

**FRANKLIN HISTORIC ZONING COMMISSION  
MINUTES  
June 12, 2017**

The Franklin Historic Zoning Commission held its regular scheduled meeting on Monday, June 12, 2017, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present: Susan Besser  
Mel Thompson  
Lisa Marquardt  
Jim Roberts  
Rusty Womack  
Ken Scalf  
Mary Pearce

Staff Present: Amanda Rose, Planning & Sustainability Department  
Joey Bryan, Planning & Sustainability Department  
Emily Hunter, Planning & Sustainability Department  
Randall Tosh, BNS Department  
Kristen Corn, Law Department

**Item 1:  
Call to Order**

Chairwoman Besser called to order the June 12, 2017, Historic Zoning Commission meeting at 5:00 p.m.

**Item 2:  
Minutes: April 10, 2017 & May 8, 2017**

Mr. Hathaway moved for approval of the April 10, 2017, minutes. Mr. Roberts seconded the motion, and the motion passed 7-0.

Mr. Roberts moved to approve the May 8, 2017 minutes. Mr. Thompson seconded the motion, and the motion passed 7-0.

**Item 3:  
Staff Announcements.**

Ms. Rose reminded everyone the DRC is next Monday, June 19, 2017, at 4 pm. Ms. Rose stated there are five to six items, with one still confirming.

**Item 4:  
Consideration of Requests to place non-agenda emergency items on the agenda.**

No non-agenda items.

**Item 5:  
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.**

Ms. Pearce stated that the new Heritage Foundation CEO is Bari Beasley.

**Item 6:**

**Consent Agenda.**

**The items under the consent agenda are deemed by the commission to be routine in nature and will be approved by one motion adopting the staff comments as part of the approval. The items on the consent agenda will not be discussed. Any member of the commission or the public desiring to discuss an item on the consent agenda may request that it be removed and placed on the regular agenda. It will then be considered in its printed order. Staff recommends that item 7 be placed on the consent agenda.**

Mr. Scalf moved to approve the Consent Agenda. Mr. Hathaway seconded the motion, and the motion passed 7-0.

**Item 7:**

**Consideration of Alterations (Rooftop Deck Enclosure) at 324 Liberty Pk., Unit 228; Donna Doss, Applicant.**

This item passed on the Consent Agenda.

**Item 8:**

**Consideration of Recommendation Request for Proposed Historic Preservation Overlay (HPO) District Rezoning at Rural Plains Homestead, located at 244 Old Peytonsville Rd. (Lot 7110, Section 7, Berry Farms Subdivision); Kimley Horn & Associates, Applicant.**

Ms. Rose stated the applicant has requested consideration of a recommendation to the Franklin Municipal Planning Commission (FMPC) and the Board of Mayor and Aldermen (BOMA) for the proposed Historic Preservation Overlay (HPO) district rezoning request at the Rural Plains Homestead, an approximate 1.46-acre lot located at 244 Old Peytonsville Rd. Ms. Rose stated the property is identified as Lot 7110 of Section 7 of Berry Farms Subdivision. Ms. Rose stated the Rural Plains Homestead property features a brick Federal-style residence, constructed in 1830. Ms. Rose stated other structures on the site include a garage, two sheds, and a guest house—all constructed behind the main residence—and a spring house located near the driveway entrance and many of these accessory structures contribute to the historic setting of the property. Ms. Rose stated it is recommended that the HZC make a motion to recommend approval to the FMPC and the BOMA for the proposed HPO district rezoning. Ms. Rose stated the FMPC and the BOMA are both slated to consider the proposed rezoning at their respective meetings in the coming months.

Ms. Pearce made a motion to approve request. Mr. Roberts seconded the motion.

Ms. Pearce requested to know how much land.

Ms. Rose stated it is a site about an acre and half in section 7 near Five Mile Creek.

Mr. Bryan projected pictures showing the location, and discussion ensued.

The motion passed 7-0.

**Item 9:**

**Consideration of Addition and Alterations (Masonry) at 230 Franklin Rd. (Bldg. 10); Don Burke, Applicant.**

Mr. Bryan stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of an addition onto Building 10 at the Factory at Franklin located at 230 Franklin Road. Mr. Bryan stated Building 10 is located on the eastern side of the complex and sits approximately 225 ft. from Liberty Pike. Mr. Bryan stated the south elevation that fronts Liberty Pike is referenced as the "Front" elevation and will be referred in the same manner in this report. Mr. Bryan stated the 945 sq. ft. addition is proposed to be added onto the right and rear elevation. Mr. Bryan stated additionally, the applicant is proposing to alter an existing window opening into an entrance and remove masonry on the right and rear elevation creating two new openings. Mr. Bryan stated the applicant appeared before the Design Review Committee at its April 17 and May 15, 2017 meetings to discuss the proposal. Mr. Bryan stated the it is recommended that the Historic Zoning Commission approve with conditions the proposed addition and masonry alterations (entrance) with the following:

1. Plexiglass is not a recommend material for use in nonresidential additions (p.104, #3). As a condition of approval for consistency with the *Guidelines*, the applicant must use a material consistent with the *Guidelines* for the lower portion of the rear and right overhang doors.
2. As a condition of approval for consistency with the *Guidelines*, the front elevation of the addition must be recessed from the battered brick corner so the architectural detail is fully visible.
3. As a condition of approval for consistency with the *Guidelines*, door specification must be submitted to the Preservation Planner for review and approval in light of the *Guidelines* prior to issuance of a building permit by the Building & Neighborhood Services Department.
4. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any changes to approved plans must be returned to the Historic Zoning Commission for review and approval.

Mr. Bryan stated the it is recommended that the Historic Zoning Commission deny the proposed masonry alterations with the following:

1. The removal of the masonry from the rear and right walls is not consistent with the *Guidelines*. The *Guidelines* state that original masonry should be preserved and maintained (p.113, #1).
2. If issued a COA, the application must meet all the requirements of the Building & Neighborhood Services Department. Any changes to the approved plans must be returned to the Historic Zoning Commission for review and approval.

Mr. Burke stated the overall idea is to make this a translucent pavilion to see the existing structure through it and explained what would be done and used to accomplish this.

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

Mr. Thompson moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #6459 for the addition and masonry alterations to the window with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated June 12, 2017. Mr. Pearce seconded the motion.

Ms. Pearce stated given where this is the square footage in this situation is appropriate.

Mr. Hathaway requested to know why plexiglass is being proposed.

Mr. Burke stated that the intent was to have more translucent frontage and that location is the side facing the Farmer's Market. Mr. Burke stated tempered glass could be used as well.

The motion passed 7-0.

Mr. Thompson moved that the Franklin Historic Zoning Commission approve an issuance of a Certificate of Appropriateness for Project PL #6459 for the masonry alterations to the walls due to the building itself serving no prominent purpose and that opening it up gives more presence to the historical preservation than taking away from it. Mr. Roberts seconded the motion.

The motion passed 7-0.

**Item 10:**

**Consideration of Alterations (Entry Canopy) at 230 Franklin Rd. (Bldg. 13); Don Burke, Applicant.**

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness (COA) for the replacement of the existing entry structural canopy at Building 13 at the Factory at Franklin. Ms. Rose stated the canopy is located at the right elevation of the building, which fronts Liberty Pk. Building 13 fronts Liberty Pk. and currently features two canopies. Ms. Rose stated one canopy is a non-original arched canopy with a canvas cover and slim metal supports. Ms. Rose stated the it is freestanding and does not tie into or about the building face. Ms. Rose stated the applicant is proposing to replace the arched canopy to allow it to extend and tie to the building face, which would necessitate the removal of an additional non-historic canopy that is affixed to the building face (see photographs provided by applicant in packet). Ms. Rose stated that it is recommended that the Historic Zoning Commission approve the proposed entry canopy alterations at Bldg. 13 with the following:

1. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit, and any additional changes and/or proposed changes to approved plans must be returned to the Historic Zoning Commission for review and approval.

Mr. Burke stated the difference with the previously-approved application is reducing the number of columns.

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

Mr. Scalf moved that the Franklin Historic Zoning Commission approve with conditions a Certificate of Appropriateness for Project PL #6460 for the entry canopy alterations at Bldg. 13 with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated June 12, 2017. Mr. Womack seconded the motion, and the motion passed 7-0.

**Item 11:**

**Consideration of Demolition (Elevated Water Tank) at 230 Franklin Rd.; Factory at Franklin LLC, Applicant.**

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness (COA) for "the demolition of obsolete infrastructure" located at 230 Franklin Rd. Ms. Rose stated the applicant, Mr. Mike Hall, has provided written notification to staff on June 6, 2017 to clarify that the demolition request is specific to the elevated water tank. Ms. Rose stated no supporting documentation has submitted to substantiate the application request. Ms. Rose stated it is recommended that the Historic Zoning Commission deny the proposed demolition of the elevated water tank with the following:

1. The elevated water tank is original to the National Register-listed site, and the property's National Register documentation lists the water tank as a contributing structure to the overall historic site. The demolition of the water tank would adversely affect the Franklin Road Historic District's historic character and Franklin's overall historic environment.
2. The applicant has failed to provide any supporting documentation to substantiate any one or more of the four criteria by which the Historic Zoning Commission may consider demolition (p.102, #2). Without the inclusion of the supplementary materials cited with the demolition criteria, a determination cannot be made.
3. If the Historic Zoning Commission approves demolition, the building must be satisfactorily documented photographs and submitted to staff for the Commission records, and the application must meet all the requirements of the Building and Neighborhood Services Department prior to issuance of a building permit.

Mr. Wes Weigel, the applicant's representative, apologized for not submitting any supporting documentation. Mr. Weigel stated he has brought a one-page short letter along with photographs and requested to pass the document around to the commissioners (see Appendix for one-page letter).

Chairwoman Besser stated she would need a motion due to the significance of the structure to Franklin.

Ms. Corn stated the commission could accept the information without a motion.

Mr. Weigel passed out the new information and stated the structure is approaching 90 years of age and that he feels there is a public safety issue to the deterioration of the structure and proceeded to explain.

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

Ms. Margaret Martin spoke against allowing the demolition of this structure and explained the structure could be repaired. Ms. Martin stated, in speaking for her constituents, no one would want this structure demolished. Ms. Martin stated she would like the Commission to deny this request or postpone a decision.

Ms. Kimberly Kelly stated she lives across from this structure and that this structure is such an important part of Franklin and that it can be repaired. Ms. Kelly stated she would like to see this request stopped. Ms. Kelly stated when one purchases a historic structure, you take on the responsibility of expensive repairs and the owner should do that.

Ms. Pearce moved to defer this item to the next DRC meeting. Ms. Pearce stated she has done some research and that there are water towers across America being saved due to the structures being such scarce historic resources. Mr. Womack seconded the motion, and the motion passed 7-0.

Several commissioners commented on the importance of this structure to Franklin.

#### **Item 12:**

#### **Consideration of Addition, Alterations (Windows), & New Construction (Accessory) at 104 Lewisburg Ave.; C. Kevin Coffey, Applicant.**

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness (COA) for a series of work at 104 Lewisburg Ave., as follows:

- The construction of a 60 sq. ft. left elevation addition onto a historic (non-original) addition of the existing structure;

- The construction of a 1,213 sq. ft., two-story addition to the rear of the structure, proposed to take place after the removal of a “more recent addition” at the rear of the structure, recently approved for demolition by the Historic Zoning Commission at its May 8, 2017 meeting;
- The construction of a deck, with a pergola area, at the rear of the proposed addition.
- The addition, removal, and relocation of specific windows on the existing structure; and
- The construction of a two-story detached accessory structure at the rear of the property, shown with two options for placement.

Ms. Rose stated the applicant appeared before the Design Review Committee to discuss the addition and accessory structure components of the proposal at its May 15, 2017 meeting. Ms. Rose stated it is recommended that the Historic Zoning Commission approve with conditions the proposed the 60 sq. ft. left elevation addition with the following:

1. As a condition of approval for consistency with the *Guidelines*, the windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the Historic Zoning Commission 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 to the approved plans must be returned to the HZC for review and approval, and a scaled set of all elevations notating the following must be submitted to the Preservation Planner prior to issuance of a building permit:
  - all approved building materials, including foundation material and lap reveal; and
  - the overall height of the addition areas in relation to its existing residence’s overall height and eave heights.

Ms. Rose stated it is recommended that the Historic Zoning Commission deny the proposed principal structure addition with the following:

1. The size of the proposed rear elevation addition is not consistent with the *Guidelines*. Depending on the footprint number used for the existing structure to remain, the footprint of the proposed rear addition (1,213 sq. ft.) measures approximately 92.5 to 99.5 percent of the existing structure to remain, which is not consistent with the *Guidelines*. The *Guidelines* recommend limiting the square footage of additions to no more than half of the footprint of the historic building, specifically all portions of the building that are at least 50 years of age (p.54, #4).
2. If issued a COA, the windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the Historic Zoning Commission 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 to the approved plans must be returned to the HZC for review and approval, and a scaled set of all elevations notating the following must be submitted to the Preservation Planner prior to issuance of a building permit:
  - all approved building materials, including foundation material and lap reveal; and
  - the overall height of the addition areas in relation to its existing residence’s overall height and eave heights.

Ms. Rose stated it is recommended that the Historic Zoning Commission deny the proposed relocation of a left elevation window with the following:

1. The *Guidelines* recommend that one preserve and maintain original window openings and recommend against the enclosure of original window openings (p.90, #1). While it is not entirely

clear if the existing opening is original, the *Guidelines* also recommend against the placement of new openings to primary or readily visible secondary elevations (p.90, #3). The area proposed for the window relocation is close to the front façade wall and will present visibility from the street view. This window alteration, therefore, is not consistent with the *Guidelines*.

Ms. Rose stated it is recommended that the Historic Zoning Commission approve with conditions the proposed window alterations with the following:

1. The applicant proposes to remove an upper-level modern window at the left elevation of the “old” or “historic” addition portion of the structure and to replace it with three new transom windows (potentially reused from area where Addition #1 is proposed to be constructed). The *Guidelines* can support the removal of a non-original window. Due to this location, it is not likely that any new windows will be highly visible from the street view. The request is mostly consistent with the *Guidelines*.
2. The applicant proposes to place three new transom windows onto the “old” or “historic” addition’s right elevation. The *Guidelines* recommend against the placement of new window openings to primary or readily visible secondary elevations (p.90, #3). Due to the shape of the original portion of the structure (with bump-out), it is not likely that any new windows at this location will be highly visible from the street view. The request, therefore, is mostly consistent with the *Guidelines*.
3. The new windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the Historic Zoning Commission prior to issuance of a building permit.
4. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes to the approved plans must be returned to the HZC for review and approval.

Ms. Rose stated it is recommended that the Historic Zoning Commission deferral of the construction of the proposed accessory structure with the following:

1. The size of the proposed accessory structure may not be entirely consistent with the *Guidelines*. The footprint square footage of the existing principal structure proposed to remain measures between 1219 sq. ft. and 1310 sq. ft., based on differing figures provided by the applicant. The accessory structure is proposed to measure 1116 sq. ft., as indicated on the application form. Since the proposed rear principal structure addition is designed to be larger in footprint than recommended by the *Guidelines*, the accessory structure may not read as incidental in size to the principal structure if the rear addition is not approved as proposed (1116 sq. ft. accessory vs. 1219-1310 sq. ft. principal structure, 1279-1370 sq. ft. if the side elevation addition is approved). The *Guidelines* recommend that accessory structure be designed to be visually subordinate in size to their respective principal structures (p.64, #2). It is recommended that consideration of the new construction of the accessory structure be deferred until the proposed rear addition is considered.
2. Dormers can be supported by the *Guidelines* if scaled appropriately “to relate to the style and proportion of windows on the principal structure” and “set back a minimum of two feet from the exterior wall” (p.64, #5). It is not clear if all of the proposed dormers on the accessory structure are recessed two feet off their respective walls. The applicant should clarify if the proposed dormers meet this *Guidelines* recommendation, and if the dormer designs are not consistent with the *Guidelines*, the designs should be revised to do so.
4. Insufficient documentation has been provided to review the proposed low masonry walls for the accessory structure garden area. A COA application should be submitted at a later date to demonstrate the proposed height, design, materials, and placement of the proposed walls.

5. If issued a COA, the accessory structure windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the Historic Zoning Commission prior to issuance of a building permit.
6. If issued a COA, the application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. The applicant should ensure that the proposed use of the accessory structure meets the regulations of the Zoning Ordinance since the accessory structure, as currently designed, may not meet the requirements of the Accessory Dwellings ordinance.
7. If issued a COA, any proposed changes to the approved plans must be returned to the HZC for review and approval, and a scaled set of all elevations notating the following must be submitted to the Preservation Planner prior to issuance of a building permit:
  - all approved building materials, including foundation material and lap reveal; and
  - the overall height of the new construction in relation to its existing residence's overall height and eave heights.

Mr. Coffey stated he wanted to address the square footage issue and passed out information. Mr. Coffey stated the rear addition is 1153 sq. ft. and the side addition is 60 sq. ft. which equals the 1213 sq. ft. Mr. Coffey requested the first picture of the front exterior to be projected and pointed the windows he is wanting to move. Mr. Coffey pointed out the location of addition as well and explained what was being done on the interior.

Discussion ensued on the how the calculations were calculated.

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 #6462 for the 60 sq. ft. left elevation addition with staff's comments, in accordance with the *Franklin Historic District Design Guidelines* and based on the Staff Report & Recommendation dated June 12, 2017. Mr. Hathaway seconded the motion, and the motion passed 7-0.

Ms. Amber Zito introduced herself as the homeowner and explained why she and her husband bought the home.

After discussion Mr. Thompson moved to defer issuance of a Certificate of Appropriateness for Project PL #6462 for the left elevation window, window alterations, new construction and the principal structure addition. Mr. Roberts seconded the motion, and the motion passed 7-0.

Ms. Pearce suggested to do a site visit.

**Item 13:**

**Non-agenda emergency items accepted by the commission for consideration.**

No non-agenda emergency items.

**Item 14:**

**Adjourn.**

With no further business, the meeting was adjourned at 6:36 p.m.



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**Acting Secretary**

**Appendix – Additional Information Submitted by Applicant Representative directly to the Historic Zoning Commission at its June 12, 2017 meeting for Item 11**