

**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 6:00 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