



City of Franklin

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

Meeting Agenda

Board of Zoning Appeals

Thursday, August 6, 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 June 4, 2026 BZA Minutes.

ANNOUNCEMENTS

APPLICATIONS

2. A **Variance Request** To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 107 Feet From Riverside Drive, And A **Variance Request** To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 220 Feet From Oak Meadow Drive For The Property Located At 880 Oak Meadow Drive (FZO §3.19.5).

Sponsors: Amy Diaz-Barriga, Ariella Stanford

3. A **Variance Request** To Allow The Principal Building And Accessory Structure To Encroach Up To 30 Feet Into The 60-Foot Front Setback Along Mack Hatcher Memorial Parkway For The Property Located At 935 Lewisburg Avenue (F.Z.O. 3.4.5.).

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, June 4, 2026

6:00 PM

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CALL TO ORDER

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

Board Members Present: Chair Jonathan Langley, John Boehms, Jeff Fleishour, Dorinda Smith

Board Members Absent: William Scales

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.

Chair Langley asked if there were any citizen comments. There were none.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The April 2, 2026 BZA Minutes.

Sponsors:

A motion was made by Board Member Smith, seconded by Board Member Boehms, to approve the April 2, 2026 Minutes. The motion carried 4-0.

ANNOUNCEMENTS

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

APPLICATIONS**2. A Variance Request To Allow The Principal Building And Rear Deck To Encroach Up To 20 Feet Into The 40-Foot Rear Setback For The Property Located At 129 Thompson Alley (F.Z.O. 3.5.5.).**

Sponsors: Amy Diaz-Barriga, Ariella Stanford

Staff Presentation: Ariella Stanford. Ms. Stanford explained that the subject property is located at 129 Thompson Alley and is zoned Residential 2 (R-2) District. It is also within the Flood Fringe Overlay (FFO) and the Central Franklin Overlay (CFO). The applicant is proposing to build a new single-family house on this property. There are a couple factors limiting where the new house can be located: the R-2 zoning district requires 40-foot rear yard setbacks, and this property has a Middle Tennessee Electric (MTE) overhead transmission line and a 40' easement (20' on either side of the overhead line) across the front portion of the lot. The MTE easement covers a large portion of the lot that would otherwise be buildable area within the required setbacks. To avoid the MTE easement, the applicant is proposing to locate the house further back on the site and encroach into the rear yard setback. The request is for an approximately 5.5 foot encroachment of the house into the rear setback, and an additional encroachment of about 14.3 feet for the rear deck. Decks are considered appurtenances, which are allowed to encroach 15 feet into a rear setback (but no closer than 20 feet from a lot line). While the deck is approximately 14.3 feet, it is encroaching up to 20 feet with the encroachment of the house included. For this reason, the applicant is requesting a variance to allow a principal building and rear deck to encroach up to 20 feet into the rear setback.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

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

The MTE easement takes up a large portion of the lot that would otherwise be buildable area within the setbacks. In addition, the lot is a smaller size than what is required today for the R-2 zoning district. The zoning district requires 15,000 square feet for R-2 lots, and this lot is 12,829 square feet. With these factors, the buildable area on the lot is uniquely restricted and this property would not be able to accommodate development of the proposed house within the setback requirements. Staff find this criteria is met.

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

The strict application of the zoning ordinance in this case would require a smaller house than proposed, due to the MTE easement in the front. If it weren't for the MTE easement, the house could be significantly larger and still fit within the setbacks. To comply with the zoning ordinance in this case, the house would need to be even smaller than proposed. Staff find 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 find that this would not be a detriment to the public good or impair the intent of the zoning ordinance. The house is still significantly smaller than a house that could fit within the required setbacks, if it weren't for the MTE easement. The proposed house is appropriate size for this neighborhood and the zoning district. Rear setbacks are intended to be a buffer between houses and the properties behind. In this case, there is a vacant lot behind this property and railroad tracks behind that vacant lot. The house being slightly farther back would not have a negative effect on any neighboring property behind. In addition, the location of houses on this street are not uniform or consistent. The house being setback farther would not be inconsistent with the aesthetics of the street. Staff finds this criteria is met.

RECOMMENDATION: Staff recommends the Board of Zoning Appeals move to approve the Variance Request To Allow The Principal Building And Rear Deck To Encroach Up To 20 Feet Into The 40-Foot Rear Setback For The Property Located At 129 Thompson Alley, because the criteria for granting a variance have been met.

Applicant: Ben McCreary. Mr. McCreary was present to answer questions but did not have any additional information regarding the application.

Citizen Comments: None

MOTION (Close Citizen Comments)

Board Member Fleishour motioned to close the citizen comments portion of the item, seconded by Commissioner Smith. The motion carried 4-0.

MOTION

Board Member Smith motioned to approve the variance request To Allow The Principal Building And Rear Deck To Encroach Up To 20 Feet Into The 40-Foot Rear Setback For The Property Located At 129 Thompson Alley because the criteria for granting a variance request have been met, seconded by Board Member Fleishour.

Board Member Boehms asked the applicant for more details about the orientation of the house on the property as the house is skewed not to be parallel with the driveway.

Mr. McCreary explained that the existing house was not parallel with the main street, Thompson Alley, but did have a parallel driveway with its skew. Now, the house is reoriented to be parallel with Thompson Alley with the driveway off to the side, matching the grade of the property.

Board Member Boehms also asked if the existing house was in alignment with the setbacks and if the applicant viewed this as an opportunity to stay within the setbacks.

Mr. McCreary stated that it was more about the size of the home and even if the orientation matched the orientation of the original home, the home would encroach into setbacks.

Board Member Boehms asked about the dimensions of the porch and the reasoning behind the dimensions.

Mr. McCreary stated that the dimensions are mostly for ease of use with roughly 7'3" of space to provide for seating areas and walkway around those areas.

There being no further discussion, the motion carried 4-0.

OTHER BUSINESS

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

ADJOURN

Board Member Fleishour motioned to adjourn the meeting, seconded by Board Member Smith. The motion carried 4-0. There being no further business, the meeting adjourned at 06:09 p.m.

Chair

Date



File #: 26-0822

DATE: 8/6/2026
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 107 Feet From Riverside Drive, And A **Variance Request** To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 220 Feet From Oak Meadow Drive For The Property Located At 880 Oak Meadow Drive (FZO §3.19.5).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 9161
Applicant: Greg Gamble
Owner: Franklin Capital Investment LLC, Bob Goodall (representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: RC-6 - Regional Commerce 6 / Vacant
North: RC-6 - Regional Commerce 6 / Mixed Nonresidential
South: PD - Planned District and GO - General Office District / Multifamily Residential and Vacant
East: RC-6 - Regional Commerce 6 / Mixed Nonresidential
West: RC-6 - Regional Commerce 6 / Retail and Assisted Living

Applicable Zoning Ordinance Provisions

20.10 Variance

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

3.19.5 - Zoning Districts, RC6—Regional Commerce 6 District, Dimensional Standards Principal Building Setbacks

Front Yard for Collector Streets, Local Streets, or Internal Drives	5 feet min to 30 feet max
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Background

This 13.3 acre lot is located at 880 Oak Meadow Drive, and is zoned RC-6 Regional Commerce District. The owner wishes to develop the parcel with a two-story, 100,000 square feet retail space. There is no site plan submitted for this project. The plans provided for this property represent the desired design of the site.

This lot has some constraints to consider. The property has a border of slopes greater than 20% along Riverside Drive, Oak Meadow Drive, and the access drive to Home Depot that runs along the property. There are also overhead power lines running along Riverside Drive within the Public Utility and Drainage Easement which extends 40' into the property from the Right-of-Way.

The property is considered a corner lot, as it has property lines along both Riverside Drive and Oak Meadow Drive. Therefore, the applicant is requesting two variances:

1. To increase the maximum front yard setback from 30 feet to 107 feet (Riverside Drive)
2. To increase the maximum front yard setback from 30 feet to 220 feet (Oak Meadow Drive)

Staff also wanted to note that this property has come to the Board of Zoning Appeals twice in the past:

- 1) 2022 - Requested 3 variances for the same proposed 100,000 SF retail building. The request for an increased setback was deferred and then the applicant withdrew their application.
- 2) 2025 - Requested 2 variances for a different project, further north on the site. The request for an 80-foot setback along Riverside Drive was approved.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

Request 1: To increase the maximum front yard setback from 30 feet to 107 feet from Riverside Drive

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

The property has a border of slopes greater than 20% along Riverside Dr, Oak Meadow Dr, and the access drive to Home Depot that runs along the property. There are also overhead power lines running along Riverside Drive, which are within the Public Utility and Drainage Easement, which extends 40 feet into the property from the Right-of-Way. The maximum setback for landscape frontage is 30 feet. Given the topographical conditions and the depth of the easement, it would not be possible for the setback to be less than 40 feet. 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.

Staff finds that the strict application of a provision enacted under the Zoning Ordinance would result in exceptional practical difficulties for the owner of the property. Due to the slopes and the Public Utility and Drainage Easement, the front yard setback must be more than the required maximum of 30 feet. This property cannot comply with the strict application of the maximum setback requirement in this situation. The setback must be more than 40 feet to accommodate the steep slope and easement along Riverside Drive. Staff finds this requirement 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.

The design of this site would not be a detriment to the public good, but it does impair the intent of the Zoning Ordinance. The intent of the Zoning Ordinance is to reinforce the principles of Envision Franklin by keeping buildings close to the street. While this site does require at least a 40 feet maximum setback, requesting a 107-foot setback does not seem necessary. The applicant's Frontage Breakdown exhibit shows 25 feet in front of the building for pedestrian circulation, but the Zoning Ordinance only requires 8-foot sidewalks, and the desired 9.5-foot canopy is not a city requirement so it is a self-imposed hardship. That means the building could be 17 feet closer to the street. Additionally, the city does not require a maximum of 1% cross slope for sidewalks. The city requires a maximum cross slope of 2%, and ADA guidelines allow for a maximum cross slope up to 2.08%. An ADA ramp would also very likely be an option to accommodate for the slight slope in this case. It does not seem that the applicant has explored all these options and therefore has not shown an effort to achieve the most minimal deviation from the Zoning Ordinance. Staff finds this criteria is not fully met.

Request 2: To increase the maximum front yard setback from 30 feet to 220 feet from Oak Meadow Drive

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 a large area of existing stormwater infrastructure in the frontage area along Oak Meadow Drive. In order to avoid the existing stormwater infrastructure and provide fire access around the building, the building cannot be located less than 30 feet from Oak Meadow Drive. 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.

A majority of the stormwater facilities were already implemented with the construction of Riverside Drive. Complying with the front setback requirement would cause an undue hardship for the owner because they would have to remove and redesign the existing stormwater infrastructure that is functioning properly. Additionally, any additional stormwater capture required by the development would be negatively affected if the building were pulled closer to Oak Meadow Drive and occupied much of the naturally lower elevations on site.

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, and would not impair the intent of the Zoning Ordinance. The intent of the Zoning Ordinance is to reinforce the principles of Envision Franklin by keeping buildings close to the street. Considering the current stormwater infrastructure and the curved front lot line, the building is being pulled as far forward towards Oak Meadow Drive as possible with the conditions. The proposed design shows 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.

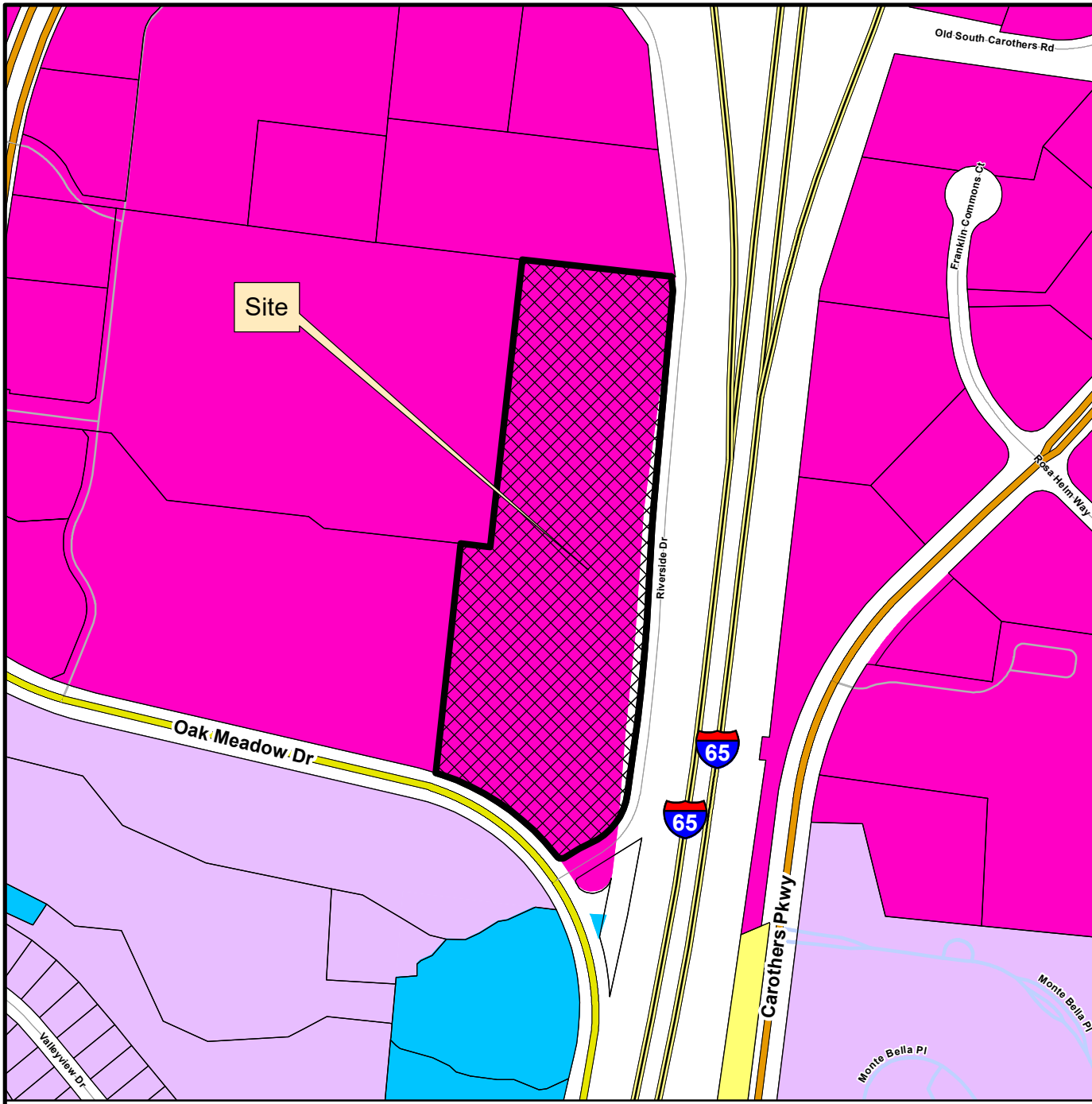
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to **deny** the Variance Request To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 130 Feet From Riverside Drive, because the criteria for granting a variance have not all been met, and **approve** the Variance Request To Allow A Proposed Principal Building To Have A Maximum Front Yard Setback Of 220 Feet From Oak Meadow Drive For The Property Located At 880 Oak Meadow Drive because the criteria for granting a variance have been met.

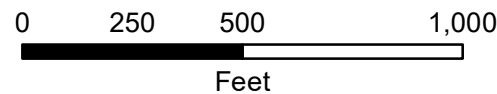
880 OAK MEADOW DRIVE
TAX MAP 079, PARCEL 10119
BOARD OF ZONING APPEALS
JULY 2, 2026

Legend

-  880 Oak Meadow Drive
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial 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 herein.
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HISTORIC
FRANKLIN
TENNESSEE



BZA Submittal | 880 Oak Meadow Drive, Living Spaces

July 13, 2026

City of Franklin Board of Zoning Appeals

Dear Board of Zoning Appeals,

Kimley Horn, on behalf of Living Spaces, is requesting two variances for property located at 880 Oak Meadow Drive. This property is listed as Lot 32 in Watson Glen Subdivision, Section 2, Revision 2, in Plat Book 74, Page 95, Williamson County, Tennessee.

Living Spaces is requesting two variances to the Front Yard Building Setback where the proposed building needs to be located beyond the thirty foot maximum front yard setback along two local streets, Riverside Drive and Oak Meadow.

Living Spaces is proposing a two-story, 118,000 SF retail space with a 260 space parking lot (Exhibit A), a by-right use in Regional Commerce 6 Zoning District. The building will have a café and rooftop patio for customers.





Exhibit B - Enlarged Site Plan

Existing Site Constraints

The subject property is located North of Oak Meadow Drive, bounded by Riverside Drive to the East and an existing access drive serving Home Depot to the West. The site is constrained along both frontages by steep 3:1 slopes and overlapping utility encumbrances.

These include a Middle Tennessee Electric easement ranging from approximately 26 to 50 feet in width, overhead electric transmission lines, a City of Franklin water main, a 20-foot Public Utility and Drainage Easement (PUDE), and additional stormwater easements.

Collectively, these conditions limit the developable area along the Riverside Drive frontage. As a result, placement of a principal structure within the required 5-foot to 30-foot front setback would encroach into easement areas and constrained topography, making compliance with Section 3.19.5-Dimensional Standards infeasible.

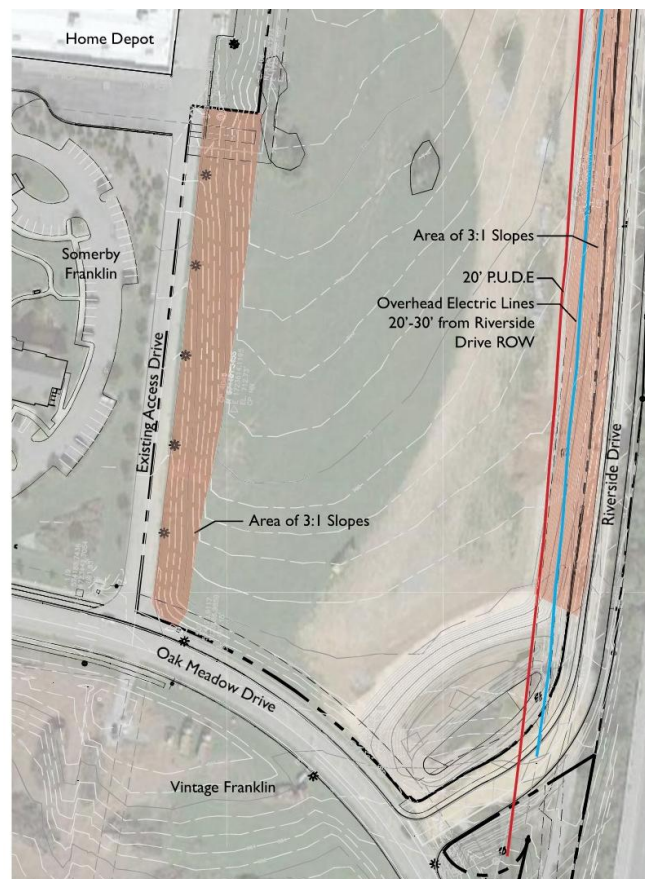


Exhibit C - Existing Conditions

Variance Request – To Establish a Front Yard Setback with a maximum of 107 feet along Riverside Drive:

The City of Franklin Zoning Ordinance (Section 3.19.5) requires principal buildings in the RC-6 district along local streets to be located between *5 feet minimum and 30 feet maximum from the front property line*.

Along Riverside Drive, the combined width of the electric easement and PUDE alone exceeds the maximum allowable setback zone, ranging from approximately 26 to 50 feet from the right-of-way. When combined with the adjacent 3:1 slopes, these conditions create a site-specific hardship that prevents placement of a building within the required setback range.

To accommodate these constraints, the applicant is requesting a maximum front setback of 107 feet. This distance is necessary to:

- Avoid encroachment into utility easements and maintain required clearances from overhead power lines
- Provide safe fire access around all sides of the building, including adequate clearance for ladder truck operations (Requirement of the City of Franklin Fire Marshall.) The Fire Department must be able to operate with clear separation from overhead powerlines.
- Address the significant grade change (approximately 10 feet) between Riverside Drive and the buildable portion of the site
- Provide a pedestrian area in front of the building with a cross slope of 1%. This area transitions from the building pad elevation to the Fire Access Drive. With a cross slope of 1% this area cannot be less than approximately 25' in width as shown on Exhibit F. This width also accommodates an area for canopy overhang on the building which cannot extend into the Fire Access Drive. The distance from the canopy overhang to the curb adjacent the drive is approximately 9.5' feet.
- Accommodate required internal circulation, including drive aisles, and pedestrian facilities (Section 9.2.3)

Due to these combined constraints, locating the building within the 5–30 foot setback is not feasible without creating conflicts with utility infrastructure, topography, and safety requirements. The requested 107' setback represents the minimum necessary relief to allow reasonable development of the property while maintaining compliance with applicable safety and design standards.

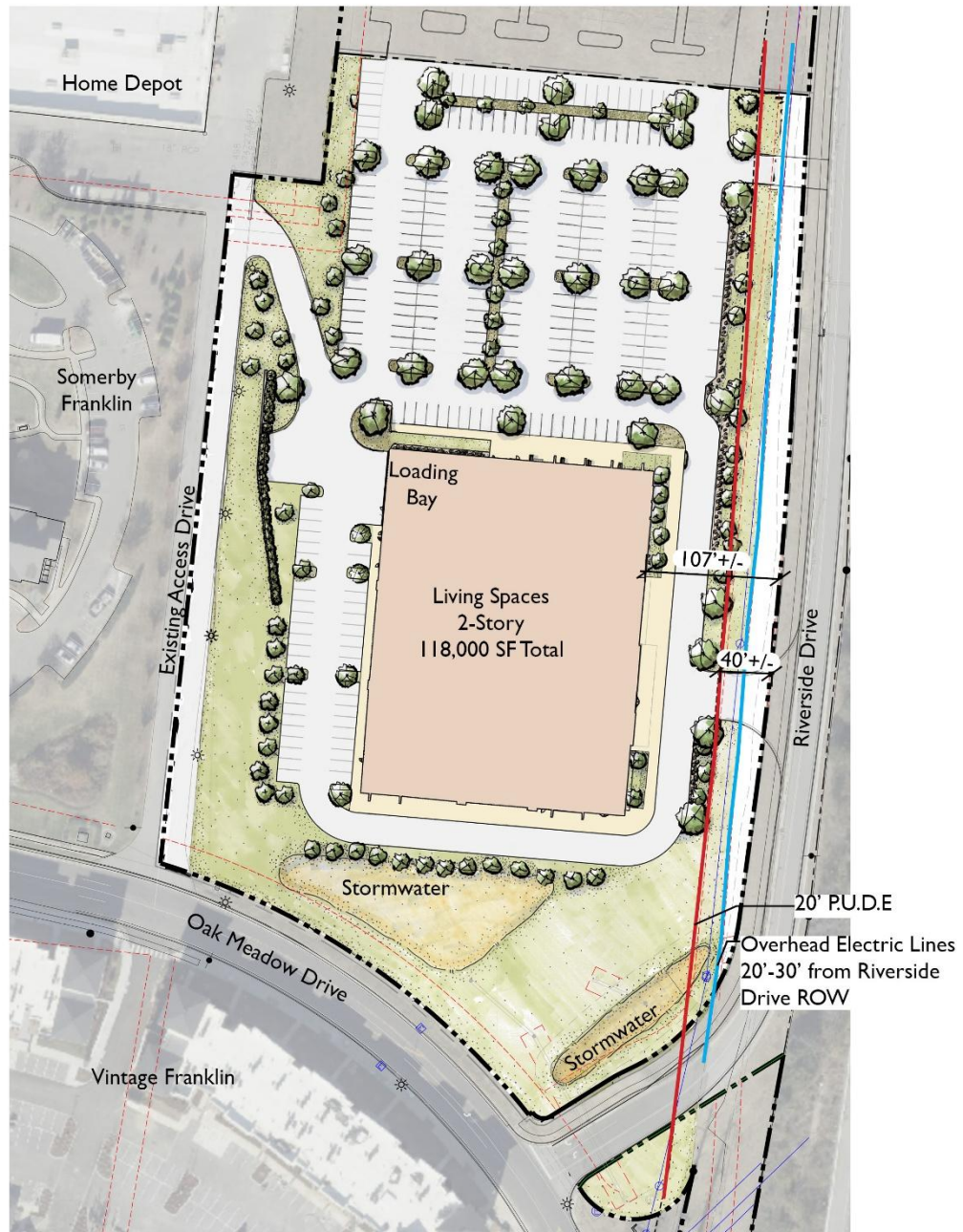


Exhibit D - Building Setback



Existing Conditions at Riverside Drive

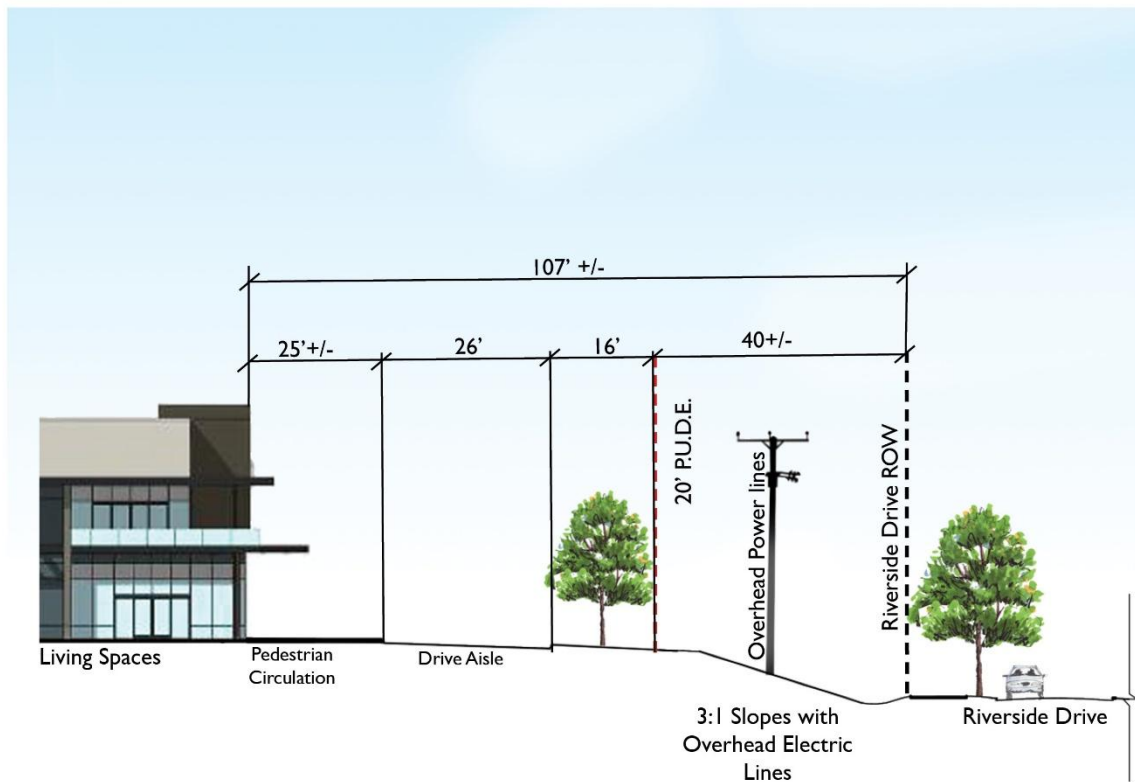


Exhibit F - Frontage Breakdown

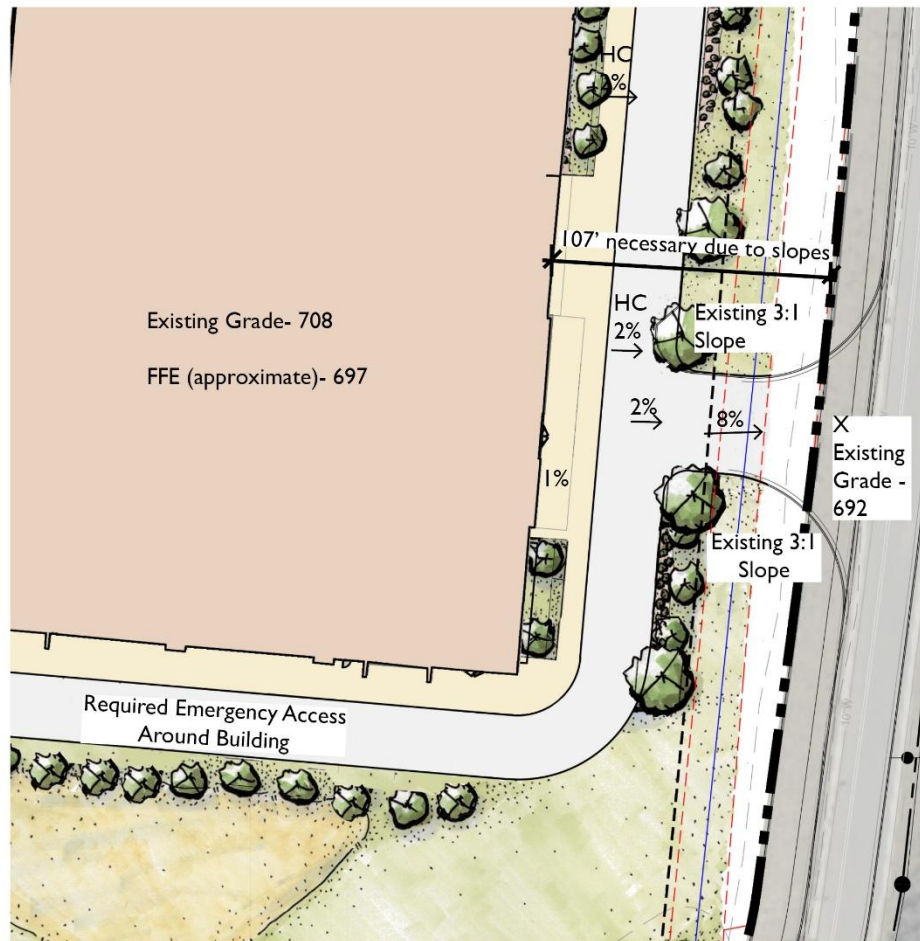


Exhibit G - Frontage Breakdown

Variance Criteria #1: Front Setback

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.

The subject property is affected by physical and utility constraints that prevent development in compliance with the ordinance. Specifically, a combination of overhead electric transmission lines, a Middle Tennessee Electric easement, a City of Franklin water main, and a Public Utility and Drainage Easement run parallel to Riverside Drive and extend significantly into the property. The combined width of these easements ranges from approximately 26 to 50 feet.

As a result, any building located within the required 5-foot to 30-foot front setback would encroach into these easement areas, where structures are not permitted. This creates a condition unique to the property, as the required setback zone is largely occupied by existing utility infrastructure, effectively eliminating the ability to construct a principal building in compliance with Section 3.19.5.

In addition, the site contains 3:1 slopes along Riverside Drive, resulting in an approximate 10-foot elevation difference between the roadway and the buildable portion of the site. These slopes further limit where the building can be placed and require additional space for grading and access.

To provide a compliant access drive, maintain required fire access around all sides of the building, and incorporate necessary pedestrian circulation, a setback of approximately 107 feet is required. This distance represents the minimum necessary to avoid conflicts with utility easements, address topographic limitations, and allow for safe and functional site design.

Variance Criteria #2: Front Setback

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.

MTEMC will not allow the burial of the three-phase powerlines that run along Riverside Drive. Following the zoning ordinance and placing the building in the required 5'-30' setback would mean that the second floor of the building will be extremely close to the powerlines, and buildings are not permitted in the easement.

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.

Granting this variance would not be detrimental to the public good or impair the purpose and intent of the zoning ordinance. Allowing the building to be located beyond the 30-foot setback avoids conflicts with existing overhead power lines and utility easements, accommodates the steep slopes along Riverside Drive, and ensures adequate emergency access around the building.

Variance Request – To Establish a Front Yard Setback with a minimum of 118 feet and a maximum of 220 feet along Oak Meadow Drive:

The City of Franklin Zoning Ordinance (Section 3.19.5) requires principal buildings in the RC-6 district along local streets to be located between *5 feet minimum and 30 feet maximum from the front property line*.

Along Oak Meadow Drive, there is an existing 20' PUDE and stormwater infrastructure on site, that helps facilitate drainage. The development is required to have an emergency access road that encircles the building to satisfy fire requirements. The combination of these factors make it unfeasible to achieve the 30' maximum distance from Oak Meadow Drive.

To accommodate these constraints, the applicant is requesting a minimum front setback of 118 feet and a maximum front setback of 220'. This distance is necessary to:

- Avoid encroachment into utility easements
- Provide safe fire access around all sides of the building, including adequate clearance for ladder truck operations
- Maintain and help facilitate drainage of the site that meets Franklin Stormwater requirements
- Accommodate required internal circulation, including drive aisles, and pedestrian facilities (Section 9.2.3)

Due to these combined constraints, locating the building within the 5–30 foot setback is not feasible without creating conflicts with utility infrastructure, topography, and safety requirements. The requested 118'-220' setback represents the minimum and maximum necessary relief to allow reasonable development of the property while maintaining compliance with applicable safety and design standards.



Exhibit H - Building Setback

Variance Criteria #1: Front Setback

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.

The subject property is affected by safety and utility constraints that prevent development in compliance with the ordinance. Specifically, a combination of the 20' PUDE and fire access that requires adequate hose length and ladder truck operations. The combined width of the easement and emergency access road ranges from approximately 33 to 50 feet.

As a result, any building located within the required 5-foot to 30-foot front setback would encroach into this easement, where structures are not permitted. This creates a condition unique to the property, as the required setback zone is largely occupied by existing utility infrastructure, effectively eliminating the ability to construct a principal building in compliance with Section 3.19.5, while also maintaining adequate fire safety access.

In addition, the site has existing stormwater infrastructure along Oak Meadow Drive. This further limits the buildable area along Oak Meadow Drive, while still providing the proper stormwater management facilities.

To provide compliance with the requirements above, the front setback must be placed further from Oak Meadow Drive than the maximum of 30'. To incorporate the necessary fire safety measures, site circulation, and proper stormwater management, the front setback along Oak Meadow Drive must be amended to a minimum of 118' and a maximum of 220'.

Variance Criteria #2: Front Setback

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.

Much of the stormwater facilities have already been implemented with the construction of Riverside Drive. Enforcement of the front setback requirement would put an undue hardship onto the owner because they would have to remove/redesign existing stormwater infrastructure that is functioning properly. Any additional stormwater capture required by the development would be hampered by the building occupying much of the naturally lower elevations on site.

The enforcement would also cause the development to relocate the existing PUDE along Oak Meadow drive to accommodate the proper fire safety access, due to roads not being permitted within the easement. The existing utilities are current function properly and there is no need to replace them.

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.

Granting this variance would not be detrimental to the public good or impair the purpose and intent of the zoning ordinance. Allowing the building to be located beyond the 30-foot setback avoids conflicts with existing utility easements, stormwater infrastructure, and allows for proper drainage along Oak Meadow Drive. The variance also ensures adequate emergency access around the building that meet fire and safety requirements. This variance ensures best management and design practices will be carried out for this development.

We appreciate your review of these requests and look forward to discussing them with you at the July Board of Zoning Appeals hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Gamble', with a stylized, cursive script.

Greg Gamble
Landscape Architect



Exhibit A - Overall Site



Exhibit B - Enlarged Site Plan

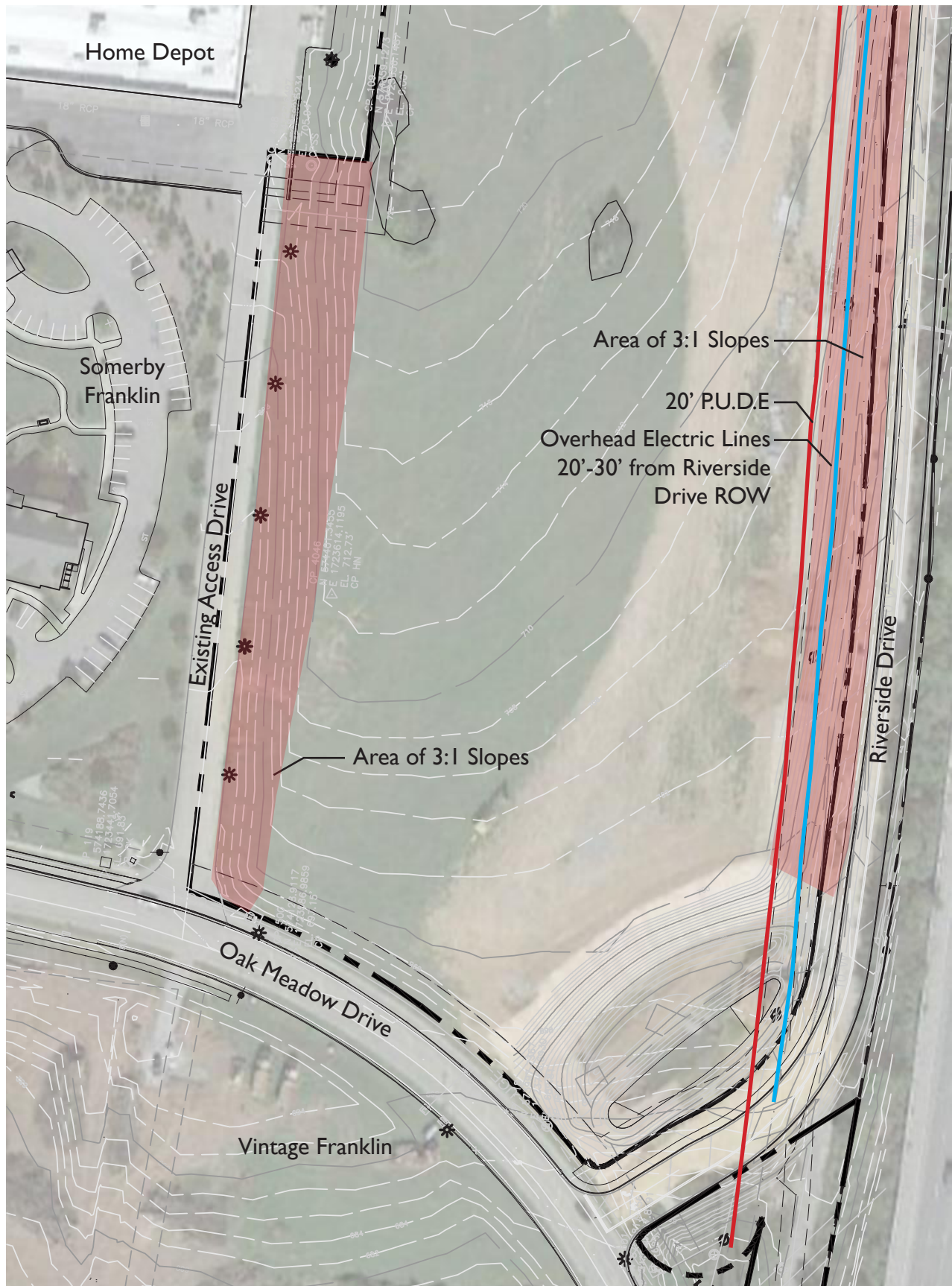


Exhibit C - Existing Conditions

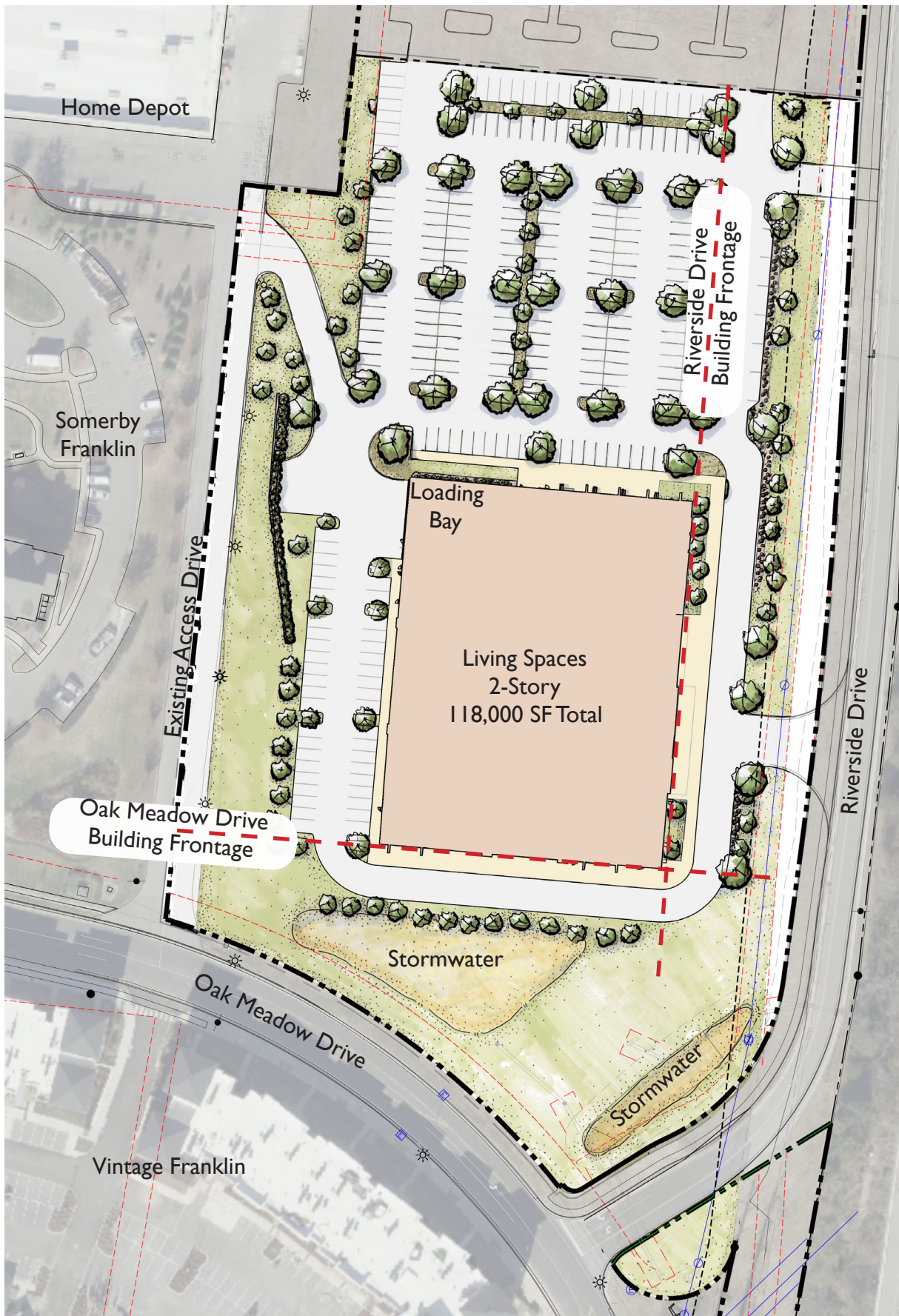


Exhibit E - Parking



Existing Conditions at Riverside Drive

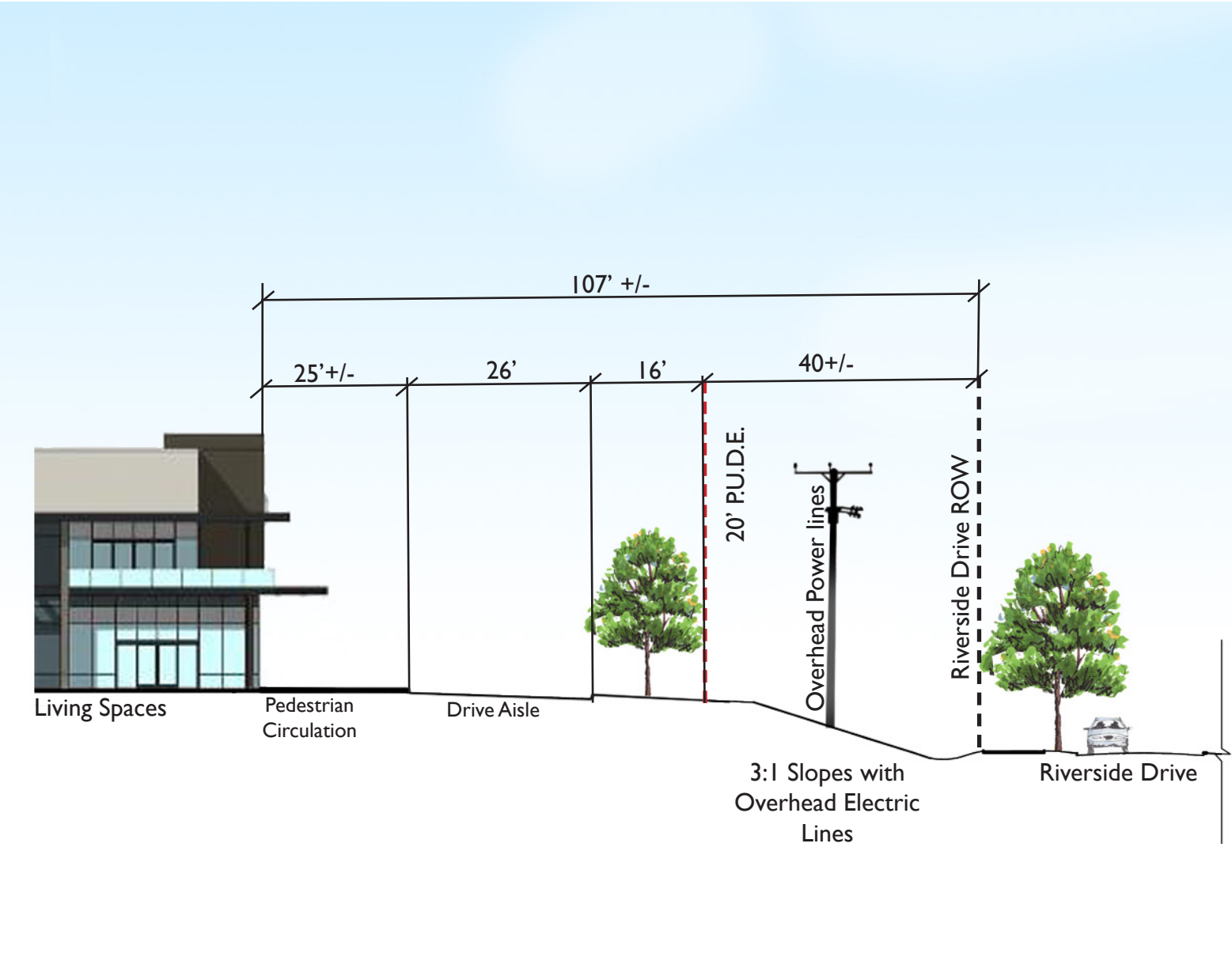


Exhibit F - Frontage Breakdown



Exhibit H - Building Setback



File #: 26-0823

DATE: 8/6/2026
TO: Board of Zoning Appeals
FROM: Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow The Principal Building And Accessory Structure To Encroach Up To 30 Feet Into The 60-Foot Front Setback Along Mack Hatcher Memorial Parkway For The Property Located At 935 Lewisburg Avenue (F.Z.O. 3.4.5.).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 9127
Applicant: Nathan McVey
Owner: Jay Luna

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: Residential 1 (R-1) District / Vacant
North: Residential 1 (R-1) District / Single-Family Residential
South: Civic and Institutional (CI) District / Institutional
East: Planned (PD) District / Recreation
West: Residential 2 (R-2) District / Single-Family Residential

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

B. Variances are not intended merely to remove inconvenience or financial burdens that the requirements of this Ordinance may impose on property owners in general.

F.Z.O. 3.4.5. - Zoning Districts, Residential 1 District, Dimensional Standards

Principal Building Setbacks	Minimum
Front Yard	60 feet

Background

The subject property is located at 935 Lewisburg Pike and is zoned Residential 1 District. The applicant is proposing a 7,068 square foot house with a 1,839 square foot accessory structure. The property is at the corner of Lewisburg Pike and Mack Hatcher Memorial Parkway, so it has two front setbacks. Residential 1 District requires 60-foot front yard setbacks, so the property is required to be setback 60 feet from both Lewisburg Pike and Mack Hatcher Parkway. There is a depression in topography in the front yard area (along Lewisburg Pike) that tends to hold water, so the applicant is proposing to locate the house farther back from Lewisburg Pike. The applicant has stated that this is due to the existing headwalls outfalling from Lewisburg Pike. In order to verify this, Staff did a search for a drainage easement along Lewisburg Pike. Staff was not able to locate any easements associated with the stormwater conveyance from Lewisburg Pike through the property. A full title search and/or information request from TDOT would be necessary to verify. In the absence of existing drainage easements, alterations of the front yard area should not hinder the historic flow of stormwater through the property, but alterations of the conveyance may be permitted.

Staff would also like to note that this property is currently a tract of land that will need to be platted before a home could be constructed. The land seems to meet criteria for the base zoning district (Residential 1 District) to plat the lot, although initial investigation found that a small sewer extension may be needed before the lot could be considered buildable. With this in mind, the setbacks are not yet established, so this variance is asking for relief from the setbacks that will be required to be platted prior to construction.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

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

Staff does not find any extraordinary conditions of this property that would prevent development of a house and accessory structure within the setbacks on this property. While it is unique that the property has some topography changes in the front yard and stormwater conditions to mitigate, that does not necessarily prevent alterations or grading in order to bring the house further forward and comply with the setback requirements. It is not uncommon for properties to require grading and stormwater alterations in order to develop. Additionally, it seems that the house could be redesigned to meet the setback requirements, and the submitted materials do not prove that other options were explored in order to comply with the Zoning Ordinance requirements. Staff finds this criteria is not met.

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

Staff finds that the strict application of the Zoning Ordinance would not result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property. The variance request is unique to the applicant's proposed plan and not generally to all potential designs for the site. It appears to Staff that the applicant could design a plan for the site that meets the requirements of the Zoning Ordinance. It is the expectation of the City that an applicant designs their site in a way that meets the requirements of the Zoning Ordinance, and not use the variance process to avoid inconvenience. Staff finds that the proposed plan introduces a self-imposed hardship, one that could likely be resolved by redesigning to meet the zoning ordinance. Staff finds this criteria is not met.

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

Staff finds that this would not be a detriment to the public good and would not impair the purpose and intent of the Zoning Ordinance. The property line along Mack Hatcher Memorial Parkway is currently lined with trees which provide screening from the street. While Staff does not know if these trees will always remain in place, they currently provide screening. Part of the intent of this Zoning Ordinance requirement is to have houses consistently set back from the street for residential neighborhoods. In this case, the requested encroachment is along a moderate-high speed road, without houses with clearly consistent setbacks, and is surrounded by a variety of zoning districts and uses, not just R-1 residential houses. Staff finds that the proposed encroachment into the front setback along Mack Hatcher would not be a detriment in this case. Staff finds this criteria is met.

FINANCIAL IMPACT:

Unknown.

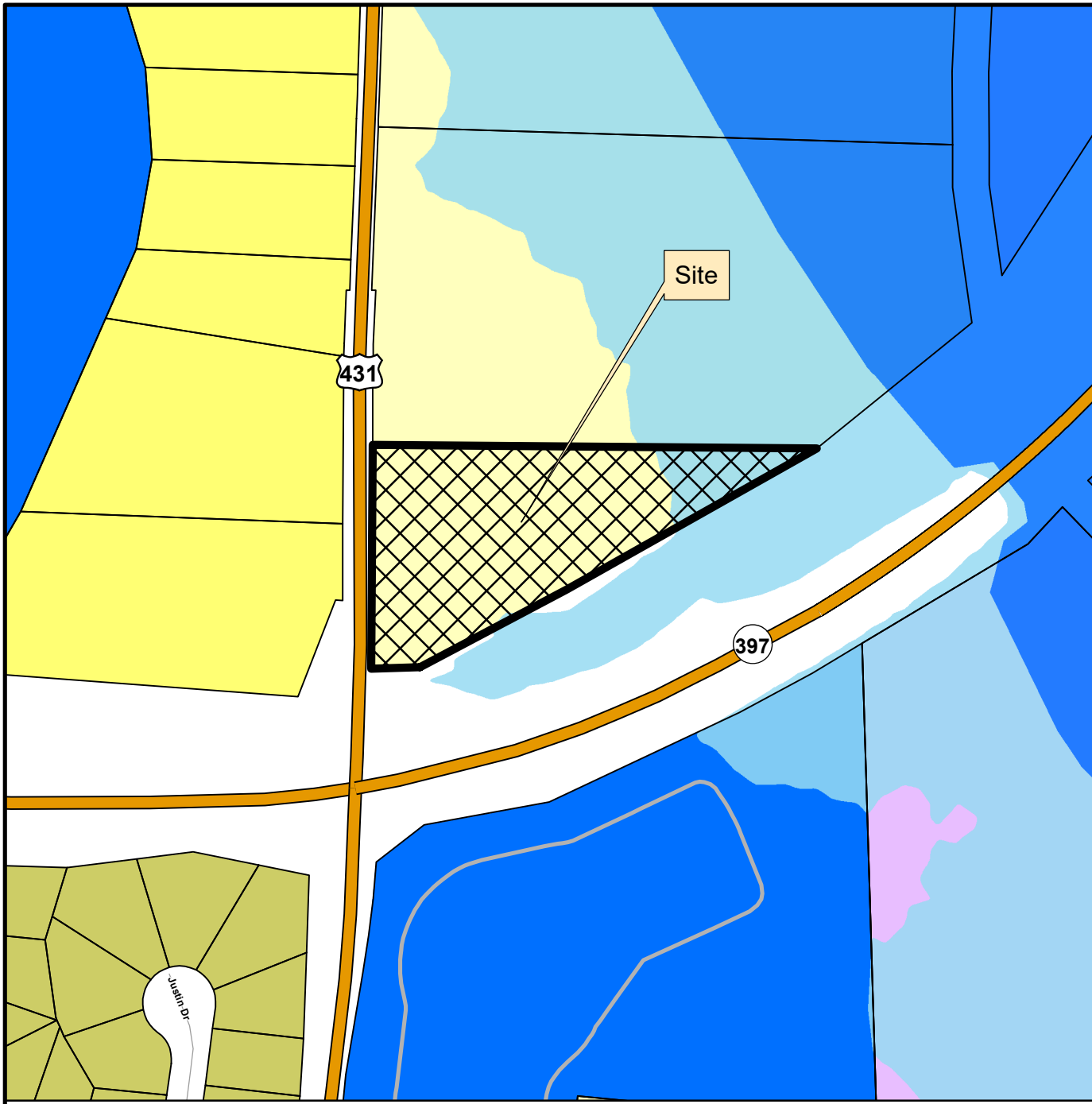
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to deny the Variance Request To Allow The Principal Building And Accessory Structure To Encroach Up To 30 Feet Into The 60-Foot Front Setback Along Mack Hatcher Memorial Parkway For The Property Located At 935 Lewisburg Avenue, because the criteria for granting a variance have not all been met.

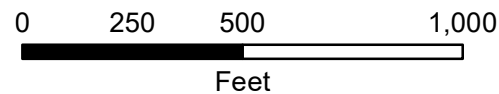
935 LEWISBURG PIKE
TAX MAP 89, PARCEL 01703
BOARD OF ZONING APPEALS
JULY 2, 2026

Legend

-  935 Lewisburg Pike
-  Floodway Fringe Overlay
-  Floodway 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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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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Franklin Planning and Sustainability
120 9th Ave South
Franklin, TN 37064

13 April 2026

RE: Justification Letter for BZA Variance Request
Lewisburg Pike
Map 89, Parcel 17.03

To Whom It May Concern:

The purpose of this letter is to request approval from the City of Franklin Board of Zoning Appeals for a variance on behalf of the owner of the property located in the R-1 Zoning District, identified as Map 89, Parcel 17.03. Located at the intersection of Mack Hatcher and Lewisburg Pike, the site is approximately 2.32 acres.

We are seeking a variance from the required sixty (60) foot setback necessitated by the City of Franklin Zoning Ordinance for the property line along Mack Hatcher (Franklin, 3.4.5 Dimensional Standards).

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

The request is for the allowance of a thirty (30) foot setback because of the property's limiting wedge shape and natural topography. The owner wishes to push the house away from the front lot line in order to avoid the natural depression, noted on the site plan exhibit. This low area tends to hold water due to the existing headwalls outfalling from Lewisburg Pike. By situating the proposed structure rearward in the parcel, the width of the proposed structure is limited based on the current code setbacks.

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 strict application of the City Zoning Ordinance would result in practical difficulty to the owner due to having to rework the existing stormwater conveyance from Lewisburg around the parcel. The outfalls from Lewisburg Pike could have been directed around the parcel at initial construction in order to optimize building potential and code compliance. The shape of the parcel is also a set hardship due to the right-of-way that

was taken for the construction of Mack Hatcher.

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."

In alignment with the Zoning Ordinance's regulations of setbacks as a means to protect the public viewshed from Mack Hatcher, it is proposed that the substantial tree line blocking the parcel and its structures remain unchanged.

We appreciate your consideration of this variance request.

Thank you,

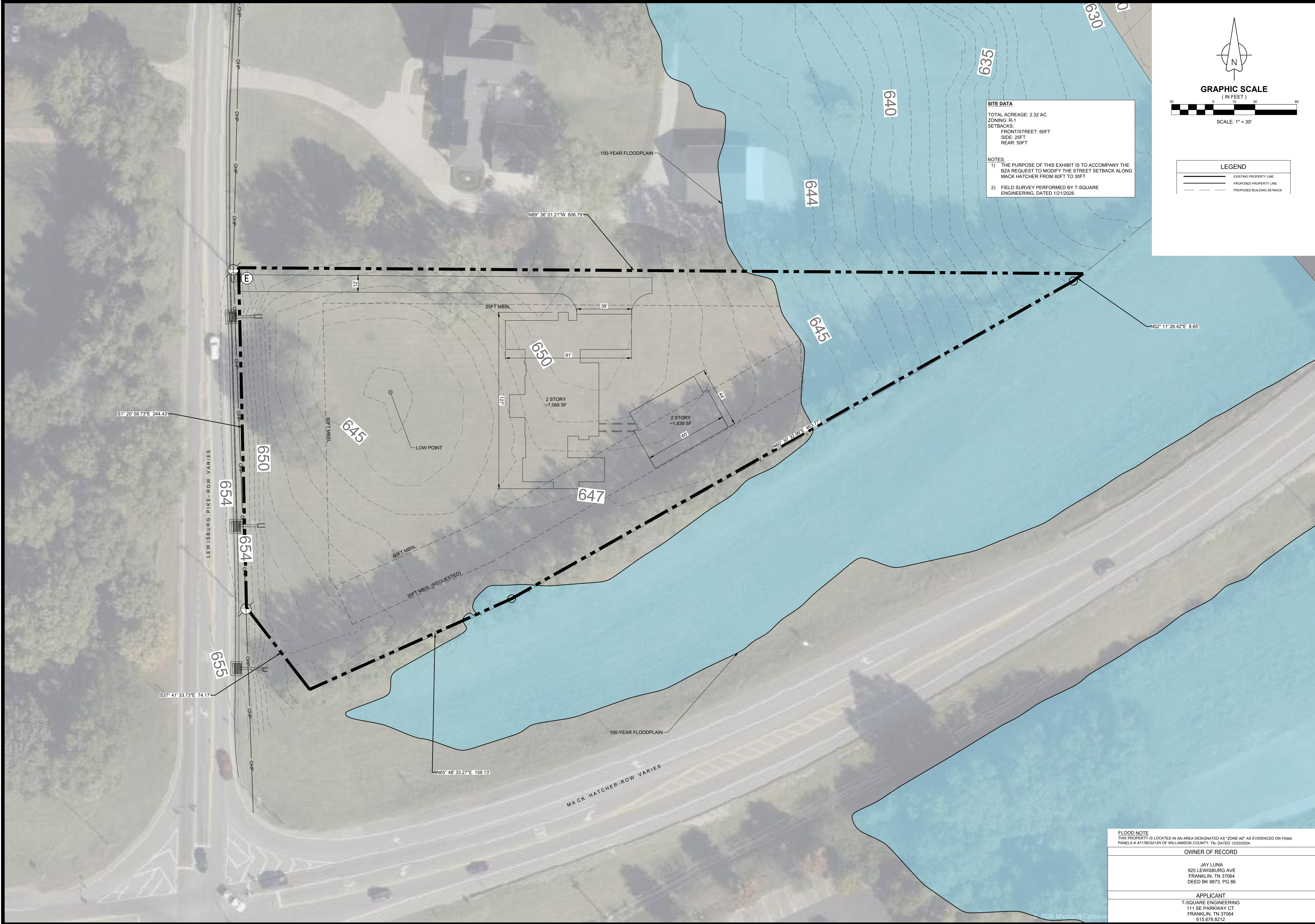
Nathan McVey, PE, PMP

Principal – Civil-Site Director

T-Square Engineering, Inc.

OFFICE: 615.678.8212

Nathan.mcvey@t2-eng.com



SITE DATA
TOTAL ACREAGE: 2.32 AC
ZONING: R-1
SETBACKS:
FRONT/STREET: 60FT
SIDE: 25FT
REAR: 50FT

NOTES:
1) THE PURPOSE OF THIS EXHIBIT IS TO ACCOMPANY THE BZA REQUEST TO MODIFY THE STREET SETBACK ALONG MACK HATCHER FROM 60FT TO 30FT
2) FIELD SURVEY PERFORMED BY T-SQUARE ENGINEERING, DATED 1/21/2026.

GRAPHIC SCALE
(IN FEET)
0 15 30 60
SCALE: 1" = 30'

LEGEND

	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	PROPOSED BUILDING SETBACK

FLOOD NOTE THIS PROPERTY IS LOCATED IN AN AREA DESIGNATED AS "ZONE AE" AS EVIDENCED ON FEMA PANELS # 47178C2213W OF WILLIAMSON COUNTY, TN, DATED 12/20/2024.	
OWNER OF RECORD	
JAY LUNA 925 LEWISBURG AVE FRANKLIN, TN 37064 DEED BK 9673, PG 86	
APPLICANT	
T-SQUARE ENGINEERING 111 SE PARKWAY CT FRANKLIN, TN 37064 615.678.8212	

REVISIONS		DATE	
		NO.	DATE
SITE PLAN LEWISBURG PIKE MAP 89, PARCEL 17.03 FRANKLIN, TN		DATE: 4/13/26	SCALE: AS SHOWN
		DRAWN BY: T-SQUARE	REVIEWER: NBM
		PROJECT 25-1108	
		SHEET 1 OF 1	
		0 LEWISBURG PIKE	

**0 LEWISBURG PIKE
VIEWSHED PHOTOS**

