foot Rear Yard Setback For An Addition To An Existing Principal Building For The Property Located At 406 Forrest Street (F.Z.O. 3.14.5.).

PURPOSE:

PROJECT INFORMATION
COF Project Number: 8802
Applicant: Jenilee Vander Elst
Owner: Jenilee and Philippe Vander Elst

BACKGROUND/STAFF COMMENTS:
Vicinity Zoning/Land Use
Site: Central Commercial District / Residential Single Family
North: Central Commercial District / Mixed Non-Residential
South: Central Commercial District / Residential Single Family
East: Central Commercial District / Institutional
West: R-4 Residential 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 inconviences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

3.14.5. Central Commercial District; Dimensional Standards
Principal Building Setbacks

Rear Yard	20 feet min

Background
The subject property is located at 406 Forrest Street, and is zoned Central Commercial District. There is an existing single family home on the property, and the owners are proposing an addition to the back of the house. The proposed addition would be located up to 5 feet from the rear property line. The Central Commercial district requires principal buildings to be located a minimum of 20 feet from the rear property line. For this reason, the applicant is requesting a variance to allow the principal building to encroach 15 feet into the 20-foot rear yard setback.

This item was deferred from the June 5, 2025 BZA meeting. The applicant did not submit any new information since their submittal last month.

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 lot currently has a single family home that is a reasonable size and consistent with the size of the homes on the street. The lot is also ordinary in shape and topography. Seeing as this lot has already been developed consistently with the context of the street, Staff does not find an extraordinary condition preventing development as required under the ordinance. Staff finds this criteria is not met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff does not find that the strict application of the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property. Staff finds that the existing home is consistent with the context of the street, and it would not be a hardship to leave the home as it exists currently. Staff finds this criteria is not 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.

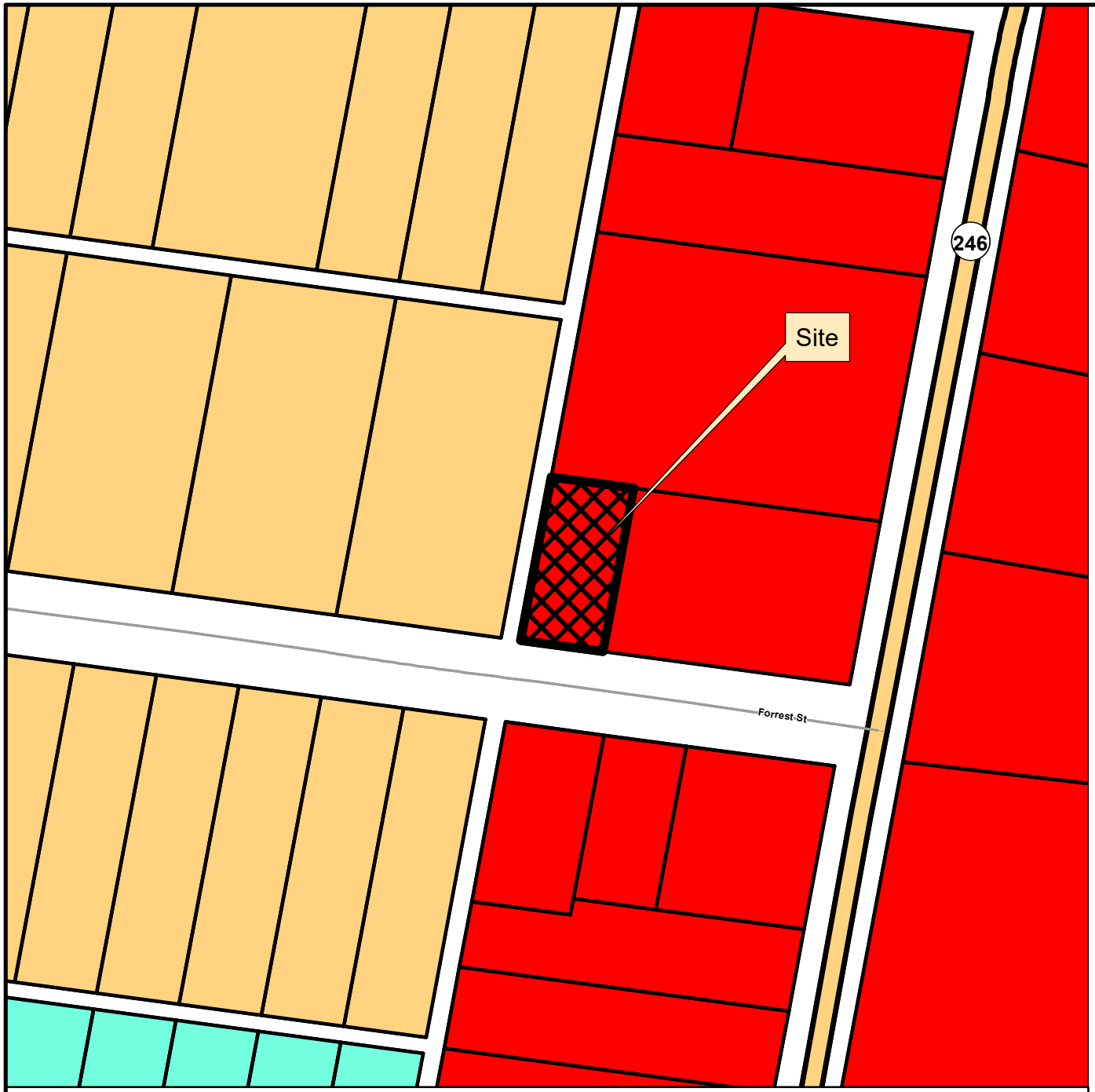
Staff finds that this request would not be a detriment to the public good and would not impair the intent of the Zoning Ordinance. Part of the intent of this Zoning Ordinance requirement is that setbacks would be consistent between lots for aesthetic reasons. This lot is not as deep as it's neighboring property to the west, and there is not a building located directly to the north, so an addition to the home 5 feet from the rear property line would not look out of place and would not be located too close to a building on the property to the north. For these reasons, Staff finds this criteria is met.

FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to **deny** the Variance Request To Allow A 15-Foot Encroachment Into The Required 20-Foot Rear Yard Setback For An Addition To An Existing Principal Building For The Property Located At 406 Forrest Street, because the criteria for granting a variance have not all been met.



406 FORREST STREET
TAX MAP 078G, GROUP C, PARCEL 01700
BOARD OF ZONING APPEALS
JUNE 5, 2025

**This property is also within the CFO, which is not shown for clarity purposes.

Legend

- 406 Forrest Street
- 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 District
- CC Central Commercial District
- DD Downtown District
- 1ST Avenue District
- 5TH Avenue District
- RC4 Regional Commerce 4 District
- RC6 Regional Commerce 6 District
- RC12 Regional Commerce 12 District
- GO General Office District
- LI Light Industrial District
- HI Heavy Industrial District

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It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
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N

0 250 500 1,000
Feet

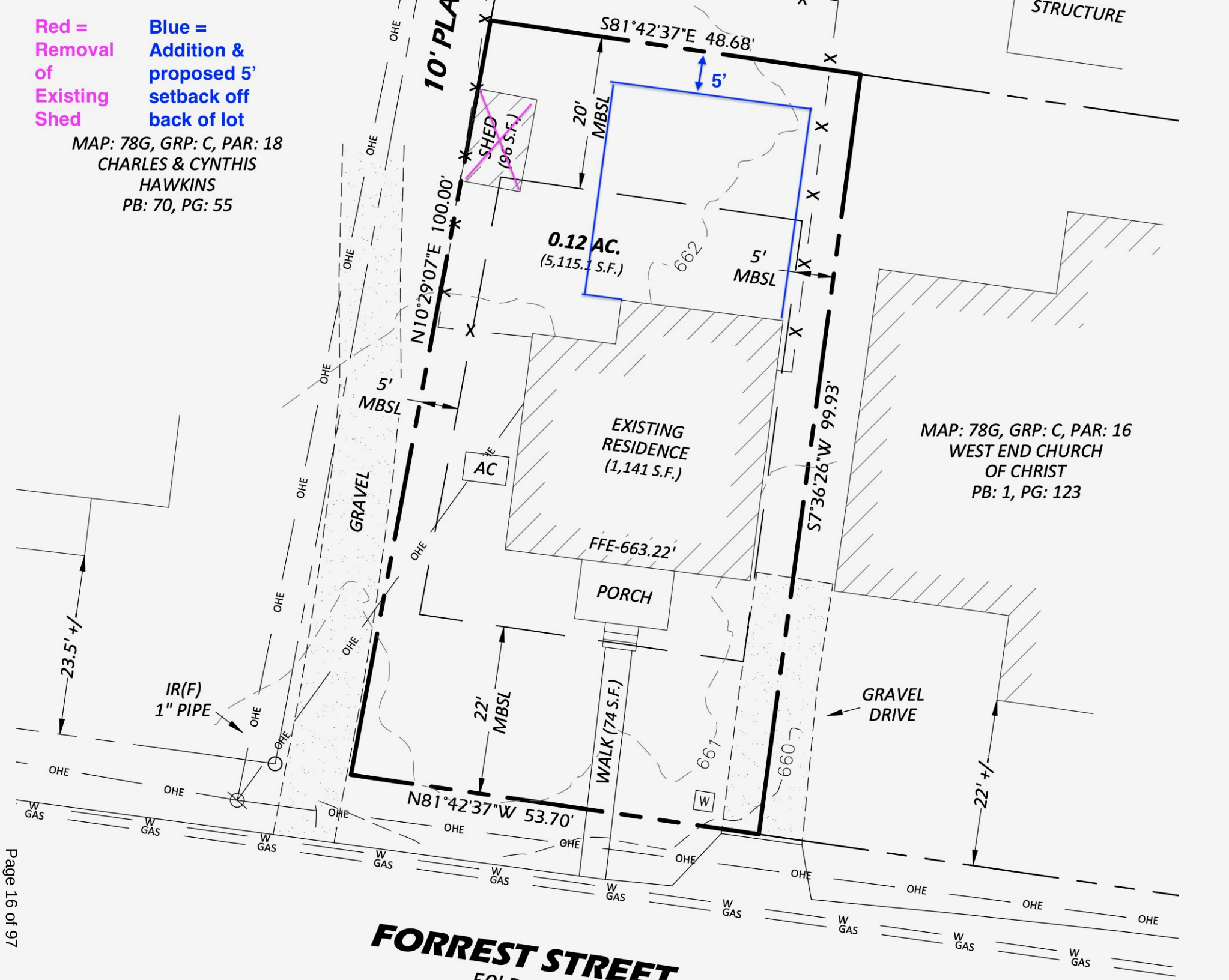
HISTORIC FRANKLIN TENNESSEE

Justification Letter Jenilee and Philippe Vander Elst
406 Forrest Street Franklin TN 37064

We have lived at 406 Forrest Street Franklin TN 37064 for almost 13 years as of June 2025. We have two boys, ages 10 and 12, and we have our third arriving July 2025. As our family grows, we would like to be able to stay in our home. Currently the house is a very small, 1,200 sq. ft. 2-bedroom, 1-bathroom, due to our growing family we are looking to obtain an additional bedroom & bathroom.

Our lot is the only lot on our street that is roughly half the length in size due to its unique commercial / residential status. It appears it was once a part of the church lot, and at some point, was broken off, (possibly for a parish house?). Due to the existing 20 ft setback, we are unable to add an addition onto the back of our house as it would only allow for 5ft to build out. We have no adjacent building behind our property, just an open field.

We are requesting the existing 20ft setback off the property line to be changed to a 5ft set back.


Red = Removal of Existing Shed
Blue = Addition & proposed 5' setback off back of lot
MAP: 78G, GRP: C, PAR: 18
CHARLES & CYNTHIS HAWKINS
PB: 70, PG: 55
10' PLA
S81°42'37"E 48.68'
5'
20' MBSL
SHED (96 S.F.)
N10°29'07"E 100.00'
0.12 AC.
(5,115.1 S.F.)
662
5' MBSL
5' MBSL
GRAVEL
AC
EXISTING RESIDENCE
(1,141 S.F.)
FFE-663.22'
PORCH
S7°36'26"W 99.93'
MAP: 78G, GRP: C, PAR: 16
WEST END CHURCH OF CHRIST
PB: 1, PG: 123
STRUCTURE
23.5' +/-
IR(F)
1" PIPE
22' MBSL
WALK (74 S.F.)
GRAVEL DRIVE
661
660
22' +/-
N81°42'37"W 53.70'
OHE
W GAS
FORREST STREET

Brotherton Land Surveying

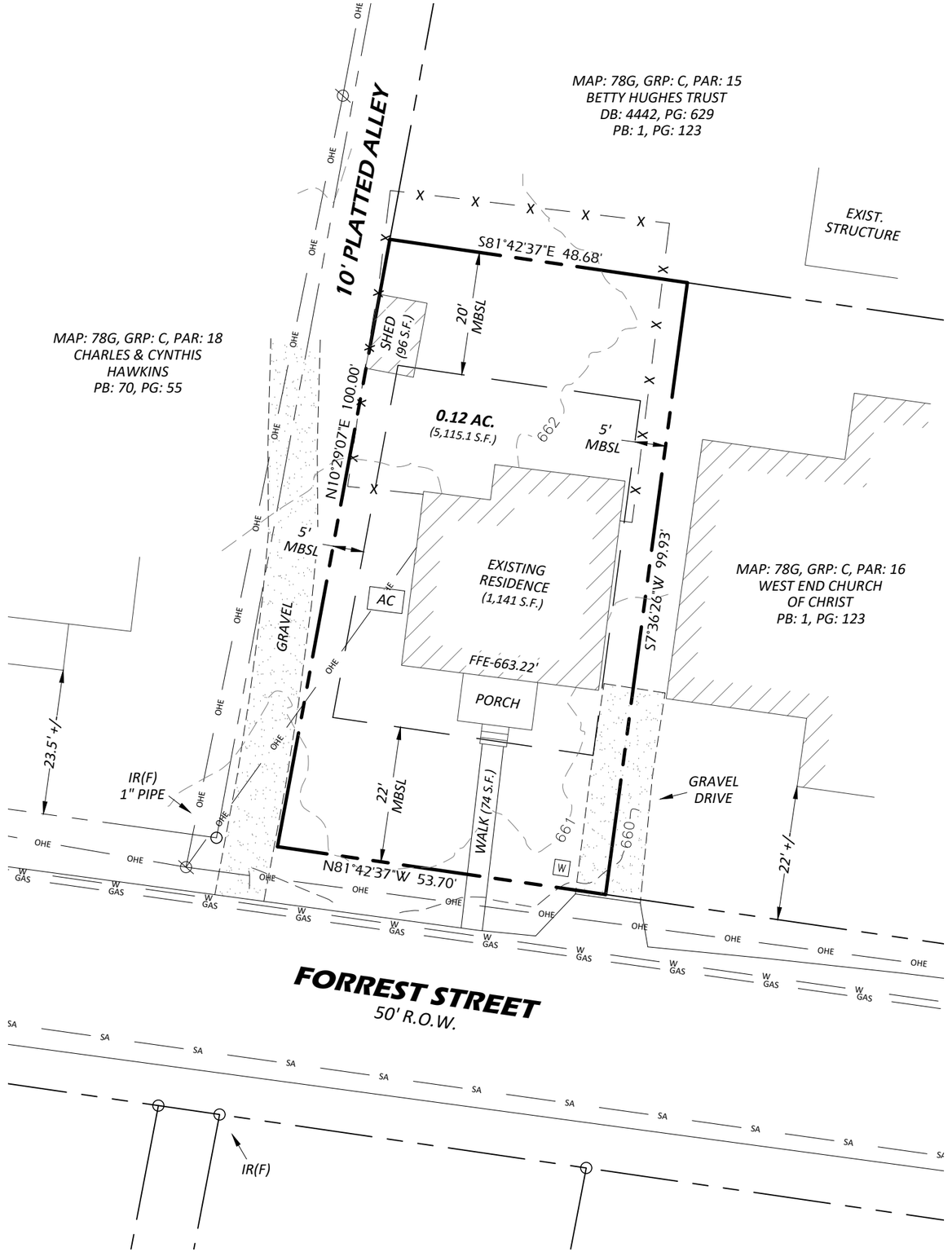
Keith Brotherton, RLS
Cell: 615-939-3419
Email: keith@brothertonsurveys.com
256 Seaboard Lane, Suite E-106, Franklin, TN 37067

20' 0' 20' 40'
GRAPHIC SCALE

TOTAL ACREAGE:	**0.12 AC.**
TOTAL LOT AREA:	**5,115.1 S.F.**
PRE IMPERVIOUS:	1,311.0 S.F.
POST IMPERVIOUS:	0.00 S.F.
NET:	0.00 S.F.
IMPERVIOUS AREA TO LOT RATIO	
PRE:	25.63%
POST:	0.00%
NET:	0.00%

LEGEND

- IRON ROD FOUND - IR(F)
- IRON ROD SET - IR(S)
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- SANITARY SEWER MH
- SANITARY SEWER SERV.
- UTILITY POLE
- GAS METER
- GRINDER PUMP
- BENCHMARK
- DECIDUOUS TREE
- SANITARY SEWER — SA —
- WATER — W —
- OVERHEAD ELEC — OHE —
- BOUNDARY
- FENCE — X — X —





VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

1. *PURPOSE: RESIDENTIAL SITE PLAN - EXISTING CONDITIONS.*
2. *SUBJECT PROPERTY PRESENTLY IDENTIFIED AS PARCEL 17, ON THE WILLIAMSON COUNTY TAX MAP 75G, GROUP "C". SAID PROPERTY IS FURTHER IDENTIFIED AS WESTERN P/O LOTS 1 & 2 OF LYNNHURST, BLOCK "C" AND IS SUBJECT TO ALL MATTERS SET FORTH ON THE FINAL PLAT AS RECORDED IN PLAT BOOK 1, PAGE 123 IN THE WILLIAMSON COUNTY REGISTERS OF DEEDS OFFICE AND TO ALL RESTRICTIONS OF RECORD.*
3. *PROPERTY ZONING: CENTRAL COMMERCIAL DISTRICT - CC (CITY OF FRANKLIN).*
4. *BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83).*
5. *DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.*
6. *THE CERTIFICATION, AS SHOWN ON THIS SURVEY, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE PROVIDED BY OTHERS. THE CERTIFICATION IS NOT AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.*
7. *THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS OF SUCH REPORT. OTHER DOCUMENTS OF RECORD MAY EXIST THAT WOULD AFFECT THESE PARCEL(S) INCLUDING BOTH RECORDED EASEMENTS AND THOSE UNKNOWN TO THIS SURVEYOR.*
8. *UTILITIES SHOWN HEREON WERE COMPILED FROM VISIBLE STRUCTURES AT THE SITE, INFORMATION FROM PLANS, AND PHYSICAL MARKINGS COMBINED TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. VERIFICATION OF EXISTENCE, LOCATIONS, AND DEPTHS SHOULD BE MADE BEFORE CONDUCTING ANY EXCAVATION IN THE VICINITY OF THE UTILITY.*
9. *I HEREBY CERTIFY THAT THIS IS A CATEGORY IV SURVEY AND WAS CONDUCTED IN ACCORDANCE WITH RULE 0820-03.11 (GLOBAL POSITION SYSTEMS SURVEYS) ACCORDING TO THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. THIS SURVEY WAS CONDUCTED WITH DUAL-FREQUENCY RTK GPS EQUIPMENT BASED ON THE TDOT CORPS NETWORK UTILIZING BASE AND ROVER.*
   a. *POSITIONAL ACCURACY: 0.08'*
   b. *DATE OF SURVEY: 01/30/2024*
   c. *DATUM/EPOCH: TENNESSEE STATE PLANE (NAD83). OCCUPATIONS FOR CONTROL POINTS ARE 3 MINUTES EACH, SIDE SHOTS ARE 3 SECONDS.*
   d. *GEOID 18.*
   e. *NO COMBINED GRID FACTORS WERE USED.*

KEITH RYAN BROTHERTON
REGISTERED LAND SURVEYOR
XVI
STATE OF TENNESSEE
DEPARTMENT OF AGRICULTURE
COMMERCE
TENNESSEE NO. 2850
3/6/24

SITE PLAN - EXISTING CONDITIONS

MAP: 78G, GRP: C, PARCEL: 17
W. P/O LOTS 1 & 2 OF LYNNHURST, BLOCK "C"
PLAT BOOK: 1, PAGE: 123
406 FORREST STREET, FRANKLIN, TN 37064
9TH CIVIL DISTRICT, WILLIAMSON COUNTY, TN
FOR: PHILLIPPE VANDER ELST

DRAWN BY: KRB	*DATE: 03/06/2024*	*SHEET NO.*
PROJECT NO. 23-110	*SCALE: 1"=20'*	*1 OF 1*

File #: 21-0732

DATE: June 19, 2025

TO: Board of Zoning Appeals

FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow The Principal Building To Encroach 10 Feet Into The 25-Foot Front Setback Along Winslow Road With An Additional 6-Foot Appurtenance Encroachment For The Property Located At 246 Myles Manor Court (F.Z.O. 3.7.5.).

PURPOSE:

PROJECT INFORMATION
COF Project Number: 8748
Applicant: Andrew King, AK Designs
Owner: John Mark Spivey, ElJack Custom Homes LLC

BACKGROUND/STAFF COMMENTS:
Vicinity Zoning/Land Use
Site: R-4 Residential / Vacant
North: R-4 Residential / Residential Single Family
South: R-4 Residential / Residential Single Family
East: R-4 Residential / Residential Single Family
West: ER Estate Residential / Estate Residential

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 inconviences 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
Principal Building Setbacks Minimum

Front Yard	Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10 feet.

Background
This 0.21 acre property is located at 246 Myles Manor Court and is zoned R-4 Residential 4 District. It is also within the Historic Preservation Overlay and the Central Franklin Overlay. The applicant is proposing a single-family house on the property. Because this is a corner lot, the property has 2 front setbacks: 31-foot setback along Myles Manor Court, and 25-foot setback along Winslow Road. With the width of the lot being approximately 60 feet, the front setback of 25 feet along Winslow Road, and the 7-foot side setback, the width of the buildable area is approximately 28 feet.

The applicant has faced challenges designing a home that complies with the 25-foot front setback along Winslow Road that the Historic Preservation Design Review Committee (DRC) would also support. The applicant attended DRC on June 2024, August 2024, and September 2024. The applicant then submitted for a Certificate of Appropriateness (COA) and attended the November 2024 Historic Zoning Commission (HZC) meeting. That COA was denied and it was discovered that the property needed to be replatted to consolidate the original lots which had been sold by deed but had not established revised lot lines. Once the property was in the process of replatting, the required 25' front setback along Winslow Road was established based on the survey and calculations of the existing block face (per R4 zoning district requirements). When it proved difficult to design a contextually relevant home within the setback requirement along Winslow Road, the applicant submitted design plans to the DRC showing 3 different setback options along Winslow Road: 15', 20', and 25'. Assistant Historic Preservation Planner Elizabeth Bulay sent the following language to the applicant as a recap of the feedback provided by the DRC at the March 2025 meeting:

- There was not support for a house that would be as narrow as it would be required to be with a 25’ setback by the commissioners present at the meeting. The narrow building is not compatible with the neighborhood.
- The commissioners supported exploring an option for which the front portion of the building has a 15’ setback from the frontage on Winslow Road and the rear of the building has an inset and maintains a greater setback, such as 20’ or 25’ more along Winslow Road. This may assist in keeping the building compatible with both block faces and be sensitive to the setbacks along Winslow Road.

Staff would like to note that DRC feedback is non-binding, so the feedback they received regarding their preferences on the design is not a binding requirement, purely discussion and feedback.

Based on this feedback, the applicant submitted a new request for a COA and attended HZC in April 2025 and that request was denied due to architectural details that the HZC determined weren't appropriate for the house. The applicant submitted again for the June 2025 HZC meeting, at which time the application was approved with one condition being that a variance would be necessary for the setback along Winslow Road.

In order to move forward with the design plans approved by the HZC (with conditions), the applicant is requesting A Variance Request To Allow The Principal Building To Encroach 10 Feet Into The 25-Foot Front Setback Along Winslow Road With An Additional 6-Foot Appurtenance Encroachment for the front porch.

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.

This lot is not more narrow than the rest of the lots along Myles Manor court on average, but being a corner lot and having 2 front setbacks does limit the buildable area of the lot to a smaller width than the existing houses on the street. In addition to the narrow condition of the lot, the property being in the Historic Preservation Overlay requires them to get approval from the Historic Zoning Commission (HZC). Since the DRC gave the applicant feedback to move forward with the 15' setback along Winslow Road, the HZC likely would not have approved a house with a 25' setback because the DRC determined it would not fit the context of the historic neighborhood. Seeing as the narrow condition of the lot likely would have prevented the HZC from approving a house that fits within the required setbacks, 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.

The strict application of the Zoning Ordinance does present exceptional practical difficulties for the owner of this property. Given the required setbacks, the house would need to be more narrow than the rest of the houses on Myles Manor Court, and the design of the house would not fit the context of the street. Seeing as this is a historic neighborhood, the house fitting the context of the street is a reasonable concern, as it is a concern to both the owner of the house and to the DRC and HZC. Complying with the required setbacks would likely prevent approval from the HZC; therefore, 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.

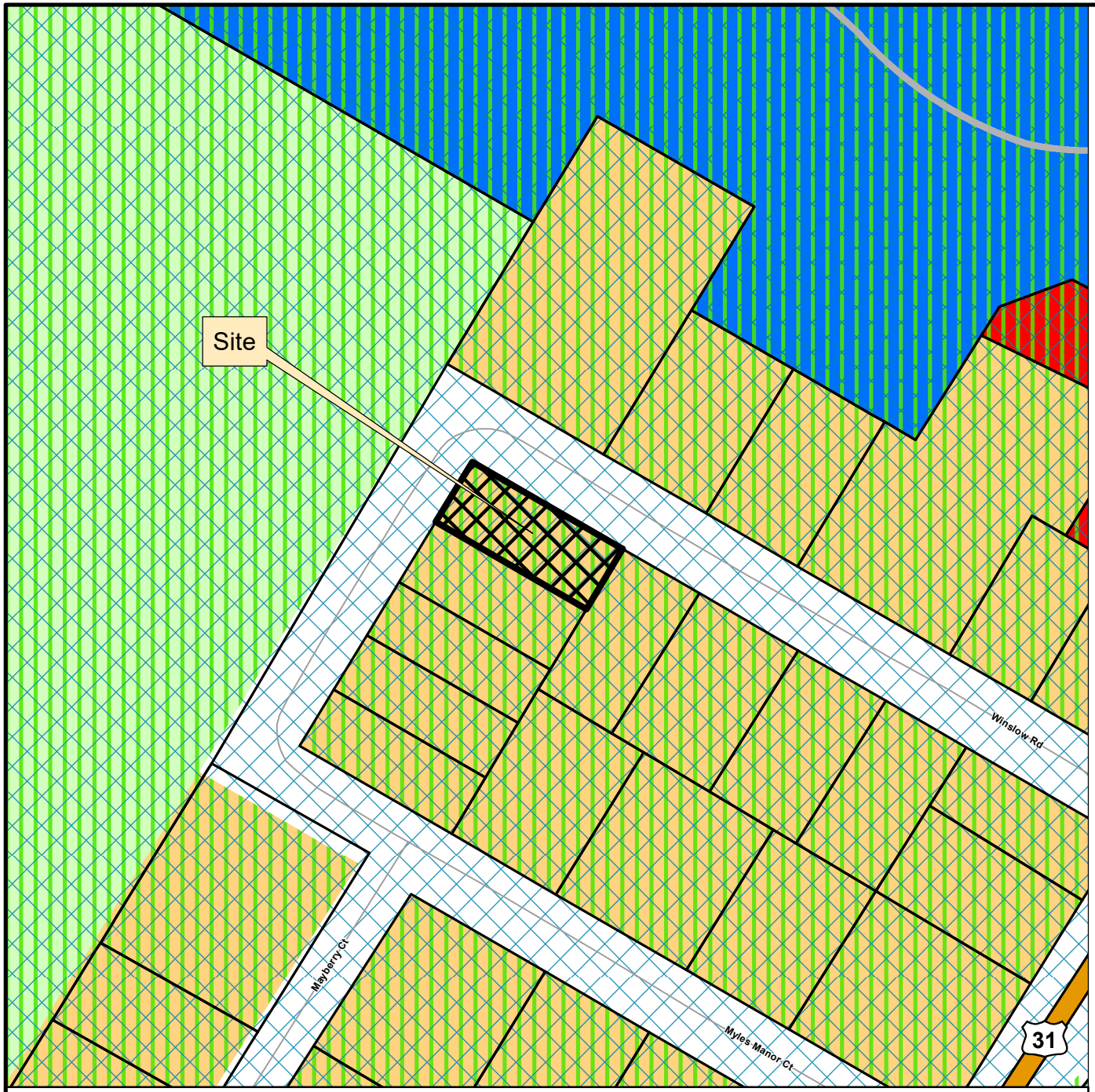
Staff finds that this request would not be a detriment to the public good and would not impair the intent of the Zoning Ordinance. The intent of designing this house with a 15-foot setback from the lot line to the house is to construct a house that fits the context of the historic neighborhood. The Zoning Ordinance regulation for the front yard setback is that principal buildings much match the average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building. The intent of this regulation is that houses would be designed to fit the context of the neighborhood. The goal of this design is to meet the intent of this Zoning Ordinance regulation. The width of the house helps the design fit the context of the houses along Myles Manor Court, and the varied setback of the house along Winslow Road helps that front setback fit contextually along Winslow Road. 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 The Principal Building To Encroach 10 Feet Into The 25-Foot Front Setback Along Winslow Road With An Additional 6-Foot Appurtenance Encroachment For The Property Located At 246 Myles Manor Court, because the criteria for granting a variance have been met.



246 MYLES MANOR COURT
TAX MAP 063K, GROUP A, PARCEL 00500
BOARD OF ZONING APPEALS
JULY 3, 2025

Legend

- 246 Myles Manor Court
- 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 District
- CC Central Commercial District
- DD Downtown District
- 1ST Avenue District
- 5TH Avenue District
- RC4 Regional Commerce 4 District
- RC6 Regional Commerce 6 District
- RC12 Regional Commerce 12 District
- GO General Office District
- LI Light Industrial District
- HI Heavy Industrial District

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0 250 500 1,000
Feet

HISTORIC FRANKLIN TENNESSEE

DESIGNS

CITY OF FRANKLIN BOARD OF ZONING APPEALS
109 3RD AVENUE SOUTH
FRANKLIN TN 37064

JUNE 11, 2025

Dear Board,

Thank you for your consideration of our request for variance for the property at 246 Myles Manor Court. Our request is to allow for a modified setback along Winslow Road. This request has been developed in coordination with the Historic Zoning Commission and its Design Review Committee to try to offer a design to the community that fits its beautiful historic context. The corner lot has created a little complexity for this request as we attempt to honor the context and scale of both Myles Manor Court and Winslow Road. The actual variance request is for a 15' setback for the first 70' of the property from Myles Manor Court and a 20' setback for the remaining ~80'. The purpose of the change in the setback is to allow the front of the house (facing Myles Manor Court) to have a scale in relation to the neighboring homes on Myles Manor Court and the rear of the home to have a scale in relation to neighboring homes on Winslow Road.

The design has been a long process with several submissions to the Historic Zoning Commission (HZC) and the Design Review Committee (DRC) and having to replat the lot. The first DRC meeting we attended was on June 17, 2024. This meeting was followed up by a meeting with the staff on July 30, 2024 to assist us in our resubmittal to the DRC. We went in front of the DRC two more times on August 19, 2024 and September 16, 2024 before submitting for our Certificate of Appropriateness (COA) and presenting to the HZC on November 11, 2024. The COA was denied and the lot owner was required to have the lot surveyed as it was discovered that the lot was subdivided but not platted and the existing information being used by the design team was not valid. This original neighborhood plat that was being used by the design team shows a 15' setback along Winslow Road and has been included for your information. After the owner had the lot platted, we submitted several options to the DRC on March 17, 2025 with setbacks of 15', 20', and 25' from Winslow Road. These three designs are included in the file 2025 03 17_DRC Options.pdf with a label on each page showing whether it was the 15' Setback, 20' Setback, and 25' Setback. Out of this meeting the concept for the requested variance was developed based on feedback from the DRC members. The email feedback for this meeting has been included as 246 Myles Manor Ct. March 2025 DRC Recap Email.pdf.

After the variance concept was developed, we submitted to the HZC on April 14, 2025 when we were denied again for our COA. Based on some additional feedback we developed the current design concept which was presented to the DRC on May 19, 2025 and then for our COA on June 9, 2025. The new concept provided additional layering with the wrap-around porch which helped the scale of the residence to be appropriate for both blockface elevations.

The justification for our request is the narrowness of the lot with the given setbacks creating a hardship in designing a single-family home that fits the context of the neighboring homes and community. We believe that the variance request would allow for a home design that not only does not cause substantial detriment to the public good but actually enhances the design because of its relation to the neighboring homes.

The overall lot is approximately 60' wide and the required setbacks of 7' and 25' leave only 28' of buildable width. This 28' width is substantially narrower than the other homes along Myles Manor Court which are all at least 40' wide. The narrowness of the home creates a Myles Manor Court elevation that is significantly out of scale with the neighboring homes. It also does not allow

for a design that helps to step down as the grade lowers along Winslow road like the option presented does with the layering of the wrap-around porch.

An option abiding by the 25' setback was developed and presented to the Design Review Committee and all agreed that the design with the 25' setback did not honor the context/scale of the Myles Manor Court blockface. The committee suggested exploring a design with a 15' setback at the front of the property and then jogs the setback back to 20' at the rear of the property. This jog allows the elevation facing Winslow Road to remain in context with the setback of the neighboring homes on Winslow Road in both distance from the street and overall height. The email feedback from the DRC has been included.

The design that was developed from the DRC feedback with the proposed setbacks was approved by the Historic Zoning Commission at their meeting on June 9 without any exceptions to the design. Their comments were only to submit light fixtures and proposed material samples prior to final design.

Thank you again for your consideration and please reach out with any questions.

Sincerely,

Andrew King
AK DESIGNS

205 POWELL PLACE SUITE 119 :: BRENTWOOD :: TENNESSEE :: 37027
PHONE 615.424.7406 :: WWW.ANDREWKINGDESIGNS.COM



246 Myles Manor Court

FRANKLIN, TENNESSEE

DESIGNS

05.23.25









ak designs
205 Powell Place, Suite 119
Brentwood, TN 37027

CONCEPTUAL DESIGN
not for construction

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246 Myles Manor Court

FRANKLIN, TENNESSEE

Perspectives

Revision Date:

1.	
2.	
3.	
4.	
5.	
6.	

Project Number: 24040
Date: 05.23.25
Scale:

Sheet
G001

SITE PLAN NOTES

GENERAL: LOT INFORMATION IS DEEMED RELIABLE AND CURRENT, HOWEVER IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH BUILDING SETBACKS, EASEMENTS AND ALL APPLICABLE BUILDING CODES, AND TO VERIFY PROPERTY LINE LOCATION AND BOUNDARIES. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

DIMENSIONS: ALL DIMENSION STRINGS ARE SHOWN TO OUTSIDE FACE OF 12" BLOCK (ALLOW FOR 2" [.17'] BRICK OVERAGE WITHIN SETBACKS) AND ARE PERPENDICULAR TO PROPERTY LINES.

GRADING: BUILDER TO ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURE. IT IS THE BEST INTEREST OF THE BUILDER TO CONSULT A LANDSCAPE ARCHITECT OR CIVIL ENGINEER FOR DETAILED GRADING AND DRAINAGE PLANS.

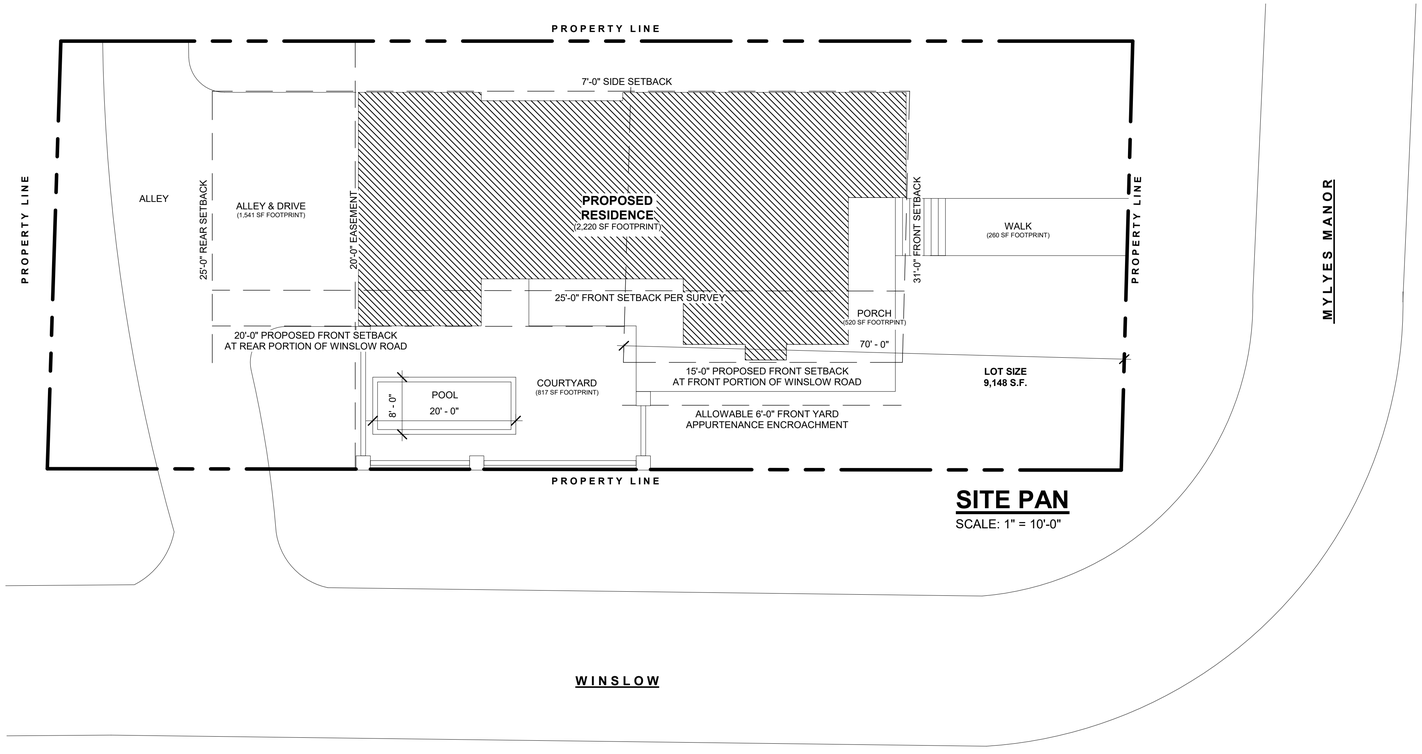
PAVING: STREET LOADED DRIVES SHALL HAVE CURB CUTS OF 12'. ALLEY LOADED DRIVES SHALL BE MINIMUM 24" WIDER THAN INDICATED GARAGE DOOR. LEAD WALKS SHALL MATCH THE WIDTH OF THE BOTTOM PORCH STEP AND TAPER TO NO LESS THAN 3' AT SIDEWALK.

UTILITIES: VERIFY UTILITIES DO NOT IMPACT DRIVE OR WALKWAY PAVING PRIOR TO CONSTRUCTION. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

SITE CALCULATIONS

LOT SQ. FOOTAGE: 9,148 S.F.

	ALLOWABLE (40% MIN.)	PROPOSED
LANDSCAPE SURFACE AREA (S.F.)	3,659 S.F.	4,393 S.F. (48.0%)



SITE PAN

SCALE: 1" = 10'-0"

ak designs
205 Powell Place, Suite 119
Brentwood, TN 37027

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246 Myles Manor Court

FRANKLIN, TENNESSEE

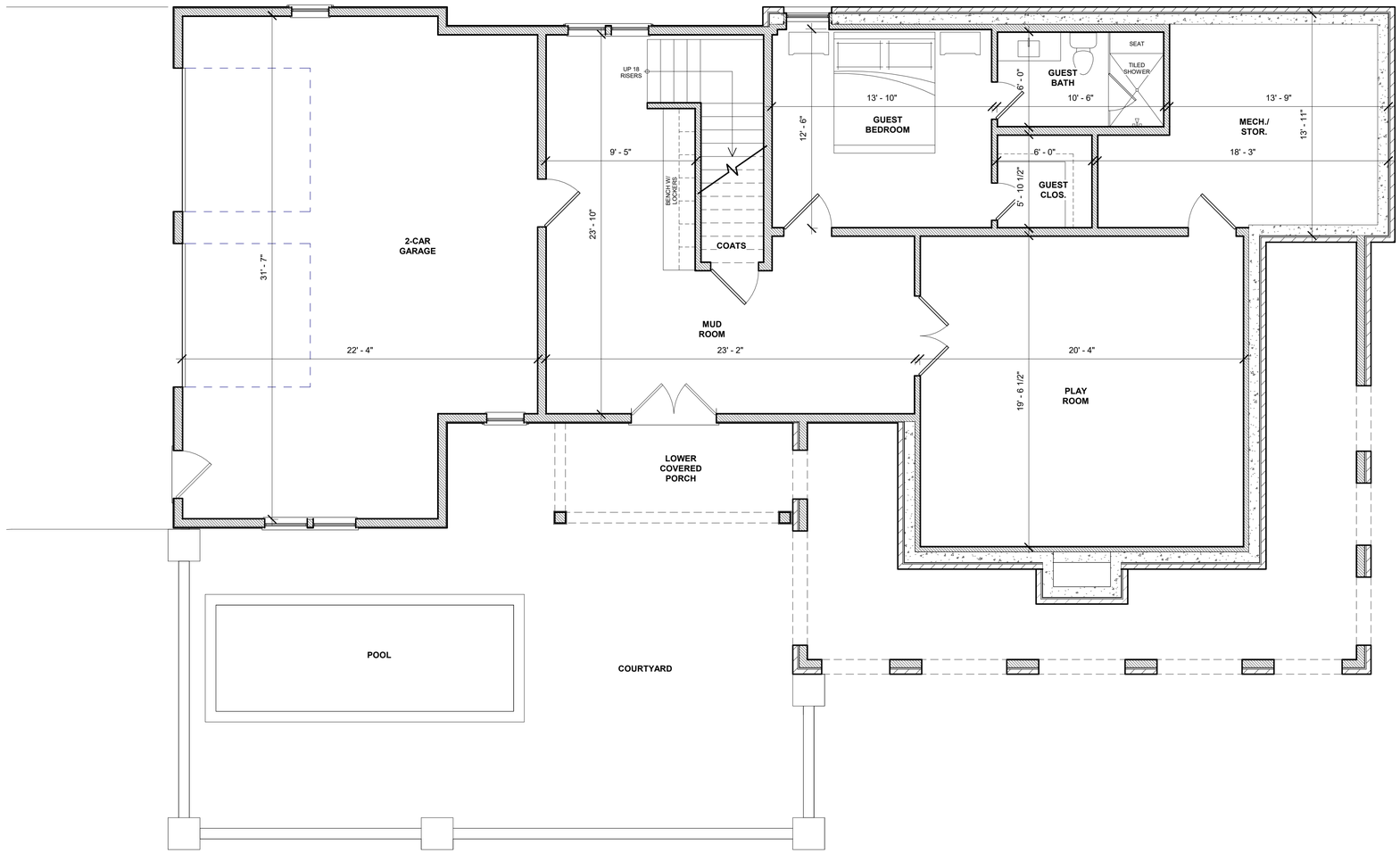
Site Plan

Revision Date:

1.	
2.	
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5.	
6.	

Project Number: 24040
Date: 05.23.25
Scale: As indicated

Sheet
A001



BASEMENT PLAN

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

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Brentwood, TN 37027

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246 Myles Manor Court

FRANKLIN, TENNESSEE

Basement Plan

Revision Date:

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5.	
6.	

Project Number: 24040
Date: 05.23.25
Scale: 1/4" = 1'-0"

Sheet
A101

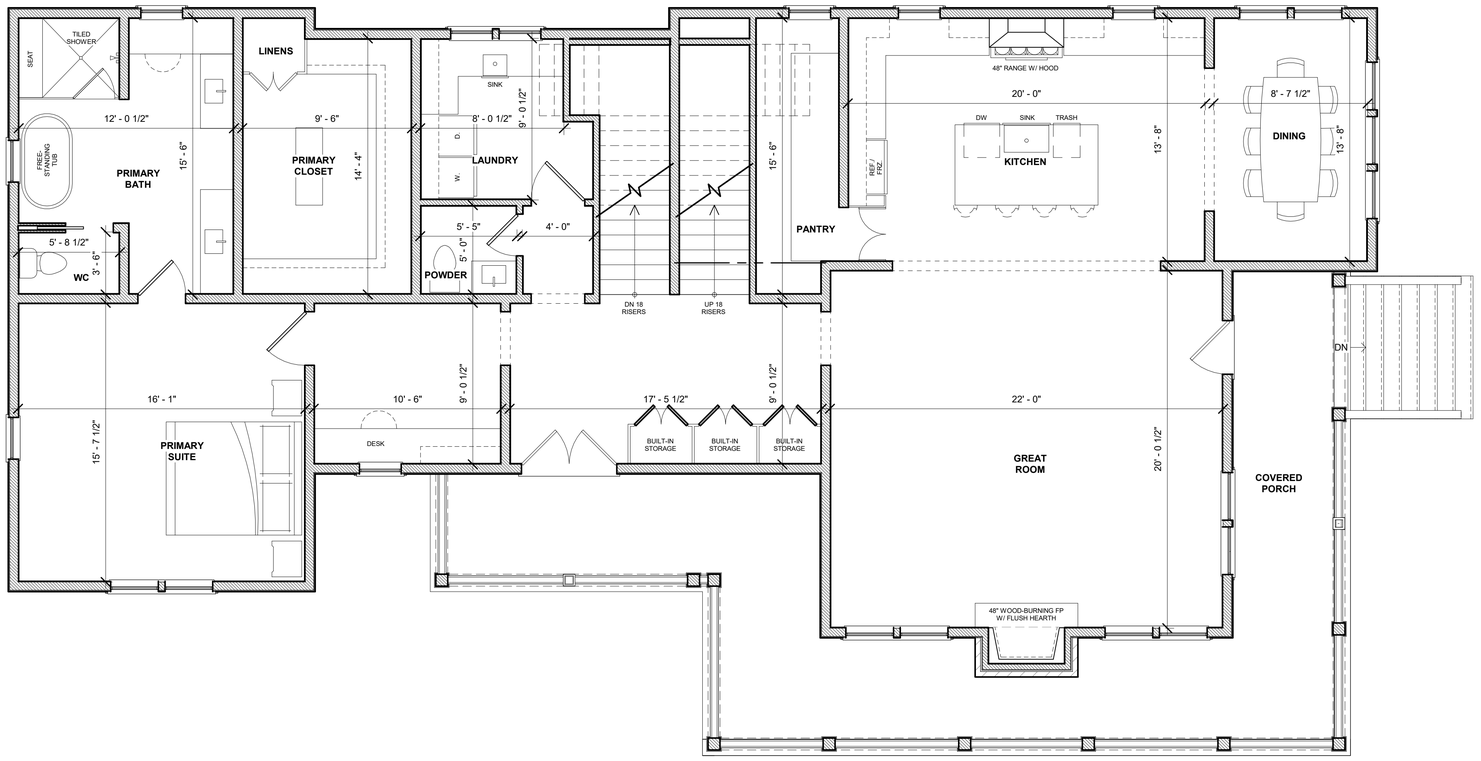
GENERAL NOTES

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, TERMITE 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.

SQUARE FOOTAGE (O.F.S.)

(SQUARE FOOTAGE TAKEN FROM OUTSIDE FACE OF STUD)

HEATED	
Basement	1,161 SF
First Floor	2,197 SF
Second Floor	807 SF
	4,164 SF
UNHEATED	
2-Car Garage	696 SF
Front Porch	532 SF
Unheated Storage	215 SF
	1,443 SF
TOTAL UNDER ROOF	5,607 SF



FIRST FLOOR PLAN

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

NOTE:
SEE FRAMING PACKAGE FOR ALL JOIST ORIENTATION AND SPACING, TYPICAL ALL LOCATIONS. SUPPLEMENT AND SIZE BEAMS PER STRUCTURAL ENGINEER.

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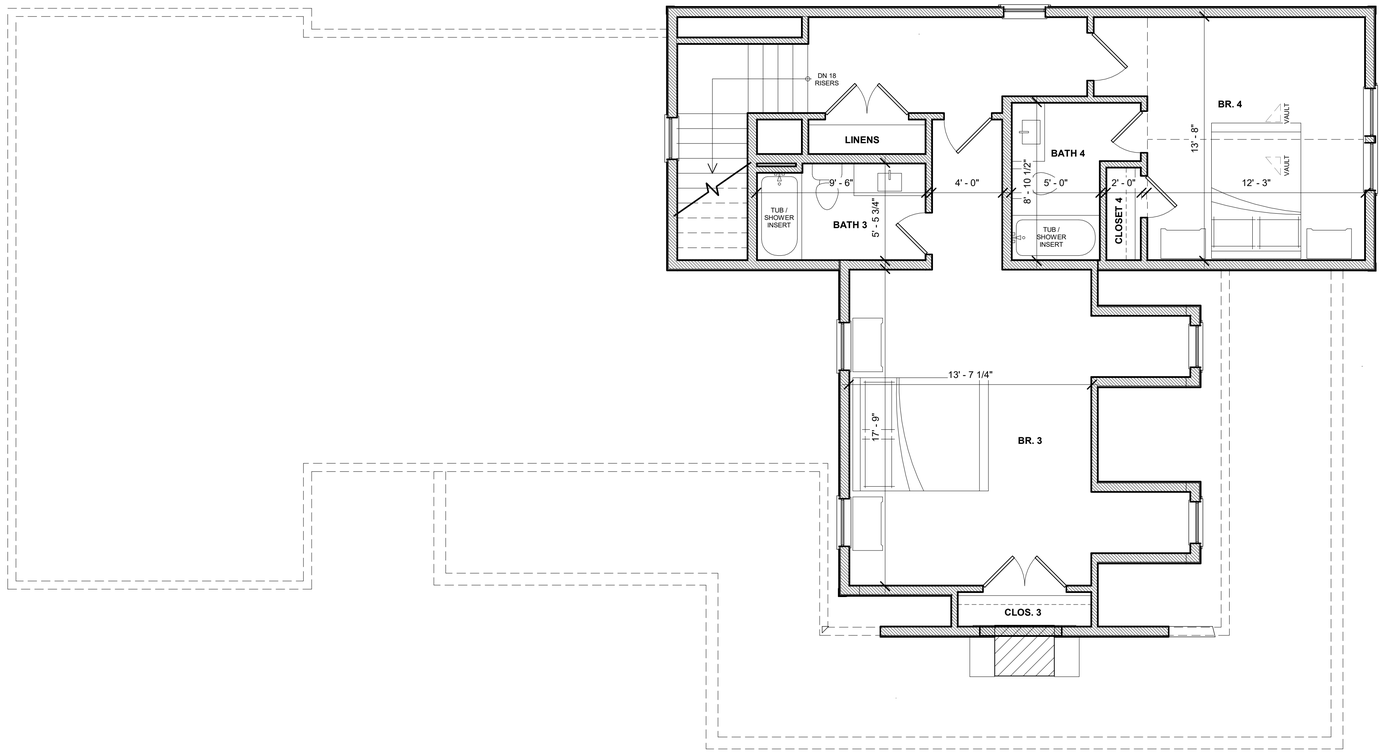
First Floor Plan

Revision Date:

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Project Number: 24040
Date: 05.23.25
Scale: 1/4" = 1'-0"

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SECOND FLOOR PLAN

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

NOTE:
SEE FRAMING PACKAGE FOR ALL JOIST ORIENTATION AND SPACING, TYPICAL ALL LOCATIONS. SUPPLEMENT AND SIZE BEAMS PER STRUCTURAL ENGINEER.

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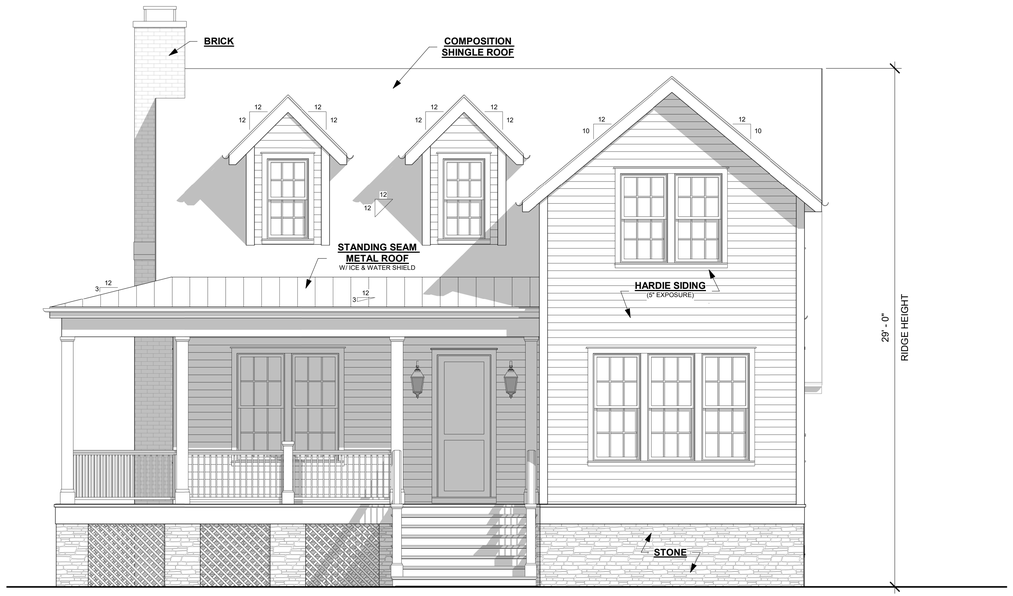
Second Floor Plan

Revision Date:

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Project Number: 24040
Date: 05.23.25
Scale: 1/4" = 1'-0"

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FRONT ELEVATION

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



LEFT ELEVATION

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

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
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.)

TYPICAL INSULATION LOCATIONS:

1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

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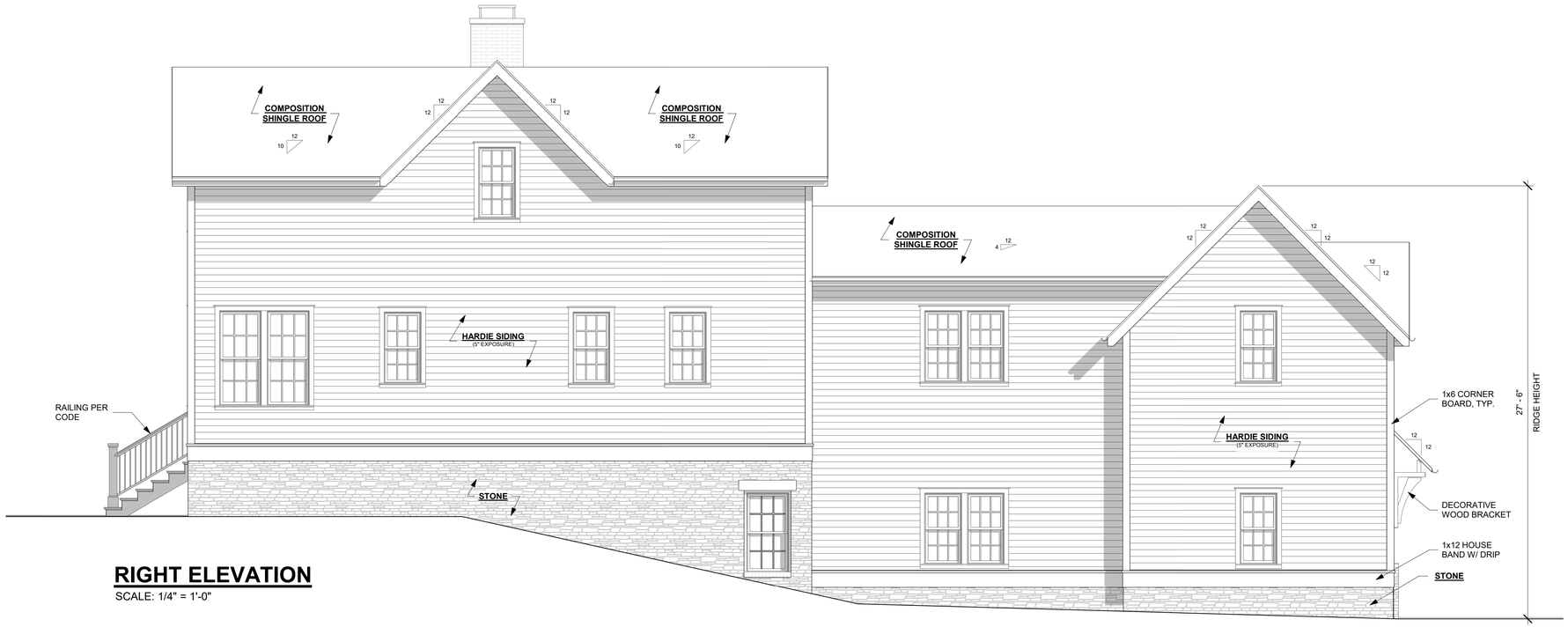
Front & Left Elevations

Revision Date:

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A201



RIGHT ELEVATION

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



REAR ELEVATION

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

TYPICAL FLASHING APPLICATION:

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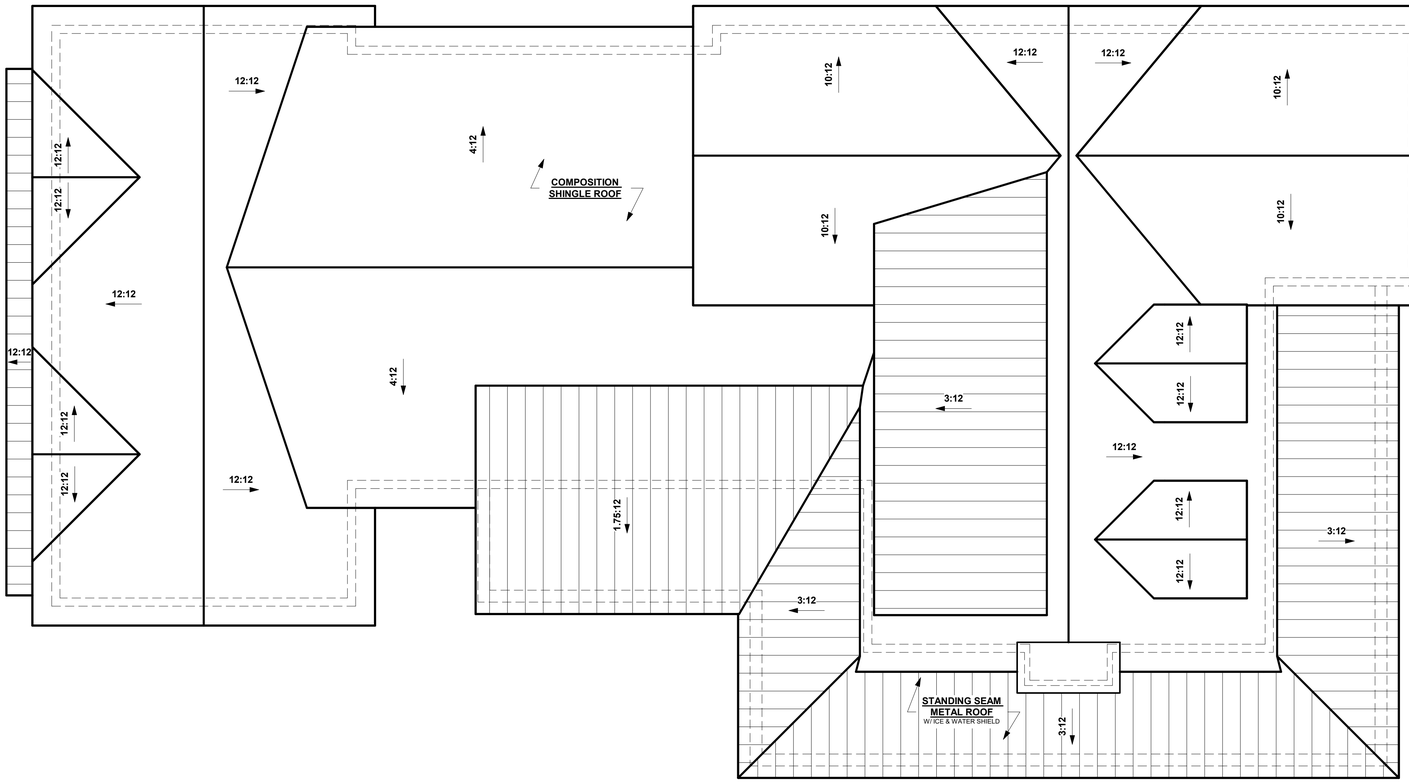
Right & Rear Elevations

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ROOF PLAN

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

TYPICAL FLASHING APPLICATION:

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Roof Plan

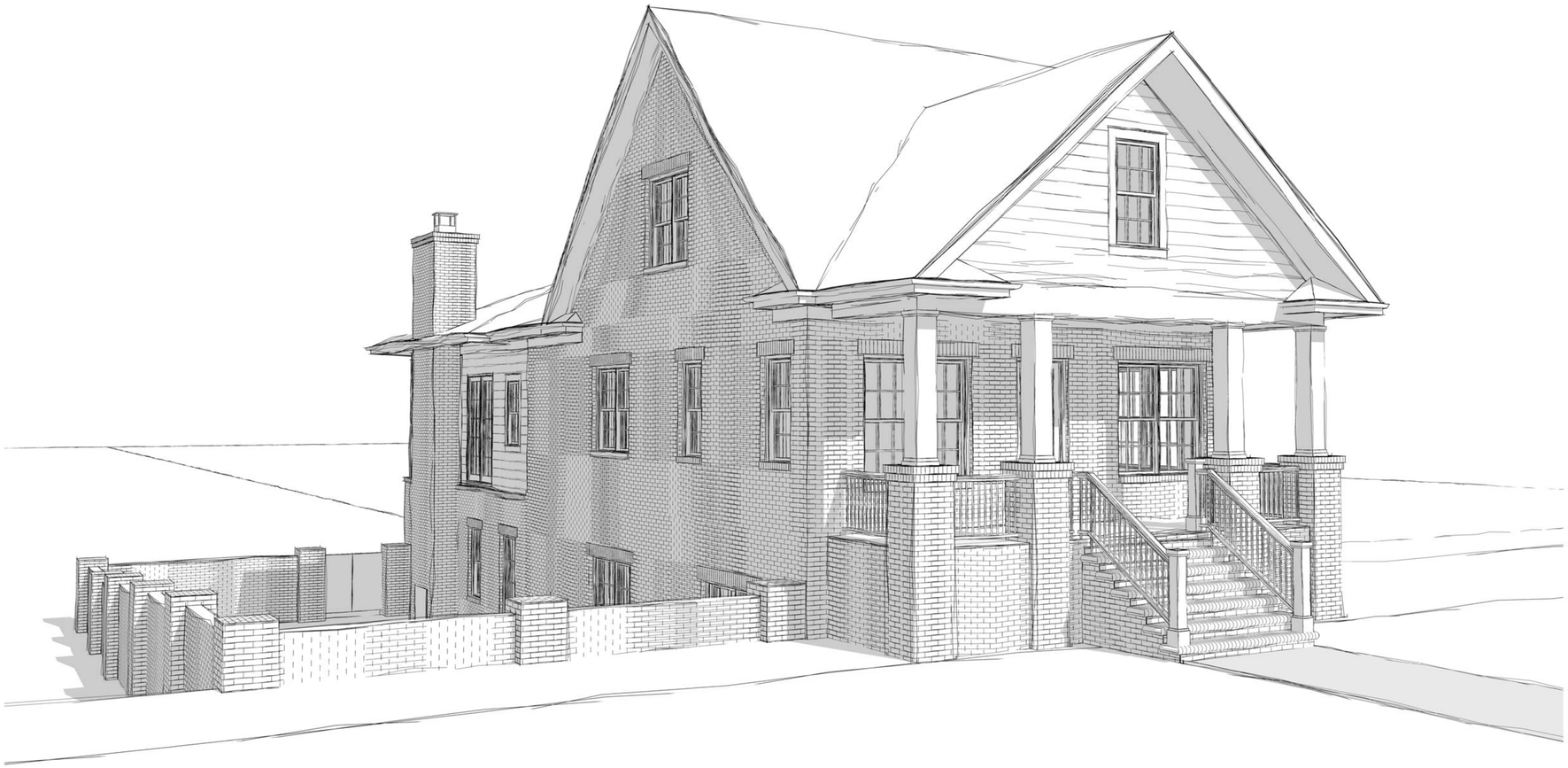
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25' Setback



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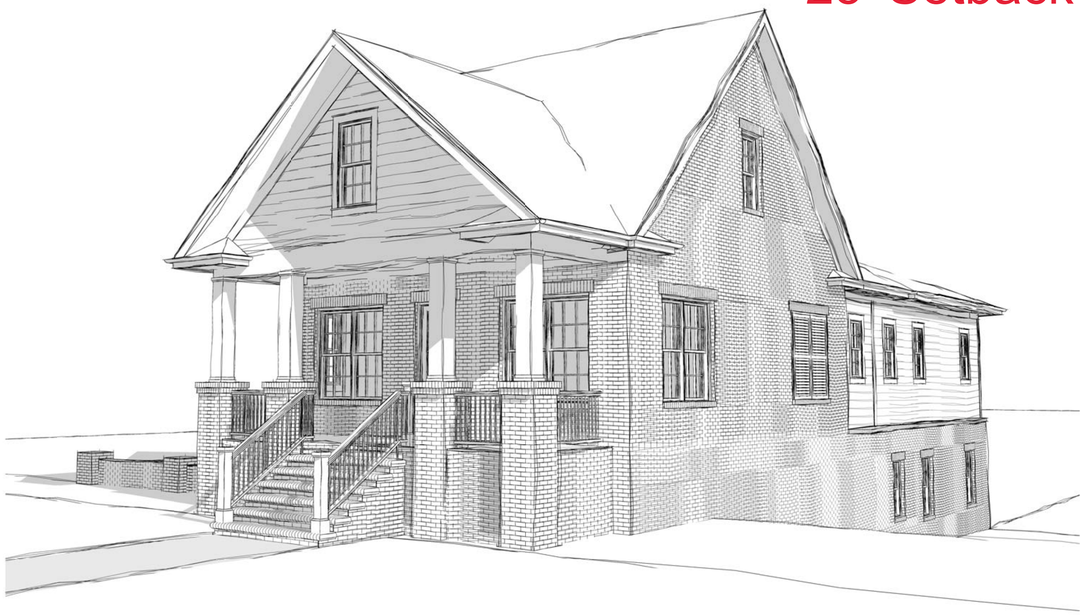
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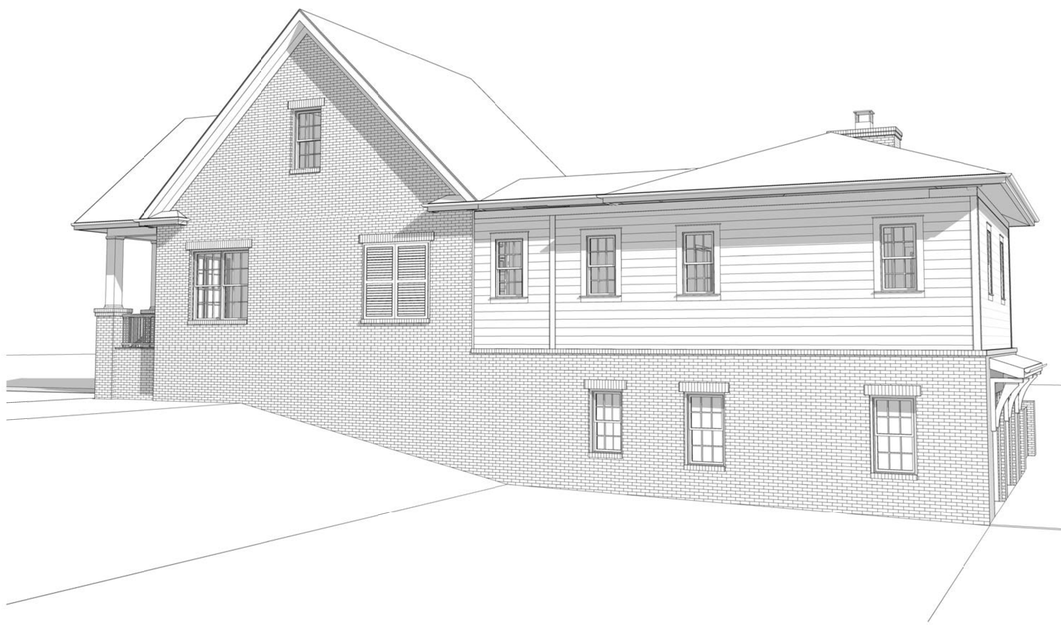
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03.10.25

25' Setback









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G001

SITE PLAN NOTES

GENERAL: LOT INFORMATION IS DEEMED RELIABLE AND CURRENT, HOWEVER IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH BUILDING SETBACKS, EASEMENTS AND ALL APPLICABLE BUILDING CODES, AND TO VERIFY PROPERTY LINE LOCATION AND BOUNDARIES. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

DIMENSIONS: ALL DIMENSION STRINGS ARE SHOWN TO OUTSIDE FACE OF 12" BLOCK (ALLOW FOR 2" [.17'] BRICK OVERAGE WITHIN SETBACKS) AND ARE PERPENDICULAR TO PROPERTY LINES.

GRADING: BUILDER TO ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURE. IT IS THE BEST INTEREST OF THE BUILDER TO CONSULT A LANDSCAPE ARCHITECT OR CIVIL ENGINEER FOR DETAILED GRADING AND DRAINAGE PLANS.

PAVING: STREET LOADED DRIVES SHALL HAVE CURB CUTS OF 12', ALLEY LOADED DRIVES SHALL BE MINIMUM 24" WIDER THAN INDICATED GARAGE DOOR. LEAD WALKS SHALL MATCH THE WIDTH OF THE BOTTOM PORCH STEP AND TAPER TO NO LESS THAN 3' AT SIDEWALK.

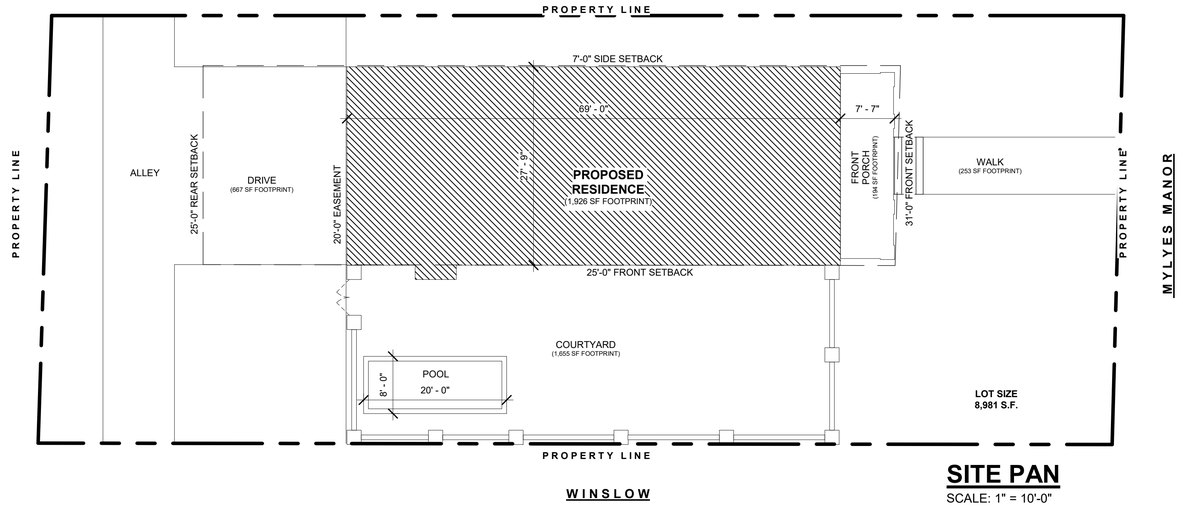
UTILITIES: VERIFY UTILITIES DO NOT IMPACT DRIVE OR WALKWAY PAVING PRIOR TO CONSTRUCTION. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

SITE CALCULATIONS

LOT SQ. FOOTAGE: 8,981 S.F.

	ALLOWABLE (40% MIN.)	PROPOSED
LANDSCAPE SURFACE AREA (S.F.)	3,592 S.F.	4,266 S.F. (47.6%)

25' Setback



SITE PAN
SCALE: 1" = 10'-0"

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Site Plan

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FRONT ELEVATION

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

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
2. ALL HORIZONTAL MATERIAL CHANGES
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4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

25' Setback



LEFT ELEVATION

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

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Front & Left Elevations

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Project Number: 24040
Date: 03.10.25
Scale: 1/4" = 1'-0"

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A201



RIGHT ELEVATION

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



REAR ELEVATION

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

TYPICAL FLASHING APPLICATION:

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25' Setback

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Right & Rear Elevations

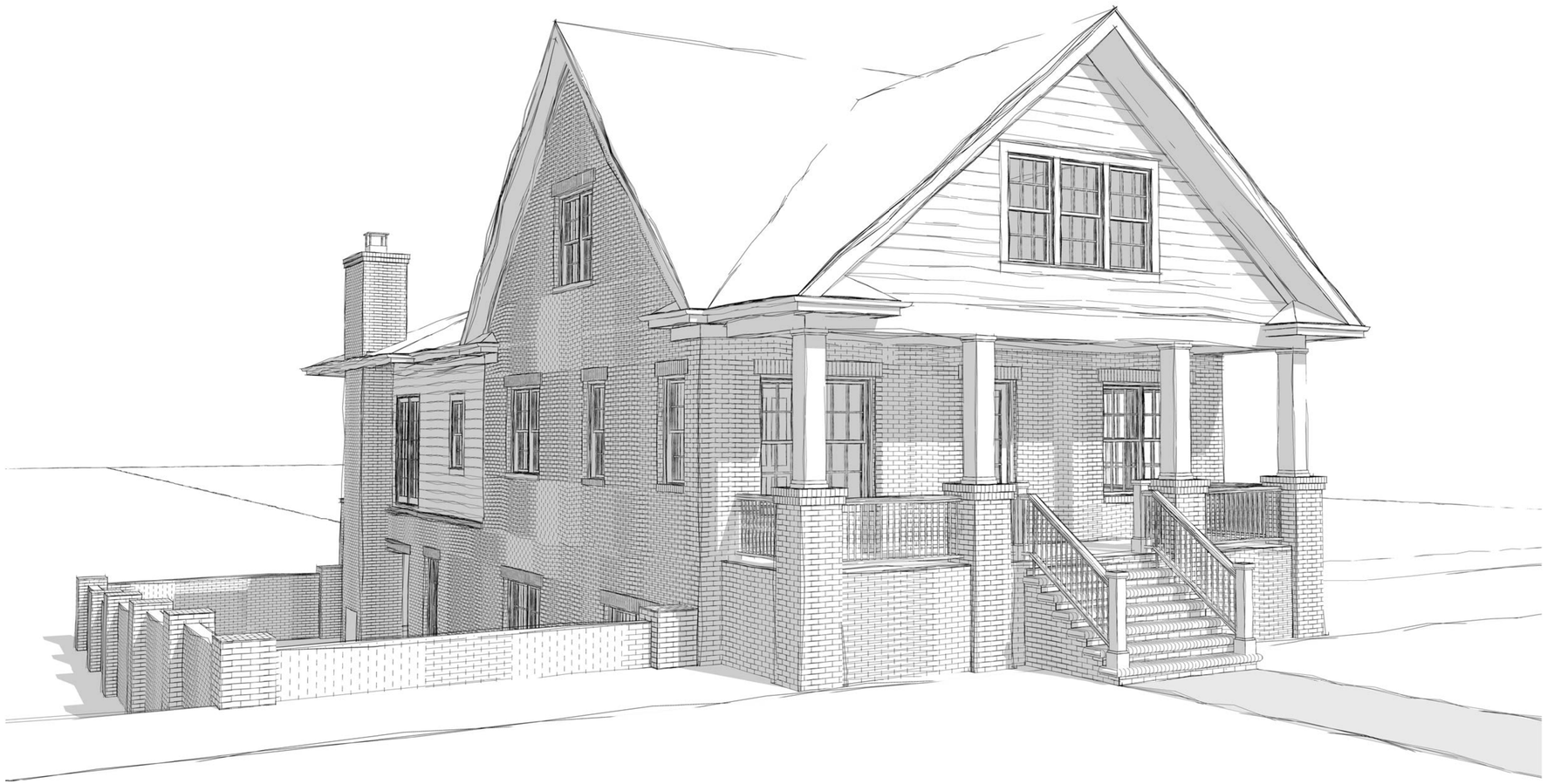
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20' Setback



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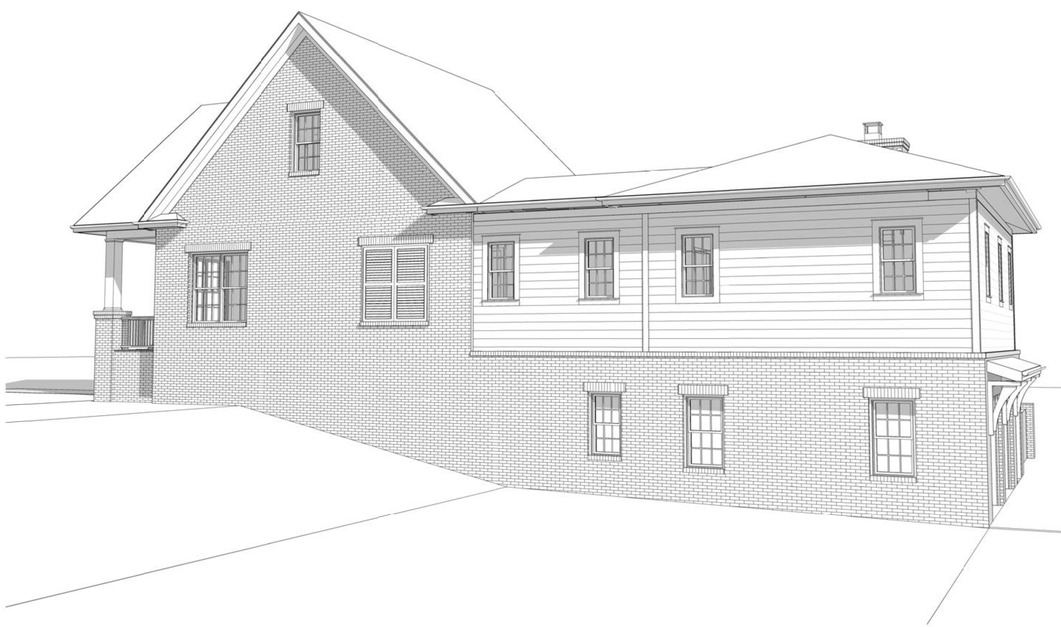
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20" Setback









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SITE PLAN NOTES

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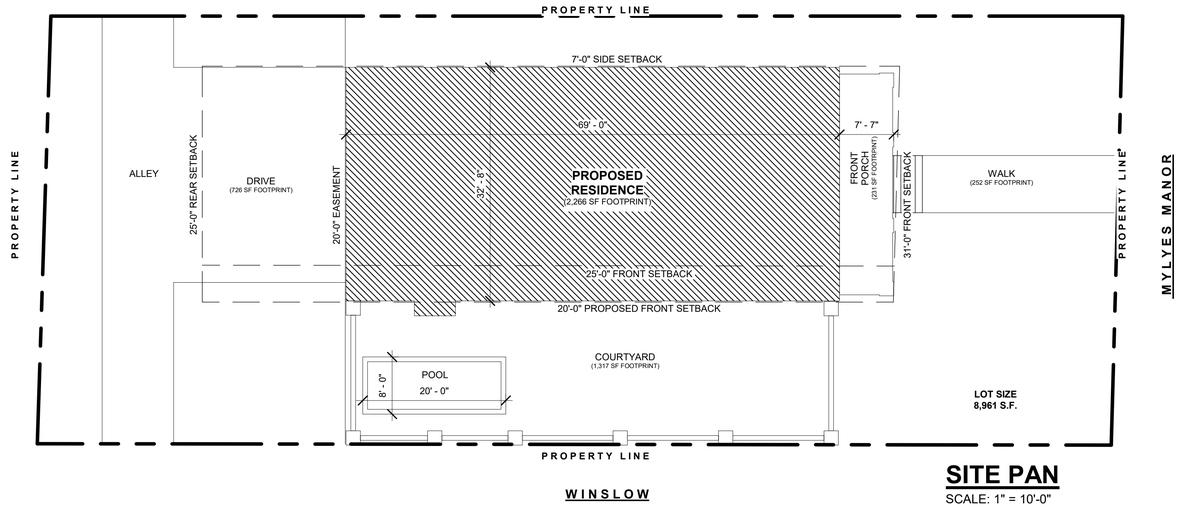
UTILITIES: VERIFY UTILITIES DO NOT IMPACT DRIVE OR WALKWAY PAVING PRIOR TO CONSTRUCTION. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

SITE CALCULATIONS

LOT SQ. FOOTAGE: 8,981 S.F.

	ALLOWABLE (40% MIN.)	PROPOSED
LANDSCAPE SURFACE AREA (S.F.)	3,592 S.F.	4,189 S.F. (46.6%)

20' Setback



SITE PAN
SCALE: 1" = 10'-0"

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A001



FRONT ELEVATION

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

TYPICAL FLASHING APPLICATION:

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20' Setback



LEFT ELEVATION

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

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Front & Left Elevations

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A201



RIGHT ELEVATION

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



REAR ELEVATION

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

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20' Setback

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Right & Rear Elevations

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15' Setback



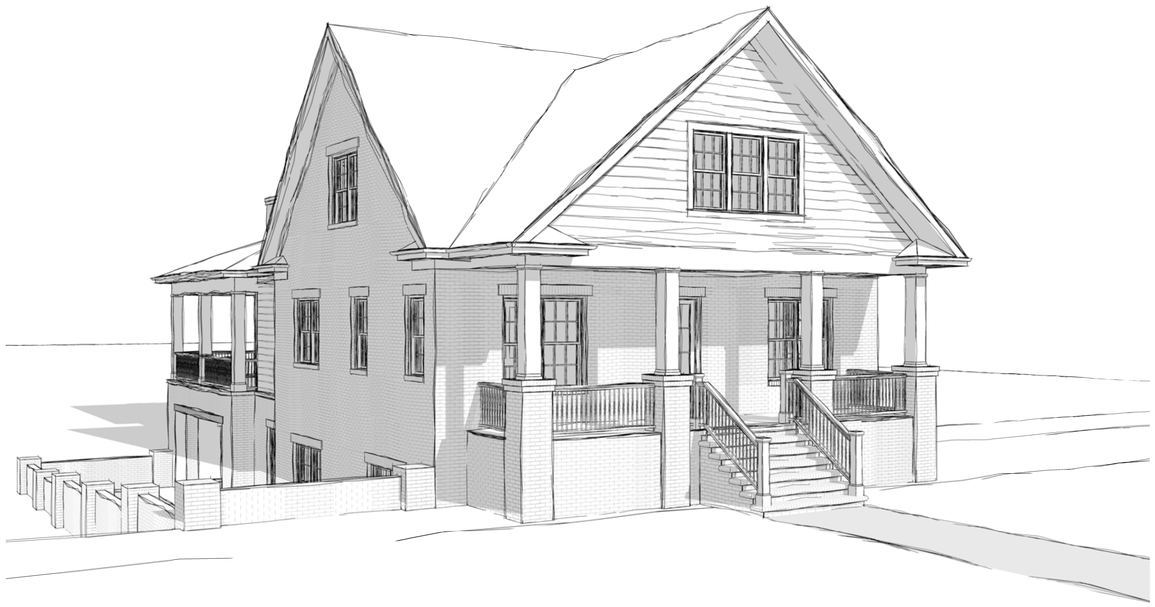
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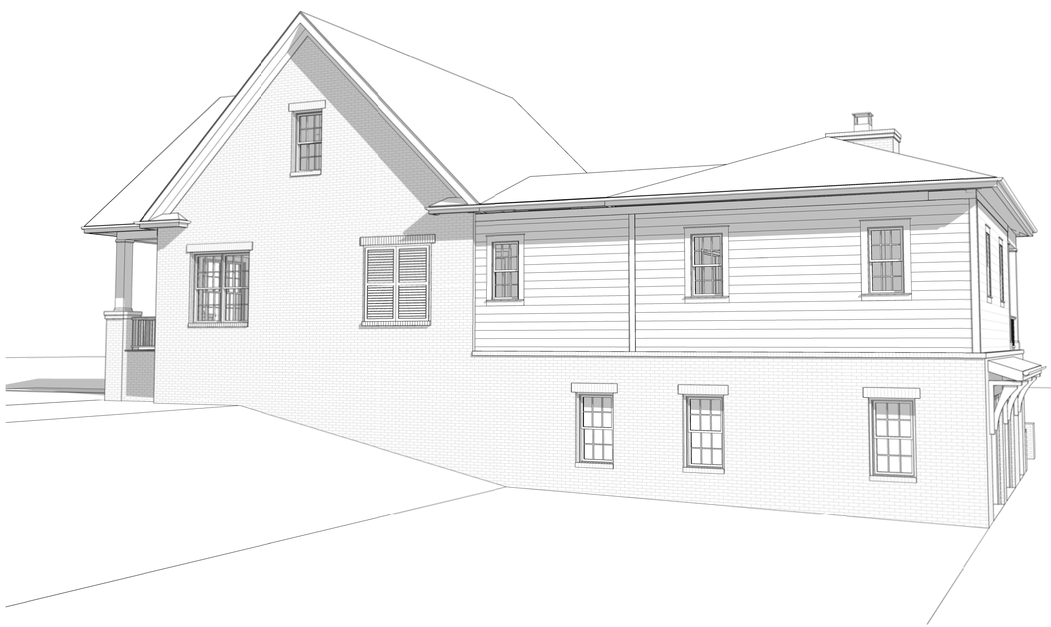
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15' Setback









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246 Myles Manor Court

FRANKLIN, TENNESSEE

Perspectives

Revision Date:

1.	
2.	
3.	
4.	
5.	
6.	

Project Number: 24040
Date: 03.10.25
Scale:

Sheet
G001

SITE PLAN NOTES

GENERAL: LOT INFORMATION IS DEEMED RELIABLE AND CURRENT, HOWEVER IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH BUILDING SETBACKS, EASEMENTS AND ALL APPLICABLE BUILDING CODES, AND TO VERIFY PROPERTY LINE LOCATION AND BOUNDARIES. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

DIMENSIONS: ALL DIMENSION STRINGS ARE SHOWN TO OUTSIDE FACE OF 12" BLOCK (ALLOW FOR 2" [.17'] BRICK OVERAGE WITHIN SETBACKS) AND ARE PERPENDICULAR TO PROPERTY LINES.

GRADING: BUILDER TO ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURE. IT IS THE BEST INTEREST OF THE BUILDER TO CONSULT A LANDSCAPE ARCHITECT OR CIVIL ENGINEER FOR DETAILED GRADING AND DRAINAGE PLANS.

PAVING: STREET LOADED DRIVES SHALL HAVE CURB CUTS OF 12'. ALLEY LOADED DRIVES SHALL BE MINIMUM 24" WIDER THAN INDICATED GARAGE DOOR. LEAD WALKS SHALL MATCH THE WIDTH OF THE BOTTOM PORCH STEP AND TAPER TO NO LESS THAN 3' AT SIDEWALK.

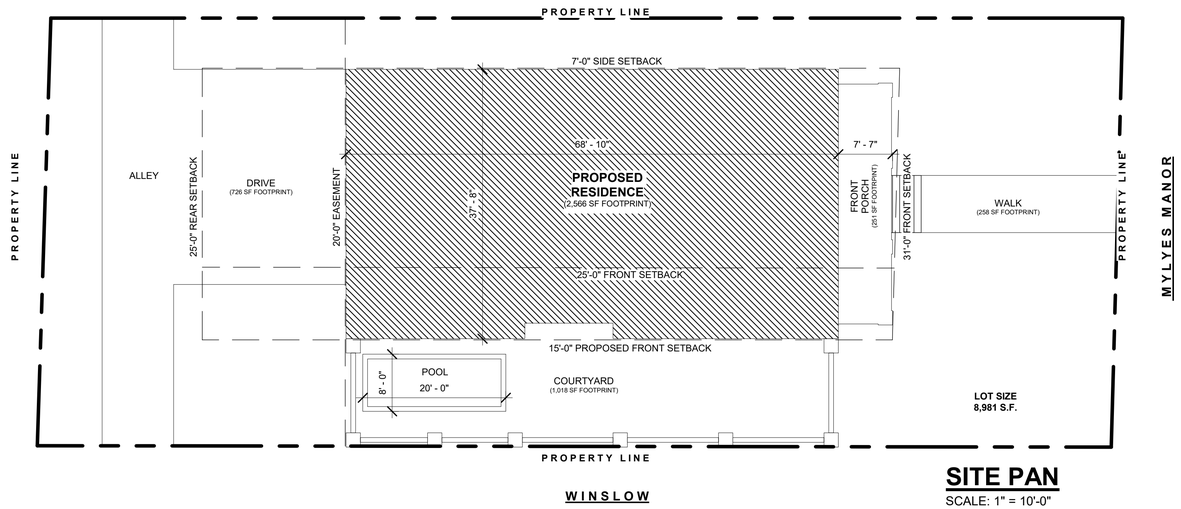
UTILITIES: VERIFY UTILITIES DO NOT IMPACT DRIVE OR WALKWAY PAVING PRIOR TO CONSTRUCTION. NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.

SITE CALCULATIONS

LOT SQ. FOOTAGE: 8,981 S.F.

	ALLOWABLE (40% MIN.)	PROPOSED
LANDSCAPE SURFACE AREA (S.F.)	3,592 S.F.	4,162 S.F. (46.3%)

15' Setback



SITE PAN
SCALE: 1" = 10'-0"

ak designs
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Brentwood, TN 37027

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246 Myles Manor Court

FRANKLIN, TENNESSEE

Site Plan

Revision Date:

1.	
2.	
3.	
4.	
5.	
6.	

Project Number: 24040
Date: 03.10.25
Scale: As indicated

Sheet
A001



FRONT ELEVATION

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

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
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.)

TYPICAL INSULATION LOCATIONS:

1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

15' Setback



LEFT ELEVATION

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

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FRANKLIN, TENNESSEE

Front & Left Elevations

Revision Date:

1.	
2.	
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6.	

Project Number: 24040
Date: 03.10.25
Scale: 1/4" = 1'-0"

Sheet
A201



RIGHT ELEVATION

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



REAR ELEVATION

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

TYPICAL FLASHING APPLICATION:

1. WINDOWS AND DOORS CONTRACTOR TO ENSURE COMPLIANCE OF CONSTRUCTION WITH ALL UPDATED, APPLICABLE BUILDING CODES.
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.)

TYPICAL INSULATION LOCATIONS:

1. EXTERIOR WALLS DIRECTLY ADJACENT TO CONDITIONED SPACE
2. ROOF RAFTERS DIRECTLY ADJACENT TO CONDITIONED SPACE
3. INTERIOR WALLS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE
4. FLOOR JOISTS SEPARATING CONDITIONED SPACE FROM UNCONDITIONED SPACE

15' Setback

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246 Myles Manor Court

FRANKLIN, TENNESSEE

Right & Rear Elevations

Revision Date:

1.	
2.	
3.	
4.	
5.	
6.	

Project Number: 24040
Date: 03.10.25
Scale: 1/4" = 1'-0"

Sheet
A202

From:	Andrew King
To:	Jeff Castor
Subject:	FW: 246 Myles Manor Ct. March 2025 DRC Recap
Date:	Friday, March 21, 2025 11:59:04 AM
Attachments:	image001.png

From: Elizabeth Bulay <elizabeth.bulay@franklintn.gov>
Sent: Friday, March 21, 2025 9:17 AM
To: Andrew King <aking@andrewkingdesigns.com>; mark spivey <mspivey.ms@gmail.com>
Cc: Emily Huffer <emily.huffer@franklintn.gov>
Subject: 246 Myles Manor Ct. March 2025 DRC Recap

Hi Andrew and Mark,

Thank you for attending Monday's Design Review Committee (DRC) meeting to discuss your proposal at 246 Myles Manor Ct. I hope the feedback was helpful.
Below are a few notes about the discussion and feedback from the commissioners during the DRC Meeting:

- There was not support for a house that would be as narrow as it would be required to be with a 25' setback by the commissioners present at the meeting. The narrow building is not compatible with the neighborhood.
- The commissioners supported exploring an option for which the front portion of the building has a 15' setback from the frontage on Winslow Road and the rear of the building has an inset and maintains a greater setback, such as 20' or 25' more along Winslow Road. This may assist in keeping the building compatible with both block faces and be sensitive to the setbacks along Winslow Road.
- There were concerns about the materials of the proposed building. The commissioners commented that the brick with siding on top may feel very heavy and suggested exploring options to intertwine the materiality differently.
- It was suggested to remove the pilaster on the front porch and instead extend the columns down, this could assist in reducing the visual heaviness of the front of the building.
- There were concerns that the front gable is very pronounced. There were concerns that the intersection of the roof ridges did not align and exposed a large section of the roof on the cross gable. One suggestion was to replace the gable with dormers.

Here is a link to the recorded meeting:
https://franklintn.portal.civicclerk.com/event/2142/media
The next available Design Review Committee meeting is April 21st at 4:00 pm in the Eastern Flank Event Facility and the application deadline is April 14th. To apply, please visit

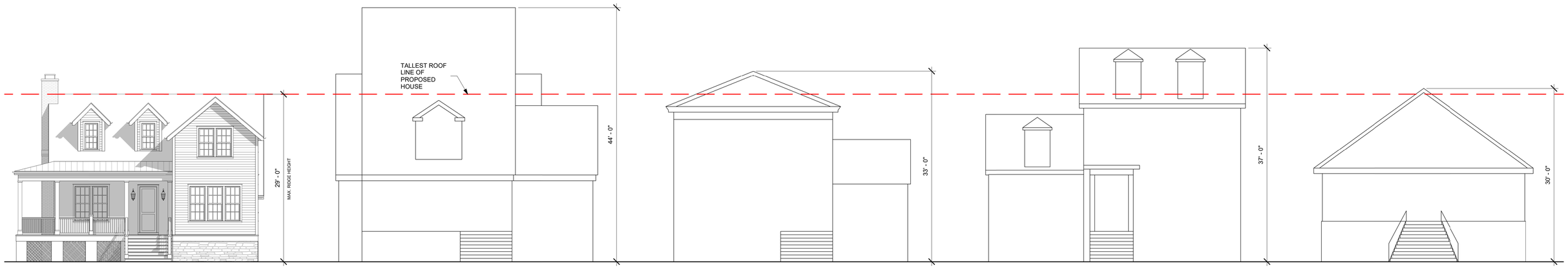
https://franklin.idtplans.com/secure/. Click "Submit a Project for Review" and select "(#8a) Design Review Committee (DRC) Application." Register for an account if you do not already have one, as it will be required to submit an application. **Please be sure to upload the signed and notarized Owner Affidavit here (If applicable).**

The next available Historic Zoning Commission meeting is April 14th at 5:00 pm at the Eastern Flank Event Facility, and the application deadline is **Friday, March 28th at 5:00 pm**. Please follow these steps to apply:

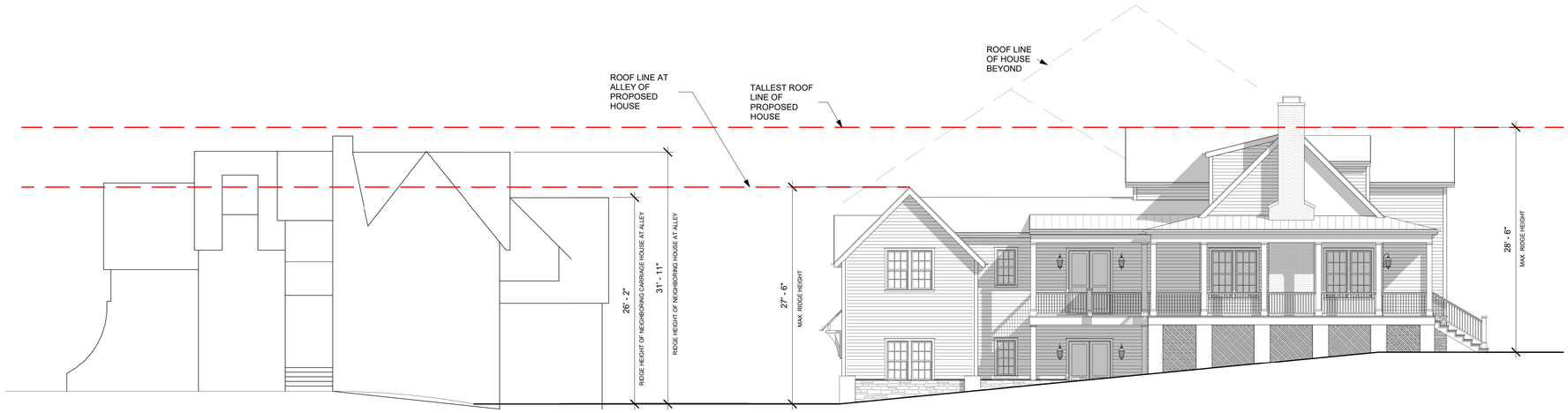
1. Please visit the following website to begin the COA application: https://franklin.idtplans.com/secure/ . Click "Submit a Project for Review" and select "Certificate of Appropriateness (COA)" as the application type (#8c). Please upload the notarized Owner Affidavit to this application as well. For the COF Site Plan number, please type 0 or N/A.
2. **Also submit all of the necessary supporting materials by the deadline in order to be placed on the March 10th agenda for review.** Late and/or incomplete applications are not accepted. The application must consist of all supporting materials recommended by the Guidelines and any additional supporting materials you find important for the understanding of the proposal.
3. The applicant or owner representative must be in attendance during the Historic Zoning Commission meeting to represent the item. If there is no one present during the meeting, the commission will defer the item to the next voting meeting. Please plan to be in attendance for the April 14th meeting at 5:00 PM. This meeting will take place at the Eastern Flank Event Facility, 1368 Eastern Flank Circle.

Elizabeth Bulay
Assistant Preservation Planner • 615-550-6737
City of Franklin • Planning & Sustainability
120 9th Ave. S. • Franklin, TN, 37064

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PROPOSED FRONT ELEVATION



PROPOSED WINSLOW ELEVATION




249






246











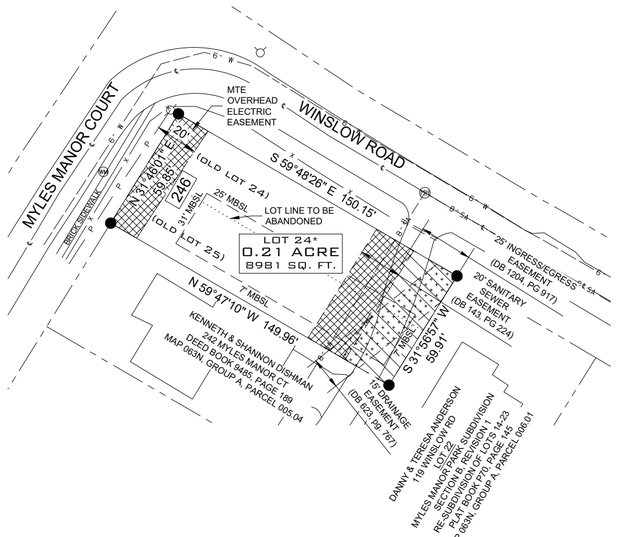


IF YOU DIG TENNESSEE...
CALL US FIRST!
1-800-351-1111
TENNESSEE ONE CALL
IT'S THE LAW

0 50 100 150

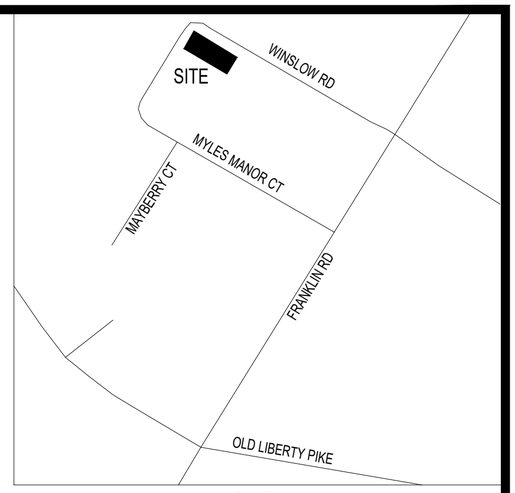
SCALE 1" = 50'

TN SPCS NAD 83



LEGEND

- IRON PIN FOUND
- WATER METER
- UTILITY POLE
- SEWER MANHOLE
- FIRE HYDRANT
- STREET CENTERLINE
- SANITARY SEWER LINE
- FENCE LINE
- OVERHEAD POWER LINE
- WATER LINE



VICINITY MAP
(NOT TO SCALE)

MTEMC Signature

Middle Tennessee Electric Membership Corporation (MTEMC) will provide electric service to the subject property according to the normal operating practices of MTEMC as defined in the rules and regulations, bylaws, policy bulletins and operational bulletins of MTEMC, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained on the MTEMC website at www.mtemc.com (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's Requirements.

Date

Middle Tennessee Electric Membership Corporation

Certificate of Approval of Streets, Drainage, Sidewalks, and Green Infrastructure

I hereby certify that:

A. The streets, drainage, sidewalks, and green infrastructure designated in _____ Subdivision have been installed in accordance with City specifications, or

b. A performance agreement and surety in the amount of $_____ for streets, $_____ for drainage, $_____ for sidewalks, and $_____ for green infrastructure has been posted with the City of Franklin, Tennessee, to assure completion of such improvements.

Director, Streets Department — Date

City of Franklin, Tennessee

Certificate of Approval of Subdivision Name, Street Names, and Addressing

Subdivision name and street names approved by the Williamson County Emergency Management Agency and the City of Franklin.

Williamson County Emergency Management Agency — Date

City of Franklin — Date

Certificate of Approval of Water and Sewer Systems

I hereby certify that:

A. The water and sewer systems designated in _____ Subdivision have been installed in accordance with City specifications, or

B. A performance agreement and surety in the amount of $_____ for the water system and $_____ for the sewer system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.

Director Water Management Department — Date

City of Franklin, Tennessee

Certificate of Approval for Recording

Approved by the Franklin Municipal Planning Commission, Franklin, Williamson County, Tennessee, with the exception of such conditions, if any, as are noted in the Planning Commission minutes for the _____ day of _____, 20____, and this plat has been approved for recording in the Register's Office of Williamson County.

Secretary — Date

Franklin Municipal Planning Commission

Certificate of Survey

I (we) hereby certify that the subdivision plat as shown hereon is correct and that all of the monuments shown hereon have been placed as indicated. This subdivision plat correctly represents a survey made under my supervision on the 31st day of May, 2024.

Surveyor — 2-20-2025 — Date

Certificate of Ownership

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 9496, Page 811, R.O.W.C, Tennessee, and adopt the plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot(s) as shown hereon shall again be subdivided, resubdivided, altered or changed so as to produce less area than is hereby established until otherwise approved by the Franklin Municipal Planning Commission, and under no condition shall such lot(s) be made to produce less area than is prescribed by the restrictive covenants as of record in Book _____, Page _____, R.O.W.C., Tennessee, running with the title to the property. I (we) further certify that there are no liens on this property.

Owner — Date

PARKLAND IMPACT FEE
1 unit x $4,304 = $4,304
DUE AT FINAL PLAT

* - DENOTES CRITICAL LOT FOR DRAINAGE DUE TO THE LACK OF EXISTING DRAINAGE INFRASTRUCTURE IN THE VICINITY. THIS LOT SHALL REQUIRE SUBMITTAL OF A CRITICAL LOT SITE PLAN WITH ANY FUTURE BUILDING PERMIT SUBMITTAL DETAILING IMPERVIOUS LOT COVERAGE AND MEANS OF LIMITING STORM WATER RUNOFF ONTO ADJACENT PROPERTIES.

GENERAL NOTES

1. THE PURPOSE OF THIS PLAT IS TO FORMALLY COMBINE LOTS 24 & 25 OF MYLES MANOR PARK SUBDIVISION INTO A SINGLE BUILDABLE LOT.
2. THE RECORDING OF THIS PLAT VOIDS, VACATES, AND SUPERCEDES THE PREVIOUS RECORDING OF LOT(S) 24 & 25 SHOWN ON THE FINAL PLAT ENTITLED "MYLES MANOR PARK SUBDIVISION" AS RECORDED IN PLAT BOOK 1, PAGE 100, R.O.W.C.
3. BEARINGS AS SHOWN ARE TENNESSEE STATE PLANE COORDINATE SYSTEM, ZONE 5301, FIPSZONE 4100; NAD 83 DATUM.
4. SUBJECT PARCEL: MAP 063N, GROUP A, PARCEL 005.00. THE TOTAL ACREAGE OF THE SUBJECT PROPERTY IS 0.21 ACRE.
5. SUBJECT PROPERTY LOCATED IN THE 9TH CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE.
6. PROPERTY IS ZONED: R-4, RESIDENTIAL 4 DISTRICT, CENTRAL FRANKLIN OVERLAY, HISTORIC PRESERVATION OVERLAY.
7. THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP. NO PORTION OF THE DESCRIBED TRACT LIES WITHIN FLOODWAY, AND IS SHOWN IN THE AREA ZONE X AS SAID TRACT PLOTS BY SCALE ON FEMA FIRM MAP NUMBER 47187C0211H ON THE FLOOD INSURANCE RATE MAPS FOR CITY OF FRANKLIN, TENNESSEE (EFFECTIVE DATE DECEMBER 20, 2024).
8. LOT SHALL CONFORM TO ALL REQUIREMENTS OF THE "FRANKLIN ZONING ORDINANCE".
9. WITHIN NEW DEVELOPMENTS AND FOR OFF SITE LINES CONSTRUCTED AS A RESULT OF, OR TO PROVIDE SERVICE TO, THE NEW DEVELOPMENT, ALL UTILITIES (INCLUDING CABLE TELEVISION, ELECTRICAL, NATURAL GAS, SEWER, TELEPHONE, AND WATER LINES) SHALL BE PLACED UNDERGROUND.
10. UTILITIES AS SHOWN WERE TAKEN FROM VISIBLE FIELD LOCATIONS. UTILITY DETAILS AND PRECISE GROUND LOCATIONS SHOULD BE OBTAINED FROM THE PROPER AUTHORITIES BEFORE ANY GROUND DISTURBANCE OR CONSTRUCTION IS STARTED.
11. THE CURRENT OWNER HAS NO KNOWLEDGE OF ANY ENTITY HAVING MINERAL RIGHTS TO THE SUBJECT PROPERTY.
12. THE CITY OF FRANKLIN WATER MANAGEMENT IS NOT RESPONSIBLE FOR ANY DRIVEWAY CROSSINGS.
13. THE CITY OF FRANKLIN WATER MANAGEMENT DEPARTMENT HAS UNRESTRICTED ACCESS TO ITS DOMESTIC WATER, SANITARY SEWER, RECLAIM WATER LINES OR SYSTEM IMPROVEMENTS LOCATED WITHIN ITS EXCLUSIVE EASEMENTS WITHIN THE DEVELOPMENT. IN THE EVENT LANDSCAPING, FENCING, CONCRETE OR OTHER STRUCTURES ARE INSTALLED OR PLACED WITHIN A CITY OF FRANKLIN EASEMENT, THE CITY OF FRANKLIN SHALL HAVE THE RIGHT TO REMOVE SUCH ENCROACHMENTS WITHIN THE EASEMENT AS MAY BE NECESSARY FOR THE CITY OF FRANKLIN TO REPAIR, MAINTAIN OR REPLACE ITS INFRASTRUCTURE WHICH IS NOW OR IN THE FUTURE MAY BE LOCATED WITHIN THE EASEMENT WITHOUT OBTAINING ANY FURTHER PERMISSION FROM THE PROPERTY OWNER OR HOA. THE PROPERTY OWNER OR HOA SHALL BE RESPONSIBLE FOR REPAIRING AND/OR REPLACING ANY SUCH LANDSCAPING, FENCING, CONCRETE OR OTHER STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN IN COMMON OPEN SPACE LOTS AND IN AREAS OWNED BY THE PROPERTY OWNER OR HOA AT NO EXPENSE TO THE CITY OF FRANKLIN. INDIVIDUAL HOMEOWNERS SHALL BE RESPONSIBLE FOR STRUCTURES REMOVED OR DISTURBED BY THE CITY OF FRANKLIN WITHIN AN EASEMENT ON THE HOMEOWNERS' LOT AT THE HOMEOWNERS' EXPENSE.
14. MAINTENANCE OF ALL STORMWATER MANAGEMENT FEATURES, INCLUDING LOT LINE SWALES, SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S) OR HOA. NO OBSTRUCTIONS OR ENCROACHMENTS WHICH IMPEDE THE FLOW OF STORMWATER SHALL BE PERMITTED WITHIN PUBLIC DRAINAGE EASEMENTS. THE CITY OF FRANKLIN IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY ENCROACHMENTS THAT ARE DAMAGED OR REMOVED IN THE COURSE OF MAINTENANCE ACTIVITY WITHIN EASEMENTS.
15. SIDEWALKS AND TRAILS OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PUBLIC ACCESS EASEMENTS AND SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) OR THE HOA.
16. NO OBSTRUCTIONS OR ENCROACHMENTS WHICH IMPEDE THE FLOW OF STORMWATER SHALL BE PERMITTED WITHIN PUBLIC DRAINAGE EASEMENTS. THE CITY OF FRANKLIN IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ANY ENCROACHMENTS THAT ARE DAMAGED OR REMOVED IN THE COURSE OF MAINTENANCE ACTIVITY WITHIN EASEMENTS.
17. TREES SHALL BE PRUNED TO A MINIMUM OF EIGHT FEET ABOVE GRADE AND NO FENCES OR OTHER OBSTRUCTIONS SHALL BE TALLER THAN THREE FEET ABOVE GRADE WITHIN SIGHT TRIANGLES FOR STREET INTERSECTIONS AND ROADWAY SIGNAGE PER THE LATEST VERSION OF AASHTO POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS.
18. MINIMUM BUILDING SETBACK REGULATIONS FOR ZONE R-4 ARE AS FOLLOWS:
    FRONT - AVERAGE SETBACK OF EXISTING BUILDINGS ON THE SAME BLOCK FACE, BUT NO CLOSER TO THE FRONT LOT LINE THAN THE CLOSEST ADJACENT BUILDING, AND IN NO CASE LESS THAN 10 FEET
    SIDE - 7'
    REAR - 20'
    FOR CORNER LOTS, THERE ARE TWO FRONT SETBACKS AND TWO SIDE SETBACKS
    MINIMUM BUILDING SETBACKS FOR THE SUBJECT PROPERTY ARE AS FOLOWS:
    FRONT - 31' (ALONG MYLES MANOR COURT), 25' (ALONG WINSLOW ROAD)
    SIDE - 7'
    REAR - 20'
19. THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF A GENERAL PROPERTY SURVEY AND CONFORMS TO THE ACCURACY OF A CATEGORY 1 SURVEY AS CURRENTLY DEFINED AND ADOPTED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS, AND THE RATIO OF PRECISION IS LESS THAN 1:10,000.
20. THERE IS TO BE A 40' MTE EASEMENT ON ALL OVERHEAD ELECTRIC LINES AND A 20' EASEMENT ON ALL UNDERGROUND ELECTRIC LINES.
21. ANY UNUSED SANITARY SEWER SERVICE MUST BE TERMINATED AT THE MAIN LINE TEE AND IS THE FINANCIAL RESPONSIBILITY OF THE PROPERTY OWNER.

PROJECT
24-1010

SHEET
1 OF 1

DATE:
20 FEB 2025

SCALE:
1" = 50'

DRAWN BY:
DSW

REVIEWER:

REVISIONS

NO.	DATE
1	2-4-25
2	2-20-25

MYLES MANOR PARK SUBDIVISION
FINAL PLAT - SECTION B, REVISION 2 - COF # 8687
RE-SUBDIVISION OF LOTS 24&25

246 MYLES MANOR COURT
ELJACK CUSTOM HOMES, LLC - OWNER
DEED BOOK 9496, PAGE 811
PLAT BOOK 1, PAGE 100
TAX MAP 63N, GROUP A, PARCEL 005.00
WILLIAMSON COUNTY, TENNESSEE

J. MARK CANTRELL
PROFESSIONAL LAND SURVEYOR
XVI
AGRICULTURE
COMMERCE
TENNESSEE NO. 1859
2-20-2025

T-SQUARE ENGINEERING
SURVEY DIVISION
111 SOUTHEAST PKWY CT, FRANKLIN, TN. 37064

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1-800-351-1111
TENNESSEE ONE CALL
IT'S THE LAW

SCALE 1" = 100'

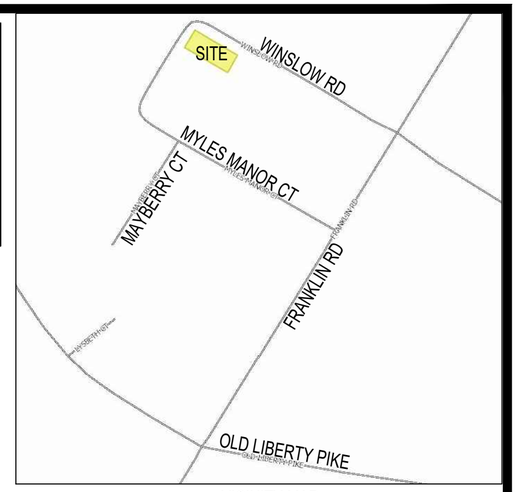
0 100 200 300

TN SPCS NAD 83

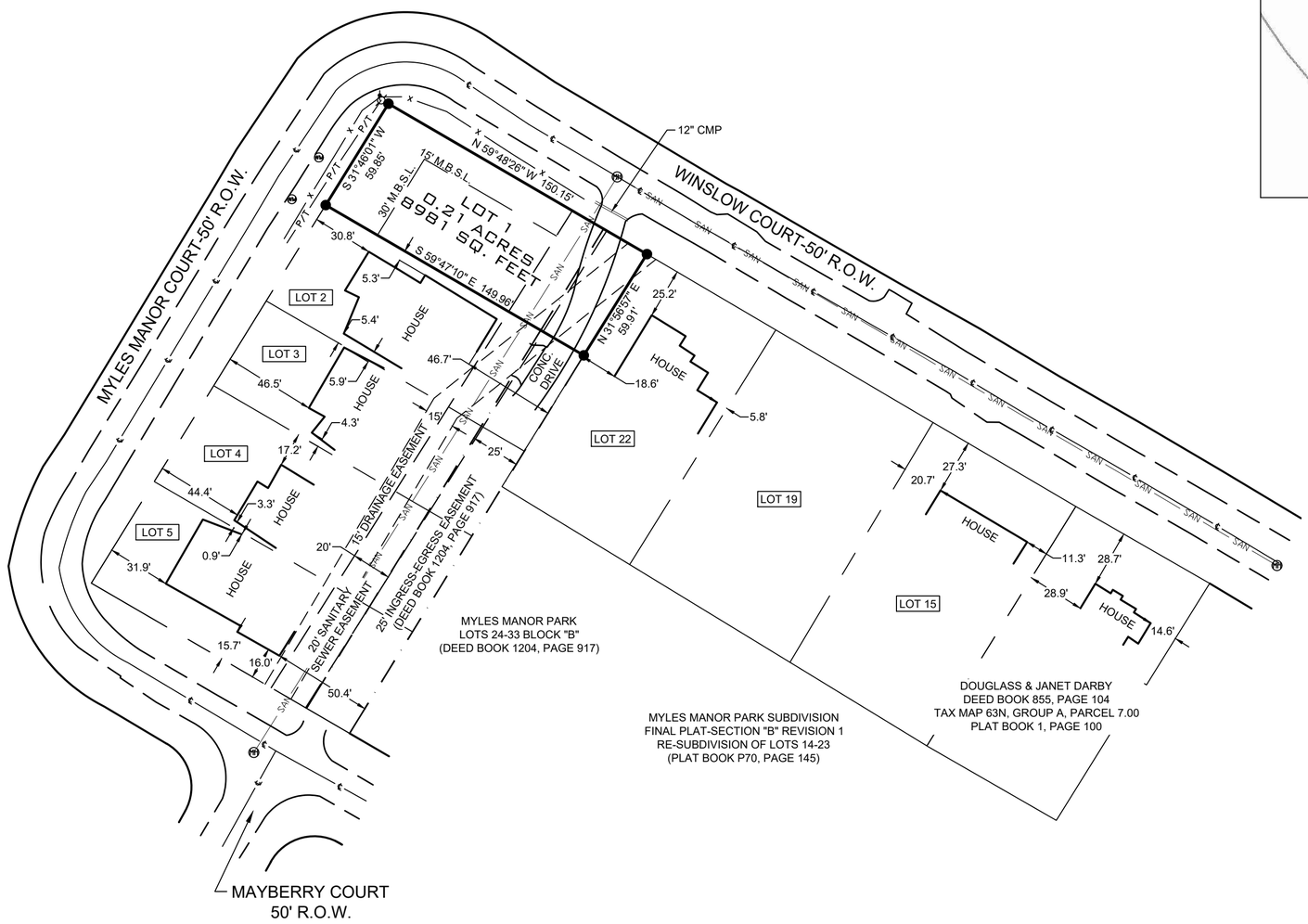
LEGEND

- WATER METER
- IRON PIN FOUND
- SIGN
- UTILITY POLE
- SANITARY SEWER MAN HOLE
- P/T — OVERHEAD POWER & TELEPHONE
- EDGE OF PAVEMENT
- X — FENCE LINE
- SAN — SANITARY SEWER LINE
- ℄ — CENTERLINE

M.B.S.L. = MINIMUM BUILD SETBACK LINE



VICINITY MAP
(NOT TO SCALE)



1. No portion of the described tract lies within Floodplain, and is shown in the area Zone X as said tract shows on FEMA FIRM Map Number 47187C0211G on the Flood Insurance Rate Maps for City of Franklin, Tennessee (effective date December 22, 2016).

2. Zoned R-4 - Residential 4 District. Minimum Building Setbacks: Front-Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10', Side-7', Rear-20', unless otherwise specified by recorded plat.

3. This survey was prepared from current deeds of record without benefit of facts and does not represent a title search or a guarantee of title, and is subject to any state of facts a current, full, or accurate search may reveal. No investigation of independent search for easements, encumbrances, restrictive covenants,or ownership title evidence has occurred. The surveyor reserves the right to revise any easement(s) not provided for or known of per the date of this survey.

4. The utility information shown hereon was taken from actual field evidence, utility agency records, or any other available evidence. Other utilities may exist and may not be shown, or may vary from where shown. No guarantee is expressed or implied in regard to the utility location shown hereon. The Owner(s) and Contractor(s) should assume responsibility to verify utility existence, size, location, depth and availability of service, and be solely responsible for contacting the utility location service prior to commencing construction.

5. Basis of bearings is based on the Tennessee State Plane Coordinate System 4100 Zone on the 1983 North American Datum (NAD83).

6. In Tennessee it is a requirement of the "Underground Utility Damage Prevent Act" that anyone who engages in excavation must notify all known underground utility owner(s) no less than three nor more than ten working days prior to the date of their intent to excavate and also to avoid any hazard or conflict. The Tennessee One Call telephone number is 1-800-351-1111. No utilities were called, nor marked for this project.

7. The field data was gathered on November 21, 2024 using standard radial surveying techniques with an Electronic total station (Trimble S-5 robotic instrument) and data collector (Trimble TSC7 with Access Data Collection software) and/or using Global Positioning (GPS)(Trimble R12, R12i).

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY, THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS BETTER THAN 1: 10,000, AND IS IN COMPLIANCE WITH THE CURRENT "TENNESSEE STANDARDS OF PRACTICE FOR LAND SURVEYING".

J. MARK CANTRELL, TN PLS# 1859

PROJECT	SHEET
24-1010	1 OF 1

DATE:	REVISIONS	
21 NOV 2024	NO.	DATE
SCALE:		
1" = 50'		
DRAWN BY:		
IIC		
REVIEWER:		
JMC		

BOUNDARY AS-BUILT & SETBACK SURVEY

KENNETH DISHMAN III &
SHARON DISHMAN
242 MYLES MANOR CT
DEED BOOK 9485, PAGE 189
DEED BOOK 1204, PAGE 917
TAX MAP 63N, GROUP A, PARCEL 5.00
PLAT BOOK 1, PAGE 100
WILLIAMSON COUNTY, TENNESSEE

J. MARK CANTRELL
PROFESSIONAL LAND SURVEYOR
XVI
AGRICULTURE
COMMERCE
TENNESSEE NO. 1859
11-21-2024

T-SQUARE ENGINEERING
SURVEY DIVISION
111 Southeast Pkwy Ct, Franklin, Tn. 37064

-----Original Message-----
From: Comcast <bcmorelli@comcast.net>
Sent: Monday, June 30, 2025 6:09 PM
To: Planning Intake <planningintake@franklintn.gov>
Subject: 246 Myles Manor-Variance Application

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

BZA— We are homeowners within 500 feet of the proposed variance location and object to the requested variance. The existing original properties in the area were built within the then existing requirements and add to the character of our neighborhood. The lot in question is already very narrow and the requested variances would make the scale of the principal building and the appurtenance out of place and appear too close to the property boundary. Our concerns might have been ameliorated had a copy of the proposed plot plan showing the requested variances been attached to the letter requesting comments. Sincerely, Bill and Cindy Morelli Sent from my iPhone

City of Franklin

109 3rd Ave S.
Franklin, TN 37064
(615) 791-3217

File #: 21-0733

DATE: June 19, 2025

TO: Board of Zoning Appeals

FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A Roof Pitch Of 1.5:12 For An Addition To An Existing Building For The Property Located At 109 Carolyn Avenue (F.Z.O. 6.3).

PURPOSE:

PROJECT INFORMATION
COF Project Number: 8839
Applicant: David Ayers
Owner: Nona and Gideon Fox

BACKGROUND/STAFF COMMENTS:
Vicinity Zoning/Land Use
Site: R-4 Residential / Residential Single Family
North: PD Planned Distict / Mixed Residential
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 inconviences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

6.3 Building Types; House
Roof Elements

Pitch	3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features

Background
This 0.44 acre property is located at 109 Carolyn Avenue and is zoned R-4 Residential 4 District. The applicant is proposing an addition onto the back of the existing house. The existing house has multiple roof elements, with their roof pitches ranging from 3:12 to 5:12. In order to extend the roof of the addition from the existing roofline, the applicant would like for the addition to have a roof pitch of 1.5:12. The roof pitch of a house is permitted to be between 3:12 and 12:12 per the Zoning Ordinance. For this reason, the applicant is requesting a variance to allow a roof pitch of 1.5:12 for an addition to an existing building.

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.

Staff finds there is no condition of the property preventing the addition to this home from having a 3:12 roof pitch. While it may not achieve the desired view of the house from the front, it is possible to accommodate development as required under this ordinance. Staff finds this criteria is not 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.

The strict application of the Zoning Ordinance in this case causes practical difficulties in designing the addition. In order to achieve a roof pitch of 3:12 for the addition to the house, the roofline of the existing house would need to be extended upward and complicates the design of the addition. While this can be achieved, it does impose practical difficulties for cohesive construction. 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.

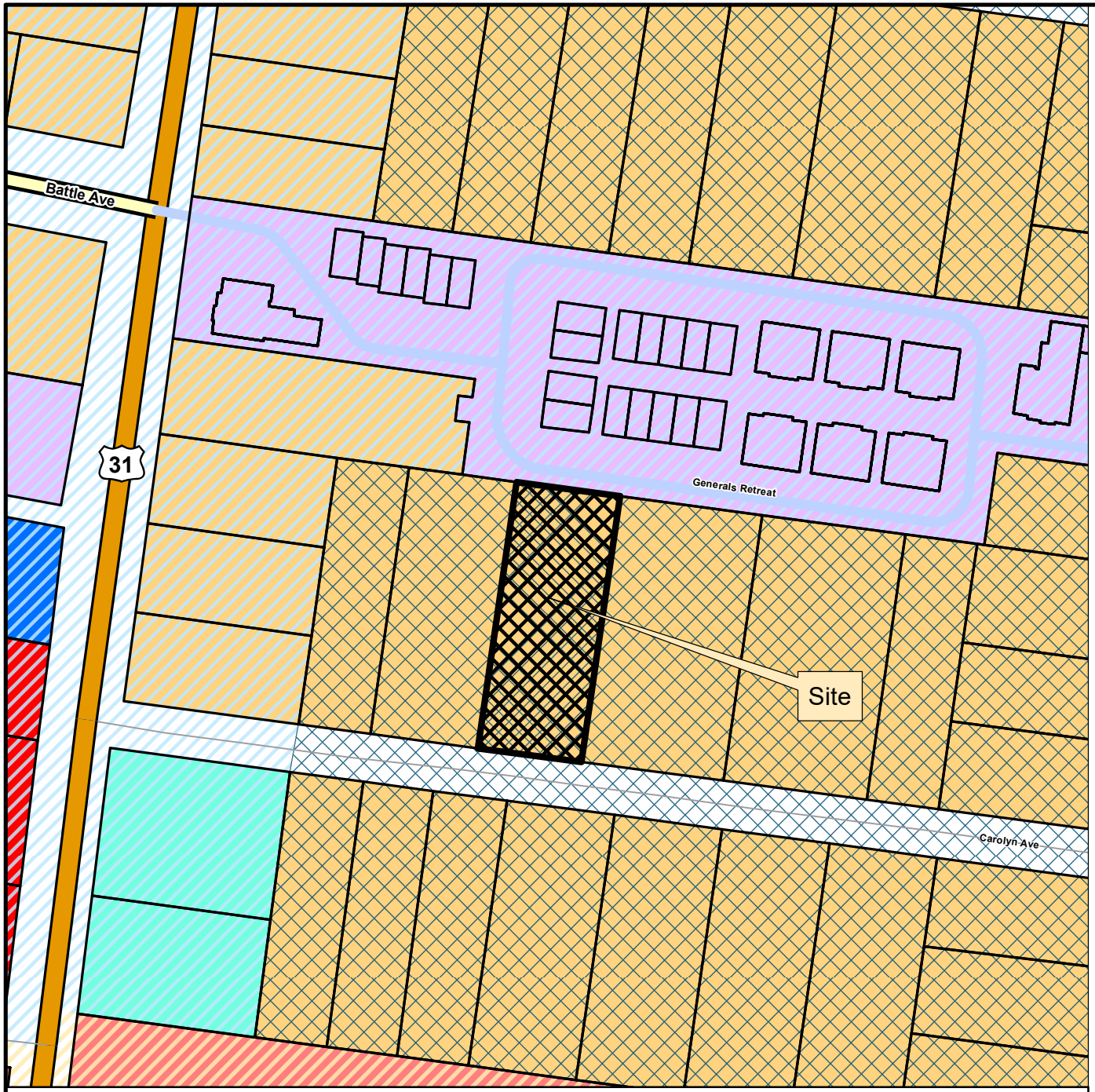
Staff finds this request would not be a detriment to the public good or impair the intent of the Zoning Ordinance. The intent of the addition having a 1.5:12 roof pitch is to maintain the existing roofline view from the street. This would ensure that the low profile character of the house is maintained, and the house would fit the context of the street. The intent of this Zoning Ordinance regulation is to maintain consistency in the design and character of houses. Designing this addition in a way that minimizes the alteration of the character and view of the house from the street meets the intent of this ordinance regulation. Staff finds this criteria is met.

FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to **deny** the Variance Request To Allow A Roof Pitch Of 1.5:12 For An Addition To An Existing Building For The Property Located At 109 Carolyn Avenue, because the criteria for granting a variance have not all been met.



109 CAROLYN AVENUE
TAX MAP 078N, GROUP C, PARCEL 01700
BOARD OF ZONING APPEALS
JULY 3, 2025

Legend

- 109 Carolyn Avenue
- Central Franklin Overlay

Zoning Overlay Districts

- Columbia Avenue Sub-District 1
- Columbia Avenue Sub-District 2
- Columbia Avenue Sub-District 3
- Columbia Avenue Sub-District 4
- Columbia Avenue Sub-District 5
- 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 District
- CC Central Commercial District
- DD Downtown District
- 1ST Avenue District
- 5TH Avenue District
- RC4 Regional Commerce 4 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.
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N

0 250 500 1,000
Feet

HISTORIC FRANKLIN TENNESSEE

June 6, 2025

Board of Zoning Appeals
City of Franklin, Tennessee
109 3rd Avenue South
Franklin, TN 37064

Subject: Justification Letter in Support of Variance Request – Roof Pitch Requirement

Dear Members of the Board of Zoning Appeals,

We are writing to respectfully request a variance from the zoning ordinance with regard to the minimum roof pitch requirement for a proposed addition at the residence located at 109 Carolyn Avenue, Franklin, TN 37069. The purpose of this request is to allow for the construction of a roof covering a small, proposed addition on the rear of the existing residence with a lower pitch than is currently mandated by the Ordinance. This request is made in accordance with the standards for relief outlined in the Ordinance, and we would like to provide the following justification addressing each of the three required criteria:

1. Exceptional Conditions of the Property

The subject property is uniquely affected by the slope of the lot, and by the architecture of the existing residence – a midcentury, ranch home with a low roofline. These factors create a set of design constraints not generally encountered on more level lots. The downward grade of the lot, particularly in the area where the addition is proposed, significantly limits vertical clearance for construction of the addition. If the required minimum roof pitch were enforced, it would cause the rear portion of the addition to rise well above the main roofline of the house or require substantial excavation and regrading to lower the foundation—both of which would be impractical and disruptive to the existing site conditions.

Furthermore, the house is a ranch-style structure, which inherently features low-pitched roofs and a long horizontal form. Applying a steeper roof pitch would be incompatible with the architectural style and scale of the existing home, exacerbating the design challenges imposed by the lot's natural slope.

2. Exceptional Practical Difficulties or Hardship

Strict application of the minimum roof pitch requirement under the current conditions would present exceptional practical difficulties for both the design and construction of the addition. A steeper roof, as required by the Ordinance, would demand that the roof over the proposed addition be elevated above the existing roofline, resulting in an awkward and visually disjointed profile from the road. It would also demand taller walls or altered internal ceiling profiles to maintain appropriate headroom, which in turn would increase construction complexity and aesthetic imbalance. The slope of the lot compounds these challenges by reducing usable vertical space on the downslope side of the structure.

Granting this variance for a reduced pitch is necessary to maintain architectural harmony with the existing home and avoid a series of cascading design compromises that would otherwise be required to achieve compliance.

3. No Substantial Detriment to the Public Good or Zoning Intent

The requested variance will not result in any detriment to the public good, nor will it impair the intent or purpose of the Zoning Ordinance. The proposed roof design will use materials and construction methods that align with neighborhood character and standards. In fact, the reduced pitch results in a lower overall profile, which will help minimize visual impact to adjacent properties and better preserve sight lines and architectural cohesion.

The most critical factor that we want to express to the Board is that we feel that the proposed design allows the property to be further developed in a manner that is the least detrimental to the public good and the intent of the Ordinance. The subject of this variance request is for a relatively small portion of roof over an area that is currently a back porch that is being converted into living space. This portion of the addition, as proposed, cannot be seen from the front profile, and does not change the look of Carolyn Avenue in any way. The steeper roof required by the Ordinance would require the roof of this rear addition to rise above the main roofline of the residence, creating a mis-matched look out of step with the simple and modest architecture of this ranch home. The lower profile enabled by the reduced pitch as proposed would do a better job of maintaining the charming look and character of Carolyn Avenue than if the ordinance were enforced in this case.

The variance that we are requesting is the minimum necessary to overcome this site-specific hardship and achieve a design that is structurally sound, visually coherent and compatible with the style of the neighborhood.

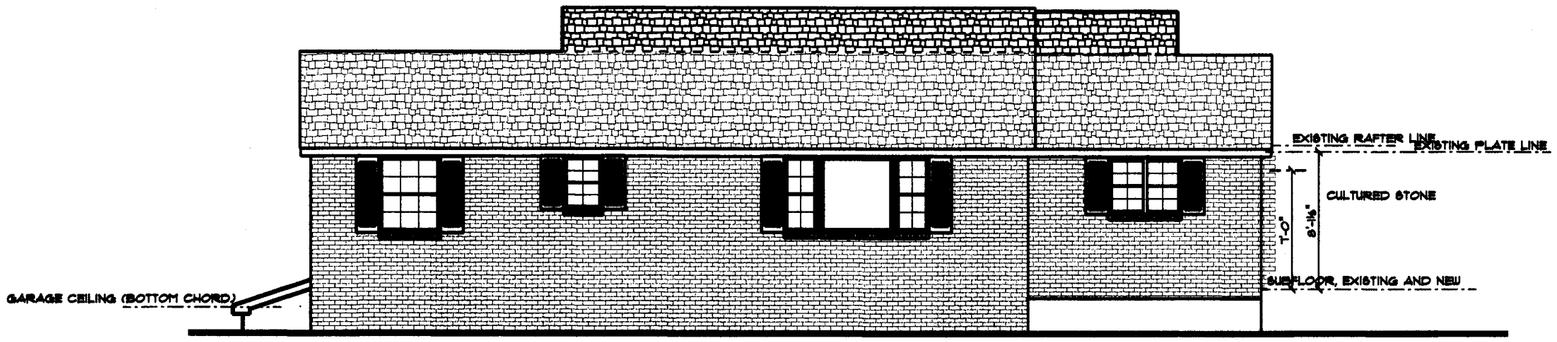
For all of the above reasons, we respectfully ask the Board to approve this variance request. We are fully committed to ensuring that the addition meets all other applicable building, structural, and zoning regulations.

Thank you very much for your time and consideration. We are happy to provide any additional documentation or clarification at your request.

Sincerely,

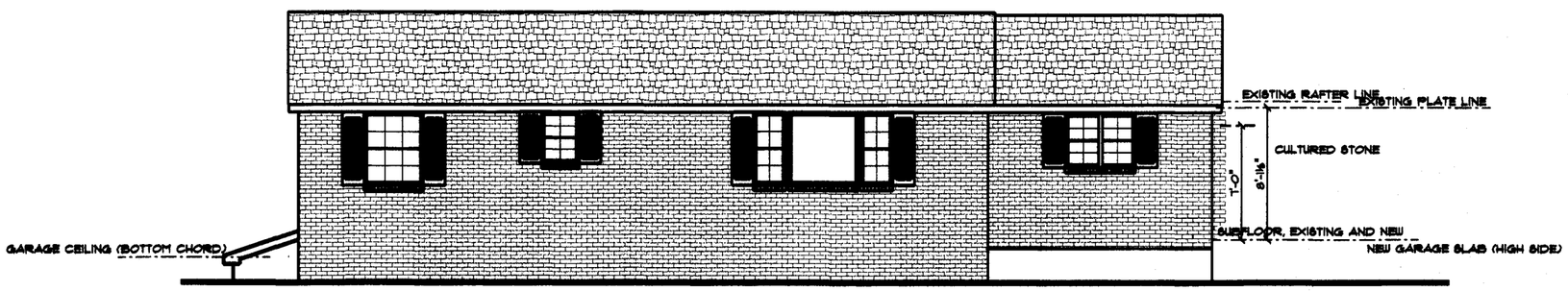
David Ayers
David Ayers Designs
Architect

Nona W. Fox & Gideon Fox
Homeowners



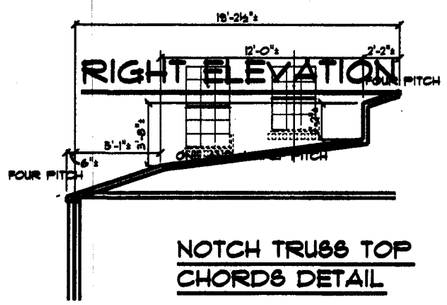
ALL NEW EXTERIOR MATERIALS, COLORS, AND FINISHES, INCLUDING BUT NOT LIMITED TO, BRICK, SIDING, FACIA, SOFFITT, FRIEZE, TRIM, WINDOWS, DOORS, ETC, SHALL, AS MUCH AS PRACTICAL, BE AS EXISTING.

FRONT ELEVATION WILL BE UNAFFECTED BY THIS ADDITION.



FRONT ELEVATION

SCALE: 1/4" = 1'

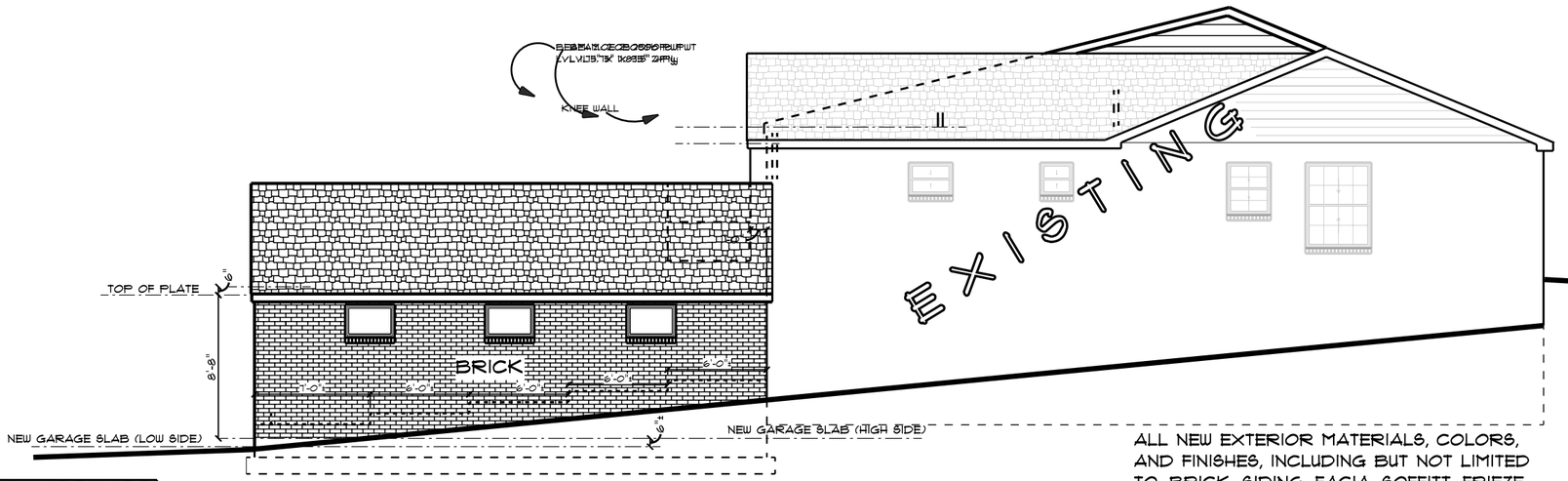


NOTCH TRUSS TOP CHORDS DETAIL

SCALE: 1/4" = 1'

DAVID AYERS
D E S I G N S
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david@davidayersdesigns.com
615 - 948 - 1315
Brentwood, Tennessee 37027

EXISTING BASEMENT FLOOR

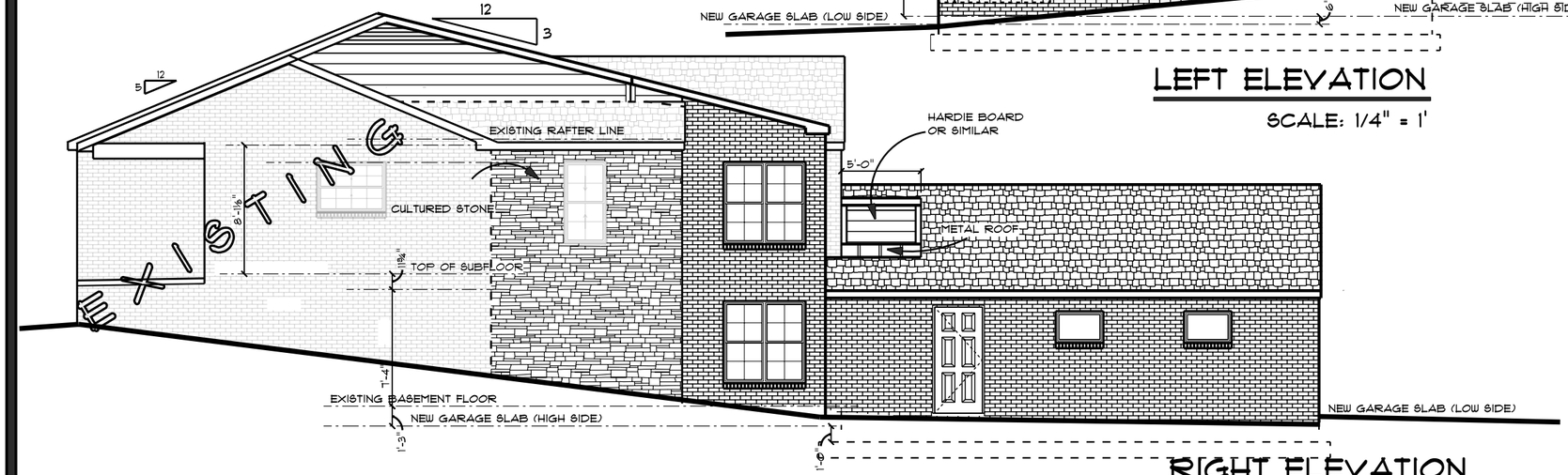


LEFT ELEVATION

SCALE: 1/4" = 1'

ALL NEW EXTERIOR MATERIALS, COLORS, AND FINISHES, INCLUDING BUT NOT LIMITED TO, BRICK, SIDING, FACIA, SOFFITT, FRIEZE, TRIM, WINDOWS, DOORS, ETC, SHALL, AS MUCH AS PRACTICAL, BE AS EXISTING.

FRONT ELEVATION WILL BE UNAFFECTED BY THIS ADDITION.



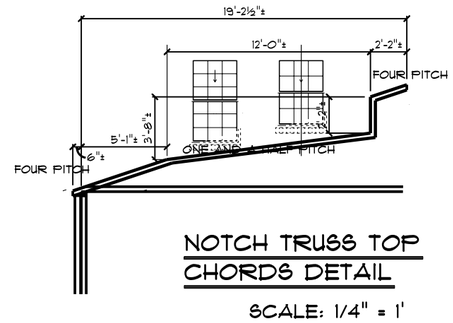
RIGHT ELEVATION

SCALE: 1/4" = 1'



BACK ELEVATION

SCALE: 1/4" = 1'

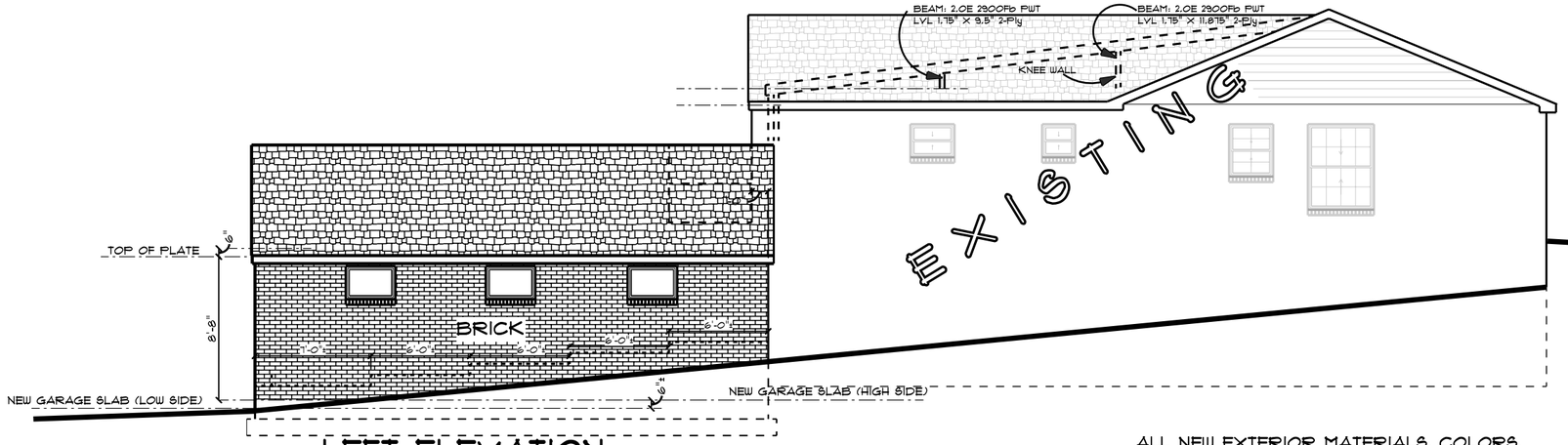


NOTCH TRUSS TOP CHORDS DETAIL

SCALE: 1/4" = 1'

SHEET 2 OF 5

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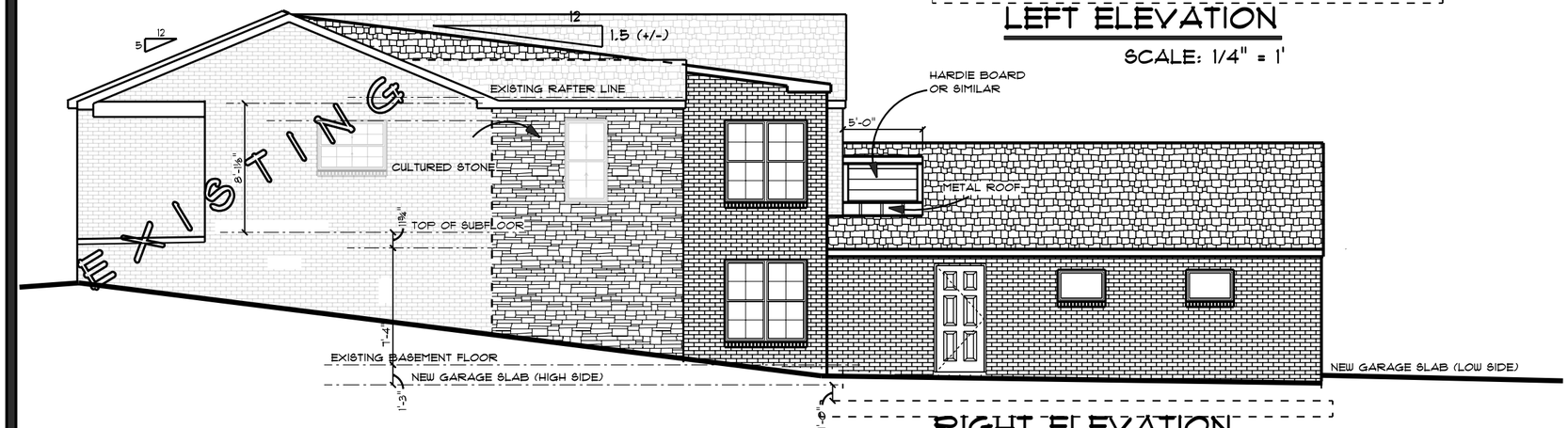


LEFT ELEVATION

SCALE: 1/4" = 1'

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FRONT ELEVATION WILL BE UNAFFECTED BY THIS ADDITION.



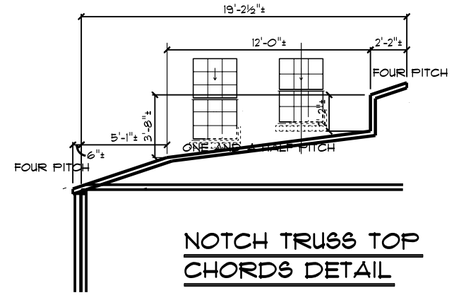
RIGHT ELEVATION

SCALE: 1/4" = 1'



BACK ELEVATION

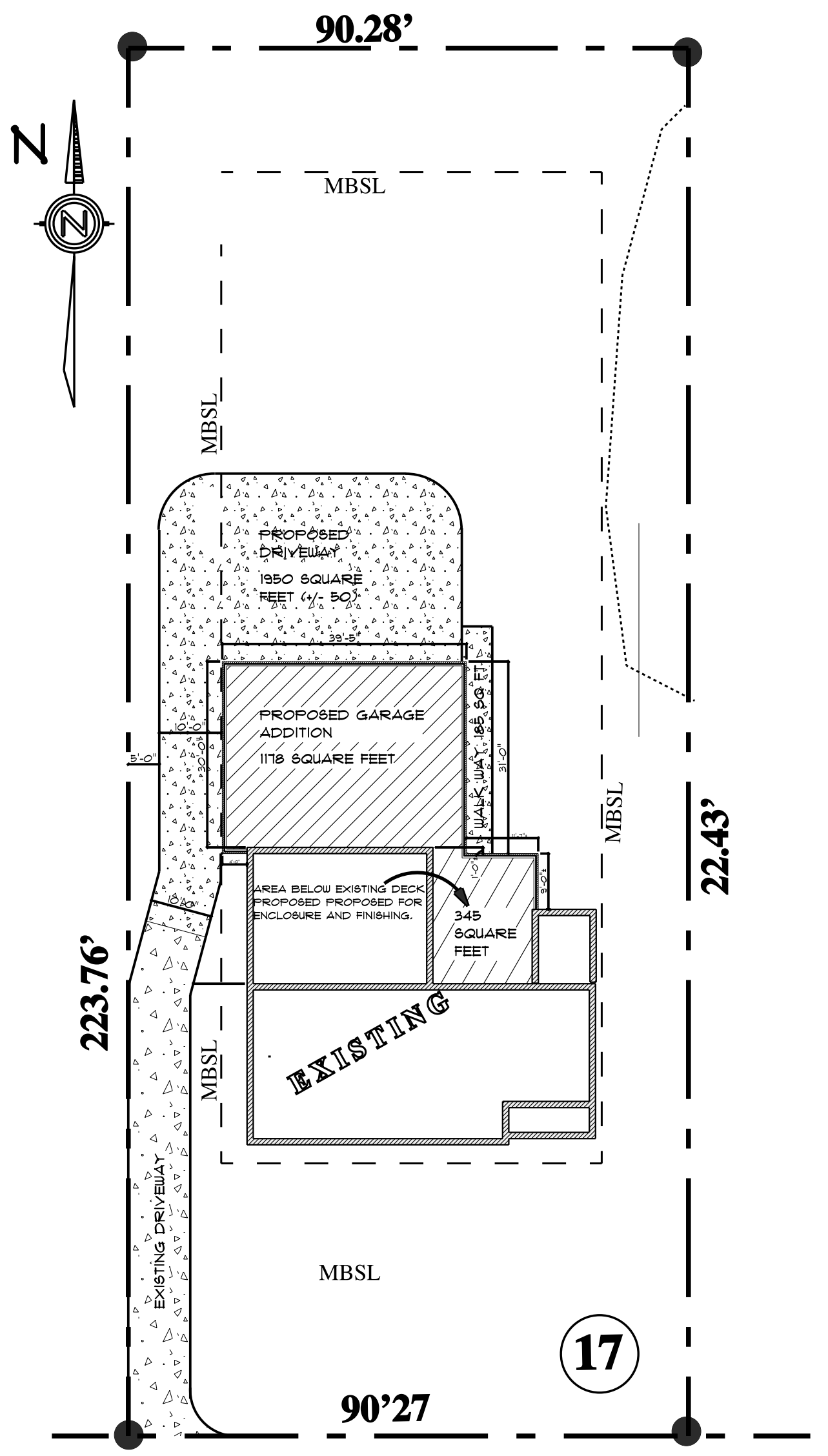
SCALE: 1/4" = 1'



NOTCH TRUSS TOP CHORDS DETAIL

SCALE: 1/4" = 1'

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Brentwood, Tennessee 37027



109 Carolyn Ave

SITE PLAN

SCALE: 1" = 20'

SHEET 1 OF 5

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(SEE NOTE 4)

LEGEND *(Typical)*

CIR(N)	XLCi CAPPED IRON ROD (New)
CIR(O)	CAPPED IRON ROD (Old)
CIR(N)	XLCi CONC. MONUMENT (New)
CIR(O)	XLCi CONC. MONUMENT (Old)
IR(O)	IRON ROD (Old)
IP(O)	IRON PIPE (Old)
CM(O)	CONCRETE MONUMENT (Old)
PK(N)	P.K. NAIL (New)
PK(O)	P.K. NAIL (Old)
WFP(O)	WOOD FENCE POST (Old)
MFP(O)	METAL FENCE POST (Old)
RR(O)	R.R. SPIKE (Old)
	METAL T-POST (Old)
	SET STONE (Old)
	AXLE (Old)
	ROCK PILE (Old)
	POINT
	BOUNDARY TREE
XX	LOT OR TRACT NUMBER
(XX.XX)	PARCEL NUMBER
x	WIRE FENCE (TYPICAL USE)
	PROPERTY LINE
	MARKED PROPERTY LINE
	FENCED PROPERTY LINE
	CENTERLINE
0000	STREET ADDRESS
	ASPHALT/C&S SURFACE
	CONCRETE SURFACE

DEED REFERENCE

(17.00)	-	TOM J. GORE, Jr. And Wife, EVELYN A. GORE	-	Book 789, Page 205, R.O.W.C., Tn.

PLAT REFERENCE

(17.00)	-	BLOCK "B" - HIGHLAND GARDENS SUBDIVISION	-	Plat Book 1, Page 57, R.O.W.C., Tn.

SITE DATA

PARCEL AREA
20,139.0 +/− Sq.Ft.

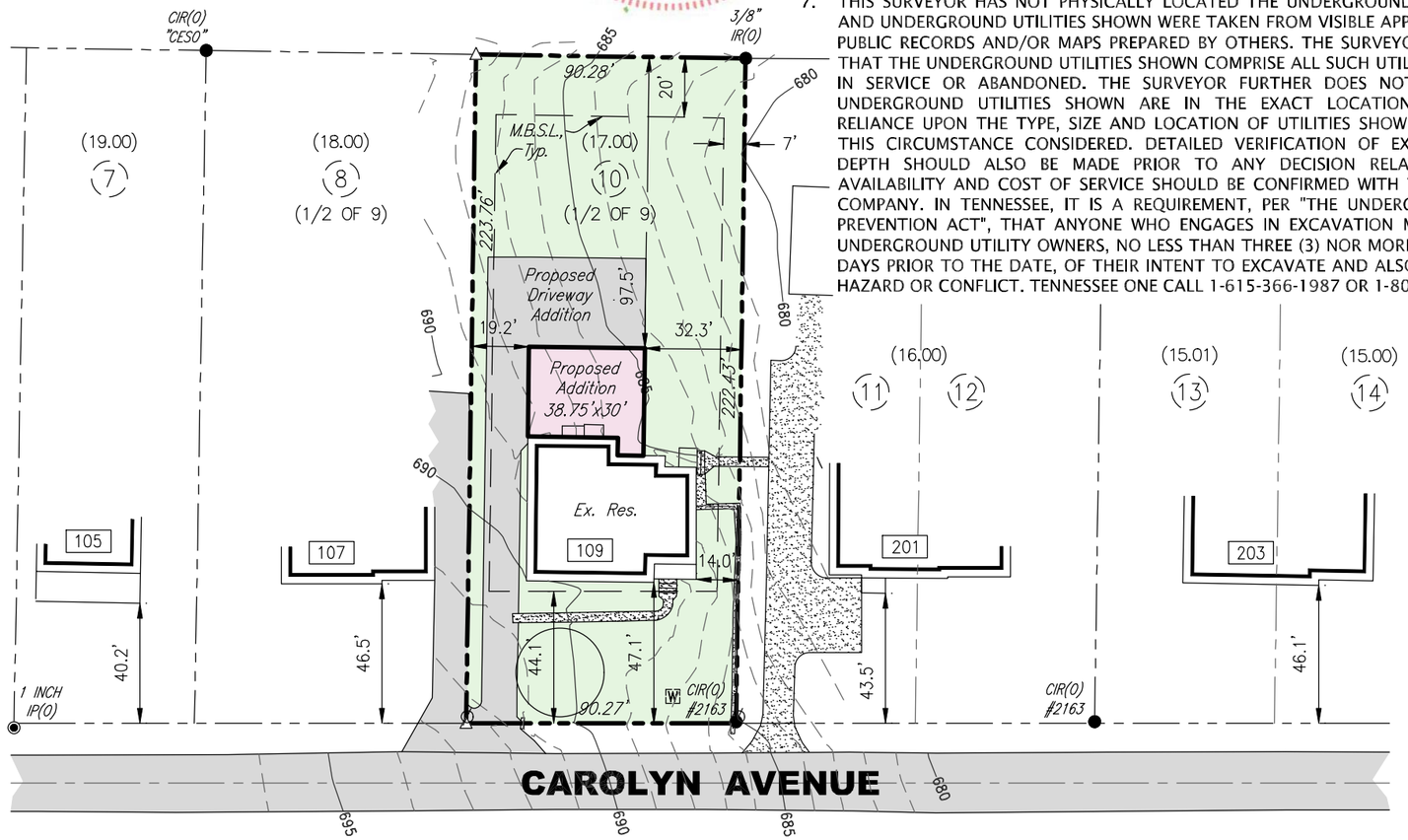
PRE IMPERVIOUS AREA
6,782.4 +/− Sq.Ft.

POST IMPERVIOUS AREA
575.6 +/− Sq.Ft.

TOTAL IMPERVIOUS AREA
7,358.0 +/− Sq.Ft.
36% OF PARCEL AREA

SUBJECT PARCEL ZONING
ZONED R−4
BUILDING SETBACKS:
FRONT = 44.1' (Avg.)
SIDE = 7'
REAR = 20'

STEPHEN B. MURREY REGISTERED LAND SURVEYOR AGRICULTURE TENNESSEE NO. 2462 2-17-25



SURVEYOR'S NOTES

1. SUBJECT PROPERTY IS IDENTIFIED AS PARCEL 17.00, GROUP "C", AS SHOWN ON WILLIAMSON COUNTY TAX MAP NUMBER 78-K. PARCEL NUMBERS SHOWN THUS ( ), REFER TO WILLIAMSON COUNTY TAX MAP NUMBER 78-K.
2. SUBJECT PROPERTY AS SHOWN IS SUBJECT TO THE LEGAL RIGHT-OF-WAY FOR CAROLYN AVENUE.
3. SUBJECT PROPERTY AS SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA, AS EVIDENCED ON MAP No. 47187C0211H, EFFECTIVE DATE DECEMBER 20, 2024.
4. BOUNDARY AND TOPOGRAPHIC ASPECTS OF THIS RTK GPS SURVEY WERE OBSERVED ON OR THROUGH FEBRUARY 17, 2025, USING A CARLSON BRX7 DUAL FREQUENCY RECEIVER. GRID COORDINATES OF THE FIXED STATION(s) WERE DERIVED USING A TDOT NETWORK ADJUSTED RTK GPS OBSERVATION, REFERENCED TO NAD83(2011), (EPOCH2010), GEOID18(CONUS). POSITIONAL ACCURACY OF THE GPS VECTORS DOES NOT EXCEED A HORIZONTAL 0.04 FEET, AND A VERTICAL 0.08 FEET. COMBINED GRID FACTOR OF 0.99992076, CENTERED ON THE FIXED STATION.
5. ALL FEATURES SHOWN HEREON ARE EXISTING AT THE TIME OF THE SURVEY, UNLESS NOTED OTHERWISE.
6. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD, INCLUDING EASEMENTS, WHICH WOULD AFFECT THIS PARCEL.
7. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE, OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-615-366-1987 OR 1-800-351-1111.

Xcel land company inc.
LAND PLANNING & SURVEYING SERVICES
XLCi Land Surveying DIVISION
3024 Highway 46-S • (615) 412-9235 (p)
Dickson, Tn. 37055 • (615) 823-2864 (f)
www.xcelsurvey.com

0' 25' 50' 75'
GRAPHIC SCALE
1 INCH = 50 FEET

SITE PLAN

TOM GORE, Jr. et ux PROPERTY
Tax Map 78-K, Group "C", Parcel 17.00
109 Carolyn Avenue - Franklin, Tn. 37064
Williamson County, Tennessee

CHK'D BY:	DRAWN BY:	JOB NO.:	DATE:
SBM	SBM	25-020	02/17/2025

1 OF 1

Z:\25-020 – Gideon Fox – SITE\25-020_v3.dwg















File #: 21-0734

DATE: June 19, 2025

TO: Board of Zoning Appeals

FROM: Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 7-Foot Side Yard Setback For An Existing Principal Building, And A **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 5-Foot Side Yard Setback For An Existing Appurtenance On An Accessory Structure, And A **Variance Request** To Allow A Lot To Have A Minimum Landscape Surface Area Of 26 Percent For The Property Located At 417 Forrest Street (F.Z.O. 3.7.5., 12.2.2.).

PURPOSE:

PROJECT INFORMATION
COF Project Number: 8840
Applicant: Brian Biglin
Owner: Brian Biglin

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use
Site: R-4 Residential / Residential Single Family
North: R-4 Residential / Residential Single Family
South: Office 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 inconviences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

3.7.5. Residential 4 District, Dimensional Standards

Principal Building Setbacks	Minimum
Side Yard	7 feet

Appurtenance Encroachments into Setbacks

Side Yard	5 feet max, but no closer than 5 feet from lot line

12.2.2. Minimum Landscape Surface Area

Development sites and lots shall have a minimum LSA acreage according to the table below:

District	Minimum Landscape Surface Area (LSA)
R4	40%

Background

This 0.22 acre lot is located at 417 Forrest Street and is zoned R4 Residential 4 District. There is an existing house and accessory structure on the lot. The existing house, accessory structure, and paved areas were built in 2022, but were not built according to the building permit that was submitted and approved in November 2022. As a result of this, there are multiple Zoning Ordinance violations:

1. The existing house encroaches into the east side setback. Principal buildings in the R4 zoning district are required to have a minimum side setback of 7 feet. The house is located approximately 4 feet and 8 inches from the side lot line, and may need to encroach up to 4 feet and 6 inches from the lot line to fire-rate that side wall of the house, hence the variance request to encroach up to 2 feet and 6 inches into the 7-foot setback. Structures that are located less than 5 feet from a property line are required to fire rate the structure along that property line for safety purposes. There is a possibility that they could install a sprinkler system to resolve the issue, but they may need to add additional material to the side of the house to fire rate that wall if a sprinkler system is not feasible for this property. Staff has confirmed that this solution shouldn't add more than 2 inches onto the side of the house, if that's the solution they need to pursue.
2. The appurtenance (concrete patio) attached to the accessory structure in the backyard encroaches into the west side setback. This concrete patio was not shown on the approved Building Permit, and qualifies as an appurtenance. Appurtenances are allowed to encroach up to 5 feet into a side yard setback, but no closer than 5 feet from the lot line. This patio is 2.5 feet from the side lot line.
3. The lot does not meet the Zoning Ordinance minimum Landscape Surface Area (LSA) requirement. The approved Building Permit showed significantly less paved area than what was built, and the paved driveway was shown as permeable pavers. There is a portion of permeable pavers in front yard area, but the rest of the paved areas on the lot are impervious concrete. As calculated on the submitted survey, the LSA is currently 26%. R4 Residential zoning district requires a minimum of 40% LSA.

Due to the complicated history of this lot, Staff finds it relevant to provide a timeline of events:

- 11/14/2022 - Building Permit approved by the City of Franklin

- 2022 to 2024 - Building inspections were performed as established in the 2018 International Residential Code and the City of Franklin inspection schedule. Zoning ordinance violations are not intended to be caught through the building inspection process. Building inspections are only to ensure the minimum building code is met.
- September 2024 - A red sign was posted on the property, stating that this house did not yet have a Certificate of Occupancy, and was not yet allowed to be occupied.
- 2023 to 2024 - The owner attempted to sell the house.
- Staff further studied the plans and a site visit to the property brought into question the placement of the building on the lot. After confirming the discrepancies between the approved Building Permit and the house that was built, Shanna McCoy (City of Franklin's Zoning and Floodplain Administrator) made the owner of the home aware that there were multiple aspects of the home that did not meet the Zoning Ordinance requirements.
- 2025 - The owner was not able to sell the house, and the bank foreclosed on the home at the beginning of 2025.
- 2025 - First Bank listed the property with Pilkerton Realtors.
- 3/10/2025 - Shanna McCoy spoke with the listing agent with Pilkerton Realtors. Shanna McCoy explained that the existing home is encroaching into the side setback, and that a Certificate of Occupancy would not be issued until either a variance is issued or the structure is moved or demolished and rebuilt. She also explained that the driveway has to be removed and replaced with pervious material (to meet the LSA requirement).
- 3/13/2025 - Brian Biglin closed on the house.
- 3/14/2025 - Brian Biglin came to the Building and Neighborhood Services department and spoke with Randall Tosh and William Holcomb regarding the property. Brian Biglin then submitted a record's request for the property. Shanna McCoy spoke with Mr. Biglin on the phone during the week of March 17th-21st and explained the issues. Ms. McCoy then scheduled a meeting with Mr. Biglin for March 26th. Mr. Biglin came to the meeting with an attorney and Bill Squires (City of Franklin Assistant City Attorney) was unavailable so the meeting had to be rescheduled. The meeting was rescheduled for April 2nd, and Staff went through all the issues with Mr. Biglin.

Given the existing Zoning Ordinance violations, the applicant is requesting 3 variances:

1. A Variance Request To Allow A 2-Foot And 6-Inch Encroachment Into The Required 7-Foot Side Yard Setback For An Existing Principal Building
2. A Variance Request To Allow A 2-Foot And 6-Inch Encroachment Into The Required 5-Foot Side Yard Setback For An Existing Appurtenance On An Accessory Structure
3. A Variance Request To Allow A Lot To Have A Minimum Landscape Surface Area Of 26 Percent

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 2-Foot And 6-Inch Encroachment Into The Required 7-Foot Side Yard Setback For An Existing Principal Building
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.

Staff does not find any extraordinary conditions of this property that would prevent a single-family home from being located the required 7 feet from the side property line on this property. The approved Building Permit shows that an approximately 2,000 square-foot home could be built within the setback requirements of this lot. Staff finds this criteria is not met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff does not find that 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. The hardship of needing to remedy the existing house that was built out of compliance is self imposed. The practical difficulties presented by this situation are a result of the house not being built according to the approved plans, not a result of the strict application of the Zoning Ordinance. Staff finds this criteria is not 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 may be a detriment to the public good and would impair the intent of the Zoning Ordinance. The house is located very close to the neighboring house at 415 Forrest Street. Part of the intent of this zoning ordinance regulation is to provide a buffer between buildings and to have aesthetic consistency with setbacks in a neighborhood. With this house being so close to the side lot line and the neighboring house also being close to that lot line, the space between the buildings is only 6.6 feet and does not seem to be a sufficient buffer for the property owners, and does not fit the context of the street. This does not meet the intent of the zoning ordinance. Staff finds that this criteria is not met.

Request 2: To Allow A 2-Foot And 6-Inch Encroachment Into The Required 5-Foot Side Yard Setback For An Existing Appurtenance On An Accessory Structure

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.

Staff does not find any extraordinary conditions of this property that would prevent development of an accessory structure and appurtenance within the setbacks on this property. The approved Building Permit shows an accessory structure built within the setback requirements of this lot, and it was not a condition of the lot that required the appurtenance to be located within the side setback. Staff finds this criteria is not met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff does not find that 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. The hardship of needing to remedy the existing appurtenance that was built out of compliance is self imposed. The practical difficulties presented by this situation are a result of the appurtenance not being built according to the approved plans, not a result of the strict

application of the Zoning Ordinance. Staff finds this criteria is not 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 appurtenance may be a detriment to the public good and would impair the intent of the Zoning Ordinance. The majority of the driveway is located against the property line, where the original driveway was located. At the review of the Building Permit, Staff required that any new portion of the driveway would need to curve away from the property line to comply with the required 5-foot setback for driveways. With this required curve and setback of the driveway, it is apparent that the patio encroaches closer to the lot line than the back of the driveway and accessory structure are allowed to be. In addition, the patio being so close to the neighboring property to the west may cause noise or nuisance concerns. Staff finds this criteria is not met.

Request 3: To Allow A Lot To Have A Minimum Landscape Surface Area Of 26 Percent
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.

Staff does not find any extraordinary conditions of this property that would prevent development with the required 40% LSA on this property. The approved Building Permit meets the LSA requirements, and it was not a condition of the lot that required the additional paved areas and the lack of pervious pavement. Staff finds this criteria is not met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff does not find that 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. The hardship of needing to remedy the existing pavement that was installed out of compliance is self imposed. The practical difficulties presented by this situation are a result of the pavement not being installed according to the approved plans, not a result of the strict application of the Zoning Ordinance. Staff finds this criteria is not 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.

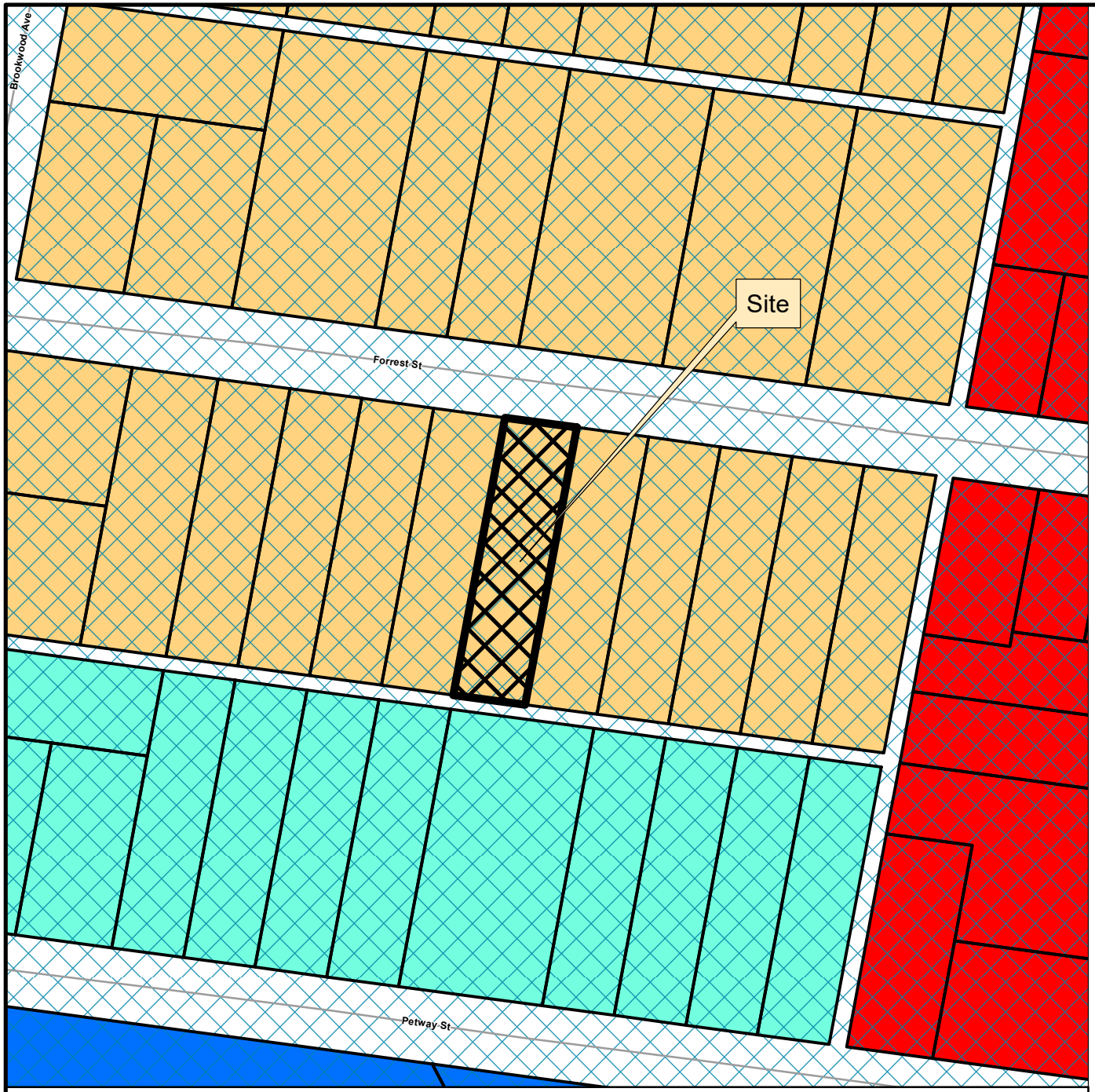
Staff finds that this request may be a detriment to the public good and would impair the intent of the Zoning Ordinance. Part of the intent of the minimum Landscape Surface Area (LSA) regulation is to ensure that stormwater runoff is not displaced onto neighboring properties. With the majority of the lot being covered in impervious pavement, stormwater runoff will likely be displaced to the neighboring properties. LSA is also regulated to preserve green space, encourage sustainable development, and maintain consistency in the design of lots. Covering 73.9% of the lot in impervious surfaces does not align with the intent of sustainable development and green space preservation, and it is apparent that the LSA provided on this lot is not consistent with the neighboring properties. Staff finds this criteria is not met.

FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to **deny** the **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 7-Foot Side Yard Setback For An Existing Principal Building, And **deny** the **Variance Request** To Allow A 2-Foot And 6-Inch Encroachment Into The Required 5-Foot Side Yard Setback For An Existing Appurtenance On An Accessory Structure, And **deny** the **Variance Request** To Allow A Lot To Have A Minimum Landscape Surface Area Of 26 Percent For The Property Located At 417 Forrest Street, because the criteria for granting a variance have not been met.



417 FORREST STREET
TAX MAP 078G, GROUP D, PARCEL 00700
BOARD OF ZONING APPEALS
JULY 3, 2025

Legend

- 417 Forrest Street
- Central Franklin 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 District
- CC Central Commercial District
- DD Downtown District
- 1ST Avenue District
- 5TH Avenue District
- RC4 Regional Commerce 4 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.
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N

0 250 500 1,000
Feet

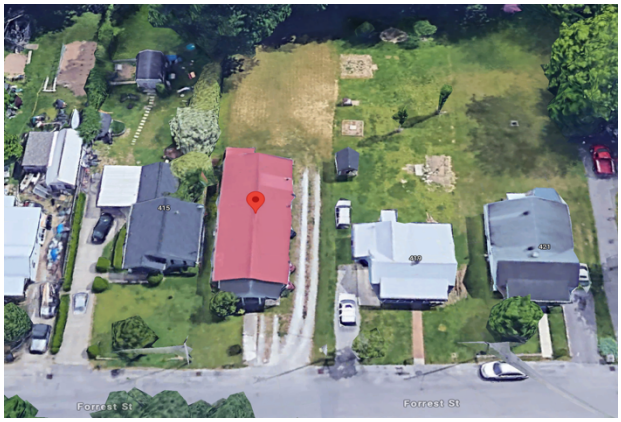
HISTORIC FRANKLIN TENNESSEE

JUSTIFICATION LETTER- VARIANCE REQUESTS

417 Forrest Street, Franklin, TN

In late 2022, a permit was obtained to demolish an existing duplex home of 1500 square feet at 417 and 417A Forrest Street and a building permit was issued to construct a 4,336 square foot home including an accessory dwelling unit (ADU) with garage. The plans were approved and building began in December 2022.

Original Home



During the course of 2022 to 2024, there were 51 individual inspections completed resulting in the passing of the Building, Electrical, Mechanical, and Plumbing inspections. However, a final inspection was never conducted nor an occupancy permit obtained. There was no mention in any of the 51 inspection reports of possible zoning or code violations.

New Home



The boundaries are not well defined in this area of Franklin and when a new survey was ordered, there were no permanent lot markers found and the entire block had to be surveyed to obtain a reliable survey.

This is all to say that lot lines are not very evident and even experts in the field did not alert on potential issues until the house was completed and it was too late to correct.

Permits - 417 Forrest (main house)

Permit Type	Inspections	# Inspections	Status	Date
Building	Frame	7	Passed	4/6/23
	Insulation	4	Passed	4/24/23
	Slab	3	Passed	1/6/23
Electrical	Rough In	2	Passed	3/21/23
	Service Release	3	Passed	8/2/23
	Underground	1	Waived	4/26/23
	Final	3	Passed	1/10/24
Mechanical	Rough in	1	Passed	3/27/23
	Gas Line	2	Passed	11/8/23
Plumbing	Sewer Line	1	Passed	6/5/23
	Slab	1	Passed	1/3/23
	Water Line	1	Passed	6/5/23
	Rough in	2	Passed	3/3/23
Sub Total		31		

417 Forrest B (ADU)

Permit Type	Inspections	# Inspections	Status	Date
Building	Frame	5	Passed	4/6/23
	Insulation	3	Passed	4/24/23
	Slab	2	Passed	1/6/23
Electrical	Rough In	1	Passed	3/3/23
	Service Release	1	Passed	8/2/23
	Final	1	Passed	12/7/23
Mechanical	Rough in	1	Passed	3/3/23
Plumbing	Sewer Line	1	Passed	6/5/23
	Slab	1	Passed	12/30/22
	Water Line	1	Passed	6/5/23
	Rough in	3	Passed	3/8/23
Sub Total		20		
Total Inspections		51		

The builder completed the home and listed it for sale between November 2023 and August 2024. Unfortunately, he was unable to sell the home and the Bank foreclosed in January 2025.

First Bank listed the property with Allison Klausner of Pinkerton Realtors. The property was being sold "as-is" with a waiver of disclosures because the owner, First Bank, had never lived in the property.

As I did my due diligence, I found no public record of unresolved code or zoning violations on the house and none were disclosed by First Bank or their representative. So, I made an offer on the property which was accepted by First Bank and I closed on the property on March 13, 2025.

There was no violation information posted on the premises, disclosed by the seller, or present in the publicly available records for the home. Furthermore, when I specifically inquired about any active violations, I was informed that there were none according to the record provided below:

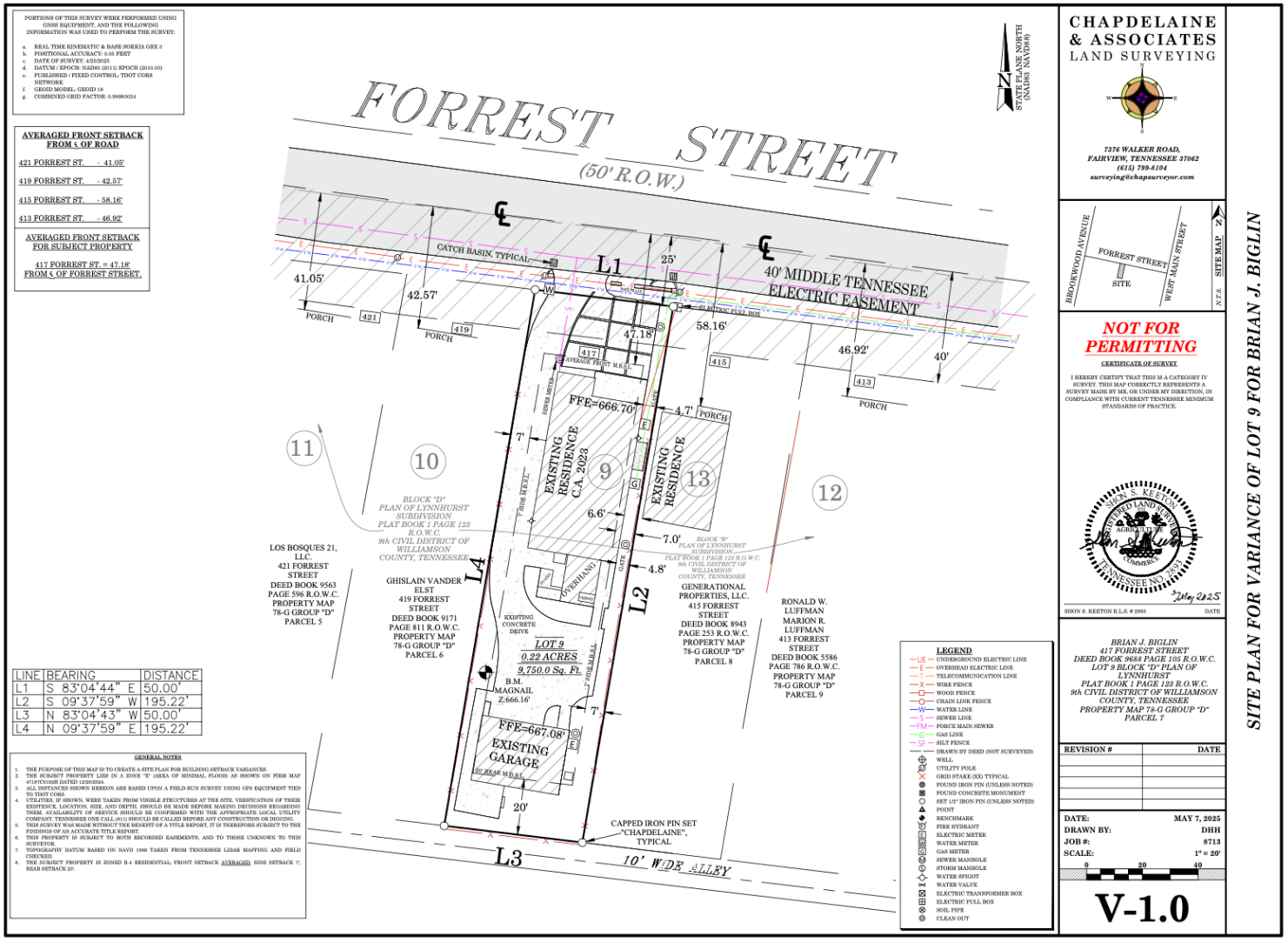
417 Forrest St.- Code Violations

Service Request #	Taken By	Request Type	Description	Request Date	Resolved Date	Reference #	Priority	Responsibility	Inspector	Address	Location	Comments	Additional Comments	Col15	
27190	1042	202	BNS Dept - High Grass/ Vegetation	4/14/2009	4/27/2009 15:22			BNS	1041	417 FORREST ST APT A FRANKLIN TN 37064			high grass		
644764	4928	206	BNS Dept - Zoning Violation	9/20/2023	11/10/2023 09:53			BNS	4928	417 FORREST ST FRANKLIN TN 37064	417 Forrest St Parking Pad in front of House	417 Forrest St Parking Pad in front of House	417 Forrest St Parking Pad in front of House		
670805	4921	201	BNS Dept - Miscellaneous	3/4/2024	4/17/2024 13:07			BNS	4921	417 FORREST ST APT A FRANKLIN TN 37064		Water Lock			

I have reviewed all permit applications and inspection reports, and I noted that all trade inspections had passed. There was no indication of any pending violations or encroachments on the property, and it appears there was no publicly accessible way for me to have been aware of these issues prior to purchasing the property.

In light of the above background, I humbly request the board to grant the following two required variances which were truly only known once an as-built land survey was completed on May 7, 2025. Please refer to the updated survey I hired Chapdelaine & Associates to complete.

Land Survey of 417 Forrest St



First, I am requesting a variance as to the existing setback on the east and west sides of the lot adjacent to lot 419 to the west and lot 415 to the east. On the east side of the lot, the front patio, house, back patio, and back concrete area between the house and the ADU are all requested to be included in the variance. On the west side, the sidewalk and patio behind the accessory dwelling unit are all requested to be included in the variance. The previous driveway footprint was allowed to remain as a new driveway, however, for the sake of clarity, I would like to include the full length of the driveway in the variance request.

The east (Left in picture below) side of Lot 417 Forest Street is contiguous and adjacent to 415 Forrest Street. The updated land survey completed on May 7, 2025 indicates the house, patios, and concrete area between the house and the ADU are all built less than the required 7-foot setback with the narrowest point at 4.7 feet at the front gate. This picture shows the narrowness of the lot compared to the house as built.



The west side of Lot 417 Forrest Street is contiguous and adjacent to 419 Forrest Street. The updated land survey completed on May 7, 2025 indicates the ADU sidewalk, balcony, and back patio are less than 5 feet from the lot line at approximately 2.5 feet. The rear of the patio is 5.8 feet from the rear lot line. In the event that this is not in compliance, this is also included in the request.



Second, to the extent the BZA has the power and authority to grant a variance on the required percentage of permeable surface that exists, I am asking for a variance to accommodate the existing paved surface area on the lot. The lot currently has approximately 28% Landscape Surface Area, which is less than the required 40% LSA. However, the house and ADU rain gutters are tied into the street drain and there is a central drain in the driveway resulting in the diversion of an additional approximately 30% of stormwater into a city managed drain. The result is almost 58% of stormwater is managed either through landscape or gutters tied into the street drain, which would surpass the LSA requirements.

The rationale is that the prior owner and builder installed all paved surfaces on the 417 lot in violation of the permeable/impermeable ratio as adopted by the City of Franklin. Removing the existing pavement would be a hardship on myself as the owner, could cause water flow on the adjacent lots during demolition, and would result in more stormwater remaining on the lot than is currently designed. With all of the rain we have had this year, there have been no signs of stormwater puddling or runoff in or around the lot.





I submit that these two variances should be granted to address the extraordinary, exceptional, and unique circumstances under which I acquired this home and to allow me to restore it to good public use for a family in Franklin.

The existence of a completed home and the narrowness of the lot prevent absolute compliance. Due to the size of the house structure itself along with the surrounding paved areas, there is no other place to accommodate or to relocate the house structure itself within the existing setbacks. It would also not be feasible to move the home due to the fact that it is on a concrete foundation and there would not be room on the west side due to the driveway.

This hardship occurred due to factors beyond my control and are not self-made hardships. I purchased the 417 property at a foreclosure sale and I could find no public information that the subject property was not in compliance with building and stormwater codes or ordinances.

Specifically, since a new survey had not been conducted, there was no way that any person could have definitively known there was a side setback line violation contiguous to the adjacent real property location at 415 Forrest Street in Franklin.

A mitigating factor to be considered by the BZA is the fact that I am the owner of the adjacent property located at 415 Forrest Street. As the owner of both properties, I would waive any setback violation on the 417 lot as the owner of the 415 lot to the extent possible by law.

I submit that the public good is not being negatively impacted or harmed and would suffer no detriment by the granting of the variance. Approval of these variances would restore a beautiful new home to the public for good use after being vacant for nearly 2 years and provide a home to a Franklin family.

The purpose of these variances is to provide relief from the requirements of the Ordinance as strict application of the Ordinance would prohibit use of the property for a residential dwelling and would create an unnecessary hardship on myself as the owner of this property.

For these reasons, I am requesting that the BZA, pursuant to Chapter 20, Section 20.10 of the Franklin Zoning Ordinance grant the following two variances:

- Relief from the setback requirements on the east and west sides of the lot adjacent to lot 419 to the west and lot 415 to the east as detailed in this letter.
- Relief from required LSA of 40% due to mitigating factors as detailed in this letter.

Thank you in advance for your consideration in this matter.

Respectful submitted,



Brian J. Biglin

PORTIONS OF THIS SURVEY WERE PERFORMED USING GNSS EQUIPMENT, AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

a. REAL TIME KINEMATIC & BASE SOKKIA GRX 3
b. POSITIONAL ACCURACY: 0.05 FEET
c. DATE OF SURVEY: 4/25/2025
d. DATUM / EPOCH: NAD83 (2011) EPOCH (2010.00)
e. PUBLISHED / FIXED CONTROL: TDOT CORS NETWORK
f. GEOID MODEL: GEOID 18
g. COMBINED GRID FACTOR: 0.99993024

AVERAGED FRONT SETBACK FROM ℄ OF ROAD

421 FORREST ST. - 41.05'

419 FORREST ST. - 42.57'

415 FORREST ST. - 58.16'

413 FORREST ST. - 46.92'

AVERAGED FRONT SETBACK FOR SUBJECT PROPERTY

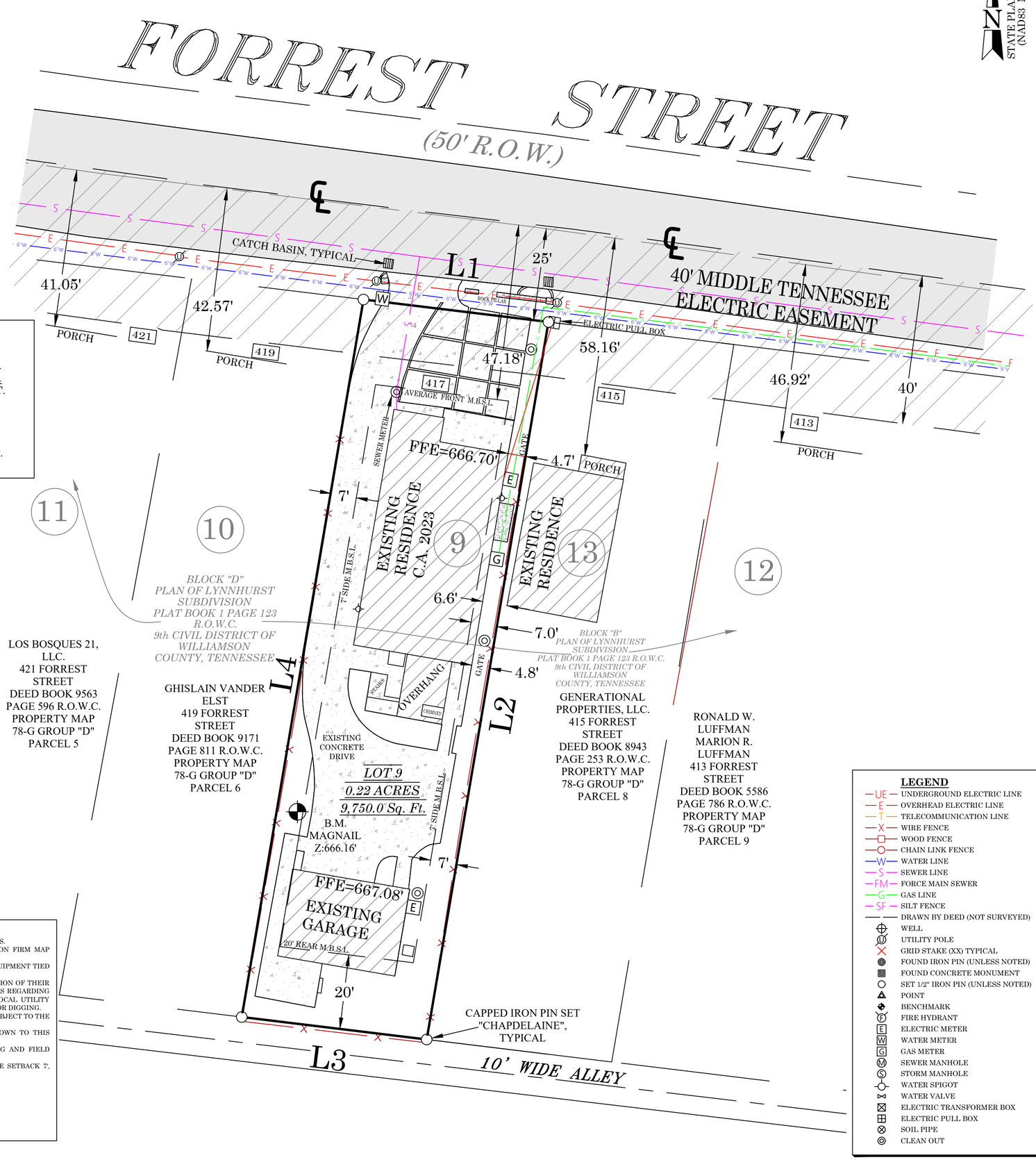
417 FORREST ST. = 47.18'
FROM ℄ OF FORREST STREET.

IMPERVIOUS CALCULATIONS WITHIN PROPERTY

EXISTING RESIDENCE/GARAGE/OVERHANGS	2,968.7 SQ.FT.
EXISTING CONCRETE/SIDEWALKS	4,238.0 SQ.FT.
NET IMPERVIOUS AREA	7,206.7 SQ.FT.

7,206.7/ 9,750.0 = 73.9% OF TOTAL AREA

EXISTING CONCRETE / RETAINING WALLS / COLUMNS / ETC. WITHIN R.O.W. 204.4 SQ.FT.



LINE	BEARING	DISTANCE
L1	S 83°04'44" E	50.00'
L2	S 09°37'59" W	195.22'
L3	N 83°04'43" W	50.00'
L4	N 09°37'59" E	195.22'

GENERAL NOTES

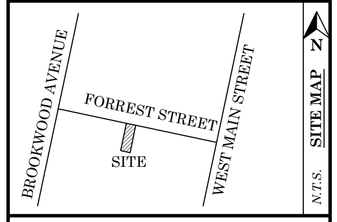
1. THE PURPOSE OF THIS MAP IS TO CREATE A SITE PLAN FOR BUILDING SETBACK VARIANCES.
2. THE SUBJECT PROPERTY LIES IN A ZONE "X" (AREA OF MINIMAL FLOOD) AS SHOWN ON FIRM MAP 47187C0192H DATED 12/20/2024.
3. ALL DISTANCES SHOWN HEREON ARE BASED UPON A FIELD-RUN SURVEY USING GPS EQUIPMENT TIED TO TDOT CORS.
4. UTILITIES, IF SHOWN, WERE TAKEN FROM VISIBLE STRUCTURES AT THE SITE. VERIFICATION OF THEIR EXISTENCE, LOCATION, SIZE, AND DEPTH, SHOULD BE MADE BEFORE MAKING DECISIONS REGARDING THEM. AVAILABILITY OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE LOCAL UTILITY COMPANY. TENNESSEE ONE CALL (811) SHOULD BE CALLED BEFORE ANY CONSTRUCTION OR DIGGING.
5. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE REPORT, IT IS THEREFORE SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE REPORT.
6. THIS PROPERTY IS SUBJECT TO BOTH RECORDED EASEMENTS, AND TO THOSE UNKNOWN TO THIS SURVEYOR.
7. TOPOGRAPHY DATUM BASED ON NAVD 1988 TAKEN FROM TENNESSEE LIDAR MAPPING AND FIELD CHECKED.
8. THE SUBJECT PROPERTY IS ZONED R-4 RESIDENTIAL; FRONT SETBACK AVERAGED, SIDE SETBACK 7', REAR SETBACK 20'.

LEGEND

- UE — UNDERGROUND ELECTRIC LINE
- E — OVERHEAD ELECTRIC LINE
- T — TELECOMMUNICATION LINE
- X — WIRE FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- W — WATER LINE
- S — SEWER LINE
- FM — FORCE MAIN SEWER
- G — GAS LINE
- SF — SILT FENCE
- DRAWN BY DEED (NOT SURVEYED)
- WELL
- UTILITY POLE
- GRID STAKE (XX) TYPICAL
- FOUND IRON PIN (UNLESS NOTED)
- FOUND CONCRETE MONUMENT
- SET 1/2" IRON PIN (UNLESS NOTED)
- POINT
- BENCHMARK
- FIRE HYDRANT
- ELECTRIC METER
- WATER METER
- GAS METER
- SEWER MANHOLE
- STORM MANHOLE
- WATER SPIGOT
- WATER VALVE
- ELECTRIC TRANSFORMER BOX
- ELECTRIC PULL BOX
- SOIL PIPE
- CLEAN OUT

CHAPDELAINE & ASSOCIATES
LAND SURVEYING

7376 WALKER ROAD,
FAIRVIEW, TENNESSEE 37062
(615) 799-8104
surveying@chapsurveyor.com



NOT FOR PERMITTING

CERTIFICATE OF SURVEY

I HEREBY CERTIFY THAT THIS IS A CATEGORY IV SURVEY. THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



20 June 2025

SHON S. KEETON R.L.S. # 2893 DATE

BRIAN J. BIGLIN
417 FORREST STREET
DEED BOOK 9688 PAGE 105 R.O.W.C.
LOT 9 BLOCK "D" PLAN OF LYNNHURST
PLAT BOOK 1 PAGE 123 R.O.W.C.
9th CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE
PROPERTY MAP 78-G GROUP "D"
PARCEL 7

REVISION #	DATE
REVISION #1	06/20/2025

DATE: MAY 7, 2025
DRAWN BY: DHH
JOB #: 8713
SCALE: 1" = 20'

0 20 40

V-1.0

SITE PLAN FOR VARIANCE OF LOT 9 FOR BRIAN J. BIGLIN