

City of Franklin
Board of Zoning Appeals
Meeting Agenda
May 7, 2020

Public notice is hereby given that the Board of Zoning Appeals (BZA) Meeting will be held on May 7, 2020 at 6:00 pm in the City Hall Board Room. The City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings to prevent further spread of COVID-19 and to protect the health, safety, and welfare of City of Franklin officials, staff, and citizens. Accommodations have been made to ensure that the public is still able to participate in the meeting. The public may participate in the following ways:

- Watch the meeting on FranklinTV or the City of Franklin website.
- Watch the live stream through the City of Franklin Facebook and YouTube accounts.
- Call 615-550-8420 to listen to the meeting. Callers will be unmuted and given an opportunity to ask questions and provide comments during the meeting at specific times.
- Limited viewing will be available in the lobby of City Hall to watch the live video.
- The public may email questions to planningintake@franklintn.gov to be read aloud during the meeting. Comments will be accepted up until one hour prior to the meeting.
- Share your official comment with the agenda item number specified in the comment section of the Facebook or YouTube live videos.

City YouTube: <https://www.youtube.com/user/CityOfFranklin>

City Facebook Live: <https://www.facebook.com/CityOfFranklin>

City website: <https://www.franklintn.gov/government/departments-a-j/communications/franklin-tv>

Franklin TV: www.FranklinTN.gov/FranklinTV.

If you have any questions prior to the meeting, please contact the Planning Department at 615-791-3212.

The purpose of the meeting will be to consider matters brought to the attention of the BZA and will include the following:

CALL TO ORDER

RESOLUTION 2020-54

Consideration of Resolution 2020-54, “A Resolution Declaring That The Board of Zoning Appeals Members Shall Meet On May 7, 2020, And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare of Tennesseans In Light Of The COVID-19 Outbreak”

MINUTES

Approval of the April 2, 2020 Minutes

ANNOUNCEMENTS

APPLICATIONS

1. **Variance Request** To Permit 62 Parking Spaces Within The Urban Frontage And Side Yard Of The Building For The Property Located At 1306 Murfreesboro Road (F.Z.O §7.6).
2. **Variance Request** To Exceed The 40-Foot Maximum Front Yard Principal Building Setback By 20 Feet For The Property Located At 4419 South Carothers Road (F.Z.O §3.13.5).

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.

RESOLUTION 2020-54

A RESOLUTION DECLARING THAT THE BOARD OF ZONING APPEALS MEMBERS SHALL MEET ON MAY 7, 2020, AND CONDUCT ITS ESSENTIAL BUSINESS BY ELECTRONIC MEANS RATHER THAN BEING REQUIRED TO GATHER A QUORUM OF THE MEMBERS PHYSICALLY PRESENT IN THE SAME LOCATION BECAUSE IT IS NECESSARY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF TENNESSEANS IN LIGHT OF THE COVID-19 OUTBREAK

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory disease that appears to occur through respiratory transmission, presents with similar symptoms to those of influenza, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

WHEREAS, on March 12, 2020, pursuant to the authority granted by Tenn. Code Ann. § 58-2-107, the Governor of Tennessee, Bill Lee, issued Executive Order No. 14, declaring a state of emergency to facilitate the response to COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared a national state of emergency with respect to COVID-19; and

WHEREAS, on March 20, 2020, Mayor Ken Moore issued Executive Order No. 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on March 20, 2020, Governor Lee issued Executive Order No. 16 allowing electronic meetings while continuing to function openly and transparently; and

WHEREAS, Mayor Moore issued Executive Orders No. 2020-03, No. 2020-05, No. 2020-07, No. 2020-09, and No. 2020-11 continuing the Declaration of a State of Emergency and Civil Emergency; and

WHEREAS, the Board of Zoning Appeals believes it is in the best interest of the City of Franklin to conduct the May 7, 2020, meeting by electronic means.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

The meeting scheduled for May 7, 2020, at 6:00 p.m. shall be conducted by electronic means rather than requiring a quorum of the members of the Board of Zoning Appeals to attend in person to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 Outbreak. Physical access in the meeting room will be limited. The public can view and participate in the meetings by watching the meeting live or later as a recording on FranklinTV, the City of Franklin website, the City of Franklin's Facebook page, and the City of Franklin's YouTube account. Specific dial-in and website links can be found on the City's website at

<https://www.franklintn.gov/Home/Components/Calendar/Event/7295/1092>

IT IS SO RESOLVED AND DONE on this 7th day of May, 2020.

ATTEST:

By: _____
Kelly Dannenfelser
Assistant Director of Planning and Sustainability

BOARD OF ZONING APPEALS:

By: _____
Jonathan Langley
Vice-Chair

Approved as to form by:
William E. Squires, Assistant City Attorney

**MEETING MINUTES OF THE
FRANKLIN BOARD OF ZONING APPEALS
April 2, 2020**

The Franklin Board of Zoning Appeals held a regular meeting on Thursday, April 2, 2020 at 6:00 p.m. in the City Hall Boardroom.

Members present: Frank Jones
Jeff Fleishour
Jonathan Langley
Gillian Fischbach

Staff present: Emily Hunter Wright, Planning & Sustainability Department
Kelly Dannenfelser, Planning & Sustainability Department
Kelli Gibson, Planning & Sustainability Department
Bill Squires, Assistant City Attorney
Tom Marsh, Building and Neighborhood Services Department

The agenda read as follows:

Call to Order:

Vice-Chair Langley called the meeting to order at 6:00 pm and noted this meeting is via video and will be taking roll call votes and would be calling on each of your names as we go through items. Vice-Chair Langley stated he would like to entertain a motion to add a non-agenda item to be entitled “Resolution 2020-33”, declaring remote BZA meeting due to COVID-19.

Ms. Fischbach moved to add the non-agenda item, Mr. Fleishour seconded the motion and the motion carried 4-0.

Vice-Chair Langley stated he would entertain a motion to adopt Resolution 2020-33.

Ms. Fischbach made the motion to approve. Mr. Fleishour seconded the motion and the motion carried 4-0.

Announcements:

Vice-Chair Langley read aloud the following for how the public could participate in this meeting: To prevent the spread of COVID-19 and to protect the health, safety, and welfare of City of Franklin officials, staff, and citizens, the Board of Zoning Appeals will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings. Accommodations have been made to ensure that the public is still able to participate in the meeting.

The public may participate by:

- Watching the live stream through the City of Franklin Facebook and YouTube accounts.

- Watching the meeting on Franklin TV or the City of Franklin website.
- Calling 1-312-626-6799 to listen to the meeting.
- Meeting ID 430 399 1941
- Limited viewing will also be available in the lobby of City Hall to watch the live video. The public may be allowed to enter the Board Room one at a time during the public comment periods of the meeting.
- To provide public comment on an agenda item during the meeting:
- Share comment on an agenda item in the comment section of the Facebook or YouTube live videos.
- If participating via Zoom, those who call in will be unmuted when comment is requested during a public comment portion of the meeting. This will be when you provide public comment for the record.
- Email your comment to planningintake@franklintn.gov.
- For any public comments on agenda items, you must indicate your name and address for the record.
- City YouTube: www.youtube.com/user/CityOfFranklin
- City Facebook Live: www.facebook.com/CityOfFranklin
- City website: On the top of the main page at www.franklintn.gov

Review of Minutes from March 5, 2020, BZA Meeting

Vice Chair Langley stated staff had some amendments to add to the minutes

Ms. Gibson stated the first amendment should be under the third item and state: A verbatim transcript was taken by a court reporter and is attached as part of the minutes.

Ms. Gibson stated the second should change “Unidentified Speaker” to Marilyn Lehew on p. 62 of the Item 3 transcript.

Vice Chair Langley stated he would entertain a motion.

Mr. Jones moved to approve the minutes with the staff recommended amendments. Ms. Fischbach seconded the motion and the motion carried 4-0.

Vice Chair Langley stated he would entertain a motion to open public comments.

Mr. Jones moved to open the public portion of the meeting. Ms. Fischbach seconded the motion and the motion carried 4-0.

With no other comments Ms. Fischbach moved to close the public portion of the meeting. Mr. Jones seconded the motion and the motion carried 4-0.

Applications:

1. Variance Request To Reduce The Minimum Parking Requirement From 11 Spaces To 9 Spaces, To Permit One Parallel Parking Space Along The Driveway Within The Yard Frontage, And To Waive An Internal Sidewalk Requirement Between The Building And Adjacent Parking Spaces For The Property Located At 1419 West Main Street (F.Z.O §10.1.6, §7.3, and §9.6.2).

Ms. Gibson stated the site is located at the corner of W. Main Street and Hill Street and zoned CC. Ms. Gibson stated the current building was constructed ca. 1955 and has been used as a church. Ms. Gibson stated there is no dedicated parking on the site and users have historically parked on the grass. Ms. Gibson stated the property owner would like to convert the use to quick service restaurant for Halfway Market. Ms. Gibson stated when a new use is proposed for a site, the new use must meet the parking requirements per the Zoning Ordinance. Ms. Gibson stated this includes the number of paved, demarcated spaces, parking location, and site requirements such as sidewalks. Ms. Gibson stated the applicant submitted a conceptual layout that illustrates the challenges of providing parking on the site. Ms. Gibson stated the staff analysis is based on the conceptual layout; however, the conceptual layout is not considered for approval as part of this variance request. Ms. Gibson stated all three components of this variance request are interrelated, so they have been evaluated together. Ms. Gibson stated the Zoning Ordinance requires 11 parking spaces for this use type based on the proposed number of restaurant seats. Ms. Gibson stated the Zoning Ordinance regulates frontages, which describe the area located between the building and the street and regulate parking location on a property. Ms. Gibson stated the Zoning Ordinance requires 7-foot sidewalks abutting parking spaces and 8-foot sidewalks abutting civic buildings. Ms. Gibson stated the applicant requests to reduce the minimum parking requirement from 11 spaces to 9 spaces, to permit one parallel parking space along the driveway within the yard frontage, and to waive an internal sidewalk requirement between the building and adjacent parking spaces for the property located at 1419 West Main Street.

The subject property is lot 1 in the Green Acres Subdivision and is narrow, but not exceptionally so, in terms of shape. The property is typical in size and location compared to other lots in the subdivision. The applicant stated that due to Urban Landscape Frontage Requirements, only a small portion of the lot could be developed for parking. Upon reviewing the case, staff concluded that the Yard Frontage type, not the Urban Landscape Frontage type, was most applicable to this request. Yard Frontage is a typical frontage type for civic buildings, allows for driveways, and is permitted in the CC district. Staff reviewed GIS and aerial data and found that the existing building is long and narrow and does not leave space to accommodate parking as required by the Zoning Ordinance. The placement of one parallel space along the driveway within the yard frontage would allow the applicant to come closer to meeting the parking requirements and the proposed parking reduction is minor in nature. There is not adequate width to be able to provide the sidewalk between the building and internal parallel parking spaces. Any variances approved by the BZA will apply only to the stated requests and will not approve the proposed site layout. The fact that there is no parking on the property combined with the shape of lot and the building footprint and location creates exceptional circumstances that do not permit development under the Zoning Ordinance. Due to these reasons, staff finds that the property does meet the first criterion for a variance.

Staff finds that due to the constraints of the lot, there is no alternative location to place parking. The proposed plan attempts to meet the parking requirements as much as possible without placing parking directly in front of the building. The appearance of the proposed parking would be more in line with a driveway and not front yard parking, as only one parking space would encroach into the front yard of the building. The applicant stated that due to site restrictions, the existing building would have to be torn down to provide adequate parking per the City's regulations. Staff finds that having to demolish a portion of the building amounts to a hardship or practical difficulty and the property meets the second criterion for a variance.

The proposed use is in line with the goals of Envision Franklin, which encourages an eclectic mix of land uses, such as neighborhood retail and restaurants, that provide important services to surrounding neighborhoods. Additionally, the proposed use is permitted in the zoning district. Permitting the development of the lot would allow the building to be utilized and the preservation of the building helps to maintain the character of the corridor.

The proposed plan achieves as much parking on site as possible while also maintaining the intent of yard frontage. There is not enough space to accommodate the required sidewalk along the internal parallel spaces, but sidewalks would be located along the streets surrounding the perimeter of the lot. The applicant will likely be able to meet most parking needs with this minor reduction in the number of required spaces. Staff finds that granting this variance would not result in detriment to the public good or impair the intent and purpose of the Zoning Ordinance and that the third criterion is satisfied.

Ms. Gibson stated that staff recommends approval of the variance based on the criteria that authorize a variance to be established.

Mr. Gamble stated if you look to the first page provided to you and explained it used to be a church and would require 36 parking spaces today if it was still a church, but we are asking for a change of use for a quick use restaurant that would require 11 parking spaces. Mr. Gamble projected images explaining they would provide a one-way drive aisle that would come off Main Street that would go behind the building and exit off Hill Drive. Mr. Gamble stated their plan would provide a sidewalk along the front of building, along Main Street and Hill Drive. A projected picture was shown.

Mr. Jones moved to open public portion of meeting. Ms. Fischbach seconded the motion and the motion carried 4-0

Public comment consisted of a call-in comment from Alderman Brandy Blanton speaking in favor of the item.

Ms. Fischbach moved to close the public portion of the meeting. Mr. Jones seconded and the motion carried 4-0

Mr. Jones moved to approve the variance request to reduce the minimum parking requirement from 11 spaces to 9 spaces, to permit one parallel parking space along the driveway within the yard frontage, and to waive an internal sidewalk requirement between the building and adjacent

parking spaces because the criteria for granting a variance have been satisfied as described in the staff report. Mr. Fleishour seconded the motion and the motion carried 4-0.

Other Business.

No other business.

Adjourn.

With there being no further business, the meeting was adjourned at 6:27.

Chair



HISTORIC
FRANKLIN
TENNESSEE

Item 1

DATE: May 7, 2020
TO: Board of Zoning Appeals
FROM: Kelli Gibson, Planner
Kelly Dannenfels, Assistant Director

Subject

Variance Request To Permit 62 Parking Spaces Within The Urban Frontage And Side Yard Of The Building For The Property Located At 1306 Murfreesboro Road (F.Z.O §7.6).

Project Information

COF Project Number: 7232
Applicant: Gamble Design Collaborative

Summary of Action Taken

The Board of Zoning Appeals has reviewed this item, held a public hearing, and voted to:

- Approve the variance based on the criteria that authorize a variance to be established.
- Disapprove the variance because one or more of the criteria for approving a variance was not established.
- Defer the variance request for continued review of the application.
- Approve with conditions the variance based on the criteria that authorize a variance to be established: _____

BZA Chair

BZA Recording Secretary

Date

Exhibits

1. Application Materials and Supporting Documentation
2. Location Map

Vicinity Zoning

Site: RC6 – Regional Commerce 6 District
North: RC6 – Regional Commerce 6 District
South: RC6 – Regional Commerce 6 District
East: RC6 – Regional Commerce 6 District
West: RC6 – Regional Commerce 6 District

Vicinity Land Use

Site: Commercial
North: Commercial
South: Commercial
East: Civic and Institutional
West: Commercial

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant’s act or omission.

B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

7.6 Urban Frontage

Description
The urban frontage is intended for areas where buildings have a very shallow or no front setback and buildings may abut the sidewalk.

Vehicular Access and Parking
Parking Placement: Parking shall be located behind the building, unless it is parallel parking along the street or internal drive.

Background

The site is located on the south side of Murfreesboro Road and zoned RC6. The current building was constructed in 1992 and houses a Shoney’s restaurant. Parking is currently located in front of and on the west side of the building. Parking spaces currently exceed the minimum required for the existing building, and 62 of the 84 existing parking spaces on the property are located within the Urban Frontage and Side Yard of the building. The applicant is not requesting any additional parking spaces within these areas. The property owner would like to build a two-story commercial building within the existing building footprint. In addition to the restaurant space, the bank located on the neighboring property plans to utilize a portion of the new building and add a one-lane drive-through. The final plat shows a 40-foot front yard setback, but the Zoning Ordinance permits a setback of 30 feet.

When development triggers a site plan review, the site plan is reviewed for compliance with the Zoning Ordinance. The Zoning Ordinance regulates Frontage Type requirements by zoning district. Frontage describes the area located between the building and the street and regulates parking location on a property. In the RC6 District, the Ordinance requires that properties develop with an Urban Landscape Frontage or Urban Frontage, which means that parking must be located behind the building unless it is parallel parking along the street or internal drive. The parking location does not conform to the standards of the current Zoning Ordinance.

The applicant requests to permit 62 parking spaces within the Urban Frontage and Side Yard of the building for the property located at 1306 Murfreesboro Road.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The subject property is typical in terms of size, shape, and location compared to other lots in the subdivision. The applicant stated that existing construction on the subject lot and adjacent properties along with the existing access from State Route 96/Murfreesboro Road create an infill context that should be considered exceptional. Much of the development in this area does not conform to the Urban Frontage requirements, which assume a shallow front setback and a building location in close proximity to the street and sidewalk. According to the applicant, the lot was created prior to 1992 and is not deep enough to suit current development standards and provide adequate parking at the rear of the building. Staff does not have enough information to evaluate that claim. Staff reviewed GIS and aerial data and found that the property has a typical shape and depth and does not have any exceptional topographic conditions. Staff finds that the context created by the existing building on the subject lot and construction on surrounding lots do not amount to an extraordinary or exceptional situation or circumstance that does not permit development under the Zoning Ordinance. Due to these reasons, staff finds that the property does not meet the first criterion for a variance.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property.

From the perspective of the applicant, the undue hardship or burden is the inability to re-develop the property without adhering to the Frontage Type requirement. Strict application of the Zoning Ordinance would prohibit use of 62 of the existing 84 parking spaces. Staff finds that the inability to utilize a large percentage of the parking spaces does not amount

to a hardship or practical difficulty because the location of the new building could be brought closer to the street to accommodate additional parking at the rear of the building. The BZA must determine whether or not the inability to redevelop the property in the proposed manner amounts to an exceptional practical difficulty to or exceptional or undue hardship upon the owner of the property.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

The plan proposes the construction of a two-story commercial building in the footprint of the current building (see images below). Permitting the proposed development of the lot would not be in line with the intent of Urban Frontage requirements, which are intended to promote pedestrian-friendly areas by locating parking at the rear of buildings. The applicant could modify the site design to accommodate additional parking behind the building while still maintaining the 40-foot building setback or re-plat the property to allow for a 30-foot setback under the Zoning Ordinance. Staff finds that granting the requested variance would not result in detriment to the public good but would impair the intent and purpose of the Zoning Ordinance. As Envision Franklin creates a vision of a more urban character along this corridor, granting this variance could set a precedent for future development to not meet the Zoning Ordinance standards that implement this vision. Due to these reasons, staff finds that the third criterion is not satisfied.



Current Building Located at 1306 Murfreesboro Road



Proposed Building

Recommendation

Based on the above reasoning, staff recommends disapproval of the variance based on the criteria that authorize a variance to be established.

Recommended Motion

Move to disapprove the variance request to permit 62 parking spaces within the Urban Frontage and Side Yard of the building because the criteria for granting a variance have not been satisfied as described in the staff report.

April 6, 2020

Gamble Design Collaborative, on behalf Blueprint Homes LLC and Legacy Contractors LLC, is requesting a variance to the **Frontage Type** requirement for the property at 1306 Murfreesboro Road.

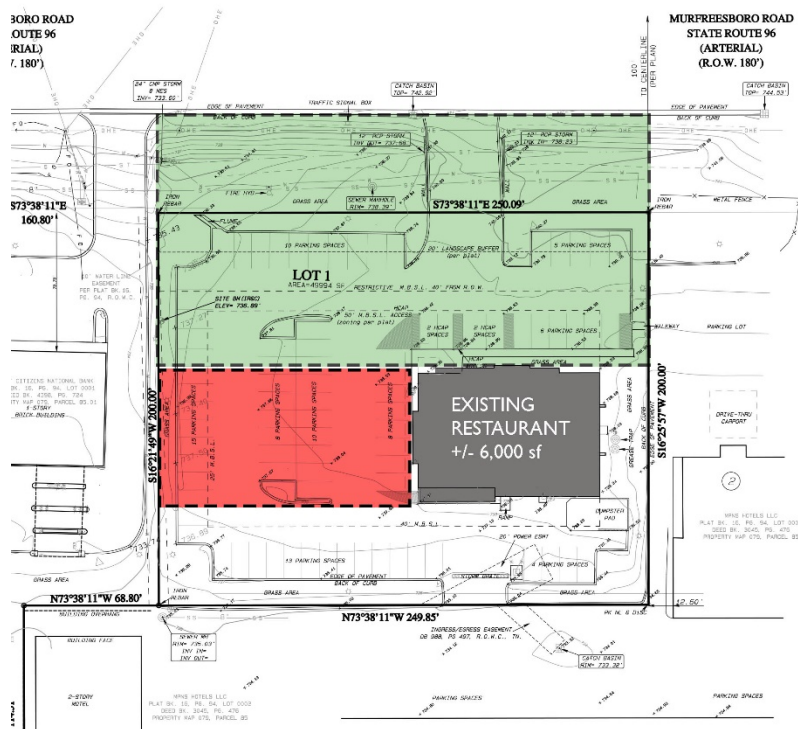
Z.O. 3.18.4 Frontage Types

The following frontage types are permitted:

- A. Urban Landscape Frontage
- B. Urban Frontage

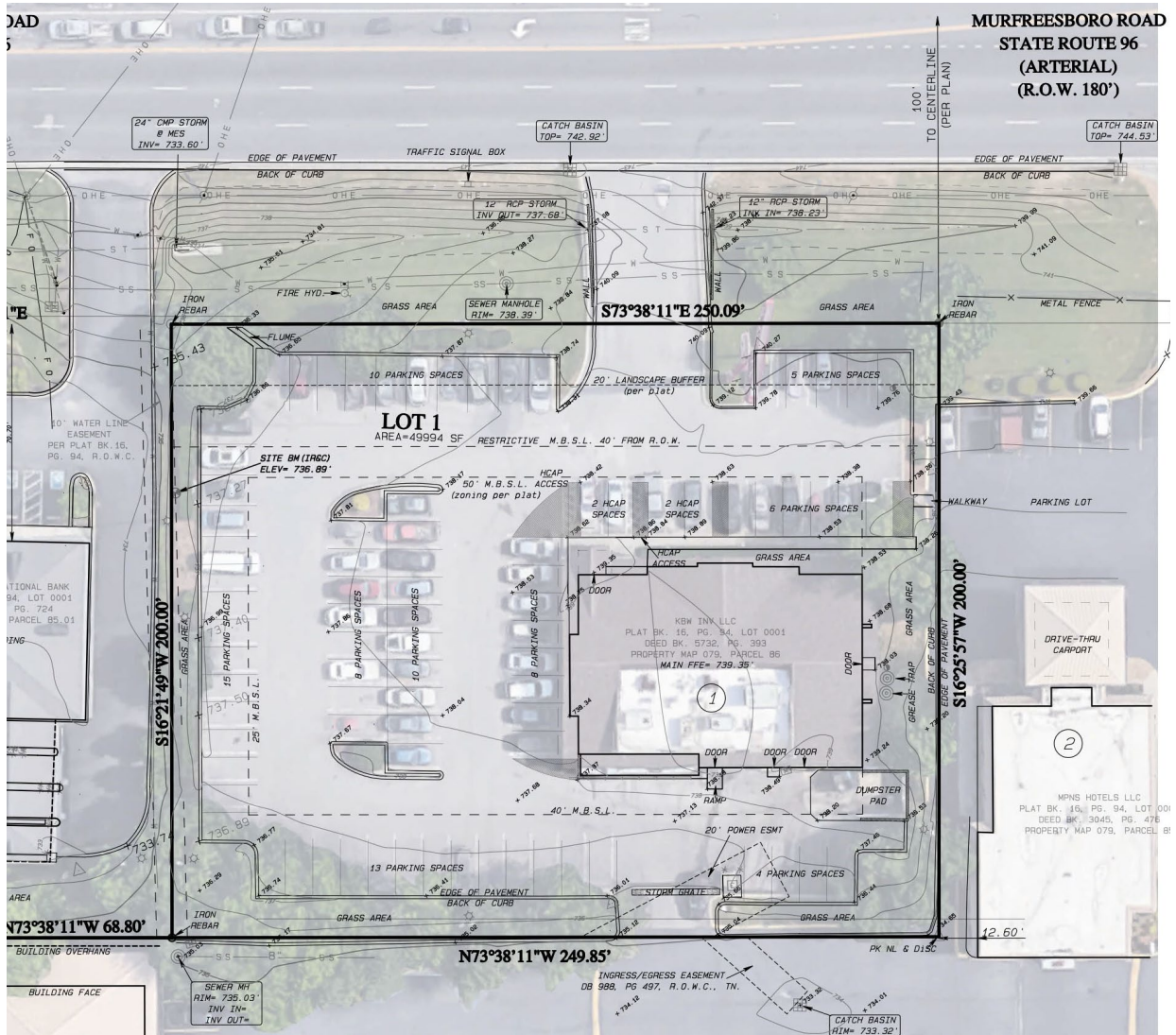
With the adoption of the current zoning ordinance, the new Frontage Type requirement **created a nonconforming site condition** on this property. The current zoning designates that this property develop with an *Urban Landscape Frontage* or an *Urban Frontage* frontage type. Following *Zoning Ordinance 2.3.3 Expansion of a nonconforming structure*, the building shall not be enlarged, expanded, or altered in a way that increases the degree of nonconformity. This essentially prohibits to owner of the property from altering or improving the existing building without adhering to the new frontage requirement. Strict adherence to the Frontage Type requirement for this property creates a hardship for the property owners seeking to improve their property by eliminating the use of the majority of their existing parking lot.

The applicant is seeking relief from this development requirement and requesting that any future building improvements be allowed to occur with the current site arrangement, which requires a **variance to permit parking within the front and sideyard of a building in Urban Frontage for this property located at 1306 Murfreesboro Road.**



Property frontage area (seen in green) is the area between the face of building and edge of pavement. Urban Landscape Frontage prohibits parking in frontage area and to the side (red area) of the building.

Sixty-two (62) of the eighty-four (84) existing parking spaces are in these two areas.



Property Background:

This property is currently developed and operating as Shoney’s Restaurant. The building was constructed in 1992 and a plat for the 1.21 acre parcel can be referenced as Shoney’s & Maxwell, Lot 0001, PB 16/94.

Existing Conditions:

The existing site consists of one building with parking to the front and west side of the building. The property has frontage and its only ingress/egress on State Route 96/ Murfreesboro Road (an emergency access occurs at the south property line). The building is set back +/- 70’ from State Route 96/ Murfreesboro Road, and is in-line with the existing buildings on adjacent properties. A 40’ Restrictive Building Setback as well as the previously required 50’ building setback zoning requirement are shown

on the plat. This property is zoned Regional Commerce 6 (RC6). **The current restaurant is +/-6,000 sf with 84 existing parking spaces.**

The Proposal:

The existing parking lot is oversized for the current Shoney's restaurant. The owner would like to add a second story to the restaurant footprint and create a two-story, mixed-use building in the same footprint as the existing structure. In addition to the restaurant space, the Bank on the neighboring property would like to utilize a portion of the new building, adding a one-lane drive-through. The existing parking quantity and site configuration would allow this with minimal adjustment; however, the Urban Landscape Frontage requirement prohibits parking between the face of the building and the road (unless it is parallel parking along the road) and to the side of the building. Strict application of the Urban Landscape Frontage would prohibit 74% of the existing parking spaces from use.

SCHEMATIC DESIGN OPTIONS | **BLUEPRINT HOMES**
SHONEY'S MIXED USE
1306 HWY 96 EAST
FRANKLIN, TN 37064



SCHEMATIC FRONT ELEVATION

SCALE: 1/8" = 1'

FEBRUARY 25, 2020

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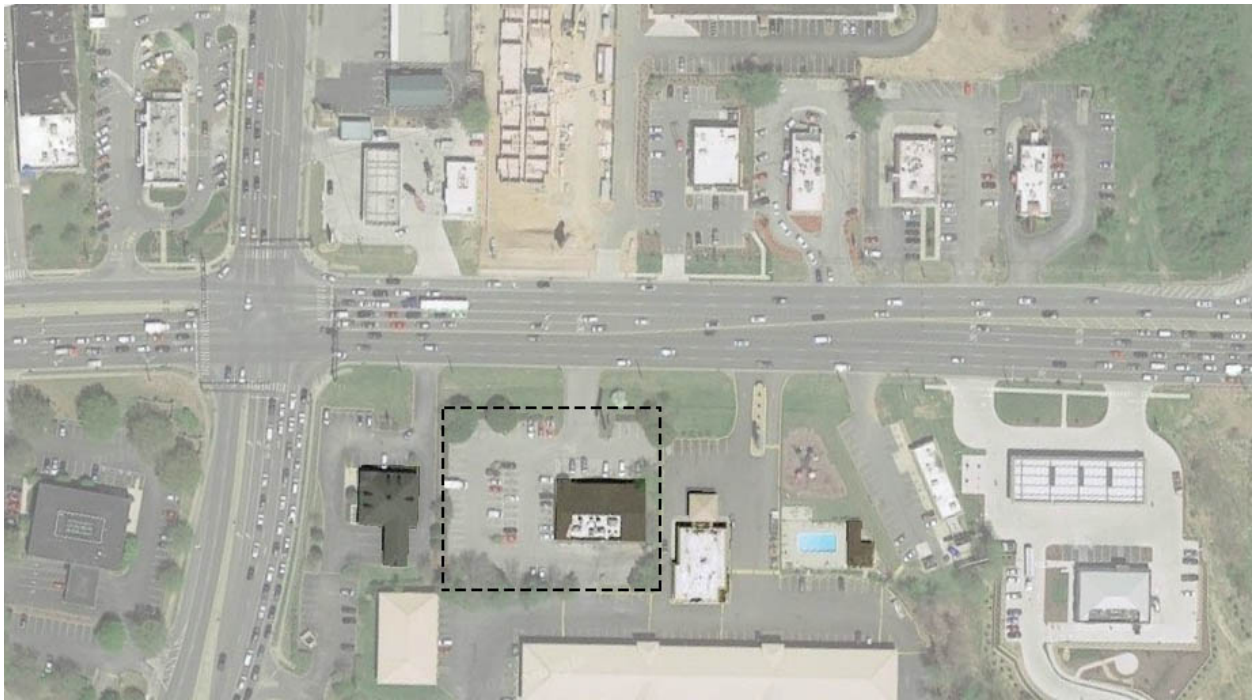


Variance Criteria

According to 20.10.6 of the Zoning Ordinance, the BZA may authorize a variance for the following criteria:

#1. By reason of exceptional narrowness, shallowness, or shape of a specific piece of property... or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such piece of property is not able to accommodate development as required by the Ordinance.

The subject property is of a typical size and shape. However, what does create the exceptional situation for this property is the infill situation created by the existing construction on this property, existing access from State Route 96/ Murfreesboro Road, and the existing construction on adjacent properties. Strict application of the Urban Landscape Frontage requirement significantly reduces the ability to use 74% of the existing parking area. In order to create the architectural character and quality envisioned for this corridor, some flexibility is needed to accommodate the older lots whose size and arrangement are often tied to existing conditions, both on and off-site.



Variance Criteria

#2. The strict application of any provision enacted by the Ordinance would result in exceptional or undue hardship upon the owner of such property.

The current site arrangement is appropriate for this site and is in keeping with the current streetscape along this corridor. Strict application of the Urban Landscape Frontage or Urban Frontage prohibit use of much of the existing parking lot. Both scenarios assume a shallow front setback and the building in close proximity to the street/sidewalk. In the case of the subject property, the edge of pavement is over 50' from the property line. Parallel parking is not allowed in or appropriate for this section of State Route 96/ Murfreesboro Road.

Urban Landscape Frontage



Description

The urban landscape frontage is intended for areas with a shallow front setback to provide a landscaped area between the sidewalk and the front facade

Permitted Districts

MR PD CI NC CC DD 1ST 5TH RC6 RC12 GO

Building Types

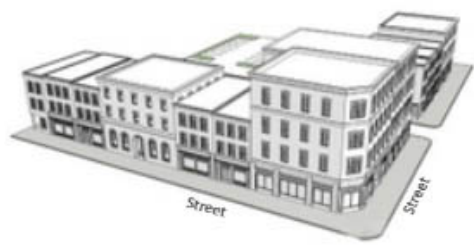
Typical Buildings House, duplex, multiplex, townhouse, multifamily, commercial/mixed-use, and large-scale retail buildings

Vehicular Access and Parking

Parking shall be located behind the building, unless it is parallel parking along the street or internal drive

Parking Placement On corner lots, surface parking areas may occupy up to 30 percent of the lot frontage on the secondary street and shall be no closer to the street than the building

Urban Frontage



Description

The urban frontage is intended for areas where buildings have a very shallow or no front setback and buildings may abut the sidewalk

Permitted Districts

PD NC CC DD 1ST 5TH RC6 RC12 MR

Building Types

Typical Buildings Multifamily, commercial/ mixed-use, and large-scale retail buildings

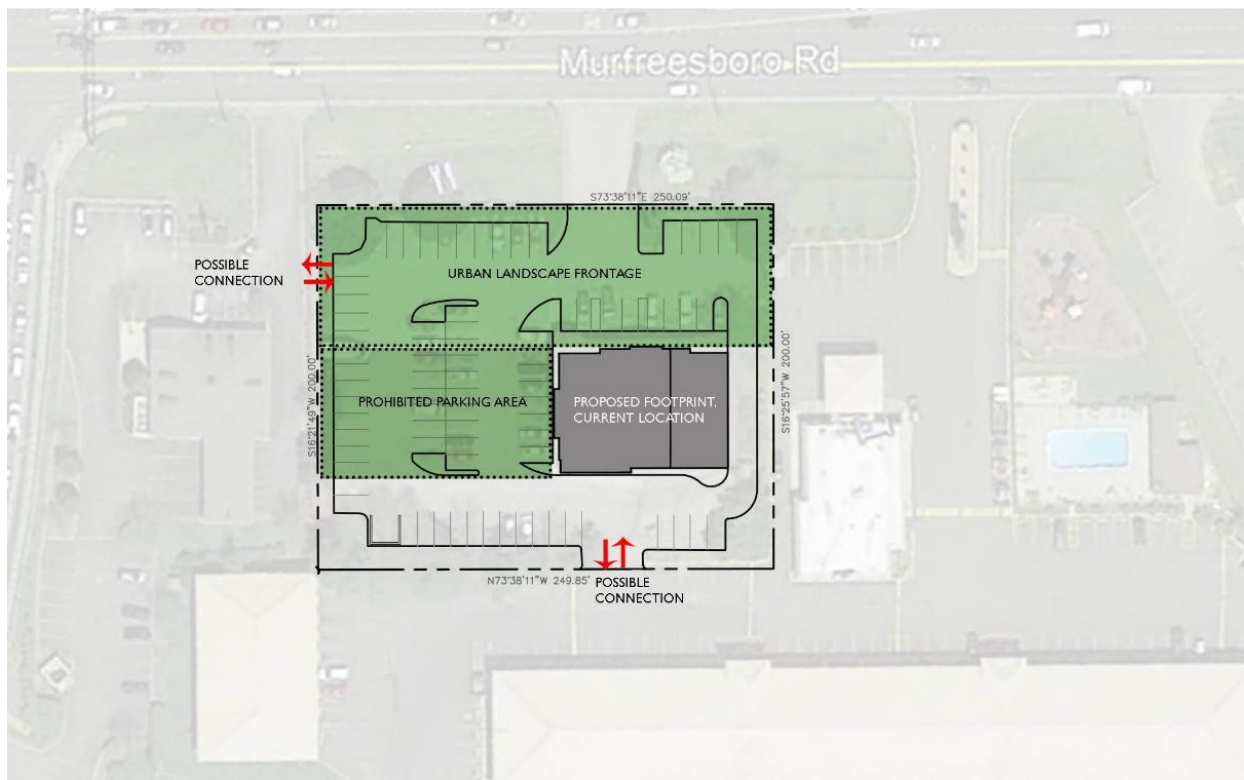
Vehicular Access and Parking

Parking shall be located behind the building, unless it is parallel parking along the street or internal drive

Parking Placement On corner lots, surface parking areas may occupy up to 30 percent of the lot frontage on the secondary street and shall be no closer to the street than the building

These lots were created prior to 1992, when the development standards were very different. All site elements could be accomplished on the lot. However, given today's standards, in order to accommodate a two-story or mixed-use building, the lot would need to be deeper in order to provide adequate parking to the rear of the building. Redevelopment of this site with the current drive-aisle configuration could allow for future, potential drive aisle connections to the west, similar to the connectivity recently constructed on the north side of State Route 96/ Murfreesboro Road. The current configuration provides adequate room for new, code minimum landscape along the frontage, and all other development criteria could be met on site.

Granting the variance request to allow parking in the Urban Landscape Frontage for this property takes into account the site-specific existing conditions unique to this infill lot (existing park lot). The proposed changes to the building would not require any additional parking spaces.



Variance Criteria

#3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the zoning map and the Ordinance.

Redevelopment of infill lots often require examination of the specific lot in context to a transition. In order to achieve certain goals, existing infrastructure and economic viability are factors than must be considered. Context-Responsive Infill, as stated in *Envision Franklin*, should look to “the rhythm of development along the street, front setbacks, and backyard patterns.” Granting of this variance does not negatively impact the life/safety function of this site. Granting this variance leaves the site configuration in place as it exists today. Granting this variance acknowledges that infill sites are unique and can be evaluated individually. The parking lot is constructed and the applicant would not be proposing a use that would require additional parking.

The applicant is seeking to enhance the architectural and economic presence along this corridor and respectfully requests flexibility in the new frontage requirement in order to retain a functional existing site arrangement for a more appropriate mixed-use building. All other site criteria will be met, including landscape and architectural requirements.

Gamble Design Collaborative, Blueprint Homes LLC and Legacy Contractors LLC appreciate your consideration of this variance request. Please contact me for further questions.

Sincerely,



Greg Gamble
Landscape Architect

April 22, 2020

Public Notification Letter – 1306 Murfreesboro Road (Shoneys)

PUBLIC NOTICE

This letter is written to provide public notice that the Board of Zoning Appeals (BZA) will be considering a variance request for the property located at 1306 Murfreesboro Road in Franklin, TN. The request will be heard by the BZA on Thursday, May 7, 2020 at 6:00 pm in the City Hall Board Room. Due to the COVID-19 outbreak, the City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings. Please see the information below for more ways to access this meeting.

APPLICANT

Gamble Design Collaborative, Greg Gamble on behalf of Blueprint Homes, LLC

APPLICANT'S REPRESENTATIVE

Gamble Design Collaborative

Greg Gamble

615-975-5765

324 Liberty Pike, Suite 145, Franklin, TN 37064

greg.gamble@gdc-tn.com

APPLICATION TYPE

Variance Request

DATE, TIME, AND PLACE OF PUBLIC MEETING

Thursday, May 7, 2020 at 6:00 in the City Hall Board Room, 109 3rd Avenue South, Franklin, Tennessee, 37064.

SUBJECT PROPERTY

Map 079, Parcel 08600 located at 1306 Murfreesboro Road in Franklin, TN

NATURE AND SCOPE OF THE APPLICANT REQUEST

GDC is requesting to the BZA a variance for the Frontage Type requirements. The variance request is to permit 62 parking spaces within the Urban Frontage and side yard of the building for the property located at 1306 Murfreesboro Road.

WHERE TO VIEW THE APPLICATION

The application may be viewed online by following this link and creating or logging in to an existing IDT account:

<https://franklin.idtplans.com/secure/project/?step=results&searchtype=review>

Application materials are accessible by entering “381997” under “Project Search.”

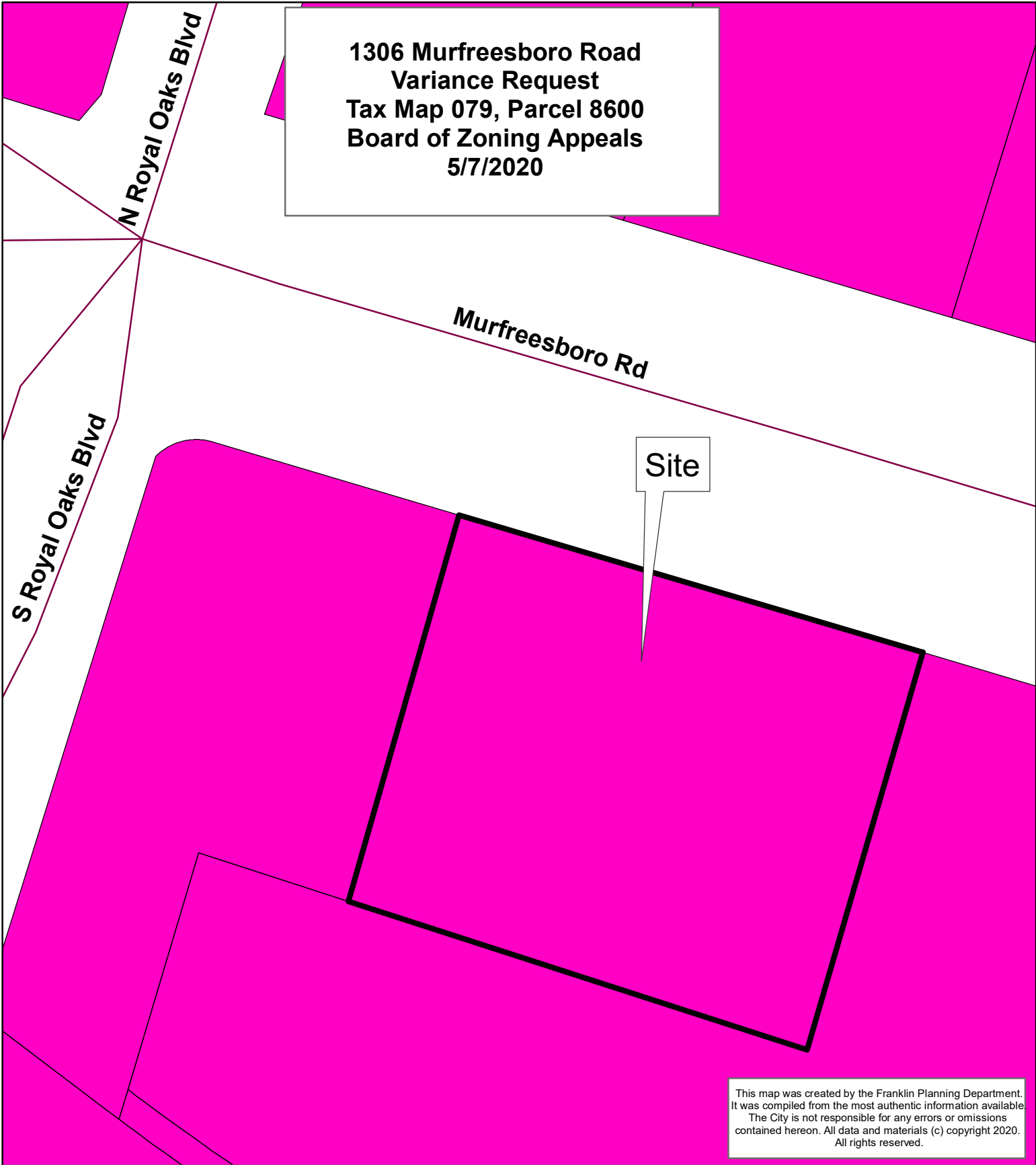
WHERE THE PUBLIC CAN BE HEARD

The City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings. Accommodations have been made to ensure that the public is still able to participate in the meeting. The public may participate in the following ways:

- Watch the meeting on FranklinTV or at www.franklintn.gov/FranklinTV.
- Watch the live stream through the City of Franklin Facebook and YouTube accounts.
- Call 615-550-8420 to listen to the meeting. Callers will be given an opportunity to ask questions and provide comments during the meeting at specific times.
-

Limited viewing will be available in the lobby of City Hall to watch the live video. • The public may email questions to planningintake@franklintn.gov to be read aloud during the meeting. Comments will be accepted up until one hour prior to the meeting.

**1306 Murfreesboro Road
 Variance Request
 Tax Map 079, Parcel 8600
 Board of Zoning Appeals
 5/7/2020**



This map was created by the Franklin Planning Department. It was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials (c) copyright 2020. All rights reserved.

1306 Murfreesboro Road Variance Request

1306 Murfreesboro Road	R3 Residential 3 District	CI Civic Institutional District	RC6 Regional Commerce 6 District
franklingis.DBO.Streets	R4 Residential 4 District	NC Neighborhood Commercial	RC12 Regional Commerce 12 District
AG Agricultural District	R6 Residential 6 District	CC Central Commercial District	GO General Office District
ER Estate Residential District	MR Mixed Residential District	DD Downtown District	LI Light Industrial District
R1 Residential 1 District	PD Planned District	1ST Avenue District	HI Heavy Industrial District
R2 Residential 2 District	OR Office Residential District	5TH Avenue District	

N
 0 15 30 60 90 120 Feet



HISTORIC
FRANKLIN
TENNESSEE

Item 2

DATE: May 7, 2020
TO: Board of Zoning Appeals
FROM: Kelli Gibson, Planner
Kelly Dannenfels, Assistant Director

Subject

Variance Request To Exceed The 40-Foot Maximum Front Yard Principal Building Setback By 20 Feet For The Property Located At 4419 South Carothers Road (F.Z.O §3.13.5).

Project Information

COF Project Number: 7231
Applicant: Morelock Engineering, LLC

Summary of Action Taken

The Board of Zoning Appeals has reviewed this item, held a public hearing, and voted to:

- Approve the variance based on the criteria that authorize a variance to be established.
- Disapprove the variance because one or more of the criteria for approving a variance was not established.
- Defer the variance request for continued review of the application.
- Approve with conditions the variance based on the criteria that authorize a variance to be established: _____

BZA Chair

BZA Recording Secretary

Date

Exhibits

- 1. Application Materials and Supporting Documentation
- 2. Location Map

Vicinity Zoning

Site: NC – Neighborhood Commercial
 North: PD – Planned District
 South: PD – Planned District
 East: NC – Neighborhood Commercial
 West: NC – Neighborhood Commercial

Vicinity Land Use

Site: Single Family Residential
 North: Vacant
 South: Single Family Residential
 East: Vacant
 West: Vacant

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

- 1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
- 2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant’s act or omission.

B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

3.13.5 Dimensional Standards

The following dimensional standards are required:

Principal Building Setbacks	Minimum
Front Yard	10 feet to 40 feet

Background

The 3.6-acre site consists of two adjoining parcels located on the south side of South Carothers Road and zoned NC. A single-family home built in 1967 is currently located on the property. The applicant plans to construct a 10,250-square-foot pre-school building and a 9,000-square-foot mixed-use commercial building on the site. A 40-foot MTEMC easement is located along the South Carothers Road property frontage. Buildings cannot be located within this easement, and any building on the property would have to be located behind the 40’ setback line. This restriction does not require a setback increase of 20 feet. Drainage from the Echelon Subdivision and the project site drains through the MTEMC easement.

When new development is proposed for a site, the new buildings must meet the setback requirements per the Zoning Ordinance. In this case, the Zoning Ordinance requires a front yard principal building setback between 10 and 40 feet. The applicant requests to exceed the 40-foot maximum front yard setback by 20 feet for the property located at 4419 South Carothers Road.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The subject property is typical in terms of shape, size, and location compared to surrounding lots. A 40-foot MTEM C easement, which prohibits placement of any buildings within that area, is located along the South Carothers Road property frontage. The applicant stated that drainage from the Echelon Subdivision and the subject lot drains through the easement and that the variance is required in order to utilize the easement and adjacent upstream areas for management of stormwater per the City's standards. Upon reviewing the case, staff concluded that the location of the 40-foot MTEM C easement does create an extraordinary and exceptional condition on the property that does not permit development under the Zoning Ordinance. Though the site cannot accommodate the 40-foot-maximum setback requirement, a shallower setback than the one proposed would better meet the intent of the Zoning Ordinance. Due to these reasons, staff finds that the property does meet the first criterion for a variance.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of the property.

Staff finds that despite the location of the easement, the applicant could modify the site design to locate the buildings closer to the 40' setback line. The proposed plan includes a drive lane located in front of the commercial building that permits circulation around the building for the desired traffic pattern for the pre-school. The location of the drive aisle along the front of the building reflects the desire of the applicant. There is no requirement in the Zoning Ordinance for the location of this drive along the front of the building and the drive aisle could be placed at the rear of the building. While the site cannot accommodate the 40' maximum setback permitted under the Zoning Ordinance, an increase of 20 feet is more than what is necessary to accommodate development. Staff finds that altering the site design to accommodate a setback closer to 40 feet does not amount to a hardship or practical difficulty and the property does not meet the second criterion for a variance.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

The proposed plan is not in line with the goals of Envision Franklin, which encourages minimal setbacks for buildings and internal drives wherever possible in order to create an

active street environment that encourages pedestrian activity. The Zoning Ordinance implements this vision with the standards identified for this zoning district.

While the applicant stated that granting the proposed variance will allow for proper management of stormwater on the project site, this outcome can be achieved through a minor increase in the maximum building setback. Staff finds that granting this variance would not result in detriment to the public good but would impair the intent and purpose of the Zoning Ordinance. Due to these reasons, the third criterion is not satisfied.

Recommendation

Based on the above reasoning, staff recommends disapproval of the variance based on the criteria that authorize a variance to be established.

Recommended Motion

Move to disapprove the variance request to exceed the 40-foot maximum front yard principal building setback by 20 feet for the property located at 4419 South Carothers Road because the criteria for granting a variance have not been satisfied as described in the staff report.



April 6, 2020

Kelli Gibson, Planner
Franklin Planning and Sustainability Department
109 3rd Avenue South
Franklin, TN 37064

(VIA IDT PORTAL)

Re: TOBSchool
4419 South Carothers Road
Franklin, Tennessee

Dear Kelli,

Morelock Engineering, LLC, on behalf of VSR Partners, LLC, respectfully submits for your consideration, a requested front yard principal building setback variance to the Franklin Zoning Ordinance, for **Board of Zoning Appeals approval**.

In addition to this letter, this submittal includes the following:

- Signed and Notarized Owner Affidavit
- Civil Plans (General Property Survey, Site Layout Plan and Grading & Drainage Plan)
- Justification Letter
- Draft Copy of Notification Letter

Please place this item on the agenda for the May 7, 2020 Board of Zoning Appeals Meeting.

If you have any questions or require additional information, please advise.

Sincerely,

MORELOCK ENGINEERING, LLC

A handwritten signature in blue ink that reads 'Jason Morelock'.

Jason Morelock, P.E.

Owner Affidavit

**OWNER AFFIDAVIT
City of Franklin, Tennessee**

We/I VSR Partners, LLC
(Please print Name/Names in Full)
being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the
property described as:

Tax Map 89 / Parcels 50.00 & 50.02
(Property Parcel/Tax ID Number)

and located at:
4419 South Carothers Road
(Street Address)

am fully aware of the request for development approval in the City of Franklin,
Tennessee. Furthermore, (I/ (we) hereby appoint
Jason Morelock (Morelock Engineering, LLC

(Please print Name/Names in Full)
to act as my/our authorized agent on my/our behalf on all matters pertaining to
the processing and obtaining the application with the exception of legal
documents for recording purposes.

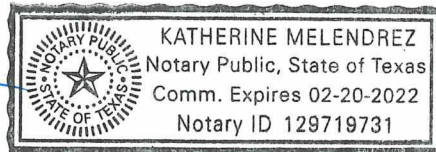

Signature
1643 Valle Verde Drive
Property Owner Mailing Address
Brentwood, TN 37027
City, State & Zip

Subscribed and sworn to before me this

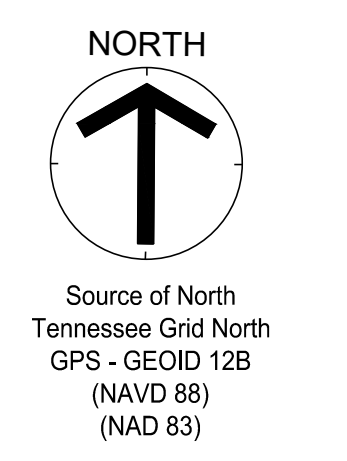
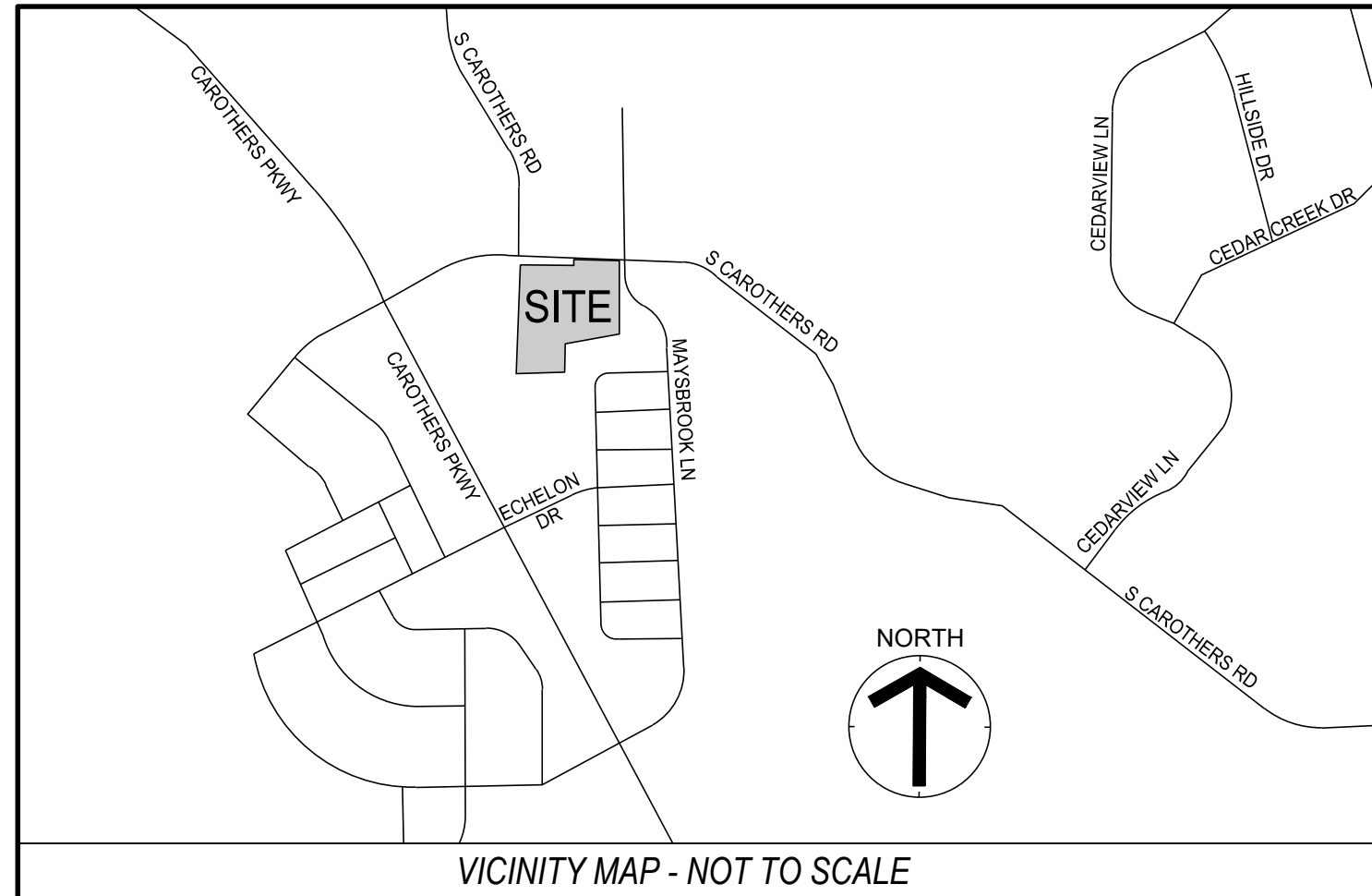
6th day of March, 2020


Notary Public Katherine Melendrez

My Commission Expires: 02/20/2022



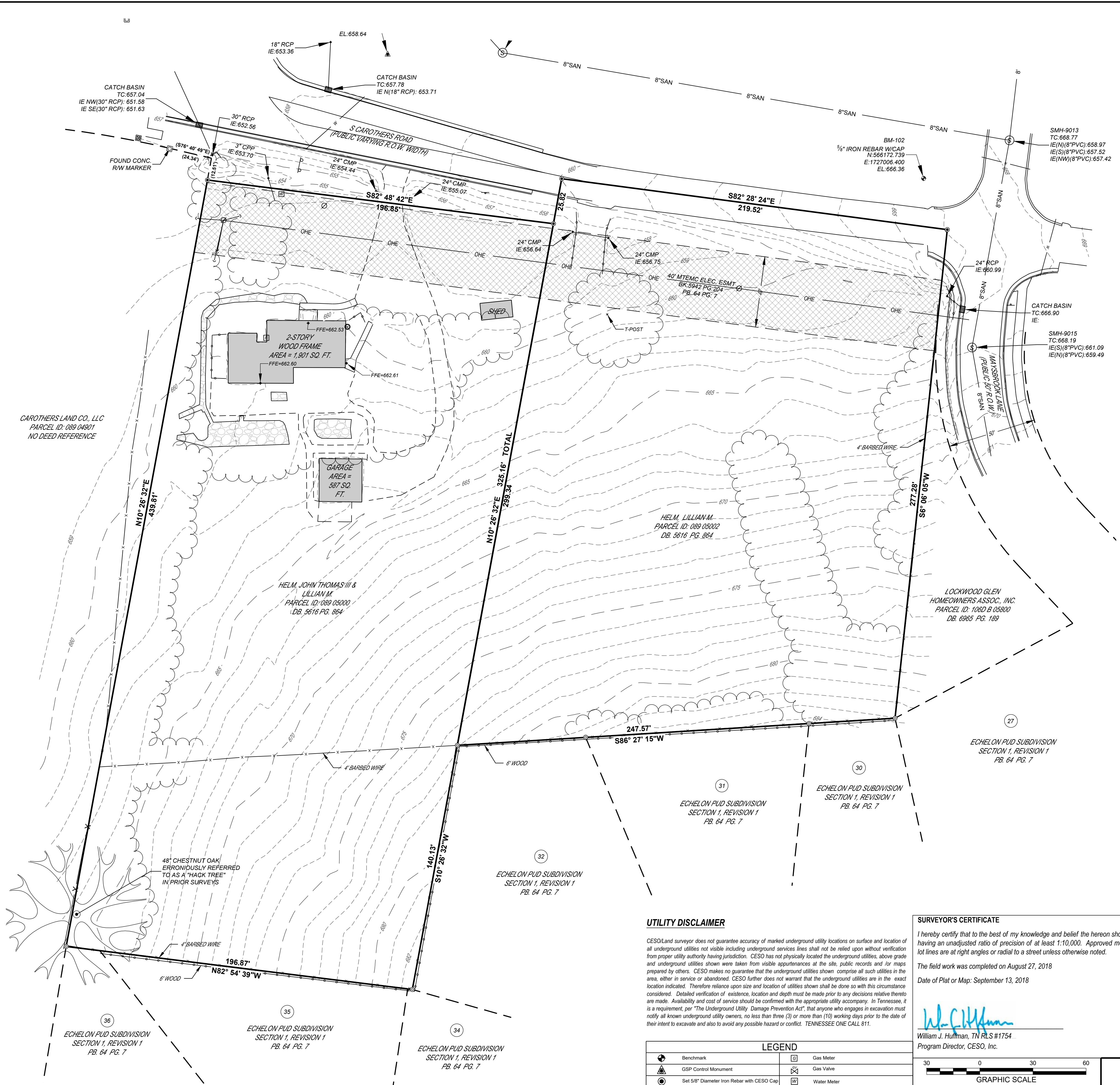
Contact the Department of Planning and Sustainability to ensure you obtain the latest version of the
Ownership Affidavit prior to submittal.



- SURVEYOR NOTES**
- The location of the property boundaries depicted hereon, based on the appropriate boundary law principles governed by the facts and evidence gathered during the course of this survey. Per accuracy and precision required by the State of Tennessee, in the opinion of this surveyor the monuments shown represents corners of the property. Corners have been found or set as indicated hereon. This survey represents a professional opinion, and carries no guarantees or warranties, expressed or implied.
 - Any improvements depicted may be demolished. The depiction of any improvements on this plat does not create any easement, setback, building pad, or other matter and is for informational purposes only as of the date and time of the recording of this plat.
 - Survey not final without Seal and Signature of Surveyor.
 - All set property corners are marked with 5/8" diameter rebar with a CESO cap.
 - This survey may not be reproduced, altered, or copied without written permission of CESO, Inc.
 - This property has direct access to S. Carothers Road, a dedicated public right-of-way.
 - Tennessee Department of Transportation, Williamson County Highway Department, and the City of Franklin maintains all public right-of-ways.
 - As shown on survey, there are no gaps or gores between tracts.

PARCEL 50.00
 Tax Map 89 Parcel 50.00
 Address: 4419 S. Carothers Road
 Owner: John Thomas Helm III
 Lillian M. Helm
 P.O. Box 682605
 Franklin, TN 37068
 Recorded Documents:
 Book: 5616 Page: 864
 Area: 86,355 SqFt (+/-)
 1.982 Acres (+/-)

PARCEL 50.02
 Tax Map 89 Parcel 50.02
 Address: S. Carothers Road
 Owner: Lillian M. Helm
 P.O. Box 682605
 Franklin, TN 37068
 Recorded Documents:
 Book: 5616 Page: 864
 Area: 69,452 SqFt (+/-)
 1.594 Acres (+/-)



UTILITY DISCLAIMER

CESOLand surveyor does not guarantee accuracy of marked underground utility locations on surface and location of all underground utilities not visible including underground services lines shall not be relied upon without verification from proper utility authority having jurisdiction. CESO has not physically located the underground utilities, above grade and underground utilities shown were taken from visible appurtenances at the site, public records and/or maps prepared by others. CESO makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. CESO further does not warrant that the underground utilities are in the exact location indicated. Therefore reliance upon size and location of utilities shown shall be done so with this circumstance considered. Detailed verification of existence, location and depth must be made prior to any decisions relative thereto are made. Availability and cost of service should be confirmed with the appropriate utility company. In Tennessee, it is a requirement, per "The Underground Utility Damage Prevention Act", that anyone who engages in excavation must notify all known underground utility owners, no less than three (3) or more than ten (10) working days prior to the date of their intent to excavate and also to avoid any possible hazard or conflict. TENNESSEE ONE CALL 811.

SURVEYOR'S CERTIFICATE

I hereby certify that to the best of my knowledge and belief the hereon shown subdivision plat represents a Class "1" survey having an unadjusted ratio of precision of at least 1:10,000. Approved monuments have been placed as indicated. All side lot lines are at right angles or radial to a street unless otherwise noted.

The field work was completed on August 27, 2018

Date of Plat or Map: September 13, 2018

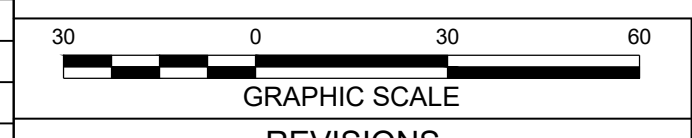
William J. Huffman
 William J. Huffman, TN RLS #1754
 Program Director, CESO, Inc.

Surveyor of Record
 William J. Huffman, TN RLS 1754
 Program Director, CESO, INC.
 750 Old Hickory Boulevard, Suite 1-254
 Brentwood, Tennessee, 37027
 Office: 615-238-0690
 Mobile: 423-676-3977
 Email: huffman@cesoinc.com



LEGEND

	Benchmark		Gas Meter
	GSP Control Monument		Gas Valve
	Set 5/8" Diameter Iron Rebar with CESO Cap		Water Meter
	Found Property Corner		Water Valve
	Found Concrete/ROW Monument		Fire Hydrant
	Property Line		Telephone Manhole
	Adjacent Property Line		Sewer Manhole
	Easement Line		Storm Drain Manhole
	Water Line		Catch Basin
	Storm Line		Power Pole
	Sewer Line		Guy Wire
	Gas Line		Sewer Clean-Out
	Overhead Electric Line		Utility Pull Box (Electric/Traffic/Comm.)
	Overhead Telephone Line		P.U.D.E. Public Utility & Drainage Easement
	M.B.S.L. Minimum Building Setback Line		



REVISIONS

NO.	DATE	DESCRIPTION

GENERAL PROPERTY SURVEY

HELM PROPERTY

4419 S. CAROTHERS ROAD
 FRANKLIN
 SCALE: 1" = 30'

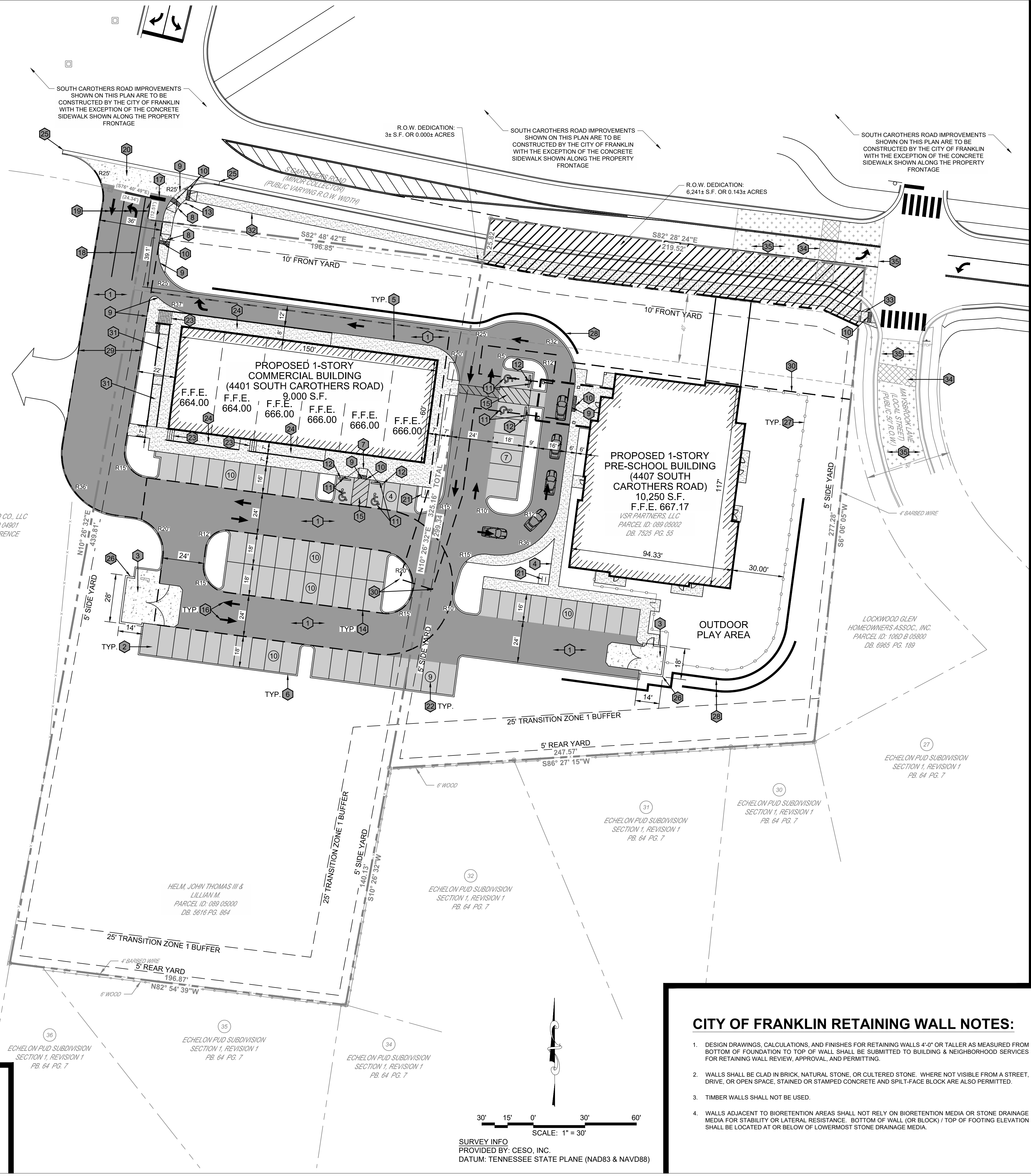
TAX MAP 89 PARCELS 50.00 & 50.02
 WILLIAMSON COUNTY, TENNESSEE
 DATE: SEPTEMBER 13, 2018

DESIGN: N/A
 DRAWN: GSO/PMK
 CHECKED: WJH

JOB NO.: 755657
 SHEET NO.: 1 OF 1

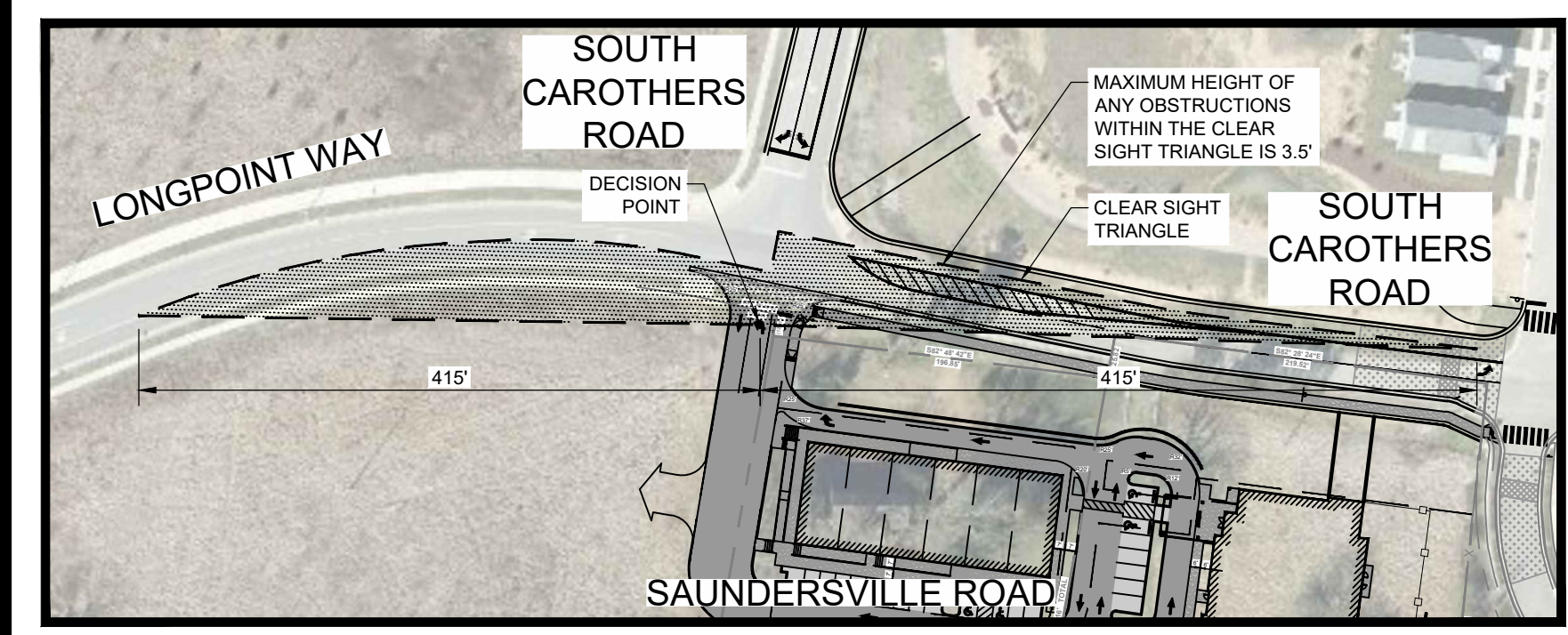
CESO
 WWW.CESOINC.COM

Mon, 06 Apr 2020 - 8:08 C:\Users\jason\OneDrive\Morelock Engineering\Hindman Architects\South Carothers Pre School\CAD\Sheet Files\SC-C2.1, C2.1 SITE LAYOUT PLAN



CITY OF FRANKLIN RETAINING WALL NOTES:

- DESIGN DRAWINGS, CALCULATIONS, AND FINISHES FOR RETAINING WALLS 4'-0" OR TALLER AS MEASURED FROM BOTTOM OF FOUNDATION TO TOP OF WALL SHALL BE SUBMITTED TO BUILDING & NEIGHBORHOOD SERVICES FOR RETAINING WALL REVIEW, APPROVAL, AND PERMITTING.
- WALLS SHALL BE CLAD IN BRICK, NATURAL STONE, OR CULTURED STONE. WHERE NOT VISIBLE FROM A STREET, DRIVE, OR OPEN SPACE, STAINED OR STAMPED CONCRETE AND SPILT-FACE BLOCK ARE ALSO PERMITTED.
- TIMBER WALLS SHALL NOT BE USED.
- WALLS ADJACENT TO BIORETENTION AREAS SHALL NOT RELY ON BIORETENTION MEDIA OR STONE DRAINAGE MEDIA FOR STABILITY OR LATERAL RESISTANCE. BOTTOM OF WALL (OR BLOCK) / TOP OF FOOTING ELEVATION SHALL BE LOCATED AT OR BELOW OF LOWERMOST STONE DRAINAGE MEDIA.



INTERSECTION SIGHT DISTANCE EXHIBIT
SCALE: 1"=100'

SITE LAYOUT KEYNOTES:

- 1 HEAVY DUTY ASPHALT PAVEMENT (SEE SHEET C5.1 FOR DETAIL)
- 2 LIGHT DUTY ASPHALT PAVEMENT (SEE SHEET C5.1 FOR DETAIL)
- 3 CONCRETE PAVEMENT (SEE SHEET C5.1 FOR DETAIL)
- 4 CONCRETE SIDEWALK (SEE SHEET C5.1 FOR DETAIL)
- 5 INTEGRAL CONCRETE CURB AND SIDEWALK (SEE SHEET C5.1 FOR DETAIL)
- 6 CONCRETE MOUNTABLE CURB (SEE SHEET C5.1 FOR DETAIL)
- 7 FLARED ACCESSIBLE RAMP (SEE SHEET C5.2 FOR DETAIL)
- 8 PARALLEL ACCESSIBLE RAMP (SEE SHEET C5.2 FOR DETAIL)
- 9 FLUSH CONCRETE SIDEWALK AT PAVEMENT FOR ACCESSIBILITY
- 10 DETECTABLE WARNING SURFACE (SEE SHEET C5.1 FOR DETAIL)
- 11 VAN ACCESSIBLE PARKING SIGN & SYMBOL (SEE SHEET C5.1 FOR DETAIL)
- 12 PARKING WHEELSTOP (COORDINATE TYPE WITH OWNER)
- 13 STOP SIGN (SEE SHEET C5.2 FOR DETAIL)
- 14 4" WIDE PAINTED WHITE LINE
- 15 4" WIDE PAINTED WHITE STRIPES, 3" O.C. @ 45°
- 16 WHITE PAINTED DIRECTIONAL ARROW
- 17 24" WIDE WHITE THERMOPLASTIC STOP BAR
- 18 4" WIDE THERMOPLASTIC WHITE LINE
- 19 THERMOPLASTIC WHITE DIRECTIONAL ARROW
- 20 CITY OF FRANKLIN STANDARD CONCRETE DRIVEWAY (SEE SHEET C5.2 FOR DETAIL)
- 21 TWO (2) BIKE RACKS (SEE LANDSCAPE PLANS FOR MORE INFORMATION)
- 22 INDICATES NUMBER OF PARKING SPACES PER BAY
- 23 EXTERIOR STAIRS (SEE ARCHITECTURAL PLANS)
- 24 CONCRETE LANDING WITH GALVANIZED PIPE HANDRAIL (SEE ARCHITECTURAL PLANS)
- 25 TIE PROPOSED CONCRETE CURB AND GUTTER TO EXISTING
- 26 DUMPSTER ENCLOSURE (SEE ARCHITECTURAL PLANS)
- 27 4'-2" TALL BLACK ALUMINUM FENCE (SEE ARCHITECTURAL PLANS)
- 28 RETAINING WALL WITH RAILING. RAILING SHALL BE PROVIDED FOR RETAINING WALL HEIGHTS THAT ARE GREATER THAN OR EQUAL TO 30 INCHES. (DESIGN BY OTHERS). SEE RETAINING WALL NOTES ON THIS SHEET.
- 29 PROPOSED ACCESS EASEMENT & PUBLIC UTILITY AND DRAINAGE EASEMENT
- 30 PROPOSED UTILITY AND DRAINAGE EASEMENT
- 31 8% MAX. ACCESSIBLE RAMP WITH HANDRAILS
- 32 CITY OF FRANKLIN CONCRETE SIDEWALK (SEE SHEET C5.2 FOR DETAIL)
- 33 CITY OF FRANKLIN FLARED ACCESSIBLE RAMP (SEE SHEET C5.2 FOR DETAIL)
- 34 UTILITY TRENCH REPAIR AREA (SEE SHEET C5.2 FOR DETAIL). REMOVE AND REPLACE CITY OF FRANKLIN CURB AND GUTTER AS NEEDED FOR UTILITY PLACEMENT
- 35 MILL AND OVERLAY ASPHALT SURFACE COURSE PAST THE TRENCH EDGE IN EACH DIRECTION AS SHOWN

LEGEND

	PROPOSED HEAVY DUTY ASPHALT PAVEMENT		PROPOSED CONCRETE SIDEWALK
	PROPOSED LIGHT DUTY ASPHALT PAVEMENT		PROPOSED UTILITY TRENCH REPAIR
	PROPOSED CONCRETE PAVEMENT		PROPOSED ASPHALT MILL AND OVERLAY

REFERENCE:

- SEE SHEET C0.1 FOR GENERAL NOTES AND LAYOUT NOTES.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IS BASED ON A GENERAL PROPERTY SURVEY CONDUCTED BY CESO, INC., DATED AUGUST 2018.
- THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF 500 YEAR FLOOD) ACCORDING TO F.I.R.M. "WILLIAMSON COUNTY, TENNESSEE AND INCORPORATED AREAS" PANEL 214 OF 485, MAP NUMBER 47187C0214G. MAP REVISED ON DECEMBER 22, 2016.

NOTE:

- SEE SHEET C0.0 FOR SITE DATA TABLE.



2097 BELSFORD DRIVE
NOLENSVILLE, TN 37135
JASON@MORELOCKENG.COM - (615) 300-6486



VSR Partners Commercial Development
4419 S. CAROTHERS ROAD, FRANKLIN, TENNESSEE
TAX MAP 89, PARCELS 50.00 & 50.02, WILLIAMSON COUNTY, TN

VSR PARTNERS, LLC
1643 VALLE VERDE DRIVE, BRENTWOOD, TENNESSEE 37027

Revision

COF Project Number
7217

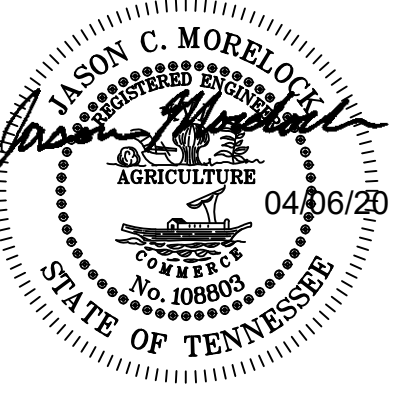
HMH Job Number
18044

Drawn By
JCM

Date
04.06.20

Drawing
SITE LAYOUT PLAN

C2.1



VSR Partners Commercial Development
4419 S. CAROTHERS ROAD, FRANKLIN, TENNESSEE
TAX MAP 89, PARCELS 50.00 & 50.02, WILLIAMSON COUNTY, TN
VSR PARTNERS, LLC
1643 VALLE VERDE DRIVE, BRENTWOOD, TENNESSEE 37027

COF Project Number
7217

HMH Job Number
18044

Drawn By
JCM

Date
04.06.20

Drawing
GRADING &
DRAINAGE PLAN

C3.1



2097 BELSFORD DRIVE
NOLENSVILLE, TN 37135
JASON@MORELOCKENG.COM - (615) 300-6486

LEGEND

	PROPOSED AREA DRAIN
	PROPOSED HEADWALL
	PROPOSED CONTOURS
	PROPOSED STORM PIPE
	65.50(T) TOP OF CURB 65.00(B) PROPOSED SPOT ELEVATION 65.00(B) BOTTOM OF CURB
	78.00(TW) TOP OF RETAINING WALL 69.00(BW) PROPOSED SPOT ELEVATION 69.00(BW) BOTTOM OF RETAINING WALL
	CO STORM CLEANOUT

CITY OF FRANKLIN STANDARD GRADING & DRAINAGE NOTES

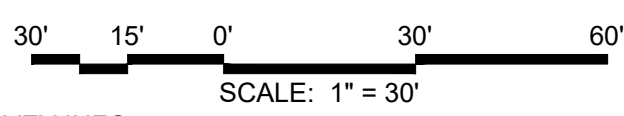
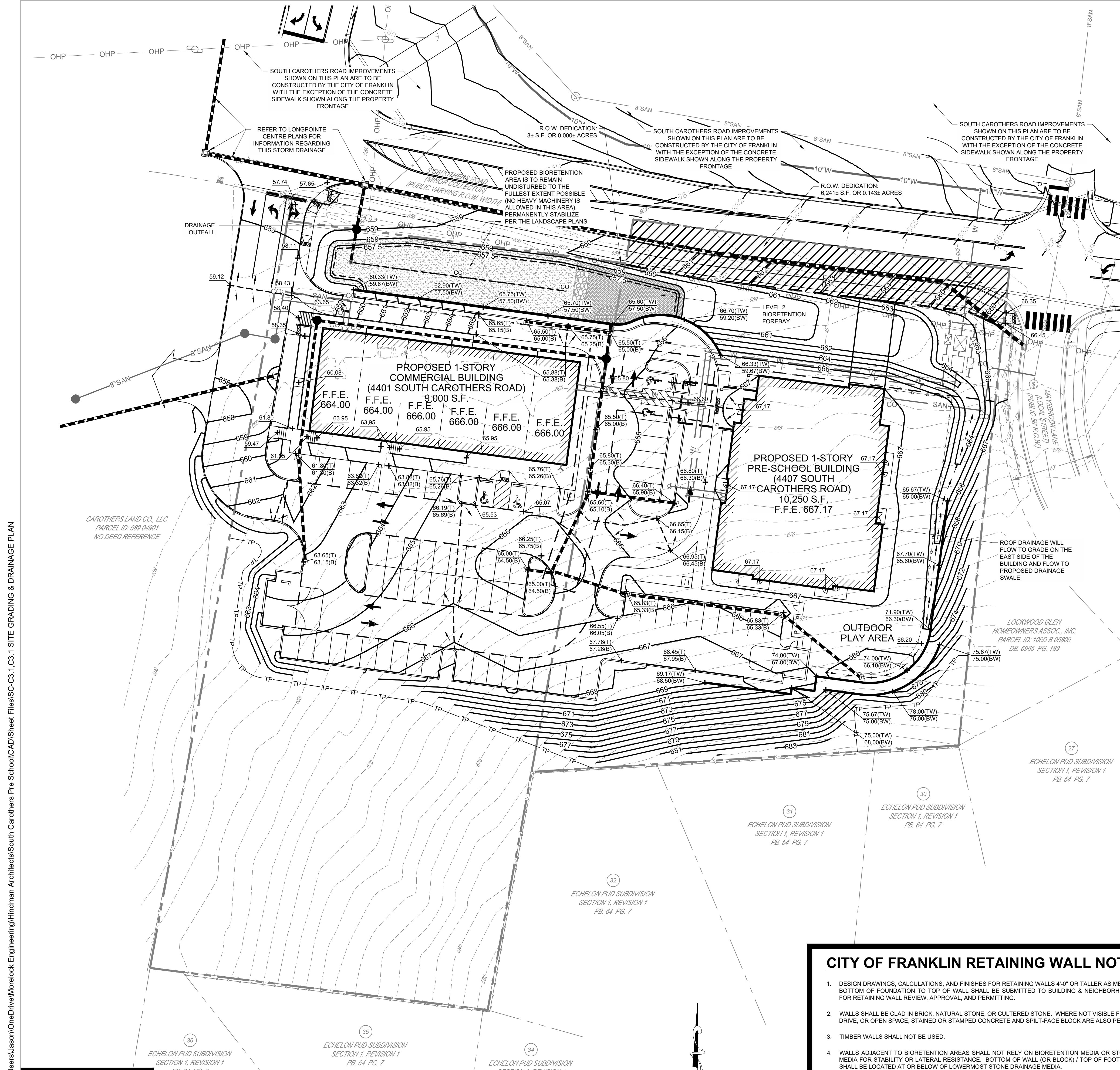
- GRADING PERMIT IS REQUIRED FOR ANY PROJECT DISTURBING MORE THAN 10,000 SF. ADDING MORE THAN 5,000 SF OF IMPERVIOUS SURFACE OR FOR ANY SITE GRADING REQUIRING STOCKPILING OF MATERIAL.
- THE DEVELOPER SHALL PROVIDE THE NECESSARY LABOR AND SUPERVISION REQUIRED TO SUPPORT FIELD TESTING BY THE INDEPENDENT TESTING FIRM AND INSPECTIONS BY CITY OFFICIALS AT NO COST TO THE CITY. TEST REPORTS OF FIELD TESTING IF APPLICABLE SHALL BE SUBMITTED DIRECTLY TO THE STREET DEPARTMENT. DEFECTS DISCLOSED BY TESTS SHALL BE RECTIFIED.
- AN AUTHORIZED REPRESENTATIVE OF THE CITY SHALL MAKE A FINAL INSPECTION OF THE PROJECT AFTER COMPLETION TO DETERMINE ACCEPTABILITY OF THE WORK AND FOR RELEASE OF PERFORMANCE BONDS IF REQUIRED. BEFORE THIS FINAL INSPECTION CAN BE MADE, THE ENGINEER RESPONSIBLE FOR THE PROJECT SHALL CERTIFY IN WRITING TO THE CITY ENGINEER THAT THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED PLANS AND SPECIFICATIONS.
- DRAINAGE FACILITIES INCLUDING, BUT NOT LIMITED TO, CULVERTS, DETENTION BASINS AND DITCHES, AS WELL AS THE ROADWAY SUB-GRADE, BASE STONE AND BINDER & SURFACE COARSE SHALL BE INSPECTED, TESTED AND GIVEN APPROVAL AT EACH STAGE OF INSTALLATION PRIOR TO PROCEEDING TO THE NEXT STAGE OF CONSTRUCTION. FINAL CONSTRUCTION INSPECTION FOR APPROVAL AND ACCEPTANCE OF STREETS AND DRAINAGE SYSTEMS WILL NOT BE GRANTED UNTIL ALL WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS.
- LOCATING AND COORDINATION FOR THE RELOCATION OF EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR. TENNESSEE'S ONE-CALL AND THE CITY OF FRANKLIN UTILITY LOCATION SERVICE SHALL BE UTILIZED IN ADDITION TO COORDINATION WITH LOCAL UTILITY OWNERS. THE CONTRACTOR SHALL AT ALL TIMES PROTECT EXISTING UTILITIES AND WILL BE RESPONSIBLE FOR COSTS DUE TO DAMAGE CAUSED TO ANY UTILITY LINES.

CITY OF FRANKLIN RETAINING WALL NOTES:

- DESIGN DRAWINGS, CALCULATIONS, AND FINISHES FOR RETAINING WALLS 4'-0" OR TALLER AS MEASURED FROM BOTTOM OF FOUNDATION TO TOP OF WALL SHALL BE SUBMITTED TO BUILDING & NEIGHBORHOOD SERVICES FOR RETAINING WALL REVIEW, APPROVAL, AND PERMITTING.
- WALLS SHALL BE CLAD IN BRICK, NATURAL STONE, OR CULTURED STONE. WHERE NOT VISIBLE FROM A STREET, DRIVE, OR OPEN SPACE, STAINED OR STAMPED CONCRETE AND SPILT-FACE BLOCK ARE ALSO PERMITTED.
- TIMBER WALLS SHALL NOT BE USED.
- WALLS ADJACENT TO BIORETENTION AREAS SHALL NOT RELY ON BIORETENTION MEDIA OR STONE DRAINAGE MEDIA FOR STABILITY OR LATERAL RESISTANCE. BOTTOM OR WALL (OR BLOCK) TOP OF FOOTING ELEVATION SHALL BE LOCATED AT OR BELOW OF LOWERMOST STONE DRAINAGE MEDIA.

REFERENCE:

- SEE SHEET C0.1 FOR GENERAL NOTES, GRADING AND DRAINAGE NOTES AND CITY OF FRANKLIN STORMWATER AND GRADING NOTES.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN IS BASED ON A GENERAL PROPERTY SURVEY CONDUCTED BY CESO, INC., DATED AUGUST 2018.
- THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF 500 YEAR FLOOD) ACCORDING TO F.I.R.M. "WILLIAMSON COUNTY, TENNESSEE AND INCORPORATED AREAS" PANEL 214 OF 485, MAP NUMBER 47187C0214G. MAP REVISED ON DECEMBER 22, 2016.



SURVEY INFO
PROVIDED BY: CESO, INC.
DATUM: TENNESSEE STATE PLANE (NAD83 & NAVD83)

Mon, 06 Apr 2020 - 8:30 C:\Users\jason\OneDrive\Morelock\Engineering\Hindman\Architects\South Carothers Pre School\CAD\Sheet Files\SC-C3.1_C3.1_SITE GRADING & DRAINAGE PLAN



Know what's below.
Call before you dig.

TOBSchool (City of Franklin Project Number 7217)

VSR Partners, LLC has obtained the opportunity to construct a 10,250 square foot pre-school building along with a 9,000 square foot commercial building. TOBSchool will be a project-based learning pre-school serving ages 2.5 – 6. The commercial building is anticipated to be a mixed use serving the needs of residents in the surrounding areas.

The project site is located at 4419 South Carothers Road, which is on the south side of South Carothers Road. The project site is zoned Neighborhood Commercial (NC) District. There are two adjoining parcels that compile the project site. Parcel 50.00 of County Tax Map 089 is approximately 1.98 acres in size. Parcel 50.02 of County Tax Map is approximately 1.59 acres in size.

A variance is being requested for the front yard principal building setback per Zoning Ordinance Section 3.13.5. Section 3.13.5 requires the front yard setback to be 10 feet to 40 feet. The variance request is to increase the front yard setback to be from 10 feet to 60 feet.

As required by the Variance Checklist, the variance request addresses the following issues based on the following rationale:

ISSUE

- The request is justified by either or both of the following: (i) the property is exceptional due to narrowness, shallowness, or shape of the property; or (ii) the property contains exceptional topographic conditions or other extraordinary or exceptional situations or conditions;

RATIONALE

- A 40' MTEMC Electric Easement is located along the South Carothers Road property frontage, which will prohibit placement of any building within the defined front yard principal building setback required in the Zoning Ordinance. Furthermore, drainage from the Echelon Subdivision drains through the MTEMC easement along with the project site draining into this area as well. The applicant is proposing to utilize the MTEMC easement and adjacent upstream areas for management of stormwater to meet City standards, which will require the requested variance. The requested variance will allow for minimization of disturbed areas on the project site and for additional preservation of the existing tree canopy.

ISSUE

- The strict application of the Zoning Ordinance would result in practical difficulties to or undue hardship upon the owner of the property (e.g. Why is your situation--not of personal or financial nature--not generally applicable to other properties throughout the City);

RATIONALE

- A 40' MTEMC Electric Easement is located along the South Carothers Road property frontage, which will prohibit placement of any building within the defined front yard principal building setback required in the Zoning Ordinance.

TOBSchool Variance Justification Letter

April 6, 2020

ISSUE

- The relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance.

RATIONALE

- Granting of the variance will allow for proper management of stormwater in the topographically low area of the project site. The proposed site improvements are small scale commercial in scope that will serve the surrounding residential neighborhoods. The intent of the Zoning Ordinance with the project is maintained with the buildings being located along the street frontage with no parking areas located between the building and South Carothers Road. Furthermore, disturbed areas on the project site will be minimized allowing for additional preservation of the existing tree canopy.

We respectfully request favorable consideration of the variance to increase the front yard setback to be from 10 feet to 60 feet.

May 20, 2020

PUBLIC NOTICE

This letter is written to provide public notice that the Franklin Municipal Planning Commission (FMPC) will be considering a proposed Variance Request for the property located 4419 South Carothers Road in Franklin, TN. The request will be heard by the FMPC on May 7, 2020 at 6 p.m. in the City Hall Board Room. Please see the information below for more details.

Applicant:

VSR Partners, LLC, 1643 Valle Verde Drive, Brentwood, Tennessee, 37027, (703) 585-2753,
neeti1908@gmail.com

Applicant' Representative:

Morelock Engineering, LLC, 2097 Belsford Drive, Nolensville, Tennessee, 37135, (615) 300-6486,
jason@morelockeng.com

Application Type:

Variance Request for the front yard principal building setback per Zoning Ordinance Section 3.13.5.

Date, Time, and Place of Public Meeting:

May 7, 2020 at 6 p.m. in the City Hall Board Room, 109 3rd Avenue South, Franklin, Tennessee, 37064.

Subject Property:

4419 South Carothers Road, Franklin, Tennessee, 37064.

Nature and Scope of the Application Request:

This submittal is a Variance Request for the front yard principal building setback per Zoning Ordinance Section 3.13.5. Section 3.13.5 requires the front yard setback to be 10 feet to 40 feet. The variance request is to increase the front yard setback to be 10 feet to 60 feet.

Where to View the Application:

The application may be viewed in the Planning and Sustainability Department, 109 3rd Avenue South, Franklin, TN 37064

Where the Public Can Be Heard:

The public may appear at the public meeting on May 7, 2020 at 7:00 p.m. to be heard or submit written comments with respect to the application. Written comments may be directed to the City of Franklin Planning and Sustainability Department, 109 3rd Avenue South, Franklin, TN 37064.

April 20, 2020

PUBLIC NOTICE

This letter is written to provide public notice that the Franklin Board of Zoning Appeals (BZA) will be considering a proposed Variance Request for the property located at 4419 South Carothers Road in Franklin, TN. The request will be heard by the BZA on May 7, 2020 at 6:00 p.m. in the City Hall Board Room. Due to the COVID-19 outbreak, the City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings. Please see the information below for more ways to access this meeting.

Applicant:

VSR Partners, LLC, 1643 Valle Verde Drive, Brentwood, Tennessee, 37027, (703) 585-2753,
neeti1908@gmail.com

Applicant's Representative:

Morelock Engineering, LLC, 2097 Belsford Drive, Nolensville, Tennessee, 37135, (615) 300-6486,
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Subject Property:

4419 South Carothers Road, Franklin, Tennessee, 37064.

Nature and Scope of the Application Request:

This submittal is a Variance Request for the front yard principal building setback per Zoning Ordinance Section 3.13.5. Section 3.13.5 requires the front yard setback to be 10 feet to 40 feet. The variance request is to exceed the 40-foot maximum setback by 20 feet, allowing the building to have a 60-foot setback.

Where to View the Application:

The application may be viewed online by following this link and creating or logging in to an existing IDT account:

<https://franklin.idtplans.com/secure/project/?step=results&searchtype=review>

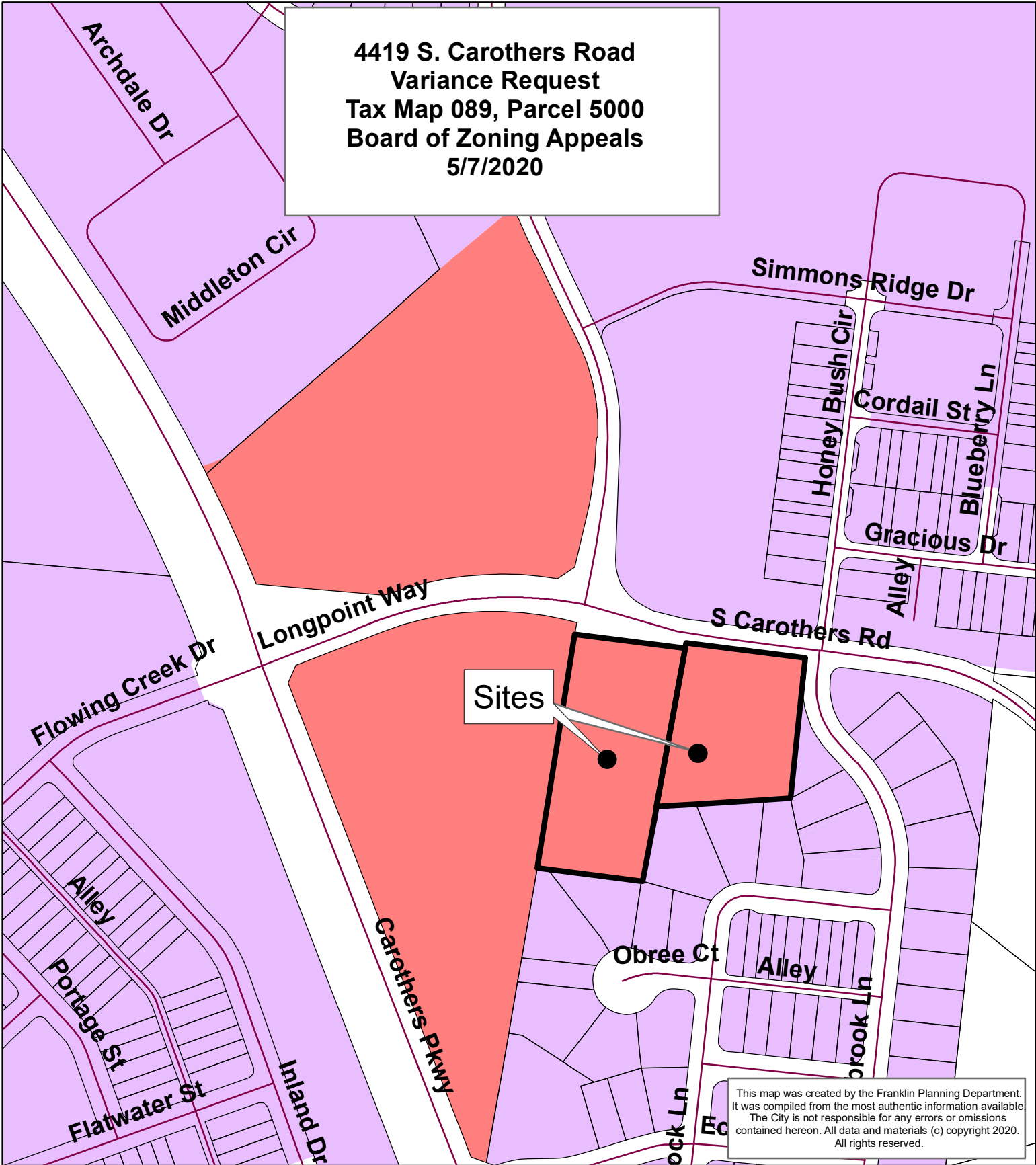
Application materials are accessible by entering "381672" under "Project Search."

Where the Public Can Be Heard:

The City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings. Accommodations have been made to ensure that the public is still able to participate in the meeting. The public may participate in the following ways:

- Watch the meeting on FranklinTV or at www.franklintn.gov/FranklinTV.
- Watch the live stream through the City of Franklin Facebook and YouTube accounts.
- Call 615-550-8420 to listen to the meeting. Callers will be given an opportunity to ask questions and provide comments during the meeting at specific times.
- Limited viewing will be available in the lobby of City Hall to watch the live video.
- The public may email questions to planningintake@franklintn.gov to be read aloud during the meeting. Comments will be accepted up until one hour prior to the meeting.

**4419 S. Carothers Road
 Variance Request
 Tax Map 089, Parcel 5000
 Board of Zoning Appeals
 5/7/2020**



This map was created by the Franklin Planning Department. It was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained hereon. All data and materials (c) copyright 2020. All rights reserved.

4419 S. Carothers Road Variance Request

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|--------------------------------|---------------------------------|----------------------------------|------------------------------------|
| 4419 S. Carothers Road | R4 Residential 4 District | NC Neighborhood Commercial | RC12 Regional Commerce 12 District |
| AG Agricultural District | R6 Residential 6 District | CC Central Commercial District | GO General Office District |
| ER Estate Residential District | MR Mixed Residential District | DD Downtown District | LI Light Industrial District |
| R1 Residential 1 District | PD Planned District | 1ST Avenue District | HI Heavy Industrial District |
| R2 Residential 2 District | OR Office Residential District | 5TH Avenue District | |
| R3 Residential 3 District | CI Civic Institutional District | RC6 Regional Commerce 6 District | |

