

**FRANKLIN HISTORIC ZONING COMMISSION  
MINUTES  
September 14, 2015**

The Franklin Historic Zoning Commission held its regular scheduled meeting on Monday, September 14, 2015, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present:       Chairwoman Susan Besser  
                                  Mel Thompson  
                                  Jim Roberts  
                                  Mary Pearce  
                                  Kate Reynolds  
                                  Mike Hathaway

Staff Present:            Amanda Hall, Planning & Sustainability Department  
                                  Steve Haynes, BNS Department  
                                  Randall Tosh, BNS Department  
                                  Kristen Corn, Law Department

Chairwoman Besser called to order the September 14, 2015, Historic Zoning Commission meeting at 5:00 p.m.

**Item 1:**

**Minutes: August 10, 2015**

Mr. Roberts moved to approve the August minutes. Ms. Reynolds seconded the motion, and the motion passed (6-0).

**Item 2: Citizens Comments on Items Not on the Agenda**

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Historic Zoning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Historic Zoning Commission consideration at a later date.

No comments for non-agenda items.

**Item 3:**

**Consideration of New Construction at 1017 Benelli Park Ct.; Mitch Barnett, Applicant.**

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of a 2-story single family residence with attached garage at 1017 Benelli Park Ct. Ms. Hall stated staff recommends denial of the proposed new construction of the principal structure with attached garage with the following:

1. The total building coverage on the lot is approximately 40.9%, which is not consistent with the *Guidelines*. The *Guidelines* recommend that maximum building coverage not exceed 35% in specified residential zoning districts (including R32, the zoning of this particular lot), as measured by building footprint. Staff recommends that the applicants modify the footprint of the proposed building to meet the recommendation of the *Guidelines* then return to the Historic Zoning Commission for consideration of a Certificate of Appropriateness at a later date.
2. If the item is approved, conditions of approval are listed as follows:

- Any deviation from the overall height proposed (31'), foundation height, or finished floor elevation as presented within this application, due to grading or otherwise, must be submitted to the Preservation Planner for review and approval prior to construction.
  - For consistency with the architectural features of adjacent structures and the context of the surrounding neighborhood, the lap siding exposure must be between 4"-5 1/2," as opposed to the proposed 6" reveal.
  - Shutters must be wood and appear operable for consistency with the *Guidelines*.
  - All windows must be wood and consist of a historic profile and dimension. Window and garage door specifications must be submitted to the Preservation Planner for review and approval prior to issuance of a building permit.
3. If approved, the application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Foundation height surveys may be required at the time of building permit review to ensure compatibility with the height and massing conditions set forth within the project's corresponding Certificate of Appropriateness. Any additional changes and/or proposed changes to the HZC-approved plans must be returned to the HZC for review and approval.
  4. If approved, a scaled set of elevations notating the following must be submitted to the Preservation Planner prior to issuance of a building permit:
    - Finished floor elevation;
    - Overall building height for the principal structure and attached garage;
    - Foundation height with proposed/conceptual grading along the front property line to the foundation of the house, and proposed/conceptual grading along the front façade of the house and as well as the right side elevation of the house (if such information cannot be provided, foundation height details should be given for the largest and smallest foundation heights envisioned for the site); and
    - All approved building materials, including porch steps.

Mr. Reed stated at the last meeting it was discussed that the total lot coverage be brought down to 35%. Mr. Reed stated this lot is actually one of the smallest ones in the development so we discussed using the buffer zone in the rear as part of the calculation for the lot footprint. Mr. Reed stated he altered the floor plans and squeezed down as much as he could to get it down to 31.27%.

Chairwoman Besser requested to know if there were any citizens who wished to speak on this item, and no one requested to speak.

Ms. Reynolds moved that the Franklin Historic Zoning Commission approve with conditions an issuance of a Certificate of Appropriateness for Project PL #5912 for the proposed principal structure and attached garage construction with staff's comments, except for allowing the building coverage on the lot to be 36% as presented, and in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated August 10, 2015. Ms. Pearce seconded the motion.

Mr. Hathaway stated he agrees with allowing the buffer as part of the lot.

Mr. Thompson stated the comment of the roof line is left open-ended and more guidance should be given to applicant.

Ms. Hall stated that the motion stated approved with conditions except for number 1, and to her understanding, this would include roofline modifications.

Ms. Pearce stated she felt this was included in staff comments and would go back to staff for any modifications.

Mr. Thompson stated he was not with comfortable with staff reviewing the changes.

With the motion having been and seconded it passed 5-1, with Mr. Thompson voting no.

**Item 4:**

**Consideration of Addition at 902 Evans St.; Dale Kolford, Applicant.**

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of an approx. 423 sq. ft. footprint two-story addition onto the right side of the residence located at 902 Evans St. Ms. Hall stated that staff recommends approval with conditions of the proposed addition with the following:

1. As a condition of approval, all windows must be wood in material. Window specifications must be submitted to the Preservation Planner for review and approval prior to issuance of a building permit.
2. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes and/or proposed changes to HZC-approved plans must be returned to the HZC for review and approval.
  - Any interior or exterior demolition that may compromise the exterior materials, details, or forms of the existing residence must be reviewed and approved by the HZC prior to work proceeding.
  - Foundation height surveys may be required at the time of building permit review to ensure compatibly with the height and massing conditions set forth within the project's corresponding Certificate of Appropriateness.

Mr. Kolford stated he had no comments and was good with staff's comments.

Chairwoman Besser requested to know if there were any citizens who wished to speak on this item, and no one requested to speak.

Mr. Roberts moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #5933 for the principal structure addition with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated September 14, 2015. Mr. Thompson seconded the motion.

Ms. Reynolds requested to know if the dormers where the same size.

Mr. Kolford stated yes.

Ms. Pearce requested to know if the rear setback met the city standards.

Ms. Hall stated yes and explained a side yard setback variance was granted by the Board of Zoning Appeals.

With the main motion having been made and seconded, the motion passed 6-0.

**Item 5:**

**Consideration of Alterations (Awning, Lighting) at 121 2<sup>nd</sup> Ave. S.; Steve Bacon, Applicant.**

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for the placement of a 19'-4" x 3'-6" shed style awning with a scalloped skirt over the alcove area on the building located at 121

2<sup>nd</sup> Ave. N. Ms. Hall stated the proposed awning consists of black canvas with gold, non-metallic signage lettering and logo and features closed sides. Ms. Hall stated the applicant is also requesting to update the lighting fixtures that are already on the building. Ms. Hall stated staff recommends approval with conditions of the placement of the awning and the installation of the lighting fixtures with the following:

1. In accordance with the *Guidelines*, the awning must only be installation over a storefront. As a condition of approval, the recently-approved storefront must be installed before the awning can be placed on the building.
2. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a signage permit. Any additional changes and/or proposed changes to HZC-approved must be returned to the Preservation Planner and/or the HZC for review and approval.

Mr. Hathaway recused himself from this item.

Mr. Bacon stated the storefront window has taken a little longer than anticipated and that he available to answer any questions.

Mr. Thompson moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #5931 for the placement of awning and the installation of the light fixtures, with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated September 14, 2015. Ms. Pearce seconded the motion, and the motion passed 5-0, with Mr. Hathaway recusing himself.

#### **Item 6:**

#### **Consideration of Partial Demolition (Accessory), Addition (Accessory), & Alterations (Door, Roofing) at 1250 Adams St.; Rob McKelvey, Applicant.**

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for the removal of an addition and pergola and the construction of a new addition with pergola onto the south side of the garage located at 1250 Adams St. Ms. Hall stated additionally, the applicant is requesting the replacement of the front entrance door and the roofing on the principal structure. Ms. Hall stated staff recommends approval with conditions of the proposed partial demolition of the accessory structure with the following:

1. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes and/or proposed changes to HZC-approved plans must be returned to the HZC for review and approval. All approved exterior demolition is limited to what is indicated on the application plan set. Any demolition that may compromise the exterior materials, details, or forms of the existing residence must be reviewed and approved by the HZC prior to work proceeding.

Ms. Hall stated staff recommends denial of the proposed addition to the accessory structure with the following:

1. Since the *Guidelines* do not differentiate between the recommended size of enclosed additions proposed on principal structures and accessory structures, the staff recommends that the addition be modified by the applicant to measure a size consistent with the *Guidelines* and return to the Historic Zoning Commission at a later date for review.
2. If the proposal is issued a COA, any deviation from the overall height (12'-6") or siting of the structure as presented within this application, due to grading or otherwise, must be submitted to the Preservation Planner or Planning Director for review and approval prior to construction.
3. If the proposal is issued a COA, the application must met all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Foundation height surveys may be required at the time of building permit review to ensure compatibility with the

height and massing conditions set forth within the project's corresponding Certificate of Appropriateness. Any additional changes and/or proposed changes to the HZC-approved plans must be returned to the HZC for review and approval.

Ms. Hall stated staff recommends approval of the proposed alterations to the principal structure with the following:

1. The application must meet all the requirements of the Building & Neighborhood Services Department. Any additional changes and/or proposed changes to HZC-approved plans must be returned to the HZC for review and approval.

Mr. McKelvey stated they have made alterations based on the DRC comments. Mr. McKelvey stated he wanted to comment on the recommendation of not approving the addition to the garage and stated they feel this is somewhat of a hardship due to it being a single-car garage. Mr. McKelvey stated he felt the guidelines should be intended for the primary structure and in this case it is a small garage. Mr. McKelvey stated they have added a single bay window garage and explained that the demolition of the addition was proposed to be able to add additional square footage.

Chairwoman Besser requested to know if there were any citizens who wished to speak on this item.

Ms. Margaret Martin spoke on behalf of this item.

Ms. Pam Whitson, 803 Fair Street, spoke against this item.

Ms. Linda Goodgame, owner of property, spoke on behalf of this item.

Ms. Reynolds moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #5934 for the proposed partial demolition of the accessory structure, the replacement of the principal structure entry door, and the re-roofing of the principal structure in-kind with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated September 14, 2015. Mr. Hathaway seconded the motion, and the motion passed 6-0.

Mr. Hathaway moved that the Franklin Historic Zoning Commission approve a Certificate of Appropriateness for Project PL #5934 for the proposed addition to the accessory structure as presented and explained the reason he was voting against the guidelines recommendation is due to the need of a garage and that it does not harm the character. Mr. Roberts seconded the motion.

Ms. Pearce questioned the door width.

Mr. McKelvey stated the original size of the door opening is the same.

Ms. Pearce stated brick was more appropriate than stone and moved to amend the motion to include brick be used complementary to the house in lieu of stone.

Ms. Reynolds seconded the amendment, and the amendment passed 4-1-1 with Mr. Hathaway voting no and Mr. Thompson abstaining from the vote.

Mr. Hathaway had a discussion with Mr. McKelvey on how the rafters tie into the left elevation.

Ms. Pearce amended the motion to include that wood columns come down to the brick base.

Mr. McKelvey stated stone would be natural and tie into the house. Mr. McKelvey stated their concern was that were already two different brick on the house and that they didn't want to add a third.

Ms. Pearce explained her reasoning for the stone. Ms. Pearce rescinded her previous amendment and moved to add another amendment to the amendment that the base could be brick or stone with wood columns. Mr. Hathaway seconded the motion, and the motion passed 6-0.

With the main motion having been and amended it passed 6-0.

**Items 7:**

**Consideration of Addition (Principal), Alterations (Porch), & New Construction (Accessory) at 1006 W. Main St.; Kevin Coffey, Applicant.**

Chairwoman Besser recused herself from this item, and Ms. Pearce took over as Chair.

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for a series of work at 1006 W. Main St. and the proposed scope of work is as follows:

- Removal of a non-historic deck and the construction of an enclosed addition with covered terrace and stairway at the rear of the principal structure;
- Construction of a garage accessory structure with covered connector to the principal structure;
- Enclosure of the porte cochere into a screened porch;
- Possible modification of the retaining wall at the covered porch location;
- Modification of one rear basement window to create egress; and
- Modification of one rear main level window at the master bath location.

Ms. Hall stated that staff recommends approval with conditions of the Addition (Principal), New Construction (Accessory), Alterations (Porch) portions of the application with the following:

1. All windows must be wood in material and of a historically appropriate profile and dimension. Window specifications must be submitted to the Preservation Planner for review and approval prior to issuance of a building permit.
2. The garage doors must be submitted to the Preservation Planner for review and approval prior to issuance of a building permit.
3. The panels of the porch enclosure must be recessed behind the existing columns, and no removal of historic porte cochere materials may take place.
4. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes and/or proposed changes to HZC-approved plans must be returned to the HZC for review and approval. Foundation height surveys may be required at the time of building permit review to ensure compatibility with the height and massing conditions set forth within the project's corresponding Certificate of Appropriateness.

Ms. Hall stated staff recommends denial of the proposed window alterations with the following:

1. The proposed window opening relocation on the rear elevation (main level) and the proposed window opening expansion at the rear elevation (basement level) are not in keeping with the *Guidelines*. The *Guidelines* recommend the preservation and maintenance of original windows and historic window openings and also recommend against the enclosure, reduction, expansion, concealment, and obscuring of historic windows (p.86 & p.86, #1-2).
2. If issued a COA, all windows must be wood in material and of a historically appropriate profile and dimension. Window specifications must be submitted to the Preservation Planner for review and approval prior to issuance of a building permit.

3. If issued a COA, the application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes and/or proposed changes to HZC-approved plans must be returned to the HZC for review and approval.

Mr. Coffey stated the window they are expanding is on the basement level is for egress purposes for a bedroom and it should be an easy melding. Mr. Coffey stated the intent on enclosing the porte-cochere is to make it useable now, but if in the future someone wanted to come back and make it a porte-cochere again, they could. Mr. Coffey stated the stair structure is not safe. Mr. Coffey stated they would be reducing the hardscape in the front a lot.

Ms. Pearce requested to know if there was any citizen comments.

Ms. Harriett Harms, at 1010 W. Main Street, stated she disagrees with the enclosure of the porte-cochere.

Ms. Pam Whitson, at 813 Fair Street, spoke against this item as well.

Mr. Hathaway moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #5932 for the proposed principal structure addition and the new accessory structure with covered connector, with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated September 14, 2015. Mr. Thompson seconded the motion, and the motion passed 5-0.

Mr. Hathaway moved that the Franklin Historic Zoning Commission approve a Certificate of Appropriateness for Project PL #5932 for the proposed window alterations. Mr. Thompson seconded the motion.

Ms. Reynolds moved to amend Mr. Hathaway's motion to include not changing the main level windows. Mr. Hathaway seconded the amendment, and the amendment passed 5-0.

Mr. Thompson moved to amend the motion to include staff's comment number 2. Mr. Hathaway seconded the motion, and the motion passed 5-0.

With the main motion having been made and amended twice, the motion passed 5-0.

Mr. Thompson moved to deny issuance of a Certificate of Appropriateness for Project PL #5932 for the porte cochere enclosure due to it being a key feature to the house and that it should remain intact. Mr. Hathaway seconded the motion.

Discussion ensued on the motion.

With the main motion having been made, the motion passed 4-1, with Mr. Roberts voting no.

#### **Item 8:**

#### **Consideration of New Construction (Principal, Accessory) at 107 Harlinsdale Ct.; Kent Eshleman, Applicant.**

Ms. Hall stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of a 2-story single-family residence with attached two-bay garage and detached one-bay garage at 107 Harlinsdale Ct. (Lot 2 Harlinsdale Manor). Ms. Hall stated staff recommends approval with conditions of the proposed new construction of the principal and accessory structures with the following:

1. Any deviation from the overall height (38'-4"), foundation height, finished floor elevation (651.1'), or siting of the structure as presented within this application, due to grading or otherwise, must be submitted to the Preservation Planner or Planning Director for review and approval prior to construction.
2. The staff recommends the mitigation of the foundation height through the use of grading, the use of decorative venting or brick detailing, and/or the use of landscaping.
3. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Foundation height surveys may be required at the time of building permit review to ensure compatibility with the height and massing conditions set forth within the project's corresponding Certificate of Appropriateness. Any additional changes and/or proposed changes to the HZC-approved plans must be returned to the HZC for review and approval.
4. A scaled set of elevations notating the following must be submitted to the Preservation Planner prior to issuance of a building permit:
  - Foundation height with proposed/conceptual grading from front property line to foundation of house, and proposed/conceptual grading along the front façade of the house (if such information cannot be provided, foundation height details should be given for the largest and smallest foundation heights envisioned for the site); and
  - All approved building materials, including porch steps.

Mr. Sipple stated they reviewed staff recommendations and agree they can do what staff has suggested with landscaping and detailing to mitigate the foundation. Mr. Sipple stated they utilized DRC comments.

Mr. Roberts moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #5935 for the proposed new construction of the principal and accessory structures with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated September 14, 2015. Mr. Hathaway seconded the motion.

Mr. Hathaway stated on the front elevation the column placement would be stronger with five bays and then have three bays on the rear porch instead of two. Mr. Hathaway stated the grade concerned and would suggest a retaining wall at the front of the house to mitigate foundation height.

Chairwoman Besser and Ms. Pearce stated they had concern with the grade as well.

Mr. Hathaway moved to amend the main motion to include 1) having two additional columns on the front porch from page 1A and to re-space the columns to five equal bays, and 2) from page 4A add an additional column and respace into three bays instead of two, and 3) on page 3A add openings or false openings on the right elevation at the bedroom two master walk-in closet and master bath. Ms. Pearce seconded the motion, and the motion passed 6-0.

Mr. Hathaway moved to amend the main motion to include considering a stone wall outside the right way to transition grade at the street as opposed to the base of the house to allow reduction of the vertical height of the house. Ms. Pearce stated she would second the motion with an additional condition to have the banding around the house be pulled lower beneath the windows. The motion failed with Mr. Hathaway being the only one voting for the amendment (1-5).

Discussion ensued on the retaining wall suggestion.



Mr. Roberts moved to defer the foundation height to DRC. Ms. Pearce seconded the motion and the motion passed 5-1, with Mr. Hathaway voting no.

**Item 9:**

**Items Approved by the Preservation Planner on Behalf of the Historic Zoning Commission, pursuant to the *Historic District Design Guidelines*.**

- Fencing at 104 Cottage Ln.; Vandalia Cottages LLC, Applicant.
- Fencing at 316 Ledgelawn Ct.; Larry & Susan Swerling, Applicants.
- Fencing at 1007 W. Main St.; Beth & Bert Moses, Applicants.

**Item 10:**

**Other Business.**

Ms. Hall stated she is having a difficult time getting a date set to discuss Guideline updates but would send out two choices soon.

Ms. Pearce suggested putting forth a communication with BOMA about concern of flag lots.

Ms. Pearce moved to send a copy of Patrick McIntyre's letter stating that the commission concurs with his assessment of no flag lots in the historic district. Mr. Roberts seconded the motion, and the motion passed 6-0.

**Item 11:**

**Adjourn.**

With no further business, the meeting was adjourned at 7:25 p.m.

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Acting Secretary