



City of Franklin

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

Meeting Agenda

Board of Zoning Appeals

Thursday, March 5, 2026

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 meeting location listed above. Additional information can be found at www.franklinton.gov/planning. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting. 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@franklinton.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 Eastern Flank Event Facility. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the Event Facility.

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 or by emailing PlanningIntake@FranklinTN.gov before noon on the day of the meeting. Emailed comments will be provided to the Commission and included in the minutes, but not read aloud in their entirety during the meeting.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The January 8, 2026 BZA Minutes.

ANNOUNCEMENTS

APPLICATIONS

2. A Variance Request To Reduce The Minimum Parking Requirement From 13 Spaces To 5 Spaces For The Property Located At 228 2Nd Avenue South (F.Z.O. 10.2.)

Sponsors: Amy Diaz-Barriga, Ariella Stanford

3. A Variance Request To Waive Cross Access Requirements Between Adjacent Properties For The Property Located At 828 Murfreesboro Road (2023 F.Z.O. 9.5.3.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

4. A Variance Request To Allow Parking In Front Of A Proposed Principal Building With Urban Frontage For The Property Located At 553 And 557 Franklin Road (2022 F.Z.O. 7.6.).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

OTHER BUSINESS

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.



Meeting Minutes

Board of Zoning Appeals

Thursday, January 8, 2026

6:00 PM

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CALL TO ORDER

Chair Langley called the January 8, 2026 meeting to order at 6:00 p.m.

Commissioners Present: Jonathan Langley; Chair, Jeff Fleishour, Dorinda Smith, John Boehms

Commissioners Absent: William Scales

Staff Present: Amy Diaz-Barriga, Ariella Stanford, Shanna McCoy, Bill Squires

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 about items not on the Agenda. There were none.

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

VOTE FOR CHAIR AND VICE-CHAIR

1. **Consideration Of Election Of Chair And Vice Chair Pursuant To Section 4.1.2 Of The Bylaws.**

Sponsors:

BZA Chair

Board Member Smith motioned to nominate Johathan Langley as Chair, seconded by Board Member Boehms. The motion carried by a vote of 4-0.

BZA Vice Chair

Board Member Fleishour motioned to nominate Dorinda Smith as Vice Chair, seconded by Board Member Boehms. The motion carried by a vote of 4-0.

APPROVAL OF MINUTES

2. Consideration Of Approval Of The November 6, 2025 BZA Minutes.

Sponsors:

Board Member Smith motioned to approve the November 6, 2025, BZA Meeting Minutes, seconded by Board Member Boehms. The motion carried by a vote of 4-0.

ANNOUNCEMENTS

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

APPLICATIONS

3. An Appeal Of Administrative Decision Classifying A Sign As A Canopy Sign, And Thereby Prohibiting Internal Illumination Of The Sign, For The Property Located At 7007 Moores Lane (F.Z.O. 15.5).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Ariella Stanford. Ms. Stanford stated that the 1.12 acre property is located at 7007 Moores Lane and is zoned PD Planned District. The Site Plan for 7007 Moores Lane was approved with conditions on the April 2025 Administrative Agenda. The architectural elevations from the Site Plan are attached, to provide clarity on the layout and structure of the building. A sign package was submitted for review on 11/14/2025, 11/19/2025, and 11/20/2025, each resulted in a "failed" review, due to the internal illumination of the sign. Staff interpreted the sign as a canopy sign, which does not allow internal illumination. According to the applicant's justification letter, the applicant interpreted the sign as a band sign, which does allow internal illumination. Station Pizzeria is seeking an Administrative Appeal of Decision, based on the Zoning Determination Letter given to them by the City's Zoning Administrator, Shanna McCoy. The Zoning Determination Letter determined the proposed sign to be a canopy sign. Ms. Stanford explained that staff does not make a recommendation for approval or disapproval of the item, as this is an appeal of a staff decision.

Shanna McCoy. Ms. McCoy explained that the initial application for an internally illuminated canopy sign was submitted to BNS on November 14, 2025, resulting in a denial with comments provided to the applicant. In the review as well as two subsequent reviews, it was noted that the sign would be classified as a canopy sign and internal illumination is not permitted according to the City of Franklin Zoning Ordinance section 15.5. The submitted request does meet all other requirements of a canopy sign, other than internal illumination. Ms. McCoy explained that in reviewing the application, building and site plans were evaluated along with the location of the sign. Considering these factors along with the definition of a canopy sign, definition of a canopy and the definition of a band sign further confirmed the submitted sign request would be classified as a canopy sign. As shown in the application documents, the sign is clearly attached to the front of the building. As the zoning ordinance administrator, Ms. McCoy stated that it is her job to interpret zoning ordinance requirements against information submitted by the applicant and in this situation, it was determined that the submitted sign proposal meets the definition of a canopy sign and is limited to external illumination only.

Applicant: Adam Slight, Jarvis Signs. Mr. Slight explained that the location is not attached to the building but is part of the building and is roofed the same as the building. Mr. Slight stated that they would like to have the sign classified as an internally illuminated band sign giving it a more refined look with less light pollution.

Stewart Dorn, Architectural Designer. Mr. Dorn stated that the sign would be located over the main entry of the business and aligned with the main facade of the building.

Public Comment: None

Board Member Boehms motioned to close the public comment, seconded by Board Member Smith. The motion carried by a vote of 4-0.

Board Member Smith asked the applicant if the area would be enclosed at any point.

Mr. Dorn stated that during the winter the space would be temporarily enclosed, but there are no plans to permanently enclose the space.

Mr. Squires clarified the role of the Board by explaining that the question is different than considering a typical variance request. In considering variance requests, you are examining criteria to approve or disapprove the variance request. In this instance, the Board is acting in a quasi-judicial sense and should agree or disagree with the determination of the zoning administrator. In other words, the Board would either uphold the zoning administrator's determination or overturn the determination.

MOTION

Board Member Smith motioned to overturn staff's determination of the sign being classified as canopy sign and allow the sign to be classified as a band sign, For The Property Located At 7007 Moores Lane seconded by Board Member Fleishour.

Board Member Fleishour stated that looking at the application documents and considering other places a backlit sign could go, there are limitations.

Mr. Dorn explained that the sign is very integrated into design and the band sign better meets the needs of signage and is more aesthetically pleasing.

Chair Langley stated that considering the zoning ordinance there is room for interpretation, and it is easy to see how staff interpreted the sign as a canopy sign.

Board Member Fleishour asked the applicant how the sign would be externally illuminated and mentioned that there are columns in the front but not in the back.

Mr. Dorn stated that tape lighting would be used and would be as pleasing to the eye. The covered area is part of the building and is not separate from the building but part of the building.

Board Member Smith explained that the zoning ordinance provides illustrations as examples but what is being considered is very different than what is referenced in the zoning ordinance. It is easy to see how staff would interpret the request as a canopy sign. Board Member Smith further stated that the application documents illustrate what looks more like a band sign than a canopy sign considering the outside space is actually part of the building.

There being no further discussion, the motion carried by a vote of 3-1 with Board Member Fleishour voting against.

OTHER BUSINESS

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

ADJOURN

There being no further business, Board Member Smith motioned to adjourn the January 8, 2026, BZA meeting, seconded by Board Member Boehms. The meeting adjourned at 06:19 p.m.

Chair

Date



File #: 26-0213

DATE: 3/5/2026

TO: Board of Zoning Appeals

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

SUBJECT:

A Variance Request To Reduce The Minimum Parking Requirement From 13 Spaces To 5 Spaces For The Property Located At 228 2Nd Avenue South (F.Z.O. 10.2.)

PURPOSE:

PROJECT INFORMATION

COF Project Number: 9039

Applicant: Kate Reynolds

Owner: Porter's Call, Chad Karger (representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: OR Office Residential District / Commercial

Northeast: OR Office Residential District / Mixed Nonresidential and Residential Single Family

Northwest: OR Office Residential District / Office

Southeast: CC Central Commercial District / Retail

Southwest: 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 inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

10.2. - Minimum Parking

Use	Reduced Minimum Vehicle Parking Spaces in CFO, CAO1, CAO2, and CAO3
Office	2.85 spaces per 1,000 square feet

Background

The subject property is located at 228 2nd Avenue S and is zoned OR Office Residential District. The property is also within the Historic Preservation Overlay and the Central Franklin Overlay. The property has an existing principal building and an existing detached garage behind the principal building, which were built in 2013. The current owners started renting the property as office space in 2019 and bought the property in 2020. In the process of coordinating renovations to the principal building and the conversion of the detached garage to additional office space, it was discovered that this property did not issue a change of occupancy from residential to office. While office use is allowed in the zoning district, the property does not have enough parking for office use. Per the zoning determination letter provided in the submitted documents, the principal building requires a minimum of 10 parking spaces, and converting the detached garage into additional office space requires an additional 3 parking spaces. The lot currently has 3 on-site parking spaces, the 3-car garage that the owners are proposing to convert into more office space, and 2 on-street parking spaces in front of the property. Seeing as the property does not meet the minimum parking standards, the applicant is requesting a variance to reduce the minimum parking requirement from 13 spaces to 5 spaces.

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.

Seeing as this is a small lot with existing buildings in place, there is not enough room on the site to provide the required amount of parking. Even if the property owners don't convert the detached garage, only 2 of the 3 garage doors can be accessed for parking if the lot is full (the other parking spaces on the lot block the third garage door). So in the scenario that the detached garage is not converted and they are required to provide 10 parking spaces, the lot would still only have 7 parking spaces including the 2 on-street parking spaces. For properties like this that cannot provide the necessary parking on the site, the ordinance allows shared parking and deferred parking alternatives. The applicant has provided information that these alternatives have been explored in attempt to comply with the Zoning Ordinance, but they were unable to find a parking alternative that was feasible. Since the location of the existing buildings is preventing any additional onsite parking, and the applicant was unable to secure a shared parking and deferred parking alternative in attempt to meet the Zoning Ordinance requirements, Staff finds this criteria is met.

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

In order to meet the minimum parking requirement for this site, the owners would likely need to

remove the existing detached garage from the site and even then, the site still might not have enough room to provide the necessary parking spaces. Having to remove the existing detached garage would be an exceptional practical difficulty. In addition, the applicant has exhausted their options for shared parking and deferred parking alternatives, but was not able to secure an agreement with any surrounding property owners. Seeing that the property is left with no options for providing parking within the Zoning Ordinance requirements, Staff finds this criteria is met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

Staff finds this may be a detriment to the public good and would impair the intent of the Zoning Ordinance. Street parking in downtown is already very limited, and increasing the amount of office space while reducing the number of on-site parking spaces would contribute to the limitation of parking.

The intent of this Zoning Ordinance regulation is to ensure that there is sufficient parking per use within their site limits or within proximity to the site utilizing alternative parking plan options. The applicant has exhausted their options for alternative parking. However, the intent of the zoning ordinance is that any new use provide sufficient parking to accommodate their use, inclusive of the on-street spaces in front of their use, or by utilizing an alternative parking plan strategy. The applicant is proposing to provide less than the required amount of parking spaces needed and increase the square footage of office space (converting the detached garage to office space), thereby reducing the number of already non-compliant parking spaces on the site. In addition, the site currently has enough parking spaces for their employees, but with the proposed detached garage conversion, the site would not provide enough parking spaces for their employees alone. That proposal not only doesn't meet the intent of the ordinance in this case, but it works against it.

The City of Franklin is conducting a downtown parking study for specific recommendations about minimum parking requirements that support downtown businesses with little impact to nearby residential neighborhoods. The study is expected to be conducted this year. It is likely to investigate how the larger parking demands of the downtown can be balanced and managed over the sixteen block area, analyzing the existing pool of spaces and considering the impacts to current businesses and residents. However, this study will take time, and staff nor this board can anticipate the intended outcomes nor intent the study will produce. The intent of today's ordinance is that new uses provide parking to accommodate their demand.

Staff finds that 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 Reduce The Minimum Parking Requirement From 13 Spaces To 5 Spaces for the property located at 228 2nd Avenue South, because the criteria for granting a variance have not been met.

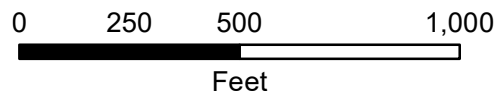
228 2ND AVENUE SOUTH
 TAX MAP 078C, GROUP F, PARCEL 04200
 BOARD OF ZONING APPEALS
 5 MARCH 2026



Legend

-  228 2nd Avenue South
-  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

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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ARCHITECTURE
INTERIORS
CIVIL SITE

818 S MAIN STREET
COLUMBIA, TN 38401
TKC-AE.COM
615.617.7477

February 18, 2026

Franklin Board of Zoning Appeals
Franklin, Tennessee

Dear Board Members:

We are requesting a hearing by the BZA for the property at 228 2nd Avenue South. The site is 10,543 square feet and is zoned Office Residential. In 2013, a single-family home with a detached garage was built on the property. In 2019, the nonprofit, Porter's Call, started renting the space as an office. They bought the property in 2020. Porter's Call was started in 2001 to serve the touring and recording artist community. Since its beginning, Porter's Call's offices have been in downtown Franklin. The current location is the fourth location and the first for them to own.

Porter's Call reached out to me last year to provide architectural services for a minor renovation in the main structure and the conversion of the detached garage to conditioned space. Early in the design process we met with the City of Franklin Codes for a preliminary meeting. It was discovered at this meeting that Porter's Call had unknowingly never changed the occupancy from residential to business. We shifted our focus, and started working to correct this error, starting with a zoning verification letter. This zoning letter is shown on sheet SK3 in the BZA submittal. This letter also provided the parking requirements.

Under current zoning requirements, Porter's Call's office is required to provide 13 parking spaces based on square footage. However, their actual daily operations require significantly less. Porter's Call has seven employees, only five of whom work on-site full time. One on-site employee often rides their bike or walks to work. For visitors, they typically host 2-3 visitors per day between 9:00 am - 4:00 pm, Monday through Friday. These visitors utilize available street parking. Since Porter's Call's total peak demand rarely exceeds 8 vehicles, the 13 parking space requirement creates an unnecessary burden that does not reflect their functional reality. Since moving to the location in 2019, they have not had any problems managing the flow of people nor any issues with neighbors.

We're requesting a variance for a reduction in parking spaces based on the three following issues:

- 1) The request is justified by either or both of the following: (i) the property is exceptional due to narrowness, shallowness, or shape of the property; or (ii) the property contains exceptional topographic conditions or other extraordinary or exceptional situations or conditions.
 - a. The lot is in a dense downtown area and is not large enough to provide additional parking spaces. The property is narrow and, although zoned OR, was developed as a residence. We investigated alternative parking options allowed through the zoning ordinance, but they cannot be utilized. Porter's Call reached out to three nearby properties that seemed like good possibilities for the remote parking option. The owners of those properties all



declined due to hesitation to enter into formal agreements as required in Franklin Zoning Ordinance Section 10.4. One neighbor said, “Unfortunately we are unable to accommodate the request to use our parking lot due to the commitment of it being in perpetuity. I am sorry we were unable to help more. I do hope you can get this worked out with the city.” Another neighbor responded, “I finally had my meeting with the Board of Trustees. Unfortunately we are not able to accommodate.”

- 2) The strict application of the Zoning Ordinance would result in practical difficulties to or undue hardship upon the owner of the property
 - a. To provide more parking on site, the detached garage would need to be removed. The detached garage provides charm and valuable space and is architecturally appropriate for the downtown area. The removal would be a significant loss in use and value to the owner. They would be tearing down a valuable structure to provide parking that is not needed. The nature of their business doesn’t result in heavy traffic. Monday through Friday, between 9:00am and 4:00pm, music artists or their partners visit the offices or are met virtually. As stated previously, on their busiest day, they might have eight individuals in their office.
- 3) The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance.
 - a. The reduced parking requirement will not impede other properties. Due to the nature of how Porter’s Call operates, they do not have a need for the full parking requirement. They have been in that location since 2019 and have not had problems with parking. They remain in good standing with all their neighbors. One neighbor submitted a letter saying, “Our law firm is the nextdoor neighbor to Porter’s Call. They are excellent neighbors, and there has never been an issue with any of their staff or clients parking in the parking area behind our building.” Also, there are many public parking spaces near the property. The closest public parking garage has an entrance 753 feet from the front of Porter’s Call and has a sidewalk that runs along the street.

Sincerely,

A handwritten signature in blue ink that reads "Kate Reynolds".

Kate Reynolds, RA, LEED AP
Senior Project Architect
TKC Architecture & Engineering

PORTER'S CALL

FRANKLIN BOARD OF ZONING APPEALS SUBMITTAL

228 2ND AVENUE SOUTH
FRANKLIN, TN 37064

2026.02.09



ARCHITECTURE

INTERIORS

CIVIL SITE



228 2ND AVENUE

SITE ZONING: OR- OFFICE RESIDENTIAL
 CFO- CENTRAL FRANKLIN OVERLAY DISTRICT
 HPO- HISTORIC PRESERVATION OVERLAY

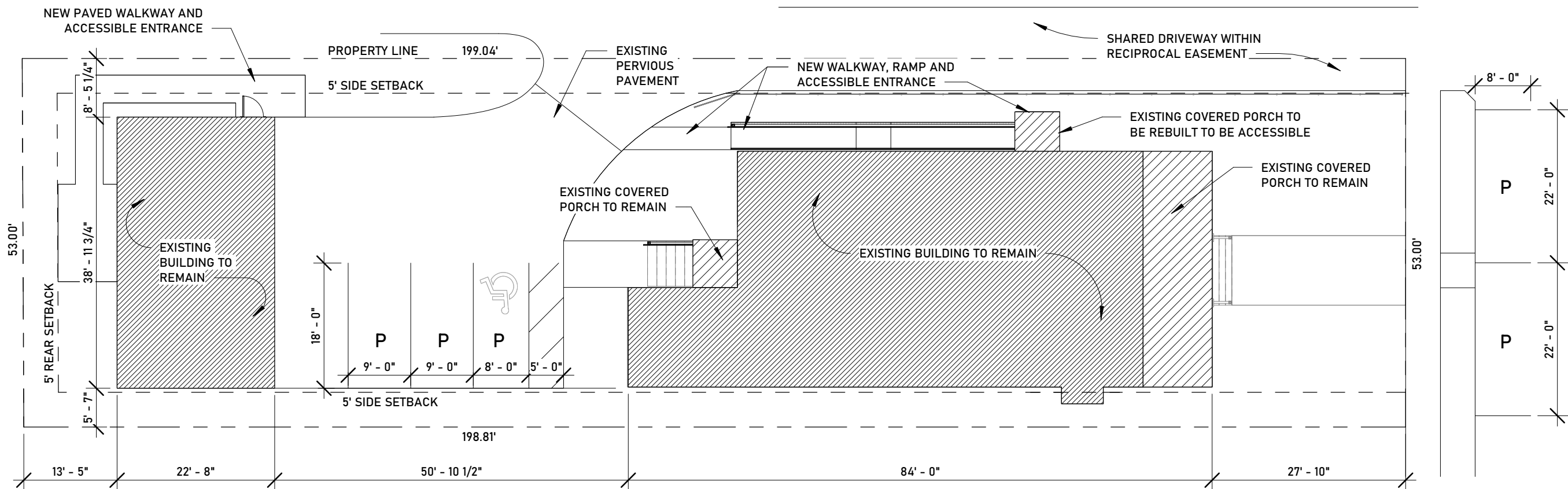
SITE AREA: 10,543 SF

NO CHANGE TO FOOTPRINT OF MAIN STRUCTURE OR DETACHED GARAGE

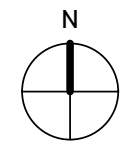
EXTERIOR CHANGES TO THE MAIN STRUCTURE AND DETACHED GARAGE (RAMPS, COVERED PORCH, ACCESSIBLE ENTRANCES, ETC) HAVE BEEN APPROVED BY HZC (JUNE 9, 2025)

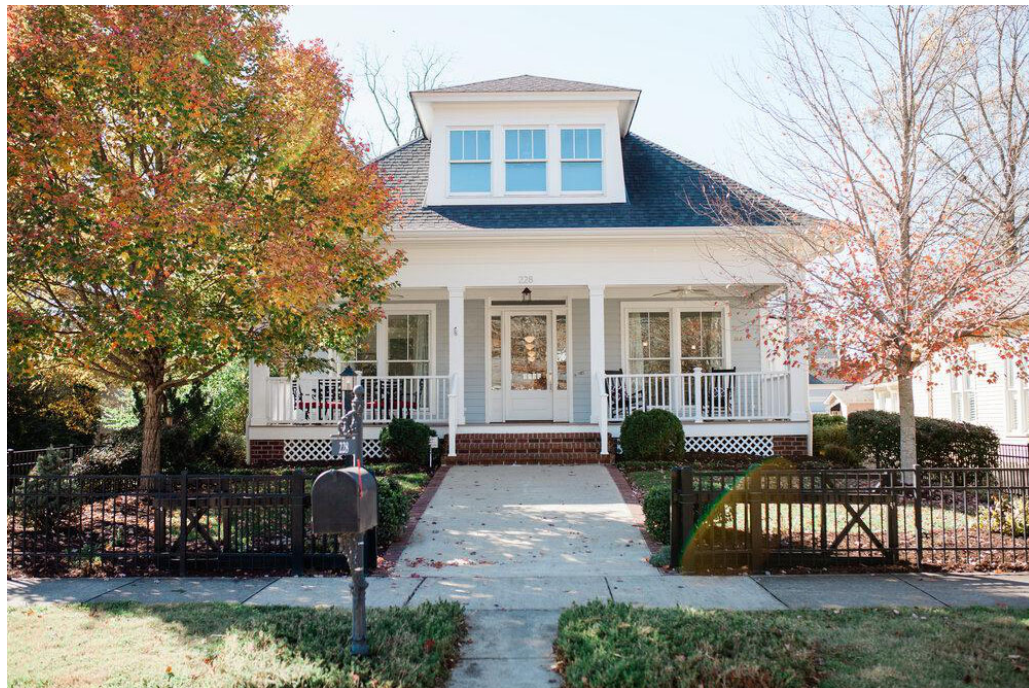
PARKING AREA REQUIRED BASED ON CURRENT SQUARE FOOTAGE: 10 SPACES MIN.
 PARKING AREA REQUIRED IF GARAGE IS CONVERTED: 13 SPACES MIN.
 (SEE ZONING LETTER ON SHEET SK3 FOR CALCULATIONS)

PROVIDED PARKING: 1 HANDICAP SPACE
 2 STANDARD SPACES
 2 PARALLEL STREET PARKING SPACES
 5 PARKING SPACES PROVIDED (SEE SITE PLAN BELOW)



1 SITE PLAN
 1/16" = 1'-0"





FRONT ELEVATION



REAR ELEVATION, REAR PARKING, AND SHARED DRIVEWAY



SIDE PORCH AND SHARED DRIVEWAY



DETACHED GARAGE & PARKING - VIEW FROM BACK PORCH



DETACHED GARAGE & PARKING - VIEW FROM SHARED DRIVEWAY

PORTER'S CALL
228 2ND AVENUE SOUTH
FRANKLIN, TN 37064

ARCHITECTURE
INTERIORS
CIVIL SITE



818 SOUTH MAIN ST. COLUMBIA, TN 38401 | 615.617.7477 | WWW.TRC-AE.COM

Tom Marsh
Director



HISTORIC
FRANKLIN
TENNESSEE

Dr. Ken Moore
Mayor

Eric S. Stuckey
City Administrator

April 3, 2025

Chad Karger
Porter's Call
228 2nd Ave S
Franklin, TN 37064

Re: 228 2nd Ave S
Franklin, TN 37064
Parcel ID: 078C F04200

The above referenced property is currently zoned OR (Office Residential) and is located in the CFO (Central Franklin Overlay District). Permitted uses within the OR district are as follows:

- Agricultural Uses
- Community Gardens
- Single-Family Residential
- Passive Parks & Open Space
- Charitable, Fraternal or Social Organization
- Essential Services
- Offices
- Short Term Vacation Rentals
- Telecommunication Towers & Antennas

Based on the description of the use, as provided with the determination request, the use would be considered office.

While the use is permitted within the zoning district, all other requirements of the Zoning Ordinance will apply. Parking requirements for office use in the OR district and CFO are as follows. 2.85 spaces per 1,000 sf. Based on the County Assessor's documents, the square footage of the main structure is 3,388. Based on this square footage, the required parking minimum would be 10 spaces. The County shows the detached garage to be 897sf. To convert the garage into additional office space would require 3 additional spaces for a total of 13 spaces.

This letter does not constitute a Certificate of Use and Occupancy (CUO). To apply for a CUO, please go to the following site: <https://franklintn.geocivix.com/secure/>

The City of Franklin offers courtesy, on-site pre-occupancy consults for new business owners contemplating leasing or purchasing a building. The purpose of this meeting is a

109 Third Avenue South, Suite 110 • Franklin, TN 37064 • 615.794.7012 O • 615.591.9066 F • www.franklintn.gov

ZONING LETTER WITH PARKING REQUIREMENTS



for City staff, the owner, and the owner's architect/contractor to share their vision for improvements and, for City staff to provide guidance on preparing and submitting plans and, the City's permitting and inspection processes. Please contact Randall Tosh at 615-794-7012 to schedule this appointment. This determination is based off the Zoning Ordinance in effect of the date of this letter. Future changes to the Ordinance may affect the validity of this determination.

If you have questions or need additional assistance, please do not hesitate to contact me via phone at 615-550-6631 or email at shanna.mccoy@FranklinTN.gov

Respectfully,

Shanna McCoy, CFM
Zoning & Floodplain Administrator
City of Franklin, Tennessee

PORTER'S CALL
228 2ND AVENUE SOUTH
FRANKLIN, TN 37064

ARCHITECTURE
INTERIORS
CIVIL SITE



VARIANCE REQUEST

A VARIANCE REQUEST TO REDUCE THE MINIMUM PARKING REQUIREMENT (F.Z.O. 10.2.3) FROM 13 SPACES TO 5 SPACES FOR THE PROPERTY LOCATED AT 228 2ND AVENUE SOUTH

The site is 10,543 square feet and is zoned Office Residential.

In 2013 a single family home with a detached garage was built on the property. In 2019, the nonprofit, Porter's Call, started renting the space as an office. They bought the property in 2020.

Porter's Call was started in 2001 to serve the touring and recording artist community. Since its beginning, Porter's Call's offices have been in downtown Franklin. The current location is the fourth location and the first for them to own. Porter's Call currently has six full-time staff members. On their busiest day, they may have eight individuals in their office. Since moving to the location in 2019, they have not had any problems managing the flow of people nor any issues with neighbors.

The Applicant has reached out to neighbors to try to work out an Alternative Parking Plan but owners of nearby properties are hesitant to enter into formal agreements as required in Franklin Zoning Ordinance Section 10.4.

See sheet SK5 for nearby public parking. Day to day, the nature of the way Porter's Call is run doesn't require parking spaces over what they have available on site. For the occasional times more parking is needed, they haven't had problems parking nearby on the street or in the parking garage.

CRITERIA #1

REQUIREMENT: The request is justified by either or both of the following: (i) the property is exceptional due to narrowness, shallowness, or shape of the property; or (ii) the property contains exceptional topographic conditions or other extraordinary or exceptional situations or conditions.

RESPONSE: The lot is in a dense downtown area and is not large enough to provide additional parking spaces. The property is narrow and, although zoned OR, was developed as a residence. We have investigated alternative parking options allowed through the zoning ordinance, but they cannot be utilized.

CRITERIA #2

REQUIREMENT: The strict application of the Zoning Ordinance would result in practical difficulties to or undue hardship upon the owner of the property

RESPONSE: To provide more parking on site, the detached garage would need to be removed. The detached garage provides charm and valuable space and is architecturally appropriate for the downtown area. The removal would be a significant loss in use and value to the owner. They would be tearing down a valuable structure to provide parking that is not needed. The nature of their business doesn't result in heavy traffic. Monday through Friday, between 9:30am and 4:30pm, music artists or their partners visit the offices or are met virtually. As stated previously, on their busiest day, they might have eight individuals in their office.

CRITERIA #3

REQUIREMENT: The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance.

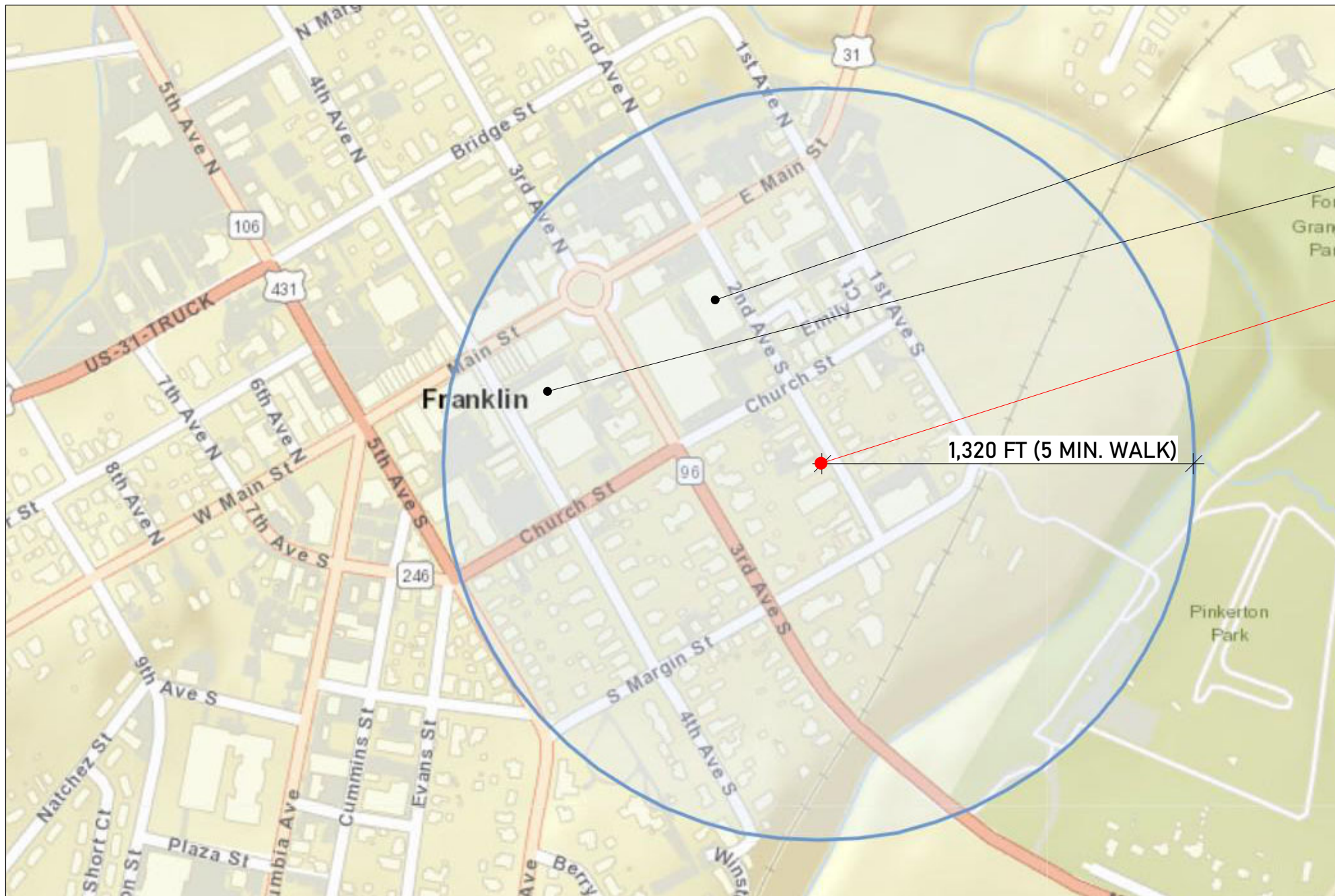
RESPONSE: The reduced parking requirement will not impede other properties. Due to the nature of how Porter's Call operates, they do not have a need for the full parking requirement. They have been in that location since 2019 and have not had problems with parking. They remain in good standing with all their neighbors. Also, there are many public parking spaces near the property. The closest public parking garage has an entrance 753 feet from the front of Porter's Call and has a sidewalk that runs along the street.

PORTER'S CALL
228 2ND AVENUE SOUTH
FRANKLIN, TN 37064

ARCHITECTURE
INTERIORS
CIVIL SITE



818 SOUTH MAIN ST. COLUMBIA, TN 38401 | 615.617.4771 | WWW.TKC-AE.COM

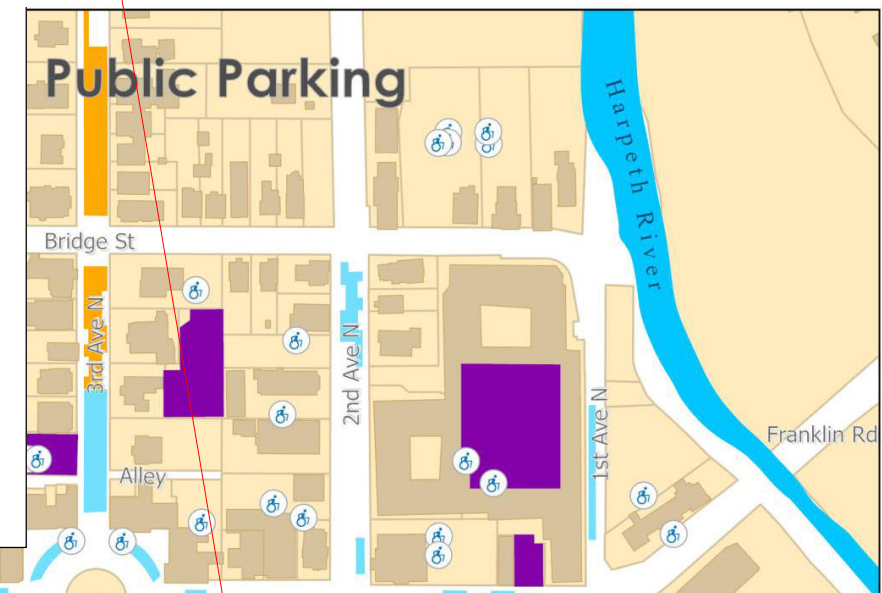


2ND AVENUE
PARKING GARAGE
(300 SPACES)

4TH AVENUE
PARKING GARAGE
(300 SPACES)

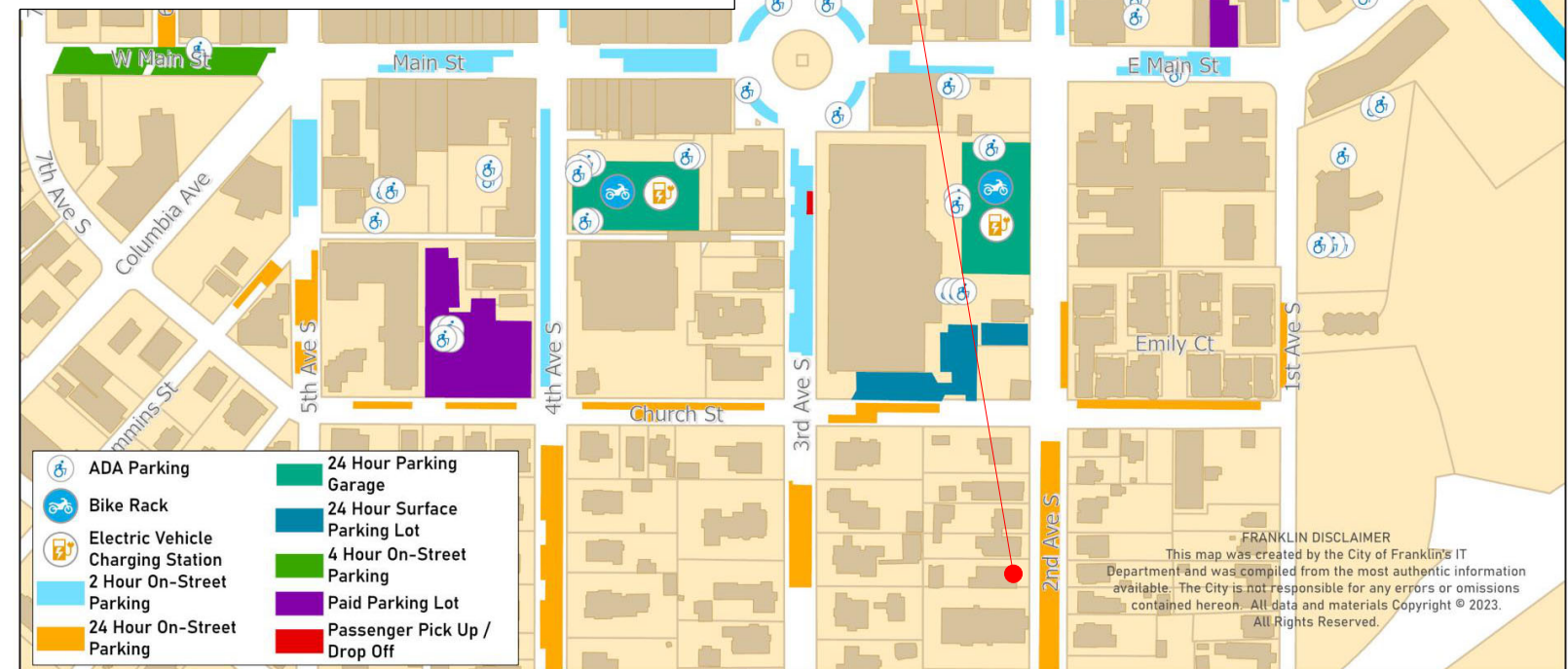
228 2ND AVENUE S.

1,320 FT (5 MIN. WALK)



228 2ND AVENUE S.

STREET VIEW LOOKING TOWARD 2ND AVENUE PARKING GARAGE



FRANKLIN DISCLAIMER
This map was created by the City of Franklin's IT Department and was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained herein. All data and materials Copyright © 2023. All Rights Reserved.



File #: 26-0214

DATE: 3/5/2026
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A Variance Request To Waive Cross Access Requirements Between Adjacent Properties For The Property Located At 828 Murfreesboro Road (2023 F.Z.O. 9.5.3.).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 9042
Applicant: John Shiffert
Owner: Church of the City, Dick Wells (representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: CI Civic Institutional, Institutional
North: R-3 Residential, Residential Single Family
South: R-2 Residential, Residential Single Family
East: GO General Office and R-3 Residential, Institutional and Residential Single Family
West: R-2 Residential, Residential Single Family

Applicable Zoning Ordinance Provisions

20.10 Variance

- A. The purpose of a variance is to:
1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
 2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.
- B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

2023 F.Z.O. 9.5.3. - Cross Access Between Adjacent Properties

Internal vehicular circulation shall be designed to provide cross access to each adjacent property, unless the DRT waives the requirement due to topographical constraints, natural features, or other vehicular safety factors.

Background

The subject property is located at 828 Murfreesboro Road and is zoned CI Civic and Institutional District. There is an existing church building on the property, and the church is currently working on an expansion project. The church received approval of their Final Plat in 2024 and their Site Plan in February 2026 for the expansion project. As part of the approvals, the church is required by the Zoning Ordinance to provide cross access from its site to the intersection of Perching Drive and an alley located along the shared property line between the church and the adjacent residential subdivision. In the midst of their expansion project, communication with the neighboring residential subdivision has resulted in legal consultations between the properties regarding the church's 25' private landscape easement along its western property line.

The landscape easement originated from a City Zoning requirement from an earlier site plan for the church property. This Zoning standard required that a 25' landscaped incompatible use buffer be placed along the church's western property line abutting the residential subdivision. The easement itself is a private easement, not commonly reviewed by the City. The City allows streets and driveways to perpendicularly cross incompatible use buffers. However, the neighboring subdivision is not in agreement with the church's plans to alter the landscape easement to allow the required cross access connection to Perching Street. For this reason, the applicant is requesting a variance to waive the cross access requirement.

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.

There is not a condition of the property that would not allow the cross access connection to Perching Street. The Site Plan and cross access easement on the Final Plat show that the connection can be made at that location. Section 1.1.10 of the Franklin Zoning Ordinance states the following: "this Ordinance is not intended to modify, revoke, or repeal any easement, covenant, or other private agreement; however, where the regulations of this Ordinance are more restrictive, the requirements of this Ordinance shall be controlling. The City does not enforce the provisions of easements, covenants, or agreements between private or third parties." So while the easement may be a hindrance, the City does not enforce provisions of private easements and the requirements of the ordinance are controlling. 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 cross access connection is provided on the approved Site Plan and Final Plat and is shown to be feasible. Dissolving or altering the church's private easement document (that contradicts the Zoning Ordinance by not allowing a perpendicular street connection) is a private matter and is expected in order to meet the requirements of the Zoning Ordinance. However, given that the neighboring

subdivision appears to be a signatory on the landscape easement and is in disagreement with the cross access requirement, there is a potential hardship or practical difficulty for the church in altering the recorded landscape easement. Staff finds this criteria is met.

It should be noted that, currently with approved plans and plats, the City normally reviews landscape easements and buffers with the submittal and recording of final plats, rather than through private documents or agreements, to avoid these conflicts. This item should be a rare case.

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 granting this variance would not be a detriment to the public good and would not impair the intent of the Zoning Ordinance. One of the benefits to the public in having cross access connection points is for traffic flow. This connection would only connect to the neighboring subdivision, where the property owners have expressed they do not want additional traffic from neighboring properties driving through. There is already a connection to that neighboring subdivision at Welsh Lane, and it has been gated off as an emergency-only connection. The other benefit and one of the primary intentions of this Zoning Ordinance regulation is for emergency access. For emergency vehicles to access a site, especially one this large, it's important to have multiple access points. This site currently has emergency access off Murfreesboro Road (north), Royal Oaks Court (south), and Welsh Lane (west; gated as emergency-only access). Providing this required connection at Perching Street would provide emergency access just south of Welsh Lane where there is already a connection. While every connection is valuable, there are already multiple emergency access points to this site and an additional connection just south of an existing connection would not substantially impair the purpose of this Zoning Ordinance requirement. In addition, the applicant has proposed extending the pavement to the edge of the private easement, which is an effort to meet the intent of the Ordinance and achieve the most minimal deviation possible from this Zoning Ordinance requirement. Staff finds this criteria is met.

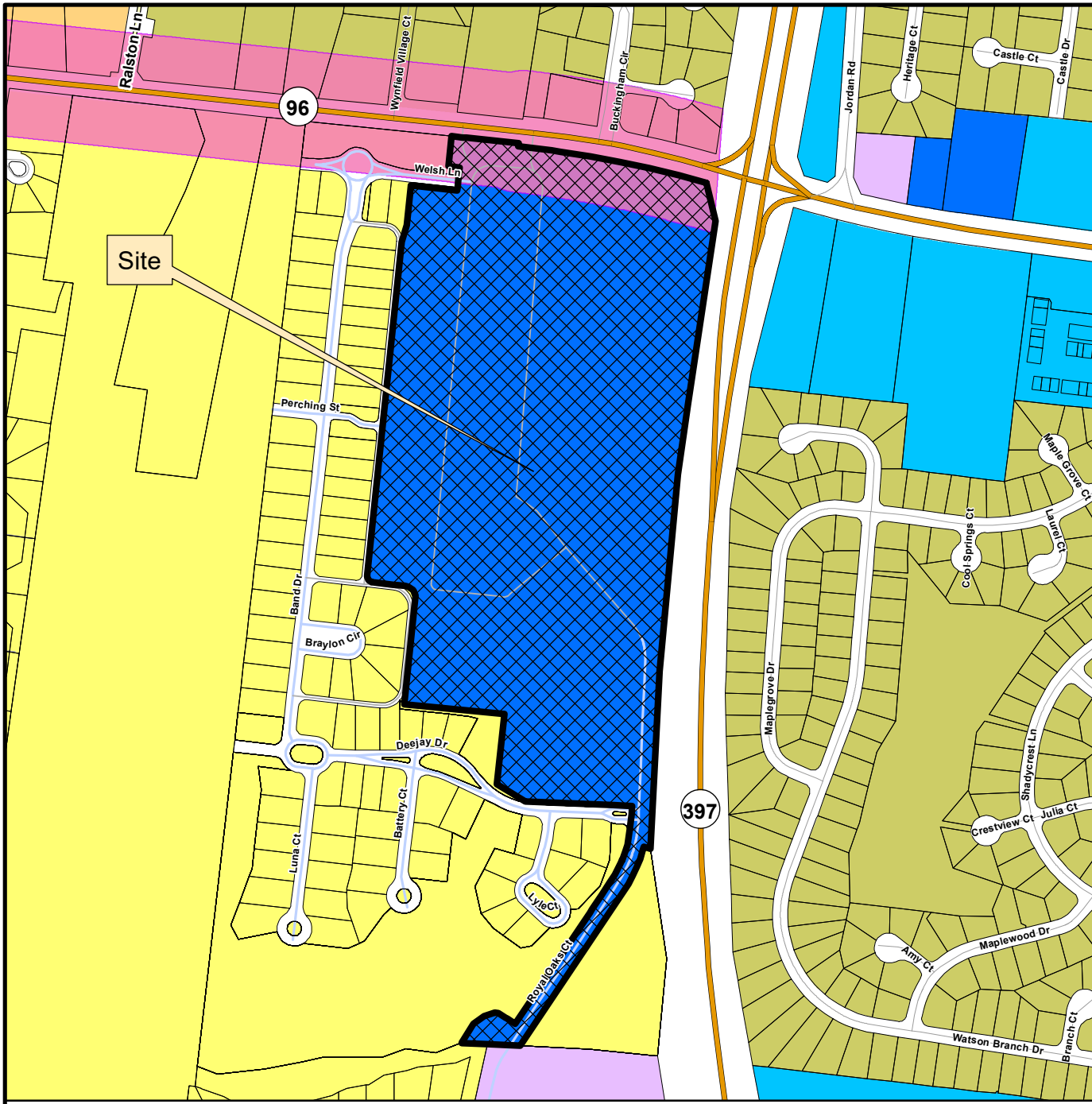
FINANCIAL IMPACT:

Unknown.

























RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to deny the Variance Request To Waive Cross Access Requirements Between Adjacent Properties for the property located at 828 Murfreesboro Road, because the criteria for granting a variance have not all been met.

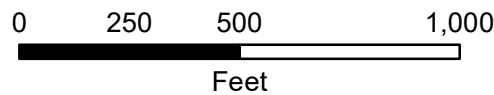
828 MURFREESBORO ROAD
 TAX MAP 079, PARCEL 09602
 BOARD OF ZONING APPEALS
 5 MARCH 2026



Legend

-  828 Murfreesboro Road
-  Scenic Corridor 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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HISTORIC
 FRANKLIN
 TENNESSEE



February 9, 2025

Ms. Ariella Stanford
City of Franklin
120 9th Avenue South
Franklin, TN 37064

RE: Church of the City, BZA Variance, Franklin, TN

Dear Ms. Stanford:

Church of the City (the “Church”), is requesting a variance for The Village at Church of the City development located at 828 Murfreesboro Road (the “Project”). The Project will provide facilities and resources for mental health initiatives, single parents, foster families, and individuals aging out of the foster care system. The pertinent property is 44 acres+/- bounded by Murfreesboro Road, Mack Hatcher Parkway, and the Henley Subdivision. The Project is 85% complete.

The Church’s current Site Plan includes a stubbed connection that starts in the parking lot on the western boundary of the property of the Church and ends approximately one foot across from Perching Street, a private road inside the Henley Subdivision that has no public access. As detailed below, Henley is the beneficiary of a twenty-year-old easement and intends to enforce the easement to prevent construction of part of the connector. The Church seeks a variance from part of *Section 9.6 of the Ordinance*, which, according to the City, requires that the stubbed connector extend all the way to the edge of the property line. The Church merely seeks to defer paving a portion of the connector until the City intends to make the road public.

The Church can build the connector to the boundary of its unencumbered property without affecting Henley’s existing easement. Attached as *Exhibit A* is a drawing of the connector from the current site plan compared with a drawing of what the connector will look like if the variance is granted. This connector will accommodate any future development, if the City decides to take the steps necessary to make Perching a public street.

Factual Background

More specifically, the approved site plan (COF 8237) for the Project includes a stubbed street connector extending to the western property boundary across from Perching Street, which is a private internal drive in the neighboring Henley Subdivision. Perching Street does not currently

"LORD, I have heard of your fame: I stand in awe of your deeds. LORD,
Repeat them in our day, in our time make them known:" *Hab 3:2 (NIV)*

828 Murfreesboro Rd, Franklin, TN 37064
615.465.5000
churchofthecity.com

meet the City's standards for a public road under the Ordinance and includes a parking court for residential use. *Exhibit B* is a photo of the location of the planned connector from the Church's property. A photo of Perching Street inside Henley is attached as *Exhibit C*. The proposed street connector was included in the site plan only to meet the requirements under *Section 9.6 of the Zoning Ordinance* for the potential future development of public roads. The site plan anticipates the connector extending from the Church's parking lot and ending approximately one foot from Perching Street. In other words, under the current plan, the connector would not actually be connected to Perching Street (a private road). No vehicular traffic would flow through that stubbed connector as planned.

The Henley Subdivision, however, is the beneficiary of a private, Exclusive Easement that encompasses a portion of the property where part of the stubbed connection in the current site plan would be located. The Exclusive Easement is recorded at Book 3655 Pages 862-870 (the "Easement"), and a copy is attached hereto as *Exhibit D*. The Easement was granted 20 years ago in 2005, long before the current Ordinance and before the adoption of Envision Franklin. Our understanding is that the ordinance in place at that time did not have a street connectivity requirement comparable to the current requirement in *Section 9.6*. Under the Easement, a twenty-five (25) foot wide strip of the Church's property is encumbered by an "exclusive easement and right-of-way" for the installation of landscaping. The Easement was formed to create a visible boundary between the Church's property and the Henley Property.

In 2006, the City itself acquired limited rights in the Easement. See *Exhibit E*. That amendment gave the City the right to maintain the landscaping that serves as the buffer between the Church and Henley and to ensure that Henley's developer satisfied its landscaping obligations to the City. The connector as planned would impact these rights.

Rather than risk violating any rights created by the Easement, a variance to extend the connector only to the edge of the unencumbered property (rather than across the property subject to the Easement) is appropriate under the Ordinance standards and in keeping with the purpose of *Section 9.6*. The Henley Subdivision's HOA Board has indicated that it supports this request for a variance.

Henley has also stated that it intends to preserve its right to enforce the terms of the Easement to prevent construction of the stubbed connector across the Easement, which enforcement rights include the ability to file a lawsuit if there is any sign of an intent to commence construction on the property subject to the Easement. Such legal action could include a petition for an injunction against the Church, monetary damages, and attorney's fees.

Accordingly, construction of the stubbed connector is either a legal impossibility under the terms of the Easement or, at minimum, an extreme legal hardship, the costs of which would grossly outweigh any value from the existence of the stubbed connector, which, as noted, would not service vehicular traffic.

Variance Criteria

"LORD, I have heard of your fame: I stand in awe of your deeds. LORD, Repeat them in our day, in our time make them known:" *Hcb 3:2 (NIV)*

328 Murfreesboro Rd, Franklin, TN 37064
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Generally, *Section 1.1.10 of the City's Zoning Ordinance* indicates that the Ordinance is not intended to override a legally enforceable easement: "This Ordinance is not intended to modify, revoke, or repeal any easement, covenant, or other private agreement"

In other words, the Ordinance is not intended to deprive the Henley Subdivision or the property owners in Henley of any pre-existing rights under the Easement. As noted above, Henley's Easement is 20 years old and pre-dates the current Ordinance and Envision Franklin.

Section 20.10.7 of the Ordinance specifically allows a variance when the following criteria are satisfied:

Variance Criteria #1 – "Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such piece of property is not able to accommodate development as required under this Ordinance."

This criterion is satisfied when an "extraordinary and exceptional situation or condition" prevents the required feature. In this case, the twenty-year-old Easement constitutes an extraordinary and exceptional situation or condition. Henley acquired its rights via the Easement recorded 20 years ago and may enforce those rights by filing a lawsuit to prevent construction of the connector. Given this extraordinary situation, the property subject to the Easement cannot accommodate development of the connector as planned. With a variance, the Church can build the connector to the edge of the Easement. This does not limit the City from taking steps in the future to make Perching a public street.

Variance Criteria #2 – "The strict application of any provision enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional hardship upon the owner of such property."

The extraordinary situation created by the Easement burdens the Church with a peculiar and exceptional practical difficulty and an exceptional hardship. The Henley HOA Board has represented it will not and cannot provide approval. In addition, without the consent of each and every homeowner the Church risks violating the Easement and will likely be sued, thus incurring damages, and possibly be subjected to an injunction preventing construction. If a Court stops construction and the Project cannot be completed, the Church will lose its significant investment in the Project. Moreover, the Church, the City, and the larger community will lose the valuable practical, emotional, and spiritual benefits associated with the Project.

Variance Criteria #3 – "Such relief may be granted without meaningful detriment to the public good and without impairing the purpose and intent of the zoning map and this Ordinance."

A variance risks no meaningful detriment to the public good and, indeed, will further the public good. The connector in the current Site Plan ends approximately one foot from

"LORD, I have heard of your fame: I stand in awe of your deeds. LORD,
Repeat them in our day, in our time make them known:" *Hab 3:2 (NIV)*

Perching Street (that is, it would not actually connect). Additionally, the western side of Perching Street opposite the Project currently does not connect to a street outside of Henley. Perching will remain a private internal street, which, as noted, includes a residential parking court. The residential streets in Henley do not currently meet the City's standards for public roads. Thus, there would be no traffic benefit associated with the connector as currently planned, and the public will not sacrifice anything in that regard if the variance is granted.

The construction of the stubbed connector harms the public good insofar as it would require the potential violation of existing property rights secured by the Easement, including the City's rights noted above. A variance will, however, ensure that any existing rights under the Easement are honored and the public receives the benefits of the anticipated Project.

A variance also will not impair the purpose and intent of the zoning map and the Ordinance. As noted, the variance will not impact traffic because the stubbed connector as currently planned would be unconnected to Perching Street. With the variance, the connector will stop at the edge of the easement, thus accommodating future development should the City decide to convert Perching Street to a public road in the future. Both properties already satisfy the local ordinance requiring two entrance and exit points for emergency vehicles.

Finally, Henley and each of the property owners in the development are the neighbors most impacted by the stubbed connector. The Church's understanding is that the Henley Subdivision HOA Board agrees with the variance as requested.

We appreciate the Board's consideration of this timely matter and look forward to discussing this variance request in person on March 5, 2026.

Sincerely,



Dick Wells, CFO

"LORD, I have heard of your fame: I stand in awe of your deeds, LORD.
Repeat them in our day, in our time make them known:" *Hab 3:2 (NIV)*

828 Murfreesboro Rd, Franklin, TN 37064
615.465.5000
churchofthecity.com



KEYNOTE TABLE:

- 1 PROVIDE AND INSTALL ASPHALT PAVEMENT PER DETAIL SHEET C2.04.
- 2 PROVIDE AND INSTALL HEAVY DUTY ASPHALT PAVEMENT PER DETAIL SHEET C2.04.
- 3 PROVIDE AND INSTALL CONCRETE SIDEWALK PER DETAIL SHEET C2.04.
- 4 PROVIDE AND INSTALL CONCRETE PAVEMENT PER DETAIL SHEET C2.04.
- 5 PROVIDE AND INSTALL DUMPSTER ENCLOSURE, SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION.
- 6 PROVIDE AND INSTALL ACCESSIBLE PARKING STALL (TYP.) INCLUDING STRIPING, SIGNAGE, AND WHEEL STOPS PER DETAIL SHEET C2.04.
- 7 PROVIDE AND INSTALL ACCESSIBLE RAMP PER DETAIL SHEET C2.04.
- 8 PROVIDE AND INSTALL CONCRETE SIDEWALK PER CITY OF FRANKLIN DETAIL SHEET C2.04.
- 9 TIE PROPOSED ASPHALT PAVEMENT AND CURB SECTIONS INTO EXISTING FACILITIES AND MATCH PROPOSED ELEVATIONS TO EXISTING ELEVATIONS AT THIS POINT.
- 10 PROVIDE AND INSTALL MOUNTABLE CURB PER DETAIL SHEET C2.04.
- 11 PROVIDE AND INSTALL INTEGRAL CURB AND SIDEWALK PER DETAIL SHEET C2.04.
- 12 TIE PROPOSED ASPHALT PAVEMENT FLUSH WITH PROPOSED CONCRETE SIDEWALK/PAVEMENT.
- 13 36" STOP SIGN (R1-1)
- 14 30" YIELD SIGN (R1-2)
- 15 PROVIDE AND INSTALL 4" WIDE SINGLE WHITE PAINT STRIPE (TYP.)
- 16 PROVIDE AND INSTALL DOUBLE YELLOW 4" WIDE PAINT STRIPING.
- 17 PROVIDE AND INSTALL 4" WIDE SINGLE YELLOW PAINT STRIPE (TYP.)
- 18 2' WIDE WHITE PAINTED STOP BAR
- 19 PROVIDE AND INSTALL CROSSWALK PER DETAIL SHEET C2.04.
- 20 PROVIDE AND INSTALL DIRECTIONAL ARROWS (TYP.) PER DETAIL SHEET C2.04.
- 21 PROVIDE AND INSTALL CONCRETE TRANSFORMER PAD, SEE STRUCTURAL PLANS FOR ADDITIONAL INFORMATION.
- 22 TIE PROPOSED ASPHALT PAVEMENT AND CURB SECTIONS INTO EXISTING FACILITIES AND MATCH PROPOSED ELEVATIONS TO EXISTING ELEVATIONS AT THIS POINT.
- 23 RETAINING WALL, POURED IN PLACE CONCRETE FACED TO MATCH THE BUILDINGS. SEE STRUCTURAL PLANS FOR ADDITIONAL INFORMATION.
- 24 GRASS PAVERS, SEE LANDSCAPE PLANS FOR DETAILS.
- 25 CROSS ACCESS EASEMENT (CAE)
- 26 GREEN INFRASTRUCTURE EASEMENT (GIE)
- 27 SEAT WALL, SEE LANDSCAPE ARCHITECTURE PLANS FOR ADDITIONAL INFORMATION.
- 28 RAISED TREE PLANTER, SEE LANDSCAPE ARCHITECTURE PLANS FOR ADDITIONAL INFORMATION.
- 29 PROVIDE AND INSTALL HEAVY-DUTY CONCRETE PAVEMENT PER DETAIL SHEET C2.04.
- 30 CONCRETE SPEED TABLE, CONTRACTOR TO ENSURE POSITIVE DRAINAGE, PER DETAIL SHEET C2.04.
- 31 NOT USED

INDICATES NUMBER OF PARKING SPACES
 ALL RADII 3' UNLESS OTHERWISE NOTED
 NOTE:
 ALL DRIVEWAYS MEET TDOT INTERSECTION SIGHT DISTANCE STANDARDS



21021
 COF PROJECT # TBD

THE VILLAGE
 AT CHURCH OF THE CITY

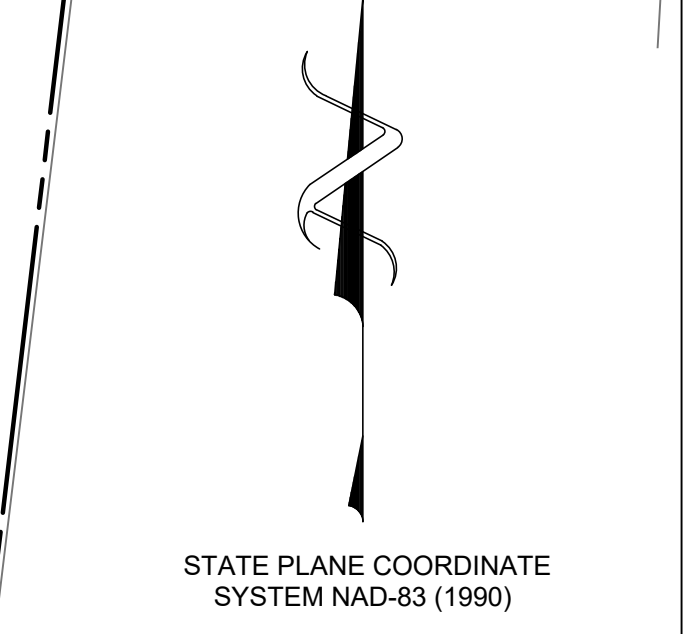
CHURCH OF THE CITY
 SUBDIVISION
 SITE PLAN

828 MURFREESBORO
 RD, FRANKLIN, TN
 37064

REVISION	DATE
ONE STOP SUBMITTAL	12-06-23
SITE PLAN AMENDMENT	05-13-24
PR #1	08-19-24
PR #3	05-23-25
SITE PLAN AMENDMENT	05-12-25
PR #4	05-23-25
SITE PLAN AMENDMENT	09-08-25
PR #8	11-07-25
SITE PLAN AMENDMENT	12-08-25

NOTE:
 WHERE PARKING IS NOT PROVIDED ALONG DRIVE ARBLES, FIRE LINES SHALL BE MARKED WITH SIGNS ADJACENT TO THE CURB AND PAVEMENT MARKINGS READING "FIRE LANE - NO PARKING VISIBLE FROM THE NORMAL LANE OF TRAFFIC AND PAINTED YELLOW OR WHITE OR AS APPROVED BY THE FIRE MARSHALL. A MAXIMUM OF SIX FEET ALTERNATING BETWEEN SIGNS AND PAVEMENT MARKINGS SHALL BE REQUIRED ALONG THE ENTIRE LENGTH OF THE FIRE LANE. PLACEMENT SUBJECT TO APPROVAL OF FIRE MARSHALL.

NOTE:
 ALL DRIVE ARBLES TO BE HEAVY DUTY PAVEMENT
 ALL PARKING SPACES TO BE LIGHT DUTY PAVEMENT.



STATE PLANE COORDINATE SYSTEM NAD-83 (1990)
 SCALE: 1" = 30'
MAP 79 PARCELS 94, 95 and 96
ZONED - CI
SITE AREA = 44.37 acres



SITE PLAN
C2.02

13 May 2024
 SITE PLAN AMENDMENT
 COF# 8237



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- 27 SEAT WALL, SEE LANDSCAPE ARCHITECTURE PLANS FOR ADDITIONAL INFORMATION.
- 28 RAISED TREE PLANTER, SEE LANDSCAPE ARCHITECTURE PLANS FOR ADDITIONAL INFORMATION.
- 29 PROVIDE AND INSTALL HEAVY-DUTY CONCRETE PAVEMENT PER DETAIL SHEET C2.04.
- 30 CONCRETE SPEED TABLE, CONTRACTOR TO ENSURE POSITIVE DRAINAGE, PER DETAIL SHEET C2.04.
- 31 NOT USED

INDICATES NUMBER OF PARKING SPACES
 ALL RADII 3' UNLESS OTHERWISE NOTED
 NOTE:
 ALL DRIVEWAYS MEET TDOT INTERSECTION SIGHT DISTANCE STANDARDS

MATCHLINE SEE SHEET C2.01



N05°53'47"E 1099.13'

25' M.D.S.

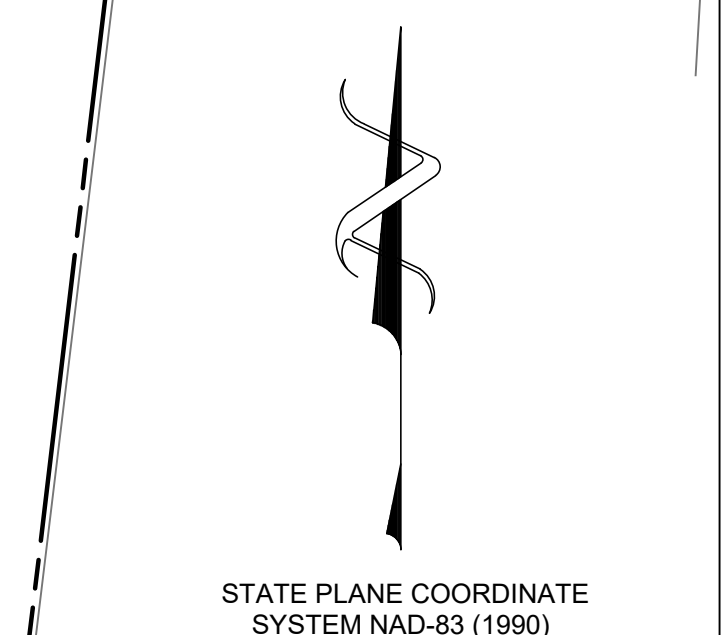
757.57'
S06°46'38"W

MATCHLINE SEE SHEET C2.03

828

NOTE:
 WHERE PARKING IS NOT PROVIDED ALONG DRIVE AISLES, FIRE LANES SHALL BE MARKED WITH SIGNS ADJACENT TO THE CURB AND PAVEMENT MARKINGS READING "FIRE LANE - NO PARKING VISIBLE FROM THE NORMAL LANE OF TRAFFIC AND PAINTED YELLOW OR WHITE OR AS APPROVED BY THE FIRE MARSHALL. A MAXIMUM OF SIX FEET ALTERNATING BETWEEN SIGNS AND PAVEMENT MARKINGS SHALL BE REQUIRED ALONG THE ENTIRE LENGTH OF THE FIRE LANE, PLACEMENT SUBJECT TO APPROVAL OF FIRE MARSHALL.

NOTE:
 ALL DRIVE AISLES TO BE HEAVY DUTY PAVEMENT
 ALL PARKING SPACES TO BE LIGHT DUTY PAVEMENT.

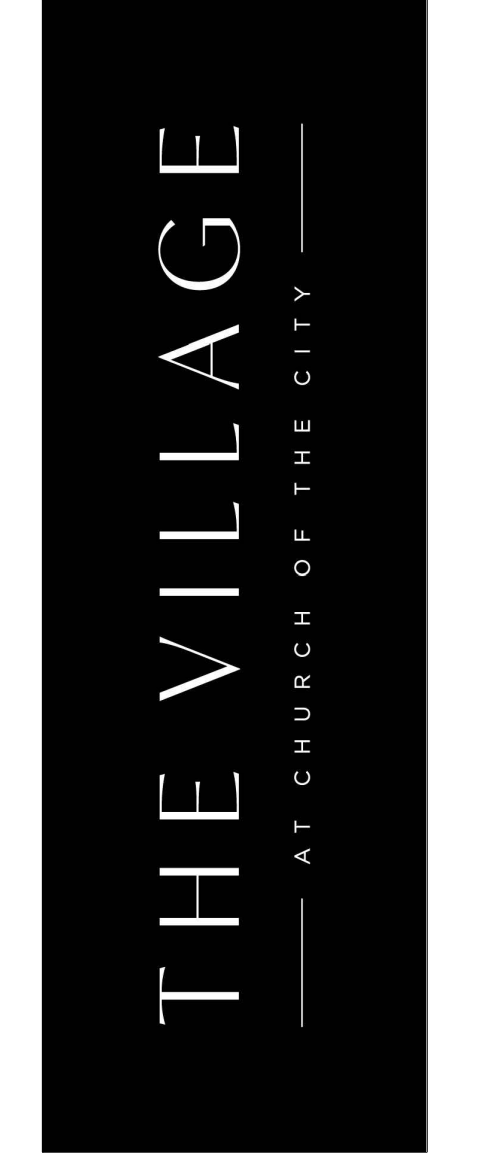


STATE PLANE COORDINATE SYSTEM NAD-83 (1990)
 SCALE: 1" = 30'
MAP 79 PARCELS 94, 95 and 96
ZONED - CI
SITE AREA = 44.37 acres

811 Know what's below
 Call before you dig.
 811
 www.call811.com

21021

COF PROJECT # TBD



CHURCH OF THE CITY
 SUBDIVISION
 SITE PLAN

828 MURFREESBORO RD, FRANKLIN, TN 37064

REVISION DATE

SITE EXHIBIT

C2.02

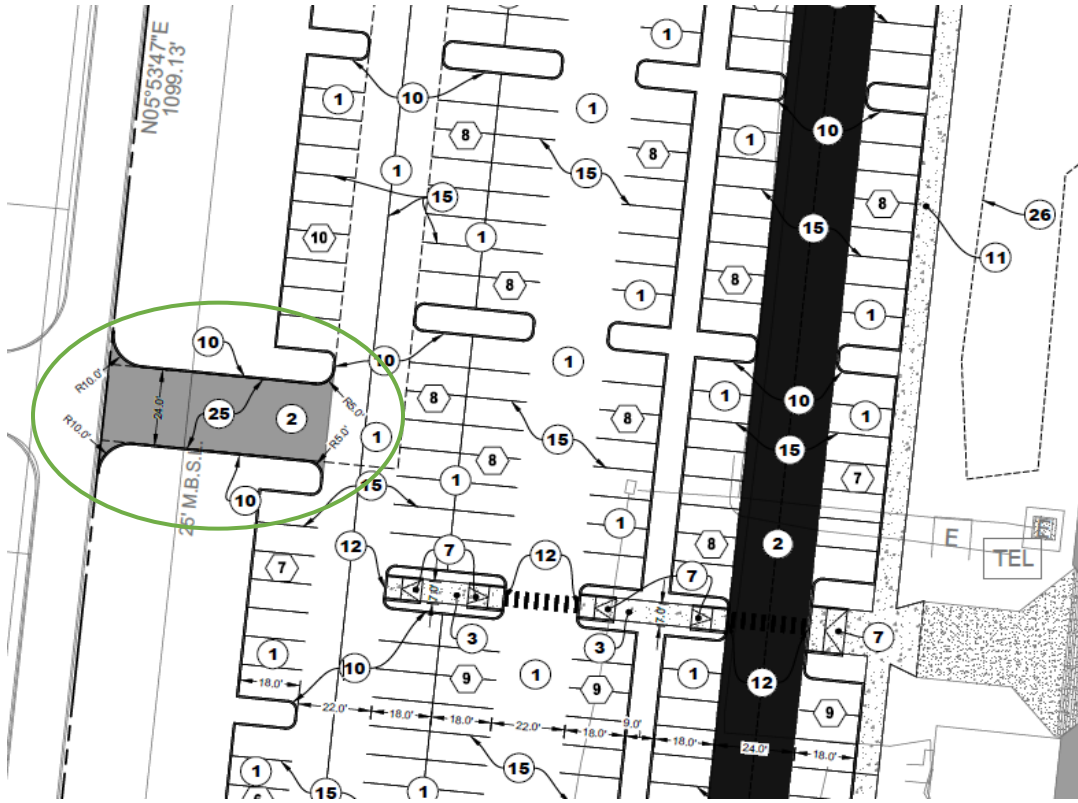
13 May 2024

SITE PLAN AMENDMENT
 COF# 8237

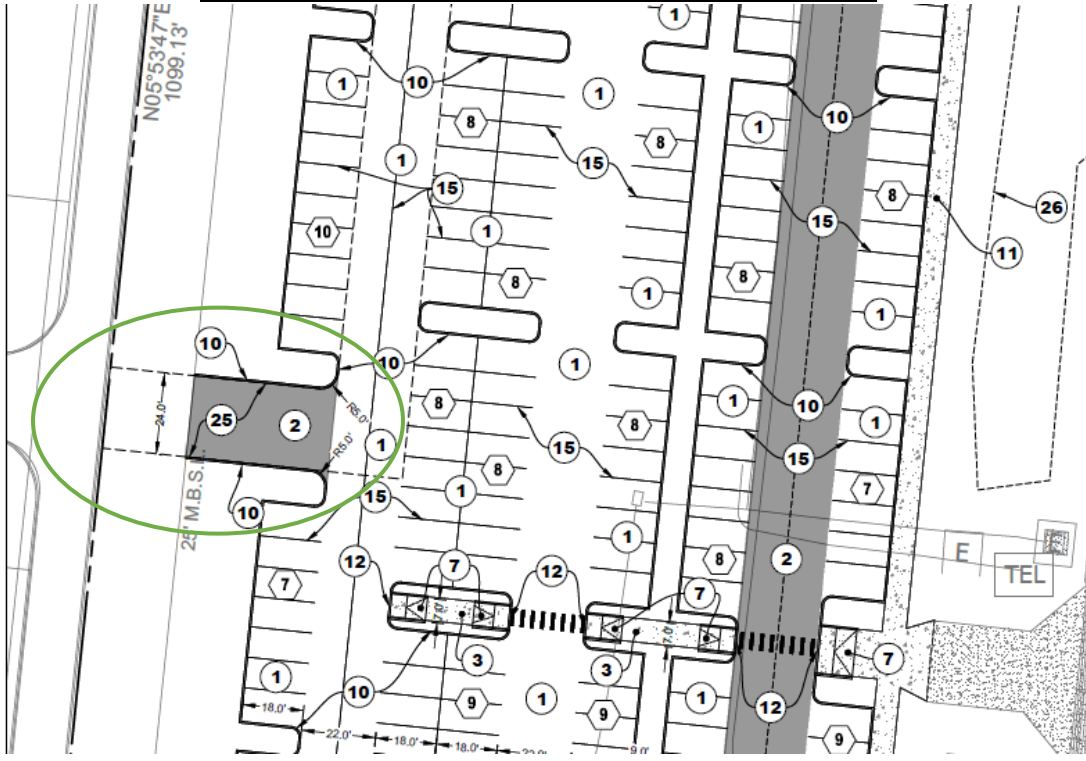
Exhibit

A

CONNECTION IN CURRENT SITE PLAN



PROPOSED CONNECTION WITH VARIANCE



Exhibit

B



Exhibit

C



Exhibit

D

THIS INSTRUMENT PREPARED BY:

Douglas S. Hale
HALE AND HALE, PLC
312 First TN Bank Building
Franklin, Tennessee 37064

PICK UP

EASEMENT FOR LANDSCAPING, INGRESS AND EGRESS

This indenture made this 15 day of August, 2005, by and between **FIRST BAPTIST CHURCH OF FRANKLIN**, (hereinafter individually and collectively called "Church") and **WILLIAMSON COUNTY, LLC**, (hereinafter individually and collectively "WC, LLC").

WITNESSETH:

That for and in consideration of the sum of TEN AND NO/100 (\$10.00) Dollars, cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, Church has this day bargained and sold and by these presents does bargain, sell, convey, transfer and deliver unto WC, LLC, its successors and assigns, the hereinafter described twenty-five (25') feet exclusive easement and right-of-way, for the installation, replacement, construction, repair, maintenance and dedication of irrigation and landscaping, referred to hereinafter as the "Landscaping", and ingress and egress, including the right to enter upon the real estate hereinafter described at any time, WC, LLC, its successors and assigns, may see fit, for the limited purpose of installing, replacing, constructing, repairing, maintaining and dedicating the Landscaping and ingress and egress. The real estate encumbered by the easement rights herein granted generally runs along the common boundary line separating the real property of the parties and is more specifically depicted on Exhibit A attached hereto and incorporated herein by reference (the "Real Estate").

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Furthermore, WC, LLC, its successors and assigns, shall, and will be solely responsible for, the immediate repair and return of all real and personal property disturbed or in any manner impacted by the replacement, construction, maintenance and/or repair by WC, LLC of the Landscaping to its original condition following the replacement, construction, maintenance and/or repair by WC, LLC of the Landscaping.

To have and to hold said easement and right of ingress, egress, installation, construction, replacement, repair, maintenance, dedication and right-of-way unto WC, LLC, its successors and assigns. Church covenants with WC, LLC that it is lawfully seized and possessed of the Real Estate, that it has the good and lawful right to assign, grant and convey the rights herein created, and that it will forever warrant and defend the rights and privileges herein assigned, granted and conveyed against the lawful claims of all persons whomsoever.

WC, LLC, its successors and assigns, beyond the specific rights and benefits herein assigned granted and conveyed, shall not destroy, weaken or damage the herein granted and conveyed easement, nor cause or permit the same, nor unreasonably interfere with the use thereof.

The Church shall pay, or cause to be paid, before delinquency, all real estate taxes assessed on the Real Estate.

The easement rights and benefits granted and conveyed by this Agreement, and all terms of this Agreement are covenants running with the land and inure to the benefit of, and are binding upon, the parties hereto and their respective successors and assigns, including, all subsequent owners of all or any portion of the Real Estate.

It is contemplated by the parties hereto that WC, LLC will cause certain landscaping and related irrigation systems to be installed and maintained on the Real Estate in strict compliance with

the subdivision approvals granted by the City of Franklin respecting the residential subdivision contemplated to be developed by WC, LLC on land being purchased by WC, LLC from Church simultaneously with the execution of this indenture, known as "Henley", together with all governing regulations and ordinances, and in that regard, WC, LLC shall not allow any lien(s) or claim(s) to be lodged against the Real Estate as a result of said installation, replacement or maintenance, or otherwise. In the event said landscaping shall be damaged as a result of the negligence, acts or omissions by a party to this Agreement, or the agent, guest, employee or invitee of a party to this Agreement, then the party responsible for said damage shall promptly repair said damage at their sole costs and expense.

If either party to this Agreement defaults in the performance of any of their obligations hereunder (hereinafter referred to as the "Defaulting Party"), then any party to this Agreement may give written notice to the Defaulting Party, specifying the nature of such default and giving the Defaulting Party 14 days, or such lesser period of time as shall be reasonable under the circumstances involved, to cure such default. If the Defaulting Party fails to cure such default within the time specified in the notice, the party (or parties) giving the notice (hereinafter referred to as the "Performing Party") will have the right to perform such obligation on behalf of the Defaulting Party. The Defaulting Party will reimburse the Performing Party within thirty (30) days after demand by the Performing Party for the reasonable costs thereof, together with interest thereon from the date of demand for such reimbursements at the rate of 12% per annum, plus reasonable collection fees of such reimbursement if not paid within said thirty (30) days and collection is required. No such claim for reimbursement will be secured by a lien on the Defaulting Party's property, except for a judgment lien entered after applicable proceedings.

This Agreement may be amended only by a writing executed by all parties.

Miscellaneous:

- a. “Will” is a mandatory word denoting an obligation to pay or perform.
- b. “May” is a permissive word denoting an option.
- c. All personal pronouns, whether used in the masculine, feminine or neuter gender, include all other genders; the singular includes the plural and the plural includes the singular.
- d. “Including”, when following any general statement, term or matter, will not be construed to limit the statement, term or matter to specific items or matters as provided immediately following the word or to similar items or matters, whether or not non-limiting language (such as “without limitation” or “but not limited to”) is used with reference to the word or the similar items or matters. Instead, “including” will be deemed to refer to all other items or matters that could reasonably fall within the broadest possible scope of the general statement, term or matter.
- e. If any action or proceeding is brought by either party against the other pertaining to or arising out of this Agreement, the finally prevailing party will be entitled to recover all costs and expenses, including the reasonable actual fees of attorneys, incurred on account of such action or proceeding. This Agreement may be enforced by injunctive and other equitable relief, in addition to all other legal remedies.
- f. Any caption(s) appearing within the body of this Agreement have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this Agreement. All references to articles, sections and exhibits refer to articles, sections and exhibits of this Agreement, unless otherwise indicated.

g. This Agreement will be construed and enforced in accordance with the laws of the State of Tennessee.

h. A final determination by a court of competent jurisdiction that any provision of this Agreement is invalid will not affect the validity of any other provision, and any provision so determined to be invalid will, to the extent possible, be construed to accomplish its intended effect.

i. No delay or omission in the exercise of any right or remedy of a party upon any default by another party will impair such right or remedy or be construed as a waiver of such default. Any waiver by a party of any default must be in writing and will not be a waiver of any other default concerning the same or any other provision of the Agreement. The exercise or failure to exercise any one of the rights and remedies of a party will not be deemed to be instead of, or a waiver of, any other right or remedy in this Agreement.

j. The language used in this Agreement will be construed according to the fair and usual meaning of the language and will not be construed for or against either party.

k. This Agreement may be signed in two or more counterparts, each of which will be deemed to be an original agreement, but all of which will constitute one and the same document.

l. WC, LLC shall pay all costs to record this Agreement in the Register's Office for Williamson County, Tennessee.

m. Notices required to be given pursuant to this Agreement shall be delivered by U.S. Mail to the addresses provided below the signatures hereinafter, unless a different address is given to all other parties.

IN WITNESS WHEREOF the Parties have hereunto set their hands as of the day and date first above written.

FIRST BAPTIST CHURCH OF FRANKLIN:

By: K. Edward Alexander
K. Edward Alexander, Minister of Finance
Franklin Baptist Church
Address: 828 Murfreesboro Rd.
Franklin, TN 37064

WC, LLC:

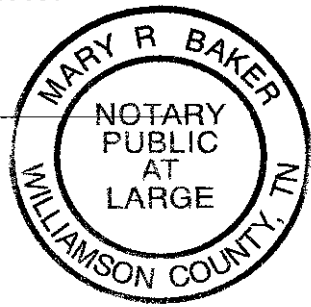
By: Drew Luna
Drew Luna, Chief Manager
Address: 105 Southeast Parkway SE 116
Franklin, TN 37064

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared K. Edward Alexander, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged ^{themselves} himself to be Minister of Finance ^{of this church} of First Baptist Church of Franklin, the within named bargainor, a corporation, and that ^{he} ~~he~~, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by ^{themselves} himself as such officer.

Witness my hand and official seal at office this 15th day of August, 2005.

Mary R. Baker
Notary Public



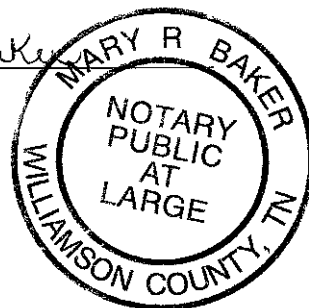
My commission expires: 2-24-08

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared Drew Luna, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Chief Manager of Williamson County, LLC, the within named bargainor, a limited liability company, and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as such officer.

Witness my hand and official seal at office this 15th day of August, 2005.

Mary R. Baker
Notary Public



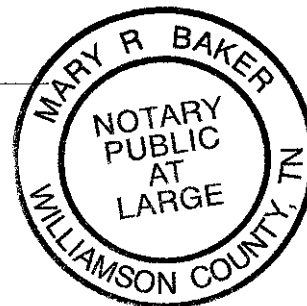
My commission expires: 2-24-08

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

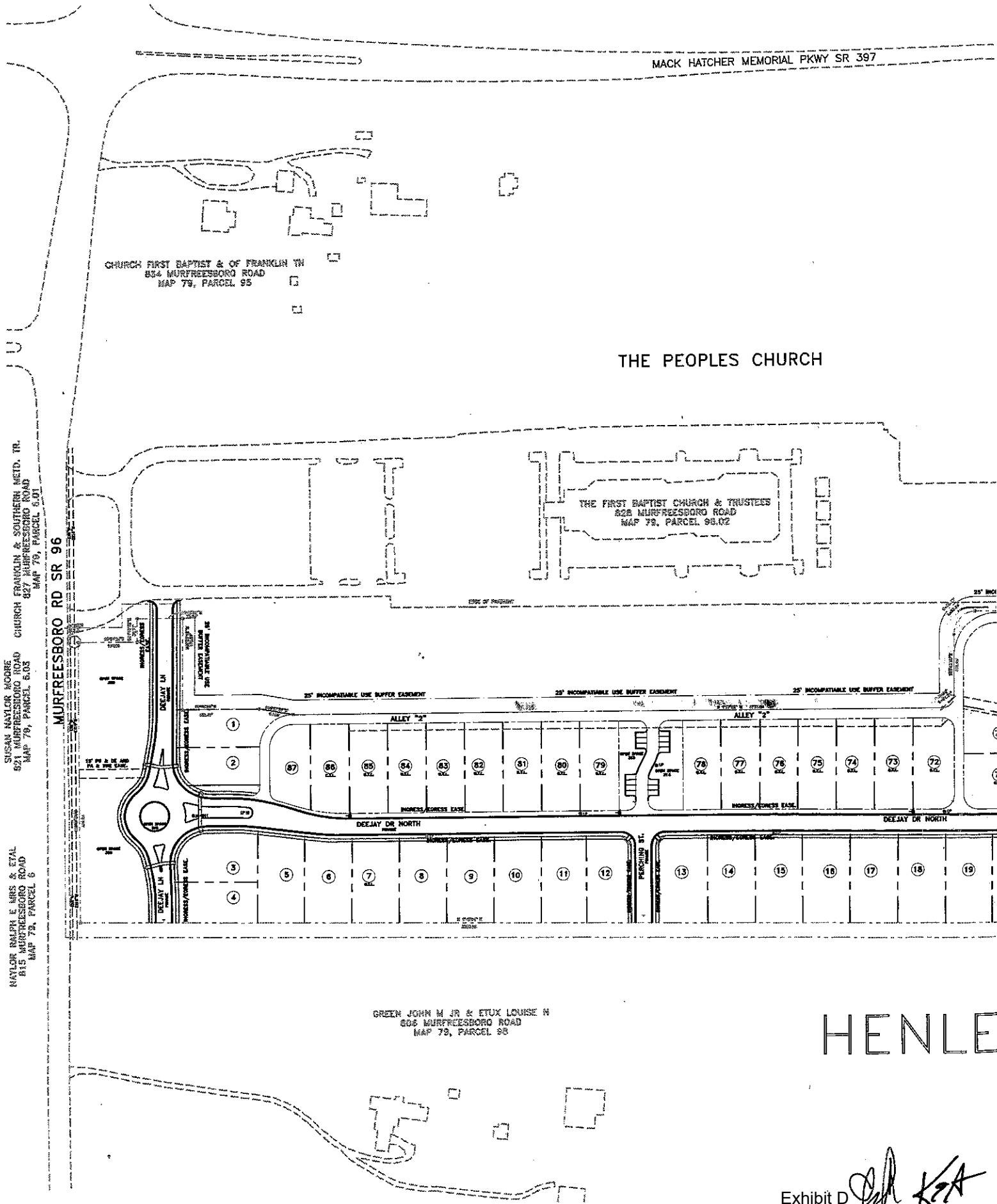
I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$10.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

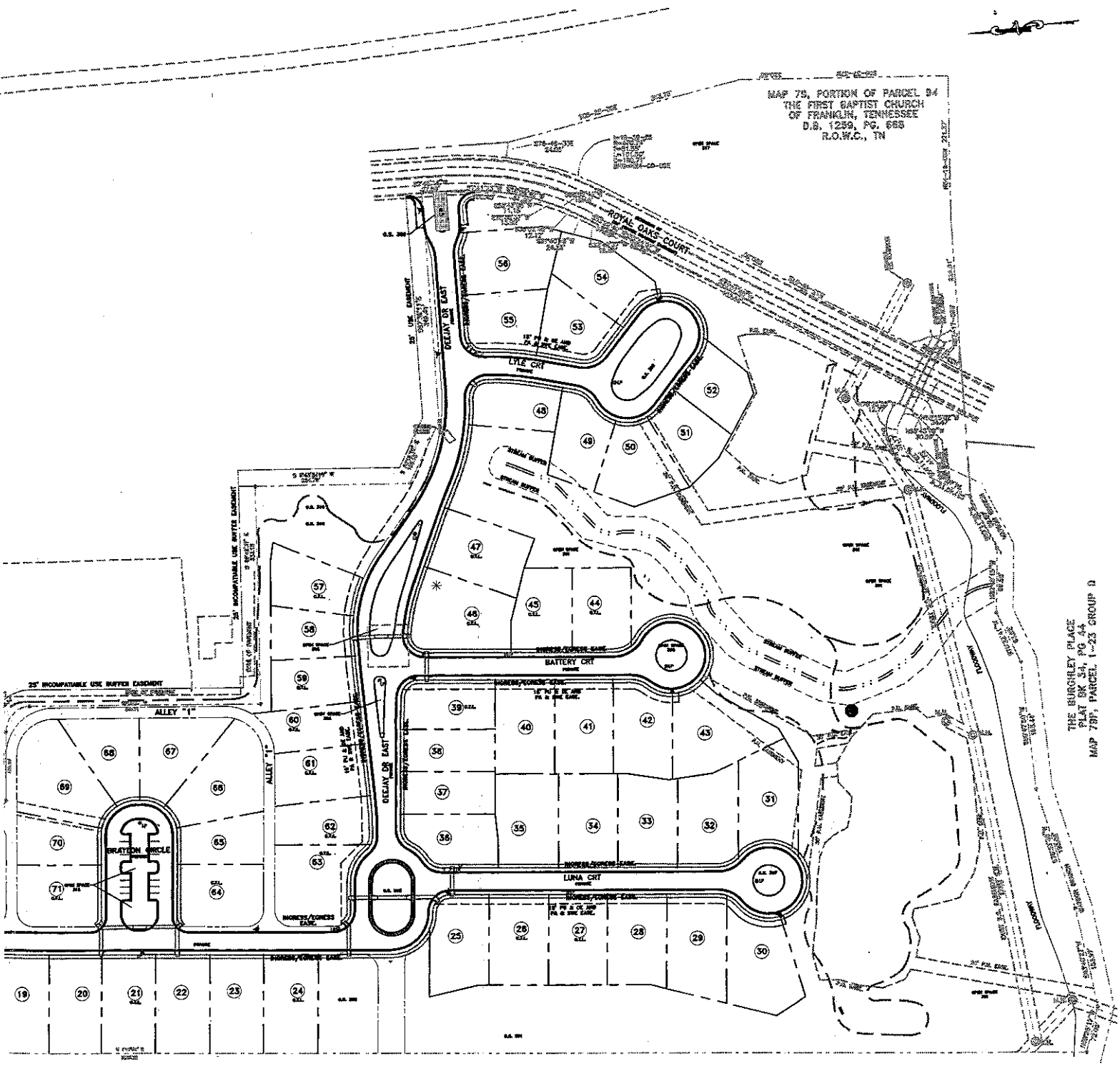
Drew Luna
Affiant

Mary R. Baker
Notary Public



My Commission Expires: 2-24-08





LEY "USE EASEMENT" DISPLAY

BK/PG:3655/862-870

05038744

EASEMENT	
08/16/2005	01:17 PM
BATCH	53095
MTG TAX	0.00
TRN TAX	0.00
REC FEE	45.00
DP FEE	2.00
REG FEE	0.00
TOTAL	47.00

STATE of TENNESSEE, WILLIAMSON COUNTY

SADIE WADE
REGISTER OF DEEDS

Exhibit

E

Hale
X

06009625

THIS INSTRUMENT PREPARED BY:
Douglas S. Hale, Attorney
HALE AND HALE, PLC
312 First Tennessee Bank Building
Franklin, Tennessee 37064

AMENDMENT	
02/28/2006	03:58 PM
BATCH	67003
REG TAX	0.00
TRN TAX	0.00
REC FEE	20.00
DP FEE	2.00
REG FEE	0.00
TOTAL	22.00

STATE OF TENNESSEE, WILLIAMSON COUNTY

SADIE WADE
REGISTER OF DEEDS

FIRST AMENDMENT TO EASEMENT FOR LANDSCAPING,
INGRESS AND EGRESS

THIS FIRST AMENDMENT TO EASEMENT FOR LANDSCAPING, INGRESS AND EGRESS is made effective this 28th day of February, 2006, by and between First Baptist Church of Franklin, (hereinafter referred to as "Church") and Williamson County, LLC (hereinafter referred to as "WC,LLC").

WITNESSETH:

WHEREAS, Church and WC,LLC entered into that certain Easement For Landscaping, Ingress And Egress dated August 15, 2005, the same being recorded in Book 3655, page 862, Register's Office for Williamson County, Tennessee (the "Easement"); and

WHEREAS, Church and WC,LLC desire to amend the Easement as hereinafter set forth and execute this First Amendment to memorialize the same.

NOW, THEREFORE, in consideration of the recitals hereinabove set forth, and other good and valuable considerations, the receipt and adequacy of which are hereby acknowledged, Church and WC,LLC amend the Easement as follows:

1. The City of Franklin, together with its staff, agents and assigns, shall have the continuing right to enter upon the Real Estate, as defined in the Easement, for the purpose of inspecting the Easement and the landscaping improvements existing therein. Furthermore, the City of Franklin, together with its staff, agents and assigns, shall have the continuing right, but not the obligation, to enter the Real Estate for the purposes of performing remedial work within the Easement, including, but not limited to, installing, replacing, constructing, repairing, maintaining and dedicating additional landscaping within the Easement to satisfy the obligations of WC,LLC to the City of Franklin or its surety, and to otherwise provide for the timely and proper performance of the obligations of WC,LLC pursuant to its performance and/or maintenance agreements related to and/or arising from the landscaping obligations of WC,LLC to the City of Franklin and its surety.

2. The Easement as originally executed, except as amended by this First Amendment, is hereby ratified and affirmed, and it remains in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and date above written.

FIRST BAPTIST CHURCH OF FRANKLIN:

By: K. Edward Alexander
K. Edward Alexander, Minister of Finance

Address:

828 Munfreesboro Rd
Franklin, TN 37064

By: Frank C. Ingraham
Frank C. Ingraham, Trustee

WC, LLC:

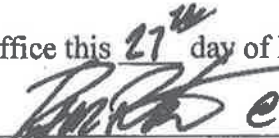
By: Drew Luna
Drew Luna, Chief Manager

112 Alata Dr,
Franklin, TN 37064

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared K. Edward Alexander and Frank C. Ingraham, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to be Minister of Finance and Trustee of First Baptist Church of Franklin, the within named bargainor, a corporation, and that they, as such officers, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as such officers.

Witness my hand and official seal at office this 27th day of February, 2006.



Notary Public



My commission expires: _____ **My Commission Exp. Nov. 22, 2008**

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared Drew Luna, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be Chief Manager of Williamson County, LLC, the within named bargainor, a limited liability company, and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as such officer.

Witness my hand and official seal at office this 20th day of February, 2006.

Notary Public


My commission expires: _____



STATE OF TENNESSEE
COUNTY OF WILLIAMSON

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$10.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.


Affiant


Notary Public

My Commission Expires: _____



BZA,

Thank you for your service to our community. As you review this request, I would like to speak on and ask that you strongly consider the request for approval if it meets the stated criteria. Both the HOA and Church of the City have worked hard to agree to many items surrounding changes at Church of the City and this is one item that has a reasonable solution and outcome and I think it certainly could meet the criteria set forth in our ordinances regarding variances.

While this is not a routine situation, please heavily consider both the HOA and Church of the City's written position statements when considering.

I support the variance request.

Patrick Baggett

Ward 4 Alderman

615-762-8905- City

615-861-9623-campaign

From: [Michael Kleinsmith](#)
To: [Planning Intake](#)
Cc: [Tim Engle](#)
Subject: Variance Request to Waive Cross Access Requirements Between Adjacent Properties; 828 Murfreesboro Rd.
Date: Monday, March 2, 2026 9:38:53 AM

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.

As Stakeholders at Church of the City and Residents of the Henley subdivision, we would like to comment on the above request. We believe this request should be granted.

The reason for putting in cross access seems to boil down to a matter of safety. However, the unintended consequences of this action would likely decrease the current level of safety. Such a cross access placement would significantly increase traffic in the Henley neighborhood for those attending church services and activities, and therefore increase danger to pedestrians and vehicles in our neighborhood. On the other hand, traffic from Henley residents seeking to bypass the circuitous routes currently available would increase danger to pedestrians and vehicles on the church property.

Even though we have concerns about lowering overall safety, I would likely use the new access point, as we calculate that we would save about 3 minutes getting onto Murfreesboro road through the cross access. we probably would take that route at least once a day, saving us each approximately 30 hours of driving time annually. The same would be true for many of Henley's residents, and would increase traffic across church property significantly, and thereby lowering safety for those accessing the church.

Also, I would remind the Planning Commissioners that there already exists a cross access into the neighborhood on Welsh Avenue, which is very rarely used, and is easily accessible to emergency vehicles.

Thank you for your consideration,

Mike & Jan Kleinsmith



File #: 26-0215

DATE: 3/5/2026
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A Variance Request To Allow Parking In Front Of A Proposed Principal Building With Urban Frontage For The Property Located At 553 And 557 Franklin Road (2022 F.Z.O. 7.6.).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 9041
Applicant: Greg Gamble
Owner: Franklin SL Real Estate LLC, Jordan Dorsey (representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: PD Planned District / Vacant
North: PD Planned District / Mixed Residential and Nonresidential
South: CI Civic Institutional District / Institutional
East: PD Planned District / Office
West: ER Estate Residential District and County / Residential Single Family

Applicable Zoning Ordinance Provisions

20.10 Variance

- A. The purpose of a variance is to:
1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
 2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.
- B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

2022 F.Z.O. 7.6 - Urban Frontage

Parking shall be located behind the building, unless it is parallel parking along the street or internal drive.

Background

The subject property is located at 553 and 557 Franklin Road and is zoned PD Planned District and within the 500' Buffer of Hillside Overlay. This request is associated with the 555 Franklin Road PUD Subdivision, Development Plan. In 2022, the project received approval of a variance request for parking to either side of the building, and the Site Plan was then approved with parking to the sides. A revision of the Site Plan associated with this development is currently under review, with the main building being changed as shown in the submitted documents. The Site Plan revision that is currently under review does not include additional parking in front of the building, except for parallel parking which is allowed, thereby complying with the requirements of Urban Frontage. However, the applicant is requesting to allow parking in front of the proposed principal building that is not parallel along the internal drive. If the variance is approved, the applicant will need to submit a Site Plan amendment to add the parking in front of the 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.

While the property is sloped, there is plenty of resident parking to the sides of the building and parallel parking close to the entrance in front. The previously approved Site Plan had more units and less parallel parking spaces in front of the building and no rows of parking in the front, which shows that the building can be designed in a way that keeps parking to the sides of the building, and provides parallel parking spaces for visitors and potential residents in front. In addition, the Site Plan revision that is currently being reviewed meets the Zoning Ordinance parking standards, showing that this property is able 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 previously approved Site Plan had more units and less parallel parking spaces in front of the building and no rows of parking in the front. This indicates that the site can be designed in a way that keeps parking to the sides of the building, and provides parallel parking spaces for visitors and potential residents in front. Whether the units were relocated or the entrances provided were moved, it seems that the redesign of the building has caused this hardship. The way the site has been redesigned is causing a self-imposed hardship. 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.

The design of this site would not be a detriment to the public good, but it would impair the intent of the Zoning Ordinance. The Zoning Ordinance introduced the requirements for Frontage starting with the 2019 Zoning Ordinance update, as a direct response to the adoption of Envision Franklin in 2017.

Two of the core Guiding Principles are Exceptional Design and Vibrant Neighborhoods. One characteristic of Exceptional Design as outlined in Envision Franklin is that parking should be secondary to the building and its relationship to the street, and that views from the street should not be of parking lots. One characteristic of Vibrant Neighborhoods as outlined in Envision Franklin includes pedestrian-friendly neighborhoods that make walking and biking more enjoyable along streets. The intent of the Zoning Ordinance is to reinforce the principles of Envision Franklin, and in this case it's by keeping parking to the side or behind principal buildings for specified districts. Proposing a row of parking in front of the main entrance with no screening does not meet the intent of this Zoning Ordinance requirement. Staff finds this criteria is not met.

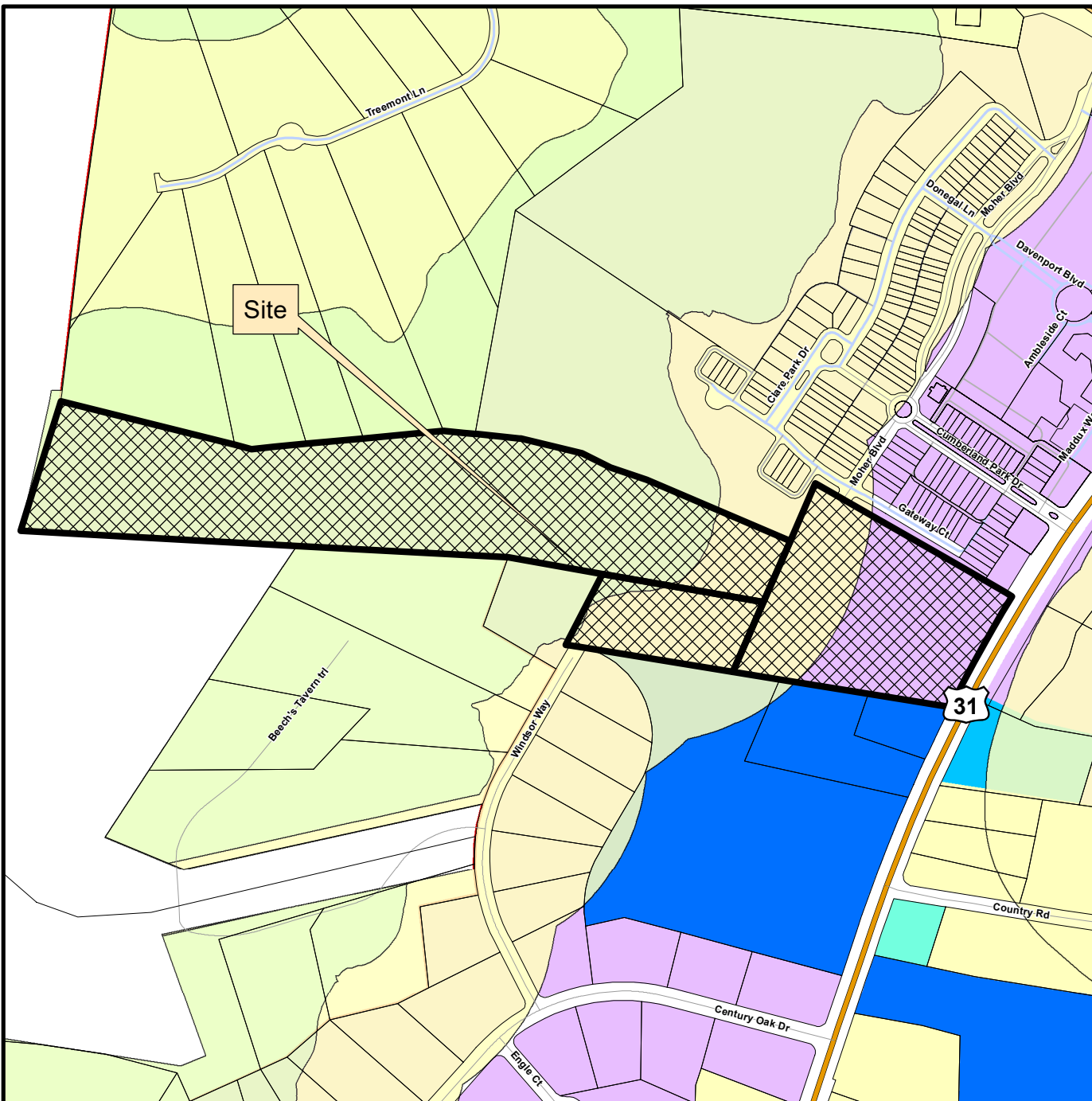
FINANCIAL IMPACT:

Unknown.


























RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to deny the Variance Request To Allow Parking In Front Of A Proposed Principal Building With Urban Frontage For The Property Located At 553 And 557 Franklin Road, because the criteria for granting a variance have not been met.

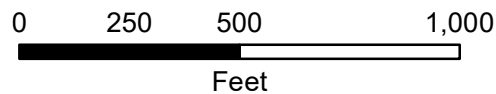
553 AND 557 FRANKLIN ROAD
 TAX MAP 053, PARCELS 00508, 00600, 00500
 BOARD OF ZONING APPEALS
 5 MARCH 2026



Legend

-  553 and 557 Franklin Road
-  Hillside/Hillcrest Overlay
-  500 Ft Buffer of Hillside
-  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 herein.
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February 9, 2026

City of Franklin Board of Zoning Appeals

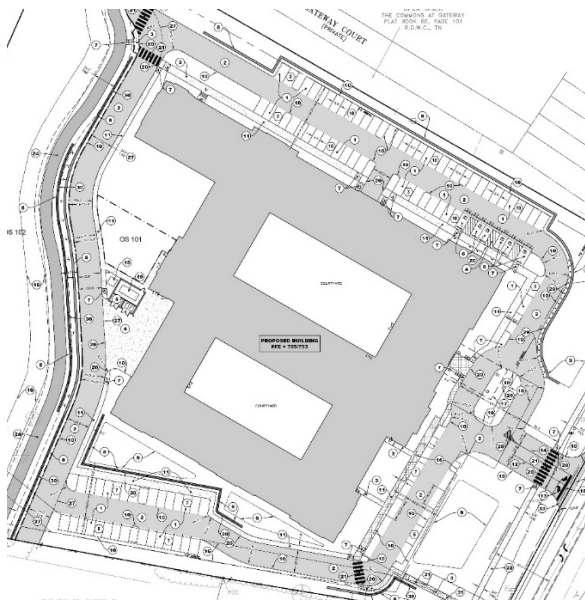
Dear Board of Zoning Appeals,

Gamble Design Collaborative, on behalf of Sentry Development, is requesting a variance for the senior residence development located at 533 Franklin Road, also known as 555 Franklin Road PUD Development Plan. Franklin SL Real Estate LLC is the owner of the property and Sentry Development has a purchase agreement in place to buy the property once the entitlements are approved by the City of Franklin and permits are received to begin construction. They are proposing a revision to the Site Plan to modify the building shape and size.

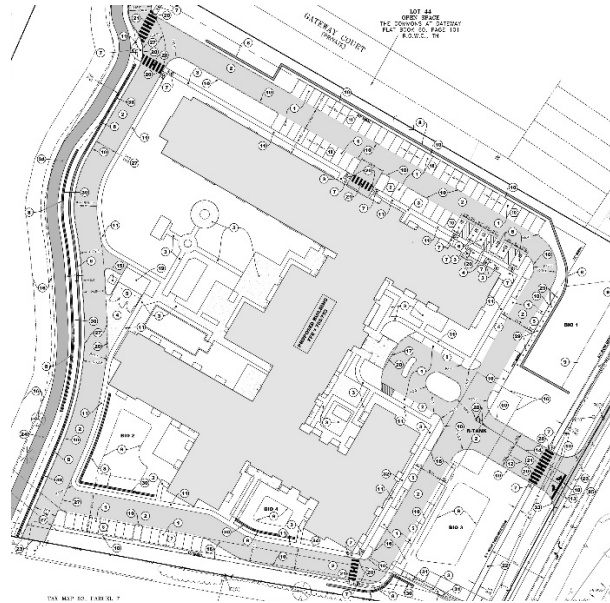
Sentry Development is seeking a variance to allow parking to the front of a proposed principal building with Urban frontage for the property located at 533 Franklin Road.

History and Background

When this project was initially submitted for Development Plan and Rezoning approval in 2022, the former developer and owner Ryan Companies requested BZA approval for a modification to the parking location. The BZA allowed parking spaces to extend past the Urban Frontage building front façade based on grading limitations that would make parking spaces to the rear of the building more difficult for the senior adults whom the building would primarily serve.



Approved Site Plan



Proposed Site Plan Revision



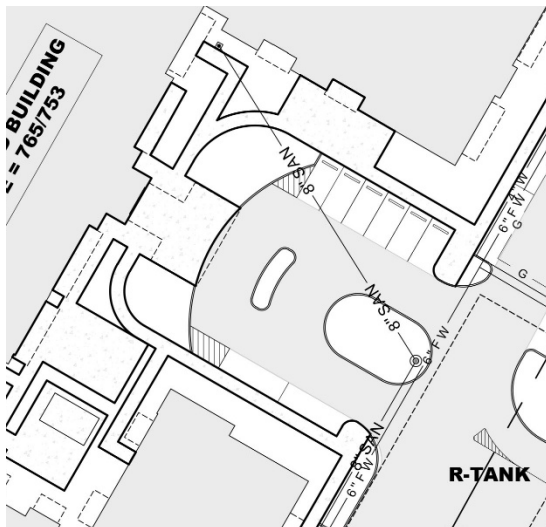
Site Constraints

Sentry Development is the new owner and is still proposing a senior living community with Assisted Living, Memory Care, and Independent Living. The master plan design incorporates these uses in one building for security and convenient access to the amenities. The residents will have access to dining rooms, a bistro, exercise and wellness suites, a library, movie room, game room, salons, and lounges. The Assisted Living, Memory Care, and associated support facilities are located on the first floor of the three-story building.

The development area on the property is located at the base of a hill that is currently protected by the Hilltop Hillside Overlay and the Hilltop Hillside 500-foot Buffer. Within the Hilltop Hillside Buffer, naturally occurring slopes that are 14% or greater are required to be protected. A limit of disturbance line is established to the east of the area of preservation as illustrated on the map below.

The elevation change from Franklin Road to the limit of disturbance is approximately 17 to 30 feet in grade change with the land sloping toward Franklin Road. The proposed building is designed to accommodate this grade change. The front of the building facing Franklin Road is lower in elevation than the rear of the building by a full story in height.

If parking were 100% at the back and sides of the building per the requirements of the Urban Frontage, there would be greater difficulty for mobility impaired residents and visitors to access the building or load via the front door.



Proposed Entrance Parking



Variance Request:

Sentry Development is requesting a variance to permit the use of Landscape Frontage, Section 7.5.

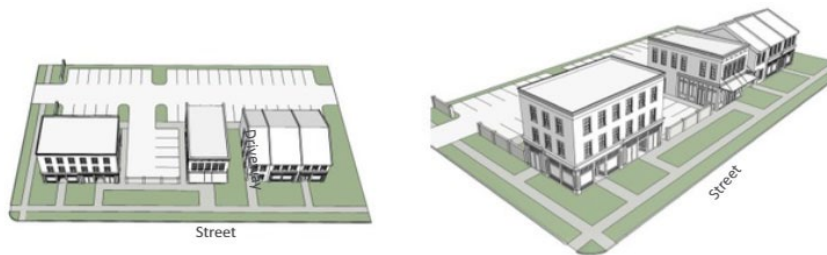
The proposed development is a Continuum of Care Facility. This use is a by-right use in the Civic Institutional Base District. The applicant is requesting a Planned Development District in order to provide more Independent Living Units on the upper floors of the building.

The City of Franklin’s zoning ordinance categorizes Continuum of Care Buildings as “Multifamily Building Type”. This building type is permitted in a Planned District but may only use Urban Frontage. Urban Frontage requires that all parking be located behind the building unless it is parallel parking along the street or internal drive.

Multifamily Building Type may not be used in association with Landscape Frontage. Landscape Frontage requires that all parking be located behind or to the side of the principal building but no closer to the street than the front façade unless it is parallel parking.

As mentioned, Continuum of Care is a by-right use in Civic Institutional base zoning district. The Urban Frontage Type is not permitted in the Civic Institutional base zoning district. Therefore, any Continuum of Care use would have to rezone to a Planned Development District regardless of the quantity of Independent Living Units. The applicant has been made aware that this is an error in the Zoning Ordinance, and staff plans to fix the discrepancy with a Zoning Update.

7.5 Landscape Frontage



For senior living, site design must always include safe and efficient exits from the building for the residents and visitors of the community, and especially during emergency situations. The exit paths from the building to parking lots must maintain ADA accessible routes with no steps, must lead to areas of safe refuge during an emergency, and must be close to exits. The areas of safe refuge during an emergency are typically parking lots where vans and vehicles can be staged for organized exit.

Due to the uniqueness of the property’s topography and the senior-living use of the building, there are five primary concerns regarding a site design where parking is behind the building and one story above the Assisted Living and Memory Care dwellings:

- 1. Stepped Foundation in building to transition across the site.**
The elevation change of the property from Franklin Road to the protected slopes is approximately 17 to 30 feet. The building is designed to work with the land and limit site disturbance. The building’s first floor facing Franklin Road is a full story lower in elevation than the portion of the building at the rear. The Assisted Living Facility and Memory Care residents are located on the lower first floor. If parking is located at the rear, the only way for these residents to access the parking lot is by elevator or stairway. This creates safety concerns for these residents in the event of a necessary evacuation.



2. **Greater distance for our residents to walk from their vehicles to their residences.**
 - a. Concern for increased fall risk – especially for assisted living residents. Exits located on the side of the building would be closer to their individual suites and parking located on the side of the building would be at the same level as their finished floor. Parking on the side of the building would reduce the distance they need to travel to a vehicle.
 - b. Concern that increased falls will increase strain on city resources. More falls = more 911 calls = more ambulances/EMS/fire visits to the campus.
3. **Evacuation concerns during an emergency.**

In the event of a fire, staff must be able to exit residents to a location that is safely out of harm's way as quickly as possible. With parking located in the front of the building, residents and visitors will have multiple points of egress to areas of refuge in the parking lots. With parking located only at the back and sides of the building, there is concern for congested hallways for staff and residents with wheelchairs/walkers/etc. all pushing towards the back could cause unnecessary hazard.
4. **Concern of conflicts between resident/guest parking and delivery zone / back of house operations.** Urban Frontage requires 100% of the parking located at the rear of the building along with kitchen delivery, loading and trash. Staff, residents, guests, caregivers would intermingle with the services provided to the building. Residents and guests walking through the delivery zone/back-of-house operations creates conflicts for daily use and special needs.
5. **Senior Living and Access to Transportation.** The following data should be noted with respect to Continuum of Care Facilities in Franklin. This data highlights how the facility's buildings and businesses operate universally and specifically in Franklin. We respectfully offer the following survey results:
 - a. Currently, there are 11 senior living properties and businesses in operation in the City of Franklin. Across all those properties the number of surface parking spaces allowed and in use is approximately 1,022 spaces—for an average of 86 such spaces per property.
 - b. 757 of those allowed, existing spaces—or more than **74% of the total—are along the front and along the sides of a given building.**
 - c. On average each of these existing properties have **68 of the average 86 spaces** located along the fronts and sides of buildings.

The total number of these properties with **ZERO** combined front and side parking spaces (excluding token parallel parking spaces at entrances) is **None**.



Sentry Development is requesting a variance to permit the use of Landscape Frontage.

Variance Criteria #1

Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this 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 property has 17 to 30 feet of grade change from the base of the protected slopes within the Hilltop Hillside Overlay Buffer to Franklin Road. To accommodate this grade change and with respect to the existing slope of the land, the building is designed with a stepped foundation. The first floor along Franklin Road is a full story below the finished grade at the rear of the building. The site design is not able to accommodate the Urban Frontage parking requirements without significant retaining walls or significant reduction in safety for residents who would be a floor below the parking areas if located behind the building.

Variance Criteria #2

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

Enforcement of the Urban Frontage requirement would cause undue hardship upon the owner and the residents due to the slope of the property and the use of the building for senior adults. Without the variance, the enforcement of the frontage requirement would result in an impractical application for an assisted living facility with mobility impaired senior adults. Parking located solely to the rear and sides of the building would restrict residents, visitors, and interested potential residents to the use of stairs and/or elevators when exiting to the parking lot for safe refuge.

Variance Criteria

#3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning map and the Ordinance.

Landscape Frontage is regulated in the Zoning Ordinance and is currently applicable to Commercial / Mixed – Use Buildings, Large-scale Office Buildings, Large-scale Retail Buildings and Civic Buildings. While Continuum of Care Facilities are classified as Civic Institutional Uses, they are to follow the regulations for a Multifamily Building Type. The Multifamily Building Type may only use Urban Frontage, and this Frontage Type may not be used for the Civic Institutional Base District. This is an error pointed out by planning staff. The parking areas associated with Landscape Frontage must comply with the transitional features, parking regulations, and landscape regulations in the Zoning Ordinance. The application of Landscape Frontage would not reduce or restrict the application of these regulations to this property. Landscape Frontage prohibits perpendicular parking in the front of the building, and is the least impactful to the appearance along Franklin Road, while still providing safe areas of refuge for residents in an emergency situation. Therefore, the purpose and intent of the zoning map and ordinance is not substantially impaired.



DEVELOPMENT PLANNING
DESIGN
MANAGEMENT

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In summary, the rear and side parking positions on the property along with the elevation changes makes the development of this property a challenge for any use, but particularly for senior living residents and guests. The proposed building is designed to accommodate this grade change, however added parking at the entrance of the newly designed building would be beneficial for senior adults who wish to access the front entrance. We appreciate your consideration of our request in this unique situation.

Sincerely,

Greg Gamble
Landscape Architect