

PUBLIC NOTICE
FRANKLIN BOARD OF ZONING APPEALS
SEPTEMBER 6, 2018

AGENDA

Notice is hereby given that the Franklin Board of Zoning Appeals will hold a regularly scheduled meeting on Thursday, September 6, 2018, at 6:00 p.m. in the City Hall Board Room, 109 Third Avenue South, Franklin, Tennessee. Additional information can be found at www.franklintn.gov/planning. The purpose of the meeting will be to consider matters brought to the attention of the Board and will include the following:

Call to Order

Review and approval of Minutes from August 2, 2018, BZA Meeting

Items to be heard by the Board

1. **Variance Request** by Chris Clark, for a 10-foot encroachment into the required 25-foot rear yard setback to re-construct an existing covered porch located at the rear of the existing dwelling located at 284 Wisteria Drive (F.Z.O §3.3.3, Table 3-6).

Other Business

Adjourn

Anyone requesting accommodations due to disabilities should contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting.

**MEETING MINUTES OF THE
FRANKLIN BOARD OF ZONING APPEALS
August 2, 2018**

The Franklin Board of Zoning Appeals held a regular meeting on Thursday, August 2, 2018, at 6:00 p.m. in the City Hall Boardroom.

Members present: Jonathan Langley
 Joel Tomlin
 Gillian Fischbach
 Frank Jones

Staff present: James Svoboda, Planning & Sustainability
 Joey Bryan, Planning & Sustainability
 Misty Foy, Law Department

The agenda read as follows:

Review and approval of Minutes from July 5, 2018, BZA Meeting

Variance Request by Gabby Marroquin, for a 15-foot encroachment into the required 40-foot rear yard setback to construct a covered patio addition located at the rear of the existing dwelling located at 582 Ploughman’s Bend Drive (F.Z.O §3.3.3, Table 3-6).

Chair Jones called the meeting to order at 5:00 pm. Chair Jones requested to know if there were any non-agenda items.

Mr. Svoboda stated there were no non-agenda items, but had an announcement when appropriate.

Minutes from July 5, 2018, BZA Meeting

Mr. Tomlin moved to approve the July 5, 2018 meeting minutes. Mr. Langley seconded the motion and the motion carried 4-0.

Variance Request by Gabby Marroquin, for a 15-foot encroachment into the required 40-foot rear yard setback to construct a covered patio addition located at the rear of the existing dwelling located at 582 Ploughman’s Bend Drive (F.Z.O §3.3.3, Table 3-6).

Mr. Bryan stated the applicant is requesting a 15-foot encroachment into the required 40-foot rear yard setback to construct a covered patio addition at the rear of the dwelling located at 582 Ploughman’s Bend Dr. Mr. Bryan stated the subject property is Lot 69 in the Chestnut Bend Subdivision, Section 11, and is a lot of record that was created prior to the adoption of the current Zoning Ordinance. Mr. Bryan stated the property is currently zoned R-2 – Detached Residential 2 District, Central Franklin Character Area Overlay District - Special Area 4 (CFCO-4), and designated for Conventional Development Standards. Mr. Bryan stated table 3-6 establishes the Site Development Standards for Conventional Areas and has a footnote that stipulates that “for lots in recorded subdivisions or approved PUDs, the setbacks and lot sizes, maximum densities,

and primary façade widths shown in this table shall not apply, and the requirements shown on the final plat, the approved PUD, or conditions on existing lots shall govern.” Mr. Bryan stated the required 40-foot rear yard setback requirement established on the recorded plat is consistent with the rear yard setback stipulated in Tables 3-6. Mr. Bryan stated the applicant is proposing to remove an existing raised deck and construct a 18’ x 22’ covered patio addition to the rear of the existing dwelling. Mr. Bryan stated the deck measures 12’ x 22’ and is an existing encroachment into the rear setback. Mr. Bryan stated the lot also contains an existing PUDE that cannot be built on. Mr. Bryan stated the proposed roof cover would encroach into the rear setback approximately 15’. Mr. Bryan stated the location of an existing PUDE, restricts the areas where additions and/or accessory structures can be constructed on the property. Mr. Bryan stated in order for the BZA to grant a variance, the applicant must have demonstrated that all three of the standards required to grant a variance have been satisfied and based on the analysis presented above, staff recommends approval of the variance requested by the applicant because the applicant has met all three of the standards required for granting a variance.

Ms. Marroquin stated they had no comments to add and agreed with staff’s comments.

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

Ms. Fischbach moved to close the public hearing. Mr. Tomlin seconded the motion and the motion carried 4-0.

Chair requested to know if anyone else had responded in a positive or negative manner.

Mr. Bryan stated there was one call wanting clarification on the proposal and had a neutral response.

Mr. Langley moved to approve the variance request to vary the required 40-foot rear yard setback by 15 feet for property located at 582 Ploughman’s Bend Drive due to the lot being smaller than the surrounding lots, strict application of the Zoning Ordinance would result in a practical difficulty for the owner and relief can be granted without detriment to the public good without impairing the intent of the Zoning Ordinance. Mr. Tomlin seconded the motion and the motion carried 4-0

Other Business.

Mr. Svoboda stated he had one announcement and stated the Law Department will have an upcoming training on September 6, from 9 am to 12 pm in the City Hall Training Room and will be covering parliamentary procedures, ethics, open meetings and open records and will get this commission three of the four hours needed for required training.

Ms. Foy stated actually there will be a Q and A session, so it will probably be 4 hours.

Adjourn.

With there being no further business, the meeting was adjourned at 6:09 pm.

Chair

Item 1
Variance Request
BZA 9/6/18
COF #6786

Variance Request by Chris Clark, for a 10-foot encroachment into the required 25-foot rear yard setback to reconstruct an existing covered porch located at the rear of the existing dwelling located at 284 Wisteria Drive (F.Z.O §3.3.3, Table 3-6).

Summary of Action Taken (To be completed after item is heard)	
The Board of Zoning Appeals has reviewed and discussed this item, and has taken the following action:	
_____	Granted the variance because the statutory standards to be granted a variance were established.
_____	Denied the variance because one or more of the statutory standards required to be granted a variance were not established.
_____	Upheld staff's decision in the administrative review process.
_____	Overtured staff's decision in the administrative review process.
_____	Deferred the item.
_____	Conditions of approval: _____ _____
_____	_____
BZA Chair	BZA Recording Secretary
_____	_____
Applicant Acknowledgement	Date

Exhibits

1. Staff Report and Analysis
2. BZA Application Materials and Supporting documentation
3. Location Map

Vicinity Zoning

Site: R-3 – Detached Residential 3 District
North: R-3 – Detached Residential 3 District
South: R-3 – Detached Residential 3 District
East: R-3 – Detached Residential 3 District
West: R-3 – Detached Residential 3 District

Vicinity Land Use

Site: Detached Residential
North: Detached Residential
South: Open Space
East: Detached Residential
West: Detached Residential

Applicable Zoning Ordinance Regulations

CHAPTER 2.2.4
BOARD OF ZONING APPEALS (BZA)

* * *

(1) **Powers and Duties**

The BZA shall have the following powers and duties under this ordinance:

(a) Appeal of Administrative Decisions

To hear and decide appeals of administrative decisions where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the Codes Department or other administrative official in carrying out or enforcing any provision of this ordinance, and for interpretation of the zoning map pursuant to Subsection 2.4.6, Appeal of Administrative Decisions.

(b) Variances

To hear and decide applications for variance from the terms of this ordinance where:

- (i) By reason of exceptional narrowness, shallowness, or shape of a specific piece of property which, at the time of adoption of this ordinance, was a lot of record, or where, by reason of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property; and
- (ii) The strict application of the provisions of this ordinance would result in practical difficulties to, or undue hardship upon, the owner of a piece of property; and
- (iii) Relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this ordinance.

In granting a Variance, the BZA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purposes of this ordinance pursuant to Subsection 2.4.5, Variances.

**CHAPTER 2.4.5
VARIANCES**

(1) Purpose and Scope

The Variance process is intended to provide limited relief from the requirements of this ordinance in those cases where strict application of a particular requirement will create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this ordinance. It is not intended that Variances be granted merely to remove inconveniences or financial burdens that the requirements of this ordinance may impose of property owners in general. Variances are intended to address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

* * *

(4) Approval Criteria

The BZA may authorize, upon an appeal relating to the property, a Variance from such strict application so as to relieve such difficulties or hardship only in accordance with the following criteria:

- (a) 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 of such piece of property is not able to accommodate development as required under this ordinance; and
- (b) The strict application of any provision enacted under this ordinance would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property; and
- (c) Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this ordinance.
- (d) In granting Variances, the BZA shall have no power to take action that has the effect of allowing a use in contravention of the applicable base or overlay district or which in any other way changes the applicable district. Any action that has in effect changed the district shall be deemed to be a violation of powers of this subsection and shall be of no force and effect.
- (e) The fact that a site or development does not conform to this ordinance prior to the consideration of a Variance application may not be used as a basis for the granting of a Variance.

(5) Effect of a Variance

- (a) The issuance of a Variance shall authorize only the particular variation that is approved in the Variance.
- (b) A Variance, including any conditions, shall run with the land and shall not be affected by a change in ownership.

(6) Subsequent Development

Development authorized by the Variance shall not be carried out until the applicant has secured all other approvals required by this ordinance or any other applicable ordinances or regulations. A Variance shall not ensure that the development feature approved as a Variance shall receive subsequent approval for other applications for

development approval unless the relevant and applicable portions of this ordinance or other applicable provisions are met.

(7) Time Limit

- (a) Unless otherwise specified in the Variance, an application for a Building Permit shall be applied for and approved within one year of the date of the Variance approval; otherwise the Variance shall become invalid. Permitted timeframes do not change with successive owners.
- (b) Upon written request, one extension of six months may be granted by the Codes Department if the applicant can show good cause.
- (c) The decision of the Codes Department as to what constitutes substantial compliance with the time limit or applicable conditions for a Variance shall be final.

(8) Amendment

A Variance may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval. A request for a change in the conditions of approval of a Variance shall be considered an amendment and subject to the full review procedure set forth in this subsection.

**CHAPTER 3.3
SITE DEVELOPMENT STANDARDS**

3.3.1 Measurements, Computations, and Exceptions

(1) Distance Measurements

Unless otherwise expressly stated, distances specified in this ordinance are to be measured as the length of an imaginary straight line joining those points.

(2) Lot-Area Measurements

(a) Lot-Area Measurements

The area of a lot includes the total horizontal surface area within the lot's boundaries.

(b) Reductions in Lot Area Prohibited

No lot shall be reduced in area so that lot area per dwelling unit, lot width, required yards, building area, setbacks, or other requirements of this ordinance are not maintained. Actions by governmental agencies, such as road widening, shall not be considered as reductions.

(3) Lot Measurements

(a) Lot Width

Lot width is the distance between the side lot lines measured at the point of the Front Yard Setback line.

(b) Lot Frontage

Lot frontage is the length of the front lot line measured at the street.

(4) Setbacks, Yards, and Height

(a) Measurements

Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located. Setbacks shall be unobstructed from the ground to the sky except as otherwise expressly allowed in Subsection 3.3.1(4)(b), Permitted Encroachments into Required Setbacks.

(b) Permitted Encroachments into Required Setbacks

(i) The following features may be located within required setbacks to the extent indicated:

- A.) Sidewalks and landscape;
- B.) Accessory uses and structures as allowed in Section 4.1, Accessory Uses and Structures;
- C.) Fences and walls as allowed in Section 5.6, Fences and Walls; and
- D.) Off-Street Parking, as allowed in Section 5.9, Off-Street Parking and Loading.

(ii) Appurtenances are permitted to encroach into a required front or rear yard setback up to six feet and within side yards up to five feet from the property line provided a minimum of ten feet between buildings is maintained.

(c) Yards Required for Buildings

A yard or other open area required about a building shall not be included as part of a yard or other open space for another building.

(d) Front Yard Setback

(i) Front Yard Setback and Streets

The yard fronting a street shall be considered to be a front yard and shall meet the minimum front yard setback.

(ii) Measurement

The front yard setback shall extend the full width of the lot and shall be measured from the street right-of-way line.

(iii) Double Frontage Lot

A double frontage lot shall provide a front yard setback on both streets. The remaining yards shall meet the side yard setback requirements.

(iv) Corner Lot

A corner lot shall provide a front yard setback on all streets. The remaining yards shall meet the side yard setback requirements.

(v) Cul-de-Sac or Curved-Street Lot

For a cul-de-sac lot or a lot abutting a curved street, the front yard setback shall follow the curve of the front property line.

(e) Side Yard Setback

The side yard setback shall extend from the required front yard setback line to the required rear yard setback line and shall be measured from the side lot line. If no street or rear yard setback is required, the setback shall extend the full depth of the lot.

(f) Rear Yard Setback

The rear yard setback shall extend the full width of the lot and shall be measured from the rear lot line.

3.3.3 Site Development Standards for Conventional Areas

- (1) Tables 3-6 and 3-7 establish the site development standards, by building type, for development within conventional areas established pursuant to Section 5.1, Traditional and Conventional Area Standards Distinguished.
- (2) All applicable development shall comply with the standards established within this subsection unless otherwise expressly stated, or unless a different standard is required by an applicable overlay district.

TABLE 3-6: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL BUILDING TYPES IN CONVENTIONAL AREAS [1], [2], [3], [10]

Standard		AG	ER	R-1	R-2	R-3	R-6	SD-R	SD-X	RM-10	RM-15	RM-20	
Residential Detached (Street Loaded)	Front Yard and Side Street Setback (feet) [4] [5]	Local	100	75	60	40	25	25	30[9]	30[9]			
		Collector	150	100	90	75	60	35	40[9]	40[9]			
		Arterial/ Mack Hatcher	225	150	125	100	80	45	50[9]	50[9]			
	Side Yard Setback (feet) [6] [11]		50	35	25	[7]	[8]	[8]	[8][9]	[8][9]			
	Rear Yard Setback (feet)[6]		100	65	50	40	30	25	30[9]	30[9]			
	Minimum Lot Size (square feet)		1 per 15 acres	45,000	30,000	15,000	9,000	5,000	5,000[9]	5,000[9]			
	Minimum Lot Width (feet)		200	150	100	75	60	50	50[9]	50[9]			
	Minimum Lot Frontage (feet) [12]		160	120	80	60	48	40	40[9]	40[9]			

NOTES:

- [1] For lots in recorded subdivisions or approved PUDs, the setbacks, lot sizes, and maximum densities shown in this table shall not apply, and the requirements shown on the Final Plat or approved PUD shall govern.
- [2] Unified developments may establish interior lot lines as necessary, provided that the bulk requirements along the outer boundaries of the development shall be retained as specified in this table.
- [3] Shaded cells indicate that no requirement exists.
- [4] Where the average front yard for existing buildings on the same block face is more than or less than the minimum required front yard, the minimum front yard shall instead be within 25 percent of the average front yard for existing buildings on the same block face.
- [5] In cases where a transitional feature is required, the minimum setback shall be in accordance with Subsection 5.3.4, Transitional Features.
- [6] Where an immediately adjacent existing building is set back less than the minimum required side or rear yard, the minimum side or rear yard requirement shall instead be the same as the immediately adjacent developed building, but not less than five feet. Buildings shall maintain a minimum spacing of ten feet.
- [7] Minimum of eight feet each side, minimum of 20 feet between dwellings.
- [8] Minimum of five feet each side, minimum 12 feet between dwellings.
- [9] Larger or smaller setbacks, lot widths, lot frontages and lot sizes, beyond the range presented in this table, are permitted in cases where topographical or natural constraints exist, or where a particular design approach warrants a different setback subject to Subsection 2.4.2, Planned Unit Developments.
- [10] Appurtenances may encroach into a side-yard provided they maintain a minimum setback of five feet from the property line and ten feet from principal structures on adjacent lots.
- [11] For unified developments, internal side setback shall be determined by the applicable Building and Fire Codes as adopted by the City of Franklin.
- [12] The minimum lot frontage width shall be required to be maintained to the front yard setback line, at which point the minimum lot width shall apply. However, the minimum lot frontage requirement shall not apply to lots located on the turning radius of a cul-de-sac.

CHAPTER 8.3
DEFINITIONS AND USE CLASSIFICATIONS

Addition (to an existing building)

Any walled and roofed expansion to the perimeter of a building that is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by an independent perimeter load-bearing wall shall be considered “new construction”.

Appurtenance

The visible, functional, or ornamental objects accessory to, and part of a building, such as chimneys, decks, stoops, steps, porches, bay windows, roof overhangs, awnings, and similar features.

Porch

A projection from an outside wall of a dwelling that is covered by a roof and/or sidewalls (other than the sides of the building to which the porch is attached) for the purpose of providing shade or shelter from the elements.

Yard

An open space that lies between the principal or accessory structure and the nearest property line and which is unoccupied and unobstructed from the ground upward except as permitted in this ordinance.

Yard, Rear

An open, unoccupied space on a lot, except for accessory structures as herein permitted, extending across the rear of the lot from one side lot line to the other side lot line.

Yard, Required

The space between a lot line and the principal building within which no structure shall be permitted, except as authorized in this ordinance.

Background Information/Description of Variance Request

The applicant is requesting a 10-foot encroachment into the required 25-foot rear yard setback to re-construct a covered porch addition at the rear of the dwelling located at 284 Wisteria Dr. The subject property is Lot 43 in the Sullivan Farms Subdivision, Section A, and is a lot of record that was created prior to the adoption of the current Zoning Ordinance. The property was originally platted with a 25-foot rear yard setback in 2000. The property is currently zoned R-3 – Detached Residential 3 District, Carnton Character Area Overlay District - Special Area 2 (CNCO-2), and designated for Conventional Development Standards.

Table 3-6 establishes the Site Development Standards for Conventional Areas and has a footnote that stipulates that “for lots in recorded subdivisions or approved PUDs, the setbacks and lot sizes, maximum densities, and primary façade widths shown in this table shall not apply, and the requirements shown on the final plat, the approved PUD, or conditions on existing lots shall govern.” The required 25-foot rear yard setback requirement established on the recorded plat is consistent with the rear yard setback stipulated in Tables 3-6.

The applicant is proposing to re-construct a 16’ x 14’ covered porch addition located at the rear of the existing dwelling. The current rear porch is an existing encroachment that’s believed to be built ca. 2004. Staff could not locate a building permit or an approved variance for the existing rear porch. The applicant is not requesting to increase the footprint of the rear porch but build to the same dimensions as the existing porch. The lot also contains an existing PUDE that cannot be built on. The proposed roof covered porch would encroach into the rear setback approximately 10’. The shallowness of the lot as well as the location of an existing PUDE, restricts the areas where additions and/or accessory structures can be constructed on the property. Additionally, the lot backs up to formal open space.

Approval Criteria for Variances

The Variance process is intended to provide limited relief from the requirements of the Zoning Ordinance in those cases where the strict application of a particular requirement will create an unnecessary hardship

prohibiting the use of land in a manner otherwise allowed under the Ordinance. It is not intended that Variances be granted merely to remove inconveniences or financial burdens that the requirements of the Zoning Ordinance may impose of property owners in general. Variances are intended to address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

The BZA may authorize, upon an appeal relating to the property, a Variance from such strict application of the Zoning Ordinance so as to relieve such difficulties or hardship only in accordance with the following three standards (FZA §§ 2.2.4 (b) and 2.4.5):

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property is not able to accommodate development as required under this ordinance; and
2. The strict application of any provision enacted under this ordinance would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property; and
3. Relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this ordinance.

In order to grant the Variance Request, the BZA must determine that the applicant has demonstrated that all three standards required to grant the variance have been satisfied.

Analysis of Approval Criteria for Variances

The following is an analysis of the requested variances as they relate to the variance standards and approval criteria described above:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property is not able to accommodate development as required under this ordinance.
 - The subject property is an existing lot of record that was created prior to the adoption of the current Zoning Ordinance. The property was originally platted as part of Section A of the Sullivan Farms Subdivision in 2000. The proposed roof will be re-constructed along the rear wall of the existing dwelling and the applicant is requesting a 10-foot encroachment into the required 25-foot rear yard setback.
 - The current rear porch is an existing encroachment into the rear-yard setback and the applicant is not requesting to increase the size of the footprint or amount of encroachment. Additionally, the shallowness of the lot as well as the location of an existing PUDE, restricts the areas where additions and/or accessory structures can be constructed on the property. The subject property backs up to defined open space and would not encroach into the public viewshed.
 - Staff finds that the conditions on the lot as described by the applicant, create a unique, exceptional, or extraordinary situations about the subject property that would prevent the applicant from complying with the requirements of the Zoning Ordinance if Conventional Development Standards were applied.
2. The strict application of any provision enacted under this ordinance would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property.
 - Due to the location of the PUDE, the only place where the proposed roof cover can be located is to the rear of the existing dwelling within the rear setback. The strict application of the Zoning Ordinance provisions requiring conformance with the platted setback would result in an exceptional hardship on the owner of the property. Ultimately, the Board must determine whether the inability to construct the proposed roof cover encroaching into the required rear yard is a hardship or practical difficulty.
3. Relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning map and this ordinance.
 - The final standard the Board must consider is whether the requested relief granted would be a detriment

to the public good or impair the intent and purpose of the Zoning Ordinance. Based on existing conditions, similar variance requests granted by the BZA, and the proposed location of the addition proximity to the open space, staff believes that granting the proposed variance would not be detrimental to the public good and would not impair the intent or purpose of the Zoning Ordinance.

Staff Recommendation

In order for the BZA to grant a variance, the applicant must have demonstrated that all three of the standards required to grant a variance have been satisfied. Based on the analysis presented above, staff recommends approval of the variance requested by the applicant because the applicant has met all three of the standards required for granting a variance.

Motion for Variance Requests

Move to approve the variance request to vary the required 25-foot rear yard setback by 10 feet to re-construct a covered porch addition located at the rear of the existing dwelling located at 284 Wisteria Drive because the applicant has demonstrated that the standards for granting a variance have been satisfied as described in the staff report.

Justification Letter
284 Wisteria Drive
Franklin, TN 37064

August 10, 2018

Board of Zoning Appeals, Franklin TN

I hereby request a hearing by the Board of Zoning Appeals for a variance of 10 feet from the 25 feet rear-yard set back. This is for the construction of a 16' long x 14' screen room on an existing deck. This deck and screen room is attached to the property at 284 Wisteria Drive in Sullivan Farms P.U.D. Currently there is an existing wood deck and wood framed screen room that measures 16' long x 14' wide. We will be replacing the current wood deck boards with composite decking and installing an aluminum framed screen room with a structurally engineered panel roof system. We will not be changing the footprint of the existing structure. In addition to replacing the deck boards with composite decking, we will bring the existing wood deck framing up to current building codes

The grounds on which I request this is as follow:

- A) I have attached an aerial picture showing the lot as well as the open space behind my lot. With the open space behind the lot, it creates a shallow back yard making it impossible to encroach on the 25 feet setback. The house is setting 5 feet off of the set back. The proposed new deck and screen room (including the roof overhang) will encroach on the setback by 10 feet.
- B) The aerial shot picture also shows several other yards along Wisteria Drive. By granting this variance, it would not be detrimental to the public.
- C) The strict application of the Zoning Ordinance would result in a hardship due to the fact that my lot is the same width across the rear of the yard. There is no other location to construct the deck and screen room without encroaching into the rear yard set back.
- D) I feel there will be no negative impact on my property with the resurfacing of my deck and replacing my screen room. I feel it will add value to my property and to the neighborhood.

Because of this unique position I find myself in, I request that you consider allowing me a variance to encroach into the rear yard setback area to allow a new deck and screen room.

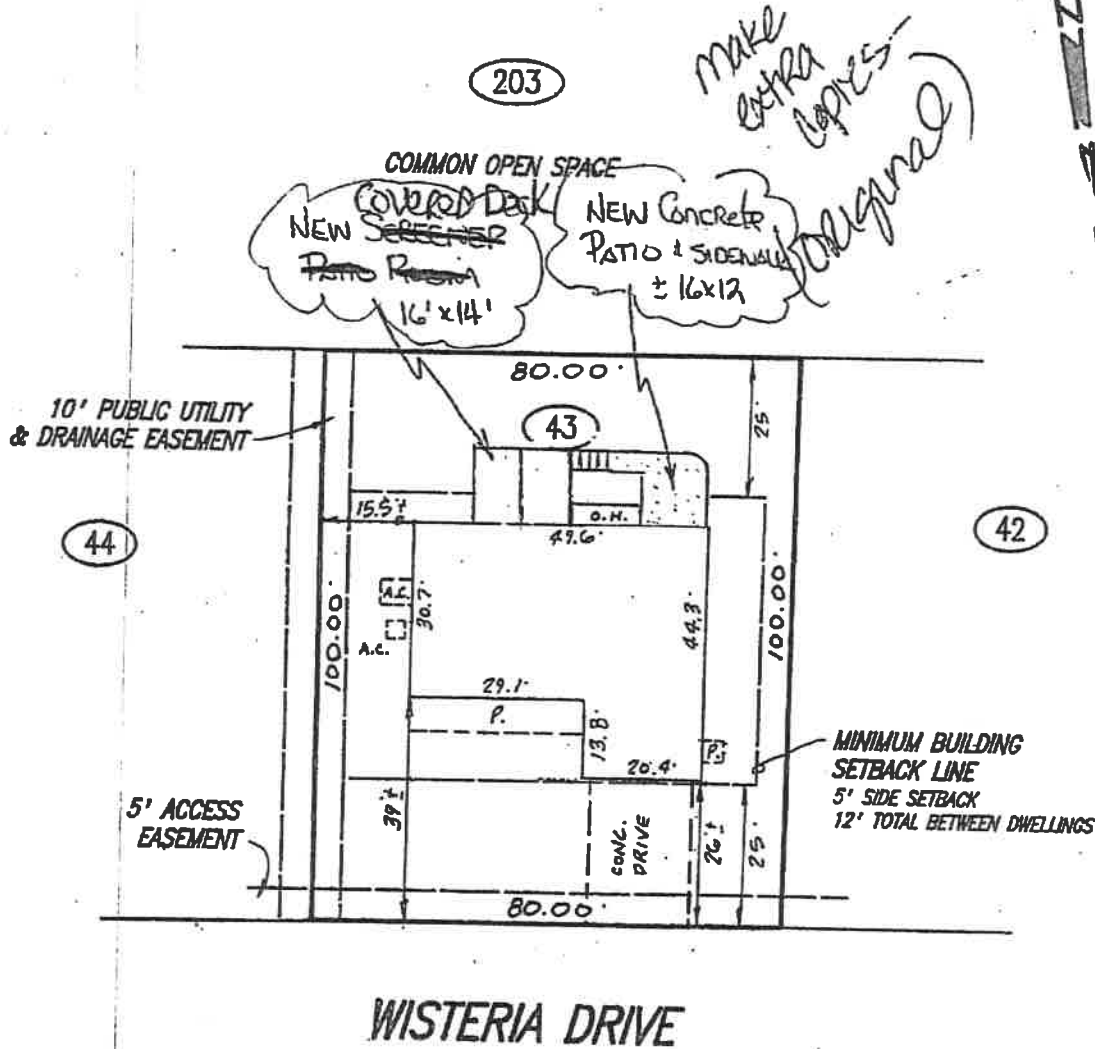
Thank you for taking the time to review this request.

Please also find the attached drawing packet containing deck drawings, screen room drawings, details and a materials list for your review.

Scott Frost
284 Wisteria Drive
Franklin, TN 37064

Proposed Plot Plan

2116



make extra copies (original)

WISTERIA DRIVE

MORTGAGE LOAN INSPECTION

INSPECTED BY: JENNIFER WOBENSMITH & CHRIS WOBENSMITH

DATE: AUGUST 7, 2001
~~MARCH 22, 2001~~

SCALE: 1" = 30'

PROPERTY LOCATED: 28.4 WISTERIA DRIVE
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE

This MORTGAGE LOAN INSPECTION should not be represented to be a general property survey as defined under Rule 0820-3-.07. It is a limited uncommissioned survey done under the authority of TCA 62-18-126. It should not be relied upon for the construction of fences or for establishing the exact location of property lines. No corners were set or reset at the time of this inspection.

PROPERTY: LOT NO. 43 ON THE PLAN OF RESUBDIVISION OF LOT 203 SULLIVAN FARMS P.U.D. SUBDIVISION SECTION A, REVISION 6

By: *[Signature]*
SIGNED: JOHN KOHL & COMPANY, P.C.
©2001 John Kohl & Co., P.C.



RECORDED: PLAT BOOK 31 - PAGE 24 - R.O.W.C.

JOHN KOHL & COMPANY P.C.

400 7th Ave S Nashville TN 37203

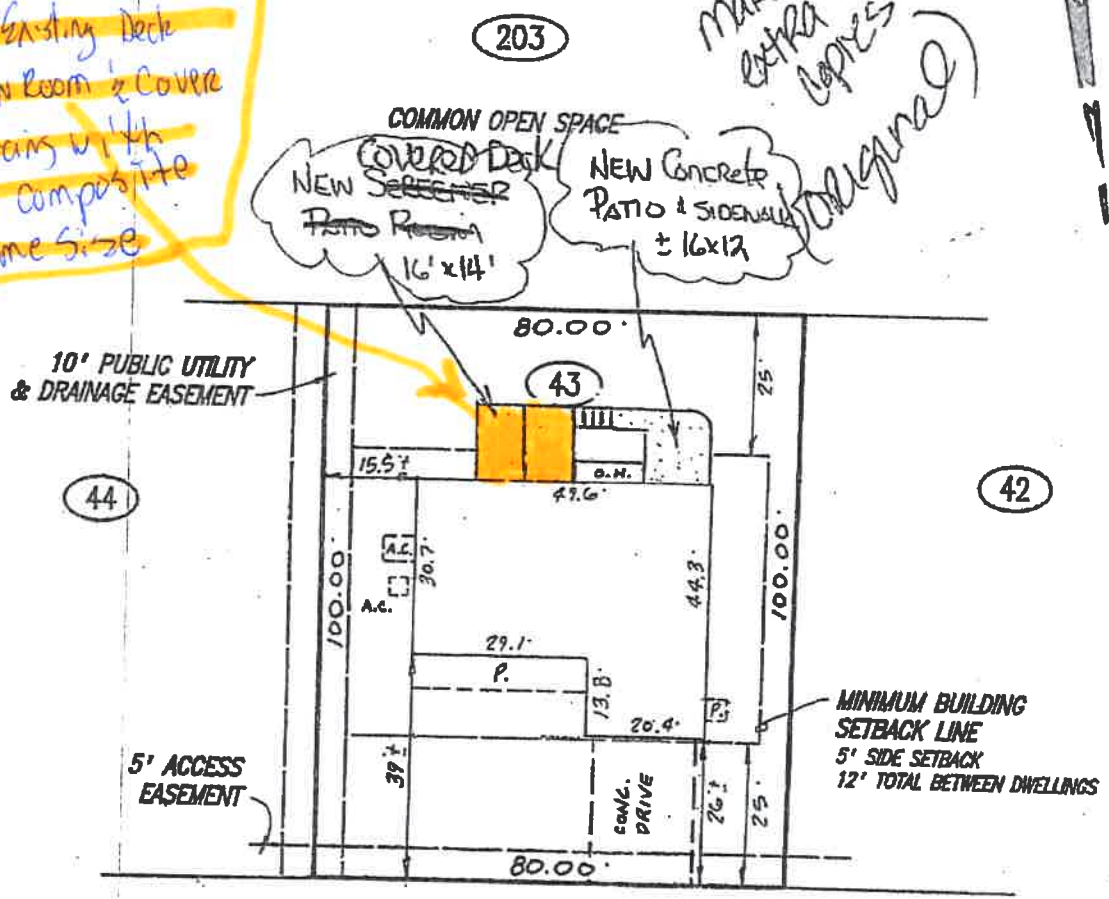
(615) 255-3535

Proposed Plot Plan

2116

Demo Existing Deck
Screen Room & Cover
Replacing with
New Composite
Same Size

make extra copies
(original)



WISTERIA DRIVE

MORTGAGE LOAN INSPECTION

INSPECTOR: JENNIFER WOBENSMITH & CHRIS WOBENSMITH
 PROPERTY LOCATED: 28.4 WISTERIA DRIVE
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE
 PROPERTY: LOT NO. 43 ON THE PLAN OF RESUBDIVISION OF
LOT 203 SULLIVAN FARMS P.U.D. SUBDIVISION
SECTION A, REVISION 6
 RECORDED: PLAT BOOK 31 - PAGE 24 - R.O.W.C.

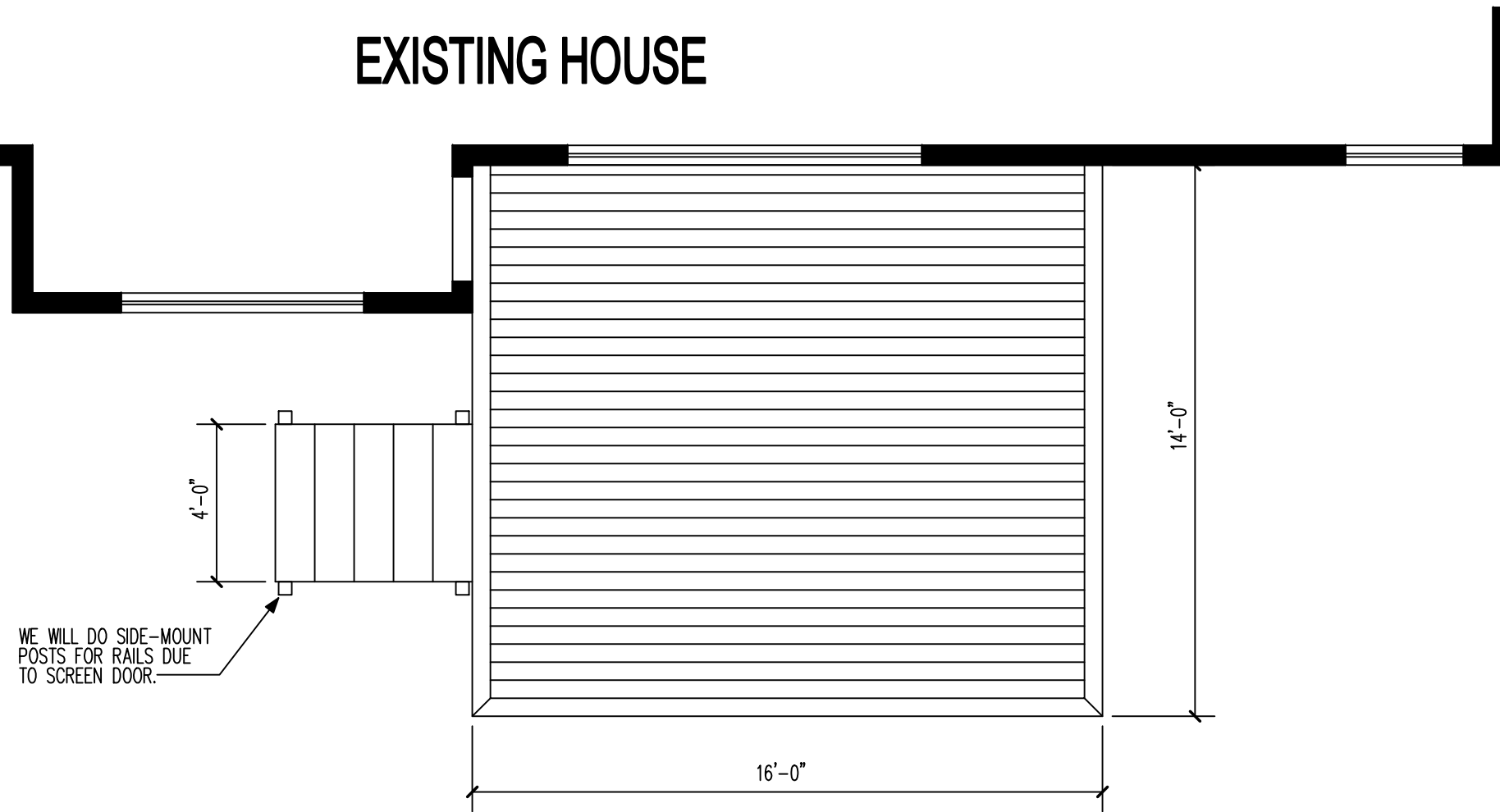
SCALE: 1" = 30' DATE: AUGUST 7, 2001
~~MARCH 22, 2001~~

This MORTGAGE LOAN INSPECTION should not be represented to be a general property survey as defined under Rule 0820-3-.07. It is a limited nonmonumented survey done under the authority of TCA 62-18-126. It should not be relied upon for the construction of fences or for establishing the exact location of property lines. No corners were set or reset at the time of this inspection.

By: [Signature]
 SIGNED: JOHN KOHL & COMPANY, P.C.
 ©2001 John Kohl & Co., P.C.



EXISTING HOUSE



DECKING IS FORTRESS: SPANISH SAFFRON (EXOTIC SIDE UP)
RAILING IS ENDURANCE WHITE WITH SQUARE BALUSTERS 1-1/4" X 1-1/4"

FROST, Christine & Scott
284 Wisteria Drive
Franklin, TN 37064
(615) 974-5558

Decking & Railing Detail

FROST
284 Wisteria Drive
Franklin, TN 37064

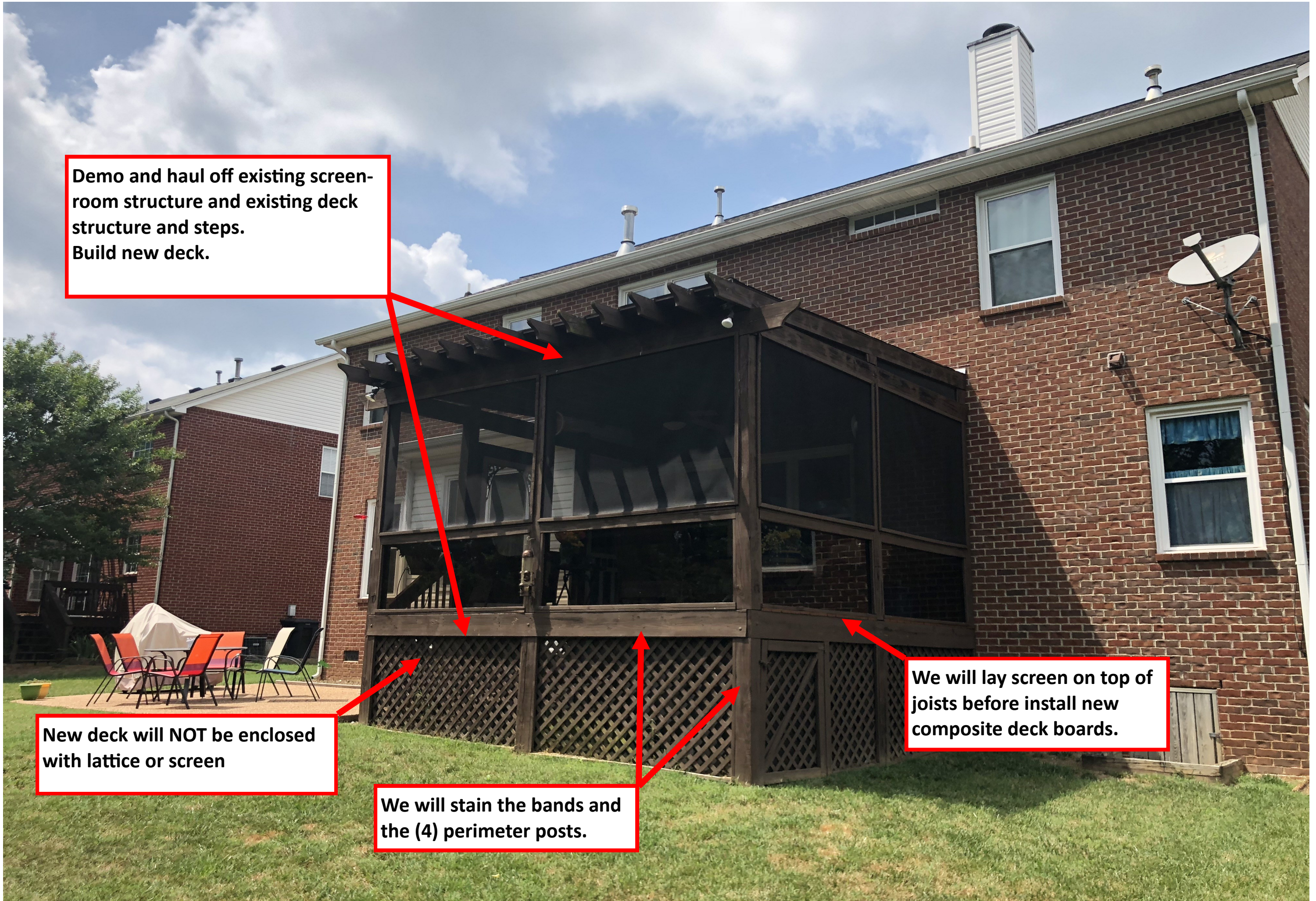
New Screenroom on new composite deck
White Screenroom with White Picketts
Screen on the inside
Composite Steps & Railing (color TBD)
Roof to have 12" overhang

**Demo and haul off existing screen-room structure and existing deck structure and steps.
Build new deck.**

New deck will NOT be enclosed with lattice or screen

We will stain the bands and the (4) perimeter posts.

We will lay screen on top of joists before install new composite deck boards.



d

Cut Back this section of roof, eave and gutter to finish flush . Re-build bird box and adjust gutter.

Electrical to be re-worked. But will still remain in Similar location. See next picture.





New screenroom door to be installed in same location.



Existing Electrical to be mounted on new screenroom post in this location.

We will install the customer provided ceiling fan and wire to switch mounted on new screenroom.



New Shingles to match existing roof as close as possible.

9'-0" High front Wall.

11'-0" High back Wall.





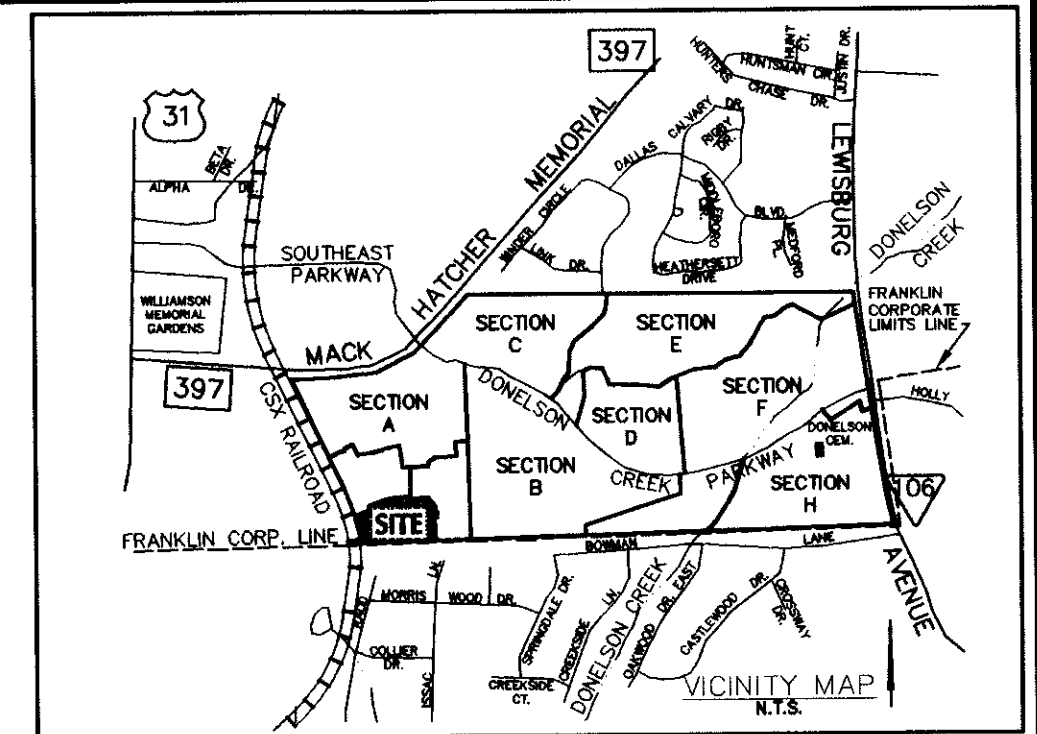
We will provide and install (2)sets of flood lights and install in the location shown and wire to switch mounted in screen-room.

***We will install new composite steps and railing. New posts also. Steps to be centered in new screenroom door.
*6-steps with the top step being flush with the new deck.**

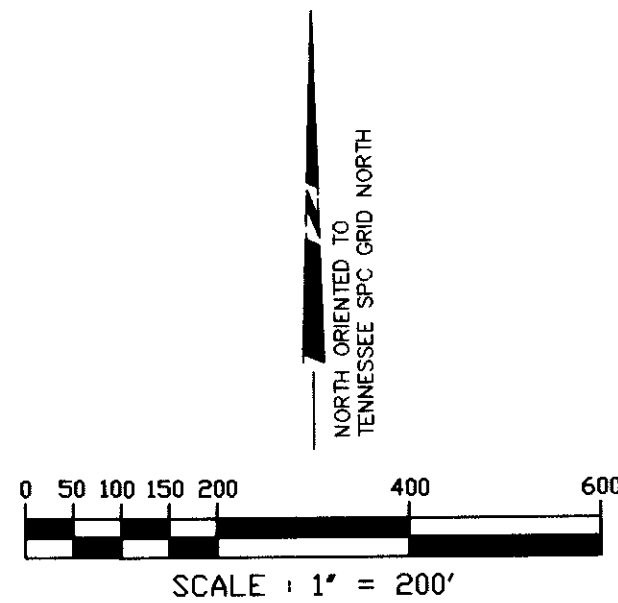
PROPERTY REFERENCE:
TAX MAP: 90-N GROUP "C"
PARCEL: 45

$\Delta = 90^{\circ}14'54''$
R = 30.00'
T = 30.13'
L = 47.25'
CH = S85^{\circ}09'44''E
42.52'

$\Delta = 32^{\circ}57'44''$
R = 630.00'
T = 186.39'
L = 362.44'
CH = S56^{\circ}31'08''E
357.46'



VICINITY MAP
SCALE: 1" = 1000'



LEGEND

FIRE HYDRANT	△ FH
CONCRETE MONUMENT (NEW)	□ CM(N)
IRON PIPE (OLD)	○ IR(O)
IRON ROD (SET)	● IR(S)
SANITARY SEWER MANHOLE	⊙ S
PROPERTY LINE	---
EDGE OF PAVEMENT	---
SEWER LINE	—S—
WATER LINE	—W—
TELEPHONE PEDESTAL	□ TEL
ELECTRICAL PEDESTAL	□ ELEC PED
WATE VALVE	⊗ WV
LOT NUMBER	12
STREET ADDRESS	0000

- GENERAL NOTES**
- The recording of this plat voids, vacates, & supercedes the recording of Lot 203 as shown on Sullivan Farms PUD Subdivision, Section A, Revision 5 PB 030, PG 84.
 - Bearings and derivation of north are based Tennessee SPC Grid North as referenced on survey noted in no. 8 below.
 - Distances are based on a field run survey using E.D.M. equipment and have been adjusted for temperature.
 - This survey exceeds the minimum requirements of a "Category I Urban Land Survey" per the Standards of Practice as adopted by the State of Tennessee Board of Examiners for Land Surveyors.
 - This property does not lie within a special flood hazard area as evidenced by Community Panel Number 470204 0075 C of the Federal Emergency Management Agency's National Flood Insurance Program Maps, with an effective date of 11-3-89.
 - This property is subject to a clear and accurate Title Report, as one was not furnished to this surveyor at this time.
 - Property is zoned Planned Residential (PR2.2).
 - Boundary & property line information shown is a retracement survey on a portion of the "ALTA/ACSM LAND TITLE SURVEY OF THE SULLIVAN PROPERTY" by Gresham Smith & Partners dated 5-3-95 (last revised 7-12-95) and has been field verified by this surveyor. Information for location of severance line separating sections within the Sullivan Farms P.U.D. Subdivision also provided by Gresham, Smith, & Partners.
 - Common open space shall be designated as a public utility, drainage, and access easement.
 - Minimum Required Setback Lines:
Yard Fronting on any street: 25'
*Side yard: 5'
Rear yard: 25'
*(12' TOTAL BETWEEN DWELLINGS)

CERTIFICATE OF APPROVAL OF SUBDIVISION NAME AND STREET NAMES

Subdivision and street names approved by the Williamson County Emergency Management Agency.

Jennie Erwin 10-31-00
Williamson County Emergency Management Agency Date

REGISTERS OFFICE (STATE OF TENNESSEE) WILLIAMSON COUNTY
Received for record the 14 day of Dec 20 10 00 at 3:36 o'clock P.M. Noted in Note Book 66 page 87 and recorded in Plat Book no. 31 page 24 Fee \$ 22.00
WITNESS MY HAND SADIE G. WADE *Karen Owens-Christ*
Rec-396632 Register

CERTIFICATE OF OWNERSHIP

(We) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 1212, Page 882, R.O.W.C., Tennessee, and adopt the plan of subdivision of property shown hereon and dedicate all public ways and easements as noted. No lot(s) as shown hereon shall again be subdivided, resubdivided, altered, or changed so as to produce less area than is hereby established until otherwise approved by the Franklin Municipal Planning Commission, and under no condition shall such lot(s) be made to produce less area than is prescribed by the restrictive covenants as of record in Book _____ Page _____.
Page _____.
I (We) further certify that there are no liens on this property, except as follows: Book _____, Page _____, R.O.W.C.
Owner(s):
By: *Kelly Harrison* Date: 10-31-00
* Special Warranty Deed Recorded in DB2090 PG 697

OWNER:
BEAZER HOME CORP.
CONTACT: BOB ALLEN
2910 KRAFT DRIVE
NASHVILLE, TENNESSEE 37204
(615) 244-9600

CERTIFICATE OF SURVEY

(We) hereby certify that the subdivision plat as shown hereon is correct and that all of the monuments shown hereon have been placed as indicated. This subdivision plat correctly represents a survey made under my supervision on the 9th day of October, 19 _____.
Thomas G. King III 10-31-00
Surveyor Date
1720
Tenn. License No.

PREPARED BY:
THOMAS, MILLER & PARTNERS
5210 MARYLAND WAY
SUITE 200
BRENTWOOD TENNESSEE 37207-5008
(615) 377-9773
FAX (615) 370-4147

CERTIFICATE OF APPROVAL OF WATER & SEWER SYSTEMS

I hereby certify that: (1) the water & sewer systems designated in this Subdivision have been installed in accordance with City specifications, or (2) a performance bond in the amount of \$2,500 for the sewer system and \$25,000 for the water system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.
Joseph Gub 12/11/00
Supt., Water and Sewer Date
Franklin, Tenn.

I hereby certify that: (1) the streets and drainage designated in this Subdivision have been installed in accordance with City specifications, or (2) a performance bond in the amount of \$2,500 for streets and \$10,000 for drainage has been posted with the City of Franklin, Tennessee, to assure completion of such improvements.
*Side yard set at 3,000
Joseph Gub 12-12-00
Supt., Streets Date
Franklin, Tenn.

Approved by the Franklin Municipal Planning Commission, Franklin, Williamson County, Tenn., with the exception of such conditions, if any, as are noted in the Planning Commission minutes for the 14th day of November 2010, and this plat has been approved for recording in the Register's Office of Williamson County.
Bob Porter 12/12/00
Secretary, Franklin Municipal Planning Commission Date

SECTION 3
OAKWOOD ESTATES
SUBDIVISION
PB 006 PG 001



31/24A

FINAL PLAT OF
RESUBDIVISION OF LOT 203
SULLIVAN FARMS P.U.D. SUBDIVISION
SECTION A, REVISION 6

FRANKLIN, WILLIAMSON COUNTY, TENNESSEE	
TOTAL ACRES: 9.38	TOTAL LOTS: 30
ACRES NEW STREETS: 1.20	FEET NEW STREETS: 1150
CIVIL DISTRICT: TENTH	CLOSURE ERROR: +1:10000
SCALE: 1" = 200'	DATE: 10-09-00
REVISION DATE: 10-31-00	
REVISION DATE:	SHEET 1 OF 2

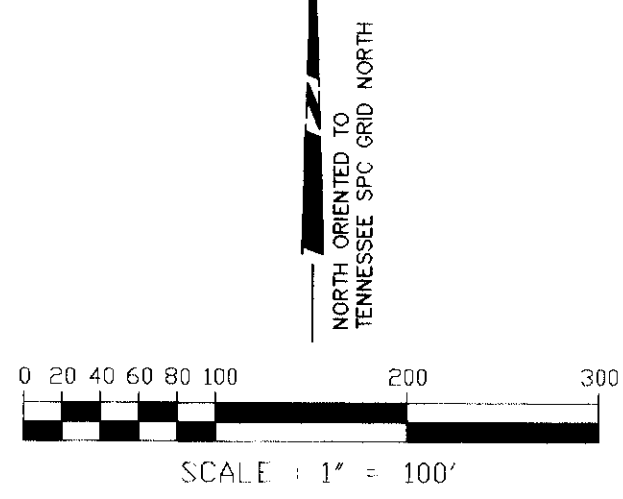
Cabint C. Kelly #372

CURVE TABLE

	Delta	Radius	Tan	L-Arc	Chord
C1	90° 00' 00"	25.00'	25.00'	39.27'	S51° 17' 13" W 35.36'
C2	90° 00' 00"	25.00'	25.00'	39.27'	N38° 42' 47" W 35.36'
C3	90° 01' 53"	25.00'	25.01'	39.28'	S51° 18' 10" W 35.37'
C4	90° 00' 00"	25.00'	25.00'	39.27'	N38° 42' 47" W 35.36'
C5	43° 22' 11"	45.00'	17.89'	34.06'	N27° 58' 19" E 33.26'
C6	49° 59' 41"	25.00'	11.66'	21.81'	S18° 42' 38" E 21.13'
C7	267° 31' 25"	45.00'	46.99'	210.11'	S83° 42' 47" E 65.00'
C8	73° 04' 06"	250.00'	185.22'	318.82'	S47° 10' 44" E 297.65'
C13	49° 59' 41"	25.00'	11.66'	21.81'	S18° 42' 38" E 21.13'
C14	49° 59' 41"	25.00'	11.66'	21.81'	N31° 17' 04" E 21.13'
C15	267° 31' 25"	45.00'	46.99'	210.11'	S83° 42' 47" E 65.00'

LOT AREAS

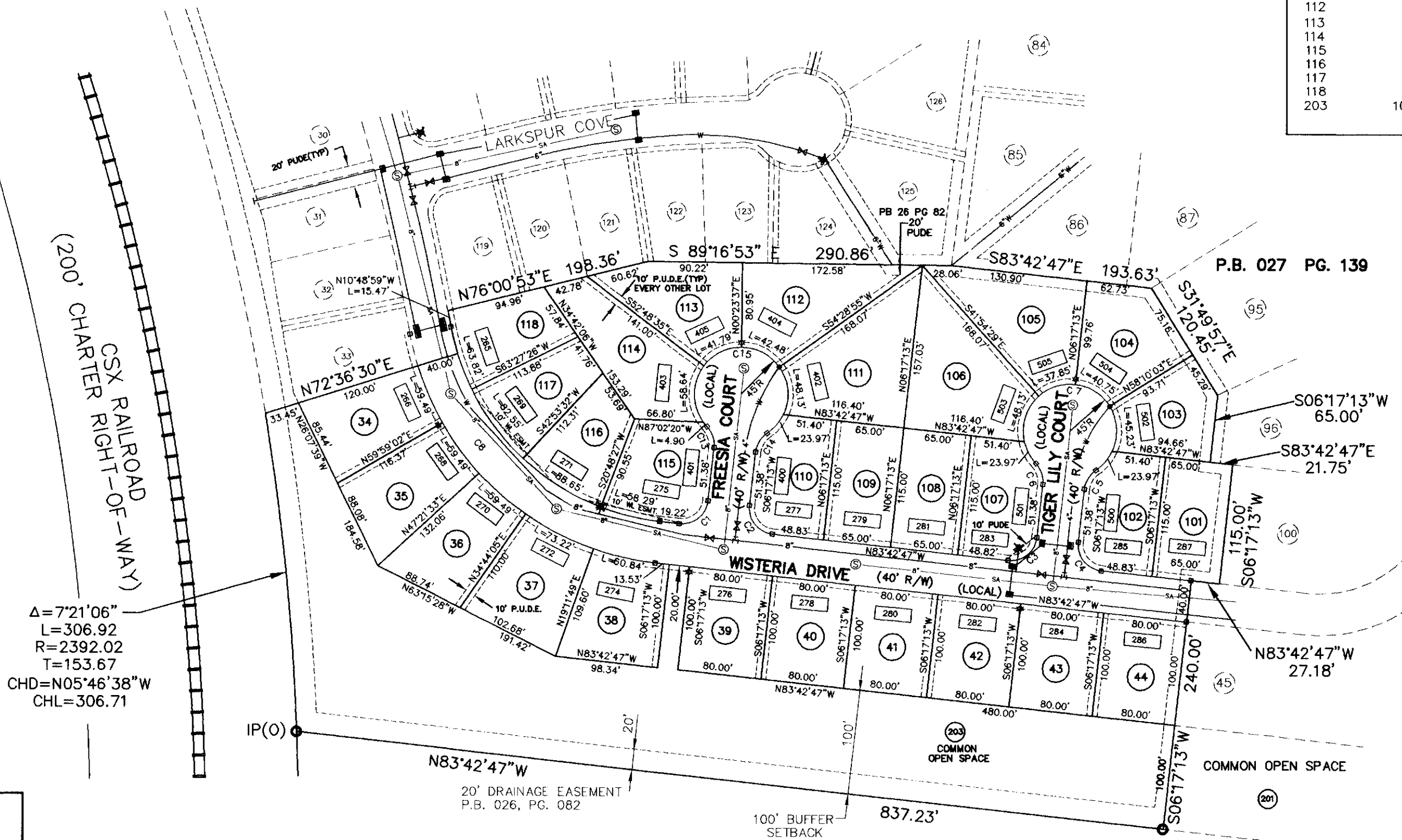
LOT #	SQ.FT.	ACRES
34	8,435	0.19
35	8,944	0.21
36	8,664	0.20
37	9,435	0.22
38	8,830	0.20
39	8,000	0.18
40	8,000	0.18
41	8,000	0.18
42	8,000	0.18
43	8,000	0.18
44	8,000	0.18
101	7,475	0.17
102	7,974	0.18
103	7,289	0.17
104	8,836	0.20
105	10,822	0.25
106	12,261	0.28
107	7,974	0.18
108	7,475	0.17
109	7,475	0.17
110	7,974	0.18
111	12,261	0.28
112	9,912	0.23
113	9,134	0.21
114	10,253	0.24
115	8,500	0.20
116	7,110	0.16
117	7,093	0.16
118	7,165	0.16
203	106,877	2.45



LEGEND

LIGHT POST	⊙ LP
FIRE HYDRANT	⊙ FH
CONCRETE MONUMENT (NEW)	⊠ CM(N)
IRON PIPE (OLD)	⊙ IR(O)
IRON ROD (SET)	⊙ IR(S)
SANITARY SEWER MANHOLE	⊙ S
PROPERTY LINE	—
EDGE OF PAVEMENT	—
SEWER LINE	— S —
WATER LINE	— W —
TELEPHONE PEDESTAL	⊠ TEL
ELECTRICAL PEDESTAL	⊠ ELEC PED
WATER VALVE	⊠ WV
LOT NUMBER	⊙ 12
STREET ADDRESS	⊠ 0000
HAVE NOT BEEN ASSIGNED	

*NOTE: IRON RODS PLACED AT ALL PROPERTY CORNERS UNLESS OTHERWISE SHOWN.



CERTIFICATE OF APPROVAL OF SUBDIVISION NAME AND STREET NAMES

Subdivision and street names approved by the Williamson County Emergency Management Agency.

Jennie Erwin
Williamson County
Emergency Management Agency

10-31-00
Date

PROPERTY REFERENCE:
TAX MAP: 90-N GROUP "C"
PARCEL: 45

SECTION 3
OAKWOOD ESTATES
SUBDIVISION
PB 006 PG 001

31/24B

REGISTERS OFFICE
(STATE OF TENNESSEE) WILLIAMSON COUNTY
Received for record the 14 day of Dec.
2000 at 3:36 p.m. Noted in Note Book
page 87 and recorded in Note Book no. 31
page 24 Fee \$22.00
WITNESS MY HAND
SADIE G. WADE
Register

CERTIFICATE OF OWNERSHIP

(We) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 1912, Page 869, R.O.W.C., Tennessee, and adopt the plan of subdivision of property shown hereon and dedicate all public ways and easements as noted. No lot(s) as shown hereon shall again be subdivided, resubdivided, altered, or changed so as to produce less area than is hereby established until otherwise approved by the Franklin Municipal Planning Commission, and under no condition shall such lot(s) be made to produce less area than is prescribed by the restrictive covenants as of record in Book _____, Page _____, R.O.W.C., Tennessee, running with the title to the property. (We) further certify that there are no liens on this property, except as follows: Book _____, Page _____, R.O.W.C.

Owner(s):
By: *Kelly Harrison* Date: 10-31-00

OWNER:
BEAZER HOME CORP.
CONTACT: BOB ALLEN
2910 KRAFT DRIVE
NASHVILLE, TENNESSEE 37204
(615) 244-9600

CERTIFICATE OF SURVEY

(We) hereby certify that the subdivision plot as shown hereon is correct and that all of the monuments shown hereon have been placed as indicated. This subdivision plot correctly represents a survey made under my supervision on the 9th day of October, 2000.

Thomas Miller
Surveyor Date: 10-31-00
1720
Tenn. License No.

PREPARED BY:
THOMAS MILLER & PARTNERS
5210 MARYLAND WAY
SUITE 200
BRENTWOOD TENNESSEE 37207-5008
(615) 377-9773
FAX (615) 370-4147

CERTIFICATE OF APPROVAL OF WATER & SEWER SYSTEMS

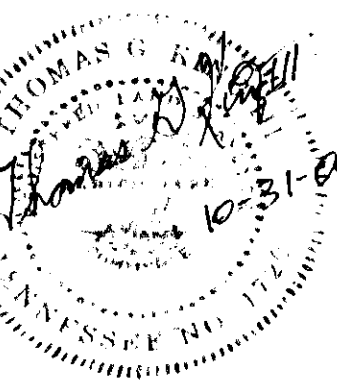
I hereby certify that: (1) the water & sewer systems designated in this Subdivision have been installed in accordance with City specifications, or (2) a performance bond in the amount of \$25,000 for the sewer system and \$35,000 for the water system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.

Eddy W...
Supt., Water and Sewer
Franklin, Tenn. Date: 12/11/00

CERTIFICATE OF APPROVAL OF STREETS AND DRAINAGE

I hereby certify that: (1) the streets and drainage designated in this Subdivision have been installed in accordance with City specifications, or (2) a performance bond in the amount of \$25,000 for the streets and \$40,000 for drainage has been posted with the City of Franklin, Tennessee, to assure completion of such improvements.

Joseph Ford
Supt., Streets
Franklin, Tenn. Date: 12-12-00



CERTIFICATE OF APPROVAL FOR RECORDING

Approved by the Franklin Municipal Planning Commission, Franklin, Williamson County, Tenn., with the exception of such conditions, if any, as are noted in the Planning Commission minutes for the 16th day of December, 2000, and this plan has been approved for recording in the Register's Office of Williamson County.

Bob Harris
Secretary, Franklin Municipal
Planning Commission Date: 12/12/00

FINAL PLAT OF
RESUBDIVISION OF LOT 203
SULLIVAN FARMS P.U.D. SUBDIVISION
SECTION A, REVISION 6

FRANKLIN, WILLIAMSON COUNTY, TENNESSEE

TOTAL ACRES: 9.38 TOTAL LOTS: 30

ACRES NEW STREETS: 1.20 FEET NEW STREETS: 1150

CIVIL DISTRICT: TENTH CLOSURE ERROR: +1:10000

SCALE: 1" = 200' DATE: 10-09-00

REVISION DATE: 10-31-00

REVISION DATE: SHEET 2 OF 2

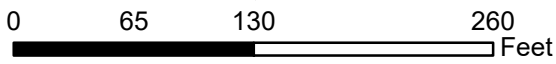
Cabinet C Key # 392

284 WISTERIA DRIVE
 REAR YARD VARIANCE REQUEST
 TAX MAP 090N, GROUP D, PARCEL 011.00
 BOARD OF ZONING APPEALS
 9/6/18



284 Wisteria Drive 10-Foot Rear Yard Variance Request

- | | |
|--|---------------------------------------|
| 284 Wisteria Dr. | SD-R Specific Development-Residential |
| AG Agricultural District | SD-X Specific Development-Variety |
| ER Estate Residential | OR Office Residential District |
| R-1 Residential District | GO General Office District |
| R-2 Residential District | CC Central Commercial District |
| R-3 Residential District | NC Neighborhood Commercial District |
| R-6 Residential District | GC General Commercial District |
| RM-10 Attached 10 Residential District | LI Light Industrial District |
| RM-15 Attached 15 Residential District | HI Heavy Industrial District |
| RM-20 Attached 20 Residential District | CI Civic and Institutional District |



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