

**MINUTES OF THE MEETING OF THE  
FRANKLIN BOARD OF ZONING APPEALS  
JULY 2, 2015**

The Franklin Board of Zoning Appeals held a regular meeting on Thursday, July 2, 2015 at 6:00 p.m. in the **City Hall Boardroom**.

Members present:            Dave Rittenberry  
                                      Greg Caesar  
                                      Gillian Fischbach  
                                      Frank Jones

Staff present:                Brad Baumgartner, Planning & Sustainability  
                                      Susan Coleman, Planning & Sustainability  
                                      Kristen Corn, Law Department

The agenda read as follows:

Minutes, June 4, 2015

**A Zoning Map Interpretation Request** by Greg Gamble to appeal to the BZA to make an interpretation of the location of the Floodway Fringe Overlay (FFO) Zoning District boundary based on new FEMA documentation for the property located at 554 and 562 Franklin Road.

**A Zoning Map Interpretation Request** by Kris Keown to appeal to the BZA to make an interpretation of the location of the Floodway Fringe Overlay (FFO) Zoning District boundary based on new FEMA documentation for the proposed lots 485, 497-505, 517, 518, 549-561 of Section 25 of Highlands at Ladd Park Subdivision.

Chair Jones called the meeting to order at 6:00 pm and requested to know if there were any non-agenda items.

Staff stated there were no non-agenda items.

**Minutes, June 4, 2015**

Mr. Rittenberry moved to approve the June 4, 2015 minutes. Mr. Caesar seconded the motion and the motion passed.

**A Zoning Map Interpretation Request by Greg Gamble to appeal to the BZA to make an interpretation of the location of the Floodway Fringe Overlay (FFO) Zoning District boundary based on new FEMA documentation for the property located at 554 and 562 Franklin Road.**

Mr. Baumgartner stated the portions of the properties at 554 & 562 Franklin Road that are in the FFO are located toward the western side of the properties closest to Franklin Road. Mr. Baumgartner stated the appellant has been granted a Letter of Map Revision (LOMR) from the

Federal Emergency Management Agency (FEMA) for these properties. Mr. Baumgartner explained the FFO District was created to coincide with the Federal Emergency Management Agency's (FEMA) designated floodplains. Mr. Baumgartner stated the Franklin Zoning Ordinance (cited above) prohibits the creation of new buildable lots in the FFO District and the LOMR obtained by the appellant removes the subject property from the 100-year floodplain. Thus, the FFO District no longer coincides with the FEMA-designated floodplain on the subject property. The appellant requests that the BZA reinterpret the FFO boundary to reflect the adjusted floodplain boundary as shown on the LOMR.

Ms. Fischbach recused herself from this item.

Mr. Steve Rogers, who owns property at 554 Franklin Road, was present to represent this item and stated he would appreciate the board's consideration of this item.

Chair Jones requested to know if anyone wished to speak on this item from the audience and no one requested to.

Discussion ensued among commissioners concerning the maps.

Mr. Caesar moved to reinterpret the FFO boundary to reflect the adjusted floodplain boundary as shown on the LOMAR with the exception of a new floodplain that has been redrawn between today's date and September 22, 2009.

Ms. Corn stated clarification was needed on the motion.

Mr. Caesar stated in the event there has been a new FEMA map drawn between September 22, 2009 and today's date he would like the contingency added so a new map cannot appear due to lack of information.

With the motion having been made, Mr. Rittenberry seconded the motion and the motion passed 3-0.

**A Zoning Map Interpretation Request by Kris Keown to appeal to the BZA to make an interpretation of the location of the Floodway Fringe Overlay (FFO) Zoning District boundary based on new FEMA documentation for the proposed lots 485, 497-505, 517, 518, 549-561 of Section 25 of Highlands at Ladd Park Subdivision.**

Mr. Baumgartner stated the portions of the proposed lots 485, 497-505, 517, 518, 549-561 of Section 25 of Highlands at Ladd Park Subdivision that are in the FFO are located toward the eastern side of the new Carothers Parkway and southwest of the Harpeth River. Mr. Baumgartner stated the appellant has been granted a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) for these properties. Mr. Baumgartner explained the FFO District was created to coincide with the Federal Emergency Management Agency's (FEMA) designated floodplains. Mr. Baumgartner stated the Franklin Zoning Ordinance (cited above) prohibits the creation of new buildable lots in the FFO District and the LOMR obtained by the appellant removes the subject property from the 100-year floodplain. Thus, the FFO District no

longer coincides with the FEMA-designated floodplain on the subject property. The appellant requests that the BZA reinterpret the FFO boundary to reflect the adjusted floodplain boundary as shown on the LOMR.

Mr. Kris Keown was present to represent this item and stated he was available to answer questions.

Mr. Caesar requested clarification on the map.

Mr. Keown explained as you move north the elevation is falling and the map shows the current boundaries of the 100 year flood and they are requesting to remove the FFO in between the hatched areas.

Mr. Charles Foster, who owns property across the river, voiced his concern of the water being redirected to flow into his property.

Mr. Roy Stewart, who owns property across the river on the right, voiced the same concern as Mr. Foster.

Mr. Keown explained that there will be more requirements that must be followed to avoid this.

Ms. Fischbach stated the applicant will have to prove to the Stormwater staff that they are not increasing runoff.

Chair Jones closed the public hearing.

Ms. Fischbach moved to reinterpret the FFO Boundary to reflect the adjusted Floodplain Boundary as shown on the current letter of map revision. Mr. Caesar seconded the motion and the motion passed 4-0.

**Other Business.**

No other Business was discussed.

**Adjourn.**

With there being no further business the meeting was adjourned at 6:30 pm.

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Chair