

**City of Franklin**  
**Board of Zoning Appeals**  
**Meeting Agenda**  
**July 2, 2020**

Public notice is hereby given that the Board of Zoning Appeals (BZA) will hold a regularly scheduled meeting on Thursday, July 2, 2020, 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](http://www.franklintn.gov/planning).

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**

**MINUTES**

Approval of the May 7, 2020 Minutes

**ANNOUNCEMENTS**

**APPLICATIONS**

1. **Appeal of Administrative Decision** Regarding An Interpretation Of The Floodway Fringe Overlay District Boundaries, Based On A Federal Emergency Management Agency Letter Of Map Revision Based On Fill For The Property Located At 151 Franklin Road (F.Z.O §4.3).

**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  
May 7, 2020**

The Franklin Board of Zoning Appeals held a regular meeting on Thursday, May 7, 2020 at 6:00 p.m. in the City Hall Boardroom.

Members present:            Frank Jones  
                                      Jeff Fleishour  
                                      Jonathan Langley

Staff present:

Emily Hunter Wright, Planning & Sustainability Department  
Kelly Dannenfels, Planning & Sustainability Department  
Kelli Gibson, Planning & Sustainability Department  
Shauna Billingsley, Assistant City Attorney  
Tom Marsh, Building and Neighborhood Services Department  
Shanna McCoy, Building and Neighborhood Services Department  
Lori Jarosz, Building and Neighborhood Services Department

The agenda read as follows:

**Call to Order:**

Vice-Chair Langley called the May 7, 2020 meeting to order at 6:00 pm. Vice-Chair Langley stated he would be taking a roll call and preceded to do so. Ms. Fischbach and Mr. Tomlin were not present.

Vice-Chair Langley stated the next item was Item 2020-54, a Resolution declaring Board of Zoning Appeals members shall meet on May 7, 2020 and conduct it's essential business by electronic means rather than members being required to be physically present in the same location to protect the health, safety and welfare of Tennesseans in light of the Covid 19 outbreak. Vice-Chair Langley stated he would entertain a motion.

Chair Jones moved to approve, Mr. Fleishour seconded the motion and the motion carried 3-0.

**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 615-550-8420 to listen to the meeting.
- 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](mailto: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](http://www.youtube.com/user/CityOfFranklin)
- City Facebook Live: [www.facebook.com/CityOfFranklin](http://www.facebook.com/CityOfFranklin)
- City website: On the top of the main page at [www.franklintn.gov](http://www.franklintn.gov)

### **Review of Minutes from April 2, 2020, BZA Meeting**

Chair Jones moved to approve the meeting minutes from April 2, 2020. Mr. Fleishour seconded the motion and the motion carried 3-0.

Vice-Chair Langley requested to know if there were any citizens comments.

No one requested comment.

Mr. Fleishour moved to close the public portion of the meeting. Chair Jones seconded the motion and the motion carried 3-0.

### **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).**

Ms. Gibson stated the applicant was requesting a 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). Ms. Gibson stated the site is located on the south side of Murfreesboro Road and zoned RC6. Ms. Gibson stated 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. Ms. Gibson stated parking spaces currently exceed the minimum required for the existing building, and 62 of the 84 existing parking spaces are located within the urban frontage and side yard of the building. Ms. Gibson stated the applicant is not requesting any additional parking spaces within these areas. Ms. Gibson stated the property owner would like to build a two-story commercial building within the existing building footprint. Ms. Gibson stated 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. Ms. Gibson stated the final plat shows a 40-foot front yard setback, but the Zoning Ordinance permits a minimum setback of 20 feet. Ms. Gibson stated a clerical error in the staff report incorrectly stated that the maximum setback for the property was 30 feet. Ms. Gibson stated that when development triggers a site plan review, the site plan is reviewed for compliance with the Zoning Ordinance, and 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. Ms. Gibson stated 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. Ms. Gibson stated the parking location does not conform to the standards of the current Zoning Ordinance. Ms. Gibson stated 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. Ms. Gibson stated the subject property is typical in terms of size, shape, and location compared to other lots in the subdivision. Ms. Gibson stated the applicant stated that existing construction on the subject lot and adjacent properties along with the existing access from Murfreesboro Road create an infill context that should be considered exceptional. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated Staff does not have enough information to evaluate that claim. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated due to these reasons, staff finds that the property does not meet the first criterion for a variance. Ms. Gibson stated 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. Ms. Gibson stated strict application of the Zoning Ordinance would prohibit use of 62 of the existing 84 parking spaces. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated the plan proposes the construction of a two-story commercial building in the footprint of the current building. 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. Ms. Gibson stated the applicant could modify the site design to accommodate additional parking behind the building while still maintaining the 40-foot building setback, or the applicant could re-plat the property to allow for a 20-foot setback, which could be done administratively and would bring the property into compliance with the Zoning Ordinance. Ms. Gibson stated 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. Per Envision

Franklin, the Regional Commerce areas have a high level of visibility along I-65 and primary arterial streets and are important gateways into Franklin. Buildings in the RC6 District should be arranged on sites so that they help to frame and define the streets and give deliberate form to streets and sidewalk areas. Ms. Gibson stated the building setbacks should be minimal to create an active street environment that encourages pedestrian activity. Ms. Gibson stated when larger setbacks are used, plazas and formal open spaces that serve as pedestrian-friendly gathering places should be located between the building and the street, rather than parking, to activate the street frontage. Ms. Gibson stated 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. Ms. Gibson stated due to these reasons, staff finds that the third criterion is not satisfied. Ms. Gibson stated based on this reasoning, staff recommends disapproval of the variance based on the criteria that authorize a variance to be established.

Vice-Chair Langley opened the public portion for this item, starting with the applicant.

Mr. Gamble stated he was representing the property owner. Mr. Gamble requested Ms. Gibson go to a slide for him that was being projected on the screen. Mr. Gamble had the existing site plan projected and explained that the parcel was 1.21 acres in size. Mr. Gamble stated it currently has a restaurant that is 6200 square feet. Mr. Gamble stated a property this size is currently required to have approximately 70 parking spaces and currently the property has 84. Mr. Gamble stated if the building is left where it is located today under the urban landscape frontage or the urban frontage parking requirements from the Zoning Ordinance, we would be prohibited from parking in front of the building or on the side of the building. Mr. Gamble stated they were seeking a Variance to permit them to leave the building in the place where it currently is and a Variance to allow that parking in the front and on the side. Mr. Gamble stated their proposal includes adding a two-story building where the existing one-story building is today. Mr. Gamble stated it would replace a 6200 square foot restaurant with a 4000 square foot restaurant and a 2200 square foot bank and 6200 square foot of office upstairs on the second floor. Mr. Gamble had a plan showing this development needing 84 parking spaces which is exactly what we have today. Mr. Gamble stated they do believe the parking frontage requirement does create a hardship thus create impracticality. Mr. Gamble stated this is an existing site, there are existing utilities on the site, the application of the urban frontage would require that we move the building and would require complete and total redevelopment of the site. Mr. Gamble stated this plan shows an extraordinary exceptional situation because the site is developed. Mr. Gamble stated there is an existing site pattern that exists on Murfreesboro Road. Mr. Gamble stated the plan shows an example of bringing the building up to the street. Mr. Gamble stated we have a fixed access point on Murfreesboro Road that has to be respected and we can't move it left or right, so the drawing shows how the 6200 square foot building could be located. Mr. Gamble stated you see on the drawing how many parking spaces we could achieve and we believe we have achieved the maximum number of 32 parking spaces which is less than half of the required parking that would be needed for the existing 6200 square foot restaurant that is there today. Mr. Gamble stated in addition locating the building here in this location, it would be 70-feet in front of the adjacent neighboring

buildings. Mr. Gamble has Ms. Gibson go to the next slide. Mr. Gamble stated we have here what would be the maximum size restaurant we could fit on the property and comply with the urban frontage and we were able to achieve 42 parking spaces at the back which would equal approximately a 3100 square foot restaurant along Murfreesboro Road and we believe this does result in undue hardship on the property owner. Mr. Gamble stated the parking lot would have to be completely rebuilt and we would have fewer parking spaces than we currently have today, and the building square footage would be less and we would have to redo all the utilities on the site. Mr. Gamble stated the third aspect of this request is substantially impairing the purpose and intent of the Zoning Ordinance. Mr. Gamble stated the Urban frontage is described as intended for areas with shallow setbacks, to provide a landscape area between the sidewalk and the front façade. Mr. Gamble stated you could see on the graphic below the intent of the Zoning Ordinance of having more urban streetscape and in this particular section of Murfreesboro Road it is unique and the buildings even at 20-foot setback would be 60-feet from the street which is quite a bigger vision in my opinion than the illustration in the Zoning Ordinance. Mr. Gamble requested Ms. Gibson go to the next slide and stated this shows you the aerial view of this stretch of Murfreesboro Road on Highway 96. Mr. Gamble stated it has an existing development pattern, but these are not all buildings built years and years ago. Mr. Gamble stated Candlewood Suites was finished in 2019, the AT&T and Smoothie King buildings were finished in 2017 and both were required to have a drive aisle between Murfreesboro Road and the building for connectivity and additional parking. Mr. Gamble stated that six of the eleven businesses seen here have been renovated in the past three or four years. Mr. Gamble stated they were asking for a Variance to respect the existing development pattern to allow us to move forward with the parking within that front zone. Mr. Gamble stated he was happy to answer any questions.

Vice-Chair Langley requested to know if anyone had any questions from the public.

Alderman Burger stated this area down 96 is right down the middle of her ward and Alderman Speedy's ward. Alderman Burger stated with the old development down the way we have been giving a lot of thought to 96 as well and so it comes into play here because of the other development. Alderman Burger stated with this development Mr. Gamble is right there is existing development with existing infrastructure in place with utilities already stubbed out. Alderman Burger stated she heard the words encouraging street environment and increasing pedestrians. Alderman Burger stated this is exactly the opposite of what they want to do here. Alderman Burger stated this is not an urban setting and we really don't want to encourage pedestrians on a state route because it is an interstate exchange and between the interstate and Royal Oaks it is an extremely busy road with fast traffic. Alderman Burger stated if you look down the Candlewood area corridor it would be very odd to go down and see all these buildings moved back and then you have one moving closer. Alderman Burger stated the thing that concerns me is that we are talking to TDOT all the time and we do need to redo the design of the interchange there. Alderman Burger stated down the road there may be a need to add another lane and that would cut

into that property and so on that end of the property I want to be able to cut into when TDOT gets on board. Alderman Burger stated she is not in favor of moving this up. Alderman Burger stated another thing is you are going to be putting parking behind that building and you need to think about a safety factor because behind that building you have a motel and you have families driving up to those motel rooms loading and unloading so to put more vehicular movement in back of that building and I don't think it is a good idea to add back parking due to safety. Alderman Burger stated any foot traffic should be between the buildings internally. Alderman Burger summed up her comments to use common sense, practicality and safety.

Alderman Speedy stated they are trying to move that building and the access off 96 really limits this. Alderman Speedy stated you have a citizen here willing to make a pretty substantial investment to improve this property, but the new Zoning Ordinance is creating a hindrance and an economic disincentive. Alderman Speedy stated he was worried if we go down a path of disincentive of infill and redevelopment of projects. He thinks they could go with the existing footprint and greatly improve this project. Alderman Speedy stated it makes sense to keep the footprint where it is at currently.

Vice-Chair Langley stated he would entertain a motion to close the public hearing.

Chair Jones moved to close the public portion of the meeting. Mr. Fleishour seconded the motion and the motion carried 3-0.

Vice-Chair Langley requested know if staff had any other comments to share at all.

Ms. Gibson stated she had no additional comments.

Ms. Dannenfelsler stated she had one comment about the existing pattern of development along Murfreesboro Road and stated that some of the redevelopment and rehab has been done under the previous Zoning Ordinance and this project is coming through under the new Zoning Ordinance. Ms. Dannenfelsler stated the Variance process is very particular about meeting the three standards per state law to grant a Variance. Ms. Dannenfelsler stated if the Board of Mayor and Alderman wanted to look at in terms of a larger discussion and different standards than there is an avenue for that.

Vice-Chair Langley stated he would entertain a motion and then discuss.

Mr. Fleishour commented he felt the applicant should go to the Board of Mayor and Alderman to pursue further options if this item is voted down tonight.

Mr. Jones stated if there are other opportunities with the Board of Mayor and Alderman than the applicant should proceed with that rather than come to this Board.

Vice-Chair Langley requested to get a motion on the floor before any more discussion.

Mr. Fleishour moved to disapprove the 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 because the criteria for granting a variance has not been satisfied as stated in Staff's report. Mr. Jones seconded the motion because of the new zoning and Envision Franklin that are in place at this time.

Vice-Chair Langley requested to know if the board had any more discussion.

Vice-Chair Langley stated it is his concern as well that there is a new Zoning Ordinance and Envision Franklin for the area in place and to come right out of the box and have the Board of Zoning Appeals change that is not looking at this holistically.

Chair Jones stated he felt this is something legislatively that needs to be worked out.

The motion carried 3-0.

**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).**

Ms. Gibson stated the applicant was requesting 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). Ms. Gibson stated the 3.6-acre site consists of two adjoining parcels located on the south side of South Carothers Road and zoned NC. Ms. Gibson stated a single-family home built in 1967 is currently located on the property. Ms. Gibson stated 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. Ms. Gibson stated a 40-foot Middle Tennessee Electric Membership Corporation (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. Ms. Gibson stated 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. Ms. Gibson stated when new development is proposed for a site, the new buildings must meet the setback requirements per the Zoning Ordinance. Ms. Gibson stated that in this case, the Zoning Ordinance requires a front yard principal building setback between 10 and 40 feet. Ms. Gibson stated the applicant requests to exceed the 40-foot maximum front yard setback by 20 feet for the property located at 4419 South Carothers Road. Ms. Gibson stated the subject property is typical in terms of shape, size, and location compared to surrounding lots. Ms. Gibson stated a 40-foot MTEMC easement, which prohibits placement of any buildings within that area, is located along the South Carothers Road property frontage. Ms. Gibson stated 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. Ms. Gibson stated upon reviewing the case, staff concluded that the location of the 40-foot MTEMC easement does create an extraordinary and exceptional condition on the property that does not permit development under the Zoning Ordinance. Ms. Gibson stated 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. Ms. Gibson stated due to these reasons, staff finds that the property does meet the first criterion for a variance. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated the location of the drive aisle along the front of the building reflects the desire of the applicant. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated the Zoning Ordinance implements this vision with the standards identified for this zoning district. Ms. Gibson stated 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. Ms. Gibson stated 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. Ms. Gibson stated due to these reasons, the third criterion is not satisfied. Ms. Gibson stated based on this reasoning, staff recommends disapproval of the variance based on the criteria that authorize a variance to be established.

Vice-Chair Langley stated at this time they would open the public hearing and start with the applicant.

Mr. Michael Hindman requested to know if Mr. Jason Morelock was here.

Vice-Chair Langley stated no.

Mr. Hindman apologized because Mr. Morelock is the applicant who submitted everything. Mr. Hindman stated Mr. Morelock submitted an additional plan that removed the drive and requested to know if staff had that.

Ms. Gibson stated yes and could pull up on the projector.

Mr. Hindman stated this site has changed several times due to significant issues. First of all it was designed before the new Ordinance was in place and then modified several times per the current ordinance and changed several times due to the topography and adjusted due to the proposed development to the east. Mr. Hindman stated the plans originally submitted for BZA had a drive, but that has been taken out. Mr. Hindman stated taking out the drive pulls this up as close to the easement as possible. Mr. Hindman explained about the retention and easements. Mr. Hindman stated this is the current plan proposed.

Vice-Chair Langley requested to know if the request is still the same based on the new plan submitted.

Mr. Hindman stated no, and he could not exactly tell you what it is now, but he thinks it is a couple of feet off the easement line.

Vice-Chair Langley requested to know if there are any public comments related to the request.

Ms. Gibson stated yes, staff has received two public comment emails from Matt Ginsburg of 9009 Wenlock Lane and Brendan Boles of 9003 Wenlock Lane who spoke against this item.

Ms. Gibson stated the new plan requests an encroachment of five feet.

Vice Chair Langley stated he would entertain a motion to close the public portion of the meeting.

Chair Jones moved to close the public portion. Mr. Fleishour seconded the motion and the motion carried 3-0.

Chair Jones stated he thinks the plan in his packet does not reflect the new location of the building and requested to know if the one we are now looking at shows an encroachment of five feet.

Ms. Gibson stated yes, based on the applicant's new plan the encroachment would be five feet instead of twenty.

Mr. Fleishour requested to know staff's comment on the lesser encroachment.

Ms. Gibson stated that five feet would be supported by staff due to meeting the three criteria for meeting a variance.

Vice-Chair Langley stated he had Mr. Hindman message Mr. Morelock and Mr. Hindman stated Mr. Morelock has been trying to get into the meeting.

The meeting was paused to wait for Mr. Morelock.

Mr. Hindman responded to the two emails stating he agrees with them and noted there is a substantial buffer and on the western side of the site they are 180 feet from the property line and are trying to stay far away from the neighborhood.

Mr. Morelock stated he finally got into the meeting.

Mr. Fleishour requested to know if staff changed their position to approve.

Ms. Gibson stated yes.

Chair Jones requested to know if more of a buffer could be added.

Mr. Morelock stated they have a large buffer.

Mr. Fleishour moved to approve the variance request to exceed the 40-Foot maximum front yard principal building setback by five feet at 4419 South Carothers Road due to the application meeting the three required criteria to grant a variance and based on staff's comment.

**Other Business.**

No other business.

**Adjourn.**

With there being no further business, the meeting was adjourned at 7:01.

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Chair



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HISTORIC  
FRANKLIN  
TENNESSEE

**Item 1**

**DATE:** July 2, 2020

**TO:** Board of Zoning Appeals

**FROM:** Kelli Gibson, Planner  
Kelly Dannenfels, Assistant Director

**Subject**

**Appeal of Administrative Decision** Regarding An Interpretation Of The Floodway Fringe Overlay District (FFO) Boundaries, Based On A Federal Emergency Management Agency (FEMA) Letter Of Map Revision Based On Fill For The Property Located At 151 Franklin Road (F.Z.O §4.3).

**Project Information**

COF Project Number: 7280  
Applicant: Gamble Design Collaborative  
Owner: Splendor Ridge Development Group, LLC

**Summary of Action Taken**

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

\_\_\_\_\_ Approve the applicant's request to interpret the FFO boundary on the City of Franklin Zoning Map, based on a Letter of Map Revision Based on Fill issued by FEMA on June 1st, 2020 (FEMA Case No. 20-04-2812A) (F.Z.O. §4.3)

\_\_\_\_\_ Disapprove the applicant's request to interpret the FFO boundary on the City of Franklin Zoning Map, based on a Letter of Map Revision Based on Fill issued by FEMA on June 1st, 2020 (FEMA Case No. 20-04-2812A) (F.Z.O. §4.3)

\_\_\_\_\_  
BZA Chair

\_\_\_\_\_  
BZA Recording Secretary

\_\_\_\_\_  
Date

*This section is completed after action is taken at the BZA meeting.*

## **Applicable Zoning Ordinance Provisions**

### **20.18 Appeal of Administrative Decision**

In this case, the purpose of the Appeal of Administrative Decision is to provide a process for interpretations of the zoning map when there are disputed questions of lot lines or district boundary lines as they arise in the administration of the zoning regulations.

### **Background**

The applicant is requesting an Appeal of Administrative Decision to interpret the City's FFO boundaries for the property located at 151 Franklin Road in the Splendor Ridge Subdivision. The request is based on the Letter of Map Revision Based on Fill (LOMR-F) document issued by FEMA on June 1st, 2020.

The Zoning Ordinance states that the FFO boundaries shall coincide with the boundaries of the 100-year floodplain, excluding floodways, as adopted in Section 17.6, Floodplain Protection (F.Z.O. §4.3.2). This request is for the BZA to interpret the FFO boundary based on the FEMA-approved floodplain boundary change as identified in the LOMR-F.

The applicant submitted the following materials with the application:

### **Exhibits**

1. Owner Affidavit
2. Appeal Letter
3. Property Owner Notification Letter
4. Public Notice Affidavit
5. Floodplain exhibit indicating the area of FFO to be removed
6. FEMA Letter of Map Revision Based on Fill Determination Document and Cover Letter



Project Overview #400139

Project Title: Splendor Ridge
Application Type: 07) Variance or Appeal of Administrative Decision
Workflow: Default BZA Workflow
Jurisdiction: Franklin
State: TN
County: Williamson

Variance or Appeal of Administrative Decision

Have you already had a meeting regarding this project?: Meeting Date: 06/04/2020

Yes

Staff Person(s): Kelly Dannenfelser

You are required to schedule a meeting before submitting a Board of Zoning Appeals application. Please contact the City of Franklin Planning Department for more information at 615-791-3212.

Variance or Appeal of Administrative Decision

Lot(s): 0
Zoning: R-1 Detached Residential 1 District
Lot Acreage: 18.51
Building Square Footage: 0
Established/Existing Setbacks - Side: 5
Justification Letter Included?: Yes
Drawings/Illustrations Included?: Yes
Type of Request: Appeal of Administrative Decision
Applicable Section(s) of the Zoning Ordinance in question: 4.3.2 District Boundaries
Which yard is the Setback Variance located within:
If Other Variance Request, please provide detailed explanation:
Lot Address: 151 FRANKLIN ROAD (Unverified)
Land Use: Residential Single Family
Lot Square Footage: 806,296
Established/Existing Setbacks - Front: 15
Established/Existing Setbacks - Rear: 15
Notification Letter Included?: Yes
Other Information:
Appeal of what decision/interpretation: Revision to the FFO.
Name of City Official with Title & Department: Kelli Gibson, Planner, Planning and Sustainability
Requested variance (in feet):
Applicant / Organization Requesting Permit: Greg Gamble
716 Hampton Cove
Franklin, TN 37064
P:615-975-5765
greggamble209@gmail.com

Site Data

Total Site Square Footage: 806295.6

**OWNER AFFIDAVIT**  
**City of Franklin, Tennessee**

We/I AMY BETHURD  
(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:

063 N B 05700  
(Property Parcel/Tax ID Number)

and located at:

151 FRANKLIN ROAD, FRANKLIN TN 37064  
(Street Address)

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

\_\_\_\_\_  
(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]  
Signature

151 FRANKLIN ROAD  
Property Owner Mailing Address

FRANKLIN, TN 37064  
City, State & Zip

Subscribed and sworn to before me this

7 day of June, 2019

[Signature]  
Notary Public

My Commission Expires: 1-19-22



June 8, 2020

Kelli Gibson  
Planner, Planning and Sustainability  
City of Franklin  
109 3<sup>rd</sup> Avenue South  
Franklin, TN 37064

Dear Ms. Gibson,

Gamble Design Collaborative is requesting to appear before the Board of Zoning Appeals to approve the relocation of the Floodway Fringe Overlay at Splendor Ridge PUD. The zoning ordinance prohibits residential development within the Floodway Fringe Overlay. On June 2, FEMA approved the Letter of Map Amendment based on a field survey of the 100-year flood plain. Included in this submittal are the documents approved by FEMA.

Thank you for your review. I am available to answer any further questions or concerns.

Sincerely,



Greg Gamble



June 17, 2020

## **Public Notification Letter – Splendor Ridge**

### PUBLIC NOTICE

This letter is written to provide public notice that the Board of Zoning Appeals (BZA) will be considering an Appeal of Administrative Decision for the property located at Map 063 N F, Parcel 01400 located at 151 Franklin Road in Franklin, TN. The request will be heard by the BZA on Thursday, July 2, 2020 at 6:00 pm in the City Hall Board Room. Please see the information below for more details.

### APPLICANT

Gamble Design Collaborative, Greg Gamble on behalf of Splendor Ridge Development Group, LLC

### APPLICANT'S REPRESENTATIVE

Gamble Design Collaborative, 324 Liberty Pike, Suite 145, Franklin, TN 37064  
Greg Gamble, 615-975-5765, greg.gamble@gdc-tn.com

### APPLICATION TYPE

Appeal of Administrative Decision

### DATE, TIME, AND PLACE OF PUBLIC MEETING

Thursday, July 2, 2020 at 6:00 pm in the City Hall Board Room, located at 109 3<sup>rd</sup> Avenue in Franklin, Tennessee.

### SUBJECT PROPERTY

Map 063 N F, Parcel 01400 located behind 151 Franklin Road in Franklin, TN

### NATURE AND SCOPE OF THE APPLICANT REQUEST

The applicant is requesting an Appeal of Administrative Decision to interpret the City's FFO (Flood Fringe Overlay) boundaries for the property located at 151 Franklin Road. The request is based on the Letter of Map Revision Based on Fill (LOMR-F) document issued by FEMA (Federal Emergency Management Agency) on June 1st, 2020 (case No 20-04-2812A). This request is for the BZA to interpret the FFO boundary based on the LOMR-F.

### 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/?projectid=400139>

Application materials are accessible by entering "400139" under "Project Search."

To obtain further information, please contact the Planning and Sustainability Department:

[elaine.ellis@franklintn.gov](mailto:elaine.ellis@franklintn.gov)

615-791-3212

WHERE THE PUBLIC CAN BE HEARD

The public may appear at the Board of Zoning Appeals meeting on Thursday, July 2, 2020 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 3<sup>rd</sup> Avenue South, Franklin, TN 37064.

# PUBLIC NOTICE AFFIDAVIT

## City of Franklin, Tennessee

We/I Julie Jones  
(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are), acting as the authorized agent on all matters pertaining to the processing of the development application for the property described as:

Map 063NF Parcel 01400  
(Property Parcel/Tax ID Number)

and located at:

151 Franklin Road, Franklin, TN 37064  
(Street Address)

have/has provided a mailed first-class notice in accordance with section 2.3.8 of the Franklin Zoning Ordinance, **within 7 days of the meeting**, which included the following:

1. The address or location of the property subject to the submittal;
2. A brief description of the property (e.g., legal description, nearby streets and intersections);
3. Date, time, and location of the public meeting or hearing; Nature, scope, and purpose of submittal;
4. Information on where the public can view the application and where they may be heard;
5. Information on where the public can submit written comments.

Julie Jones  
Signature

Subscribed and sworn to before me this

15 day of June, 20 20.

Lindsay Rackley  
Notary Public

My Commission Expires: 01-19-2022

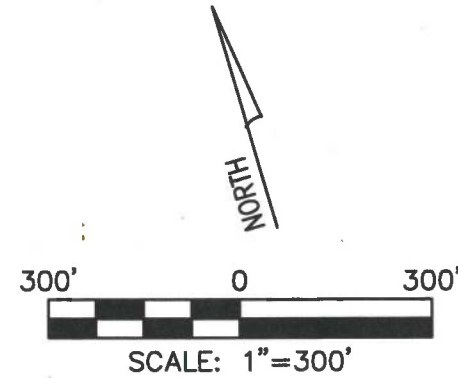


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# EXHIBIT # 4

LOMR-F APPLICATION FOR A  
PORTION OF OPEN SPACE LOTS 101 & 101  
SPENDOR RIDGE SUBDIVISION  
PLAT BOOK P72, PAGE 80  
REGISTER'S OFFICE FOR WILLIAMSON COUNTY  
CITY OF FRANKLIN, TN

KENNETH R. SHREEVE, PLS #TN-2298, CFS #TN-031



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## THOUVENOT, WADE & MOERCHEN, INC.

FRANKLIN OFFICE  
504 AUTUMN SPRINGS CT, STE B-14  
FRANKLIN, TENNESSEE  
37067  
TEL (615) 814-7414  
WWW.TWM-INC.COM

L49-200182

PROJECT:

PORTIONS OF OPEN SPACE 100  
AND OPEN SPACE 101 OF  
SPLENDOR RIDGE SUBDIVISION

TITLE:

LOMR-F TOPOGRAPHIC EXHIBIT

**SHEET 1 OF 3**

03/02/2020  
REVISED 05/26/2020

### SURVEYOR NOTES

1. Bearings shown hereon are referenced to the Tennessee Coordinate System of 1983.
2. Elevations shown hereon are based on North American Vertical Datum of 1988 (NAVD88). Contours are at an interval of 2' and were derived using GPS and EDM field locations and computer generated surface modeling techniques.
3. This is a Category 1 Survey and was done in compliance with the Rules of Tennessee State Board of Examiners for Land Surveyors Chapter (0820-03) Standards of Practice and (0820-03-.07) Survey Types and Requirements. The relative positional accuracy does not exceed 0.08' as shown hereon.
4. Special Flood Hazard Area lines shown hereon per the National Flood Hazard Layer (NFHL) data referenced to the North American Datum of 1983 (NAVD83).

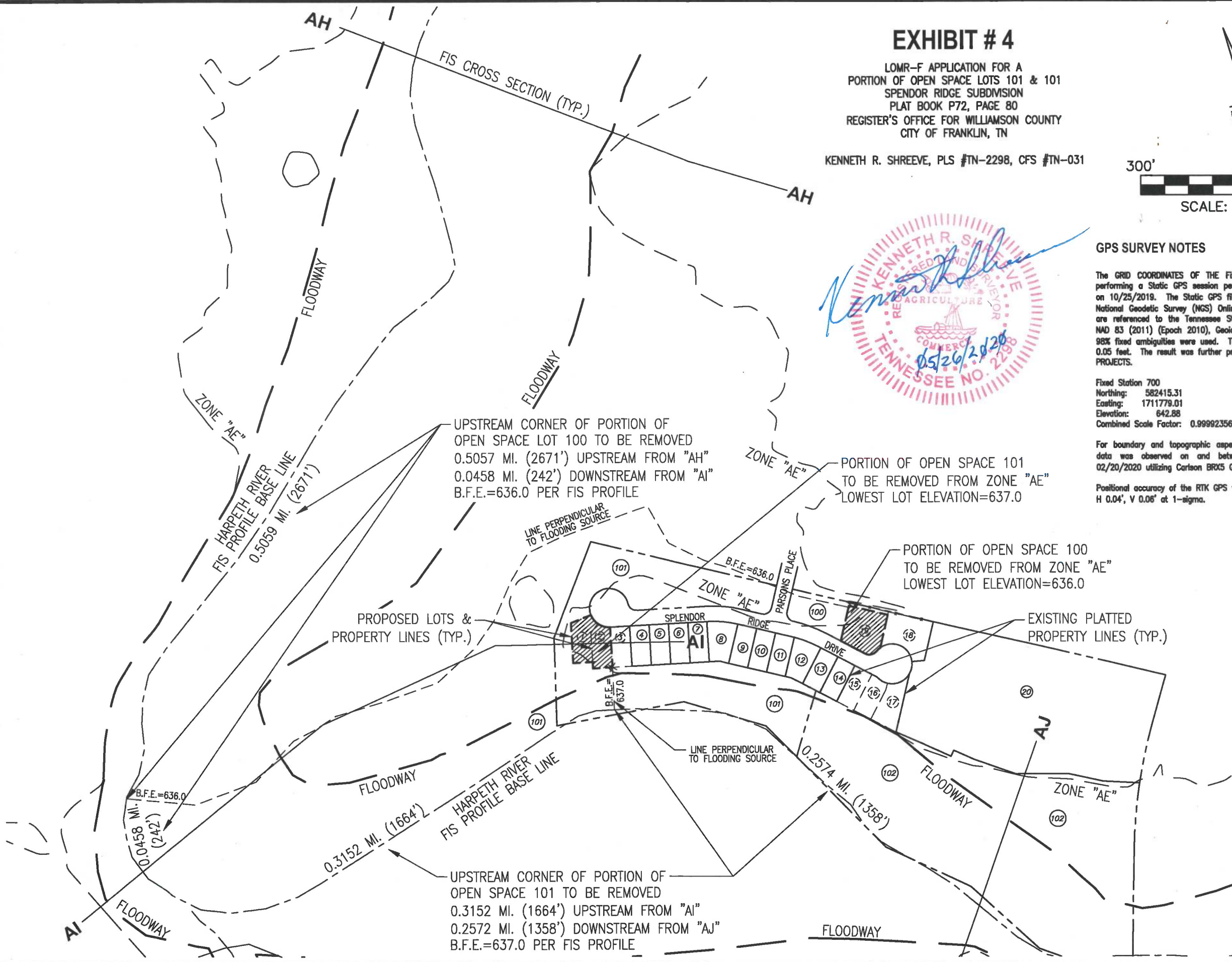
### GPS SURVEY NOTES

The GRID COORDINATES OF THE Fixed Station(s) shown were derived by performing a Static GPS session performed from 15:27 UTC to 19:10 UTC on 10/25/2019. The Static GPS file generated was processed through the National Geodetic Survey (NGS) Online Positioning User Service (OPUS) and are referenced to the Tennessee State Plane Coordinate System of 1983, NAD 83 (2011) (Epoch 2010), Geoid 18. 90% of observations were used. 98% fixed ambiguities were used. The overall Root Mean Square (RMS) was 0.05 feet. The result was further processed and adjusted through the OPUS PROJECTS.

Fixed Station 700  
Northing: 582415.31  
Easting: 1711779.01  
Elevation: 642.88  
Combined Scale Factor: 0.99992356

For boundary and topographic aspects of this survey, RTK GPS positional data was observed on and between the dates of 01/09/2020 and 02/20/2020 utilizing Carlson BRX5 GNSS receivers.

Positional accuracy of the RTK GPS vectors do not exceed:  
H 0.04', V 0.06' at 1-sigma.



UPSTREAM CORNER OF PORTION OF  
OPEN SPACE LOT 100 TO BE REMOVED  
0.5057 MI. (2671') UPSTREAM FROM "AH"  
0.0458 MI. (242') DOWNSTREAM FROM "AI"  
B.F.E.=636.0 PER FIS PROFILE

PORTION OF OPEN SPACE 101  
TO BE REMOVED FROM ZONE "AE"  
LOWEST LOT ELEVATION=637.0

PORTION OF OPEN SPACE 100  
TO BE REMOVED FROM ZONE "AE"  
LOWEST LOT ELEVATION=636.0

PROPOSED LOTS &  
PROPERTY LINES (TYP.)

EXISTING PLATTED  
PROPERTY LINES (TYP.)

UPSTREAM CORNER OF PORTION OF  
OPEN SPACE 101 TO BE REMOVED  
0.3152 MI. (1664') UPSTREAM FROM "AI"  
0.2572 MI. (1358') DOWNSTREAM FROM "AJ"  
B.F.E.=637.0 PER FIS PROFILE

LINE PERPENDICULAR  
TO FLOODING SOURCE

LINE PERPENDICULAR  
TO FLOODING SOURCE

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# EXHIBIT # 4



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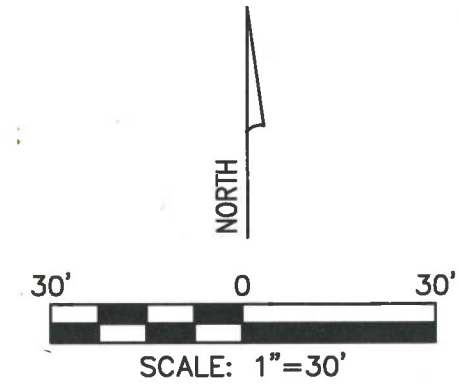
L49-200182

PROJECT:  
PORTIONS OF OPEN SPACE 100  
AND OPEN SPACE 101 OF  
SPLENDOR RIDGE SUBDIVISION

TITLE:  
LOMR-F TOPOGRAPHIC EXHIBIT

**SHEET 2 OF 3**

03/02/2020  
REVISED 05/26/2020



OPEN SPACE 101  
SPLENDOR RIDGE  
SUBDIVISION  
PLAT BOOK P72,  
PAGE 80, R.O.W.C.

SPLENDOR RIDGE DRIVE  
(47.5' PUBLIC RIGHT-OF-WAY)

LOT 4  
SPLENDOR RIDGE  
SUBDIVISION  
PLAT BOOK P72,  
PAGE 80, R.O.W.C.

LOT 5  
SPLENDOR RIDGE  
SUBDIVISION  
PLAT BOOK P72,  
PAGE 80, R.O.W.C.

OPEN SPACE 101  
SPLENDOR RIDGE  
SUBDIVISION  
PLAT BOOK P72,  
PAGE 80, R.O.W.C.

LOW LOT ELEVATION  
(LLE)=637.0

FLOODWAY

$\Delta=71^{\circ}33'56''$   
 $R=60.00'$   
 $L=74.94'$   
 $T=43.25'$   
 $CHD=70.17'$   
 $S41^{\circ}17'48''E$

POINT OF BEGINNING FOR  
DESCRIPTION OF A PORTION OF  
OPEN SPACE 101 TO BE  
REMOVED FROM ZONE "AE"

POINT OF COMMENCEMENT FOR  
DESCRIPTION OF A PORTION OF  
OPEN SPACE 101 TO BE  
REMOVED FROM ZONE "AE"

PROPOSED  
LOT 1

PROPOSED  
LOT 2

PROPOSED  
LOT 3

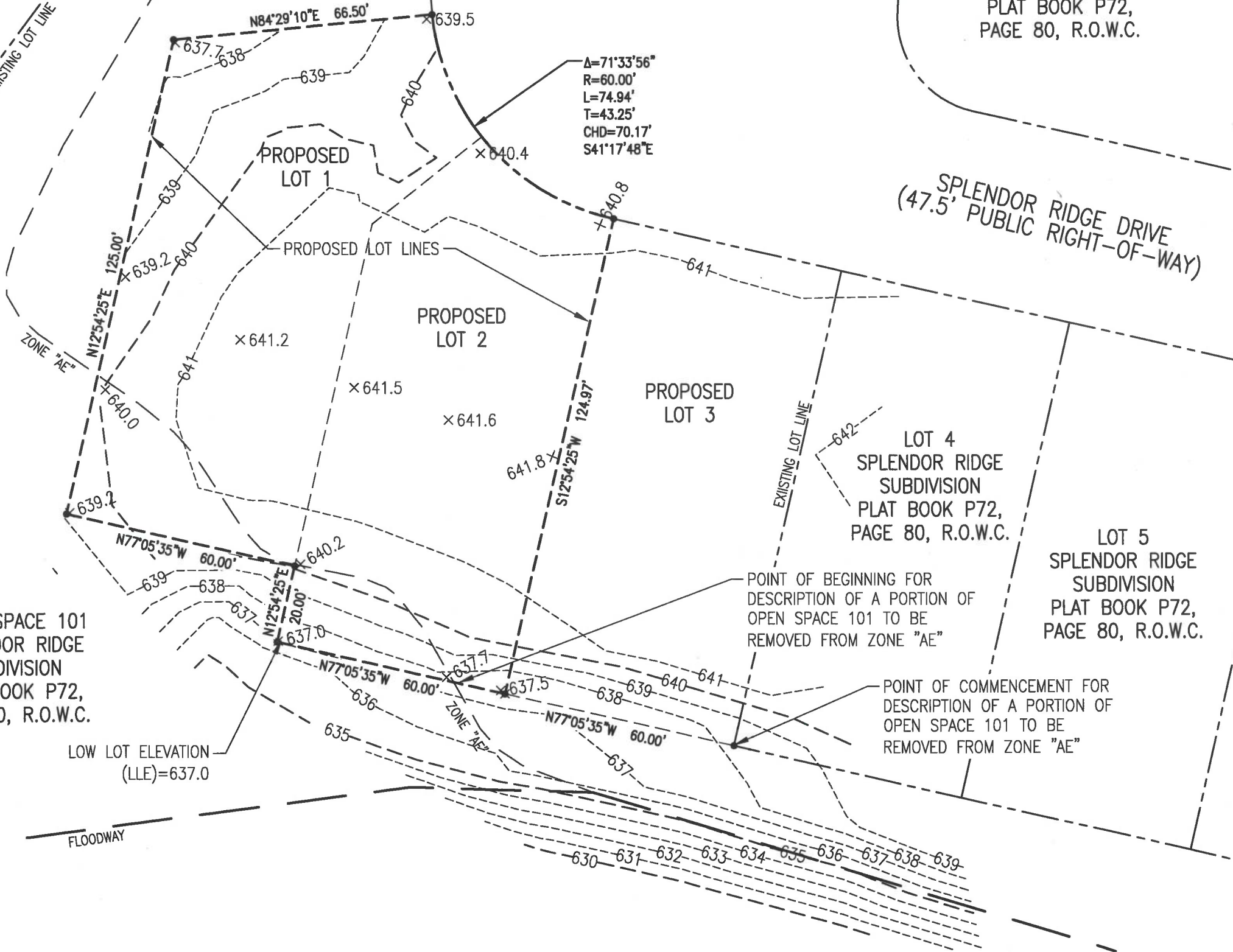
PROPOSED LOT LINES

EXISTING LOT LINE

EXISTING LOT LINE

ZONE "AE"

ZONE "AE"



# EXHIBIT # 4



CONSULTING ENGINEERING  
GEOSPATIAL SERVICES

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WATERLOO  
EDWARDSVILLE  
PEORIA

MISSOURI | ST. CHARLES  
ST. LOUIS

TENNESSEE | FRANKLIN

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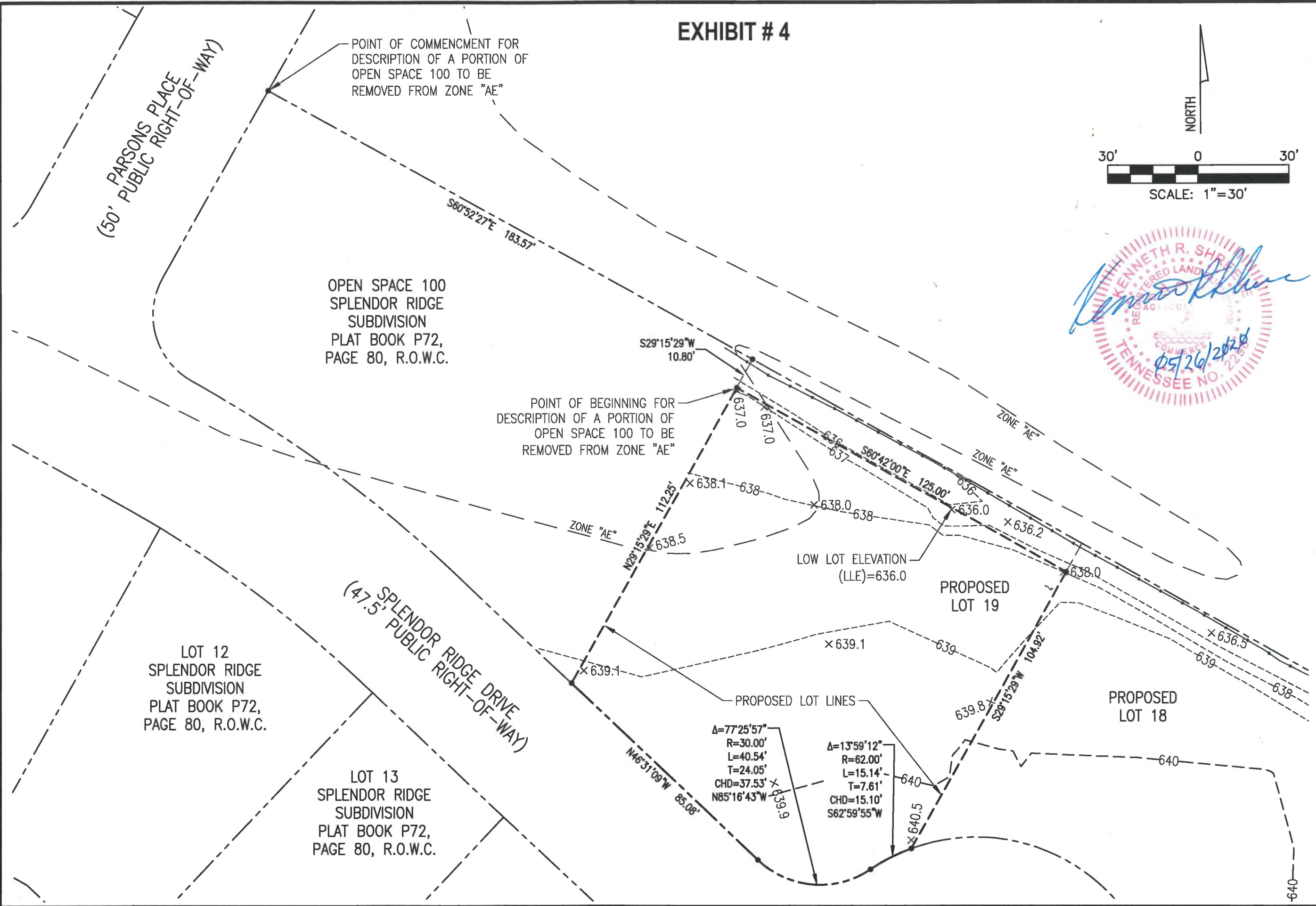
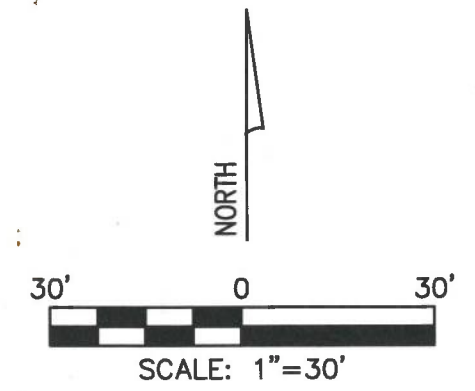
L49-200182

PROJECT:  
PORTIONS OF OPEN SPACE 100  
AND OPEN SPACE 101 OF  
SPLENDOR RIDGE SUBDIVISION

TITLE:  
LOMR-F TOPOGRAPHIC EXHIBIT

**SHEET 3 OF 3**

03/02/2020  
REVISED 05/26/2020



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# Federal Emergency Management Agency

Washington, D.C. 20472

**June 01, 2020**

THE HONORABLE KEN MOORE  
MAYOR, CITY OF FRANKLIN  
109 3RD AVENUE SOUTH  
FRANKLIN, TN 37064

**CASE NO.: 20-04-2812A**  
COMMUNITY: CITY OF FRANKLIN, WILLIAMSON  
COUNTY, TENNESSEE  
COMMUNITY NO.: 470206

DEAR MR. MOORE:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Revision based on Fill (LOMR-F) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMR-Fs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Sincerely,

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration

**LIST OF ENCLOSURES:**

LOMR-F DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator  
Community Map Repository  
Region  
Mr. Kenneth Shreeve



# Federal Emergency Management Agency

Washington, D.C. 20472

## **ADDITIONAL INFORMATION REGARDING LETTERS OF MAP REVISION BASED ON FILL**

When making determinations on requests for Letters of Map Revision based on the placement of fill (LOMR-Fs), the Department of Homeland Security's Federal Emergency Management Agency (FEMA) bases its determination on the flood hazard information available at the time of the determination. Requesters should be aware that flood conditions may change or new information may be generated that would supersede FEMA's determination. In such cases, the community will be informed by letter.

Requesters also should be aware that removal of a property (parcel of land or structure) from the Special Flood Hazard Area (SFHA) means FEMA has determined the property is not subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This does not mean the property is not subject to other flood hazards. The property could be inundated by a flood with a magnitude greater than the base flood or by localized flooding not shown on the effective National Flood Insurance Program (NFIP) map.

The effect of a LOMR-F is it removes the Federal requirement for the lender to require flood insurance coverage for the property described. The LOMR-F *is not* a waiver of the condition that the property owner maintain flood insurance coverage for the property. *Only* the lender can waive the flood insurance purchase requirement because the lender imposed the requirement. *The property owner must request and receive a written waiver from the lender before canceling the policy.* The lender may determine, on its own as a business decision, that it wishes to continue the flood insurance requirement to protect its financial risk on the loan.

The LOMR-F provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMR-F is not a building permit, nor should it be construed as such. Any development, new construction, or substantial improvement of a property impacted by a LOMR-F must comply with all applicable State and local criteria and other Federal criteria.

If a lender releases a property owner from the flood insurance requirement, and the property owner decides to cancel the policy and seek a refund, the NFIP will refund the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy during the current policy year. The property owner must provide a written waiver of the insurance requirement from the lender to the property insurance agent or company servicing his or her policy. The agent or company will then process the refund request.

Even though structures are not located in an SFHA, as mentioned above, they could be flooded by a flooding event with a greater magnitude than the base flood. In fact, more than 25 percent of all claims paid by the NFIP are for policies for structures located outside the SFHA in Zones B, C, X (shaded), or X (unshaded). More than one-fourth of all policies purchased under the NFIP protect structures located in these zones. The risk to structures located outside SFHAs is just not as great as the risk to structures located in SFHAs. Finally, approximately 90 percent of all federally declared disasters are caused by flooding, and homeowners insurance does not provide financial protection from this flooding. Therefore, FEMA encourages the widest possible coverage under the NFIP.



The NFIP offers two types of flood insurance policies to property owners: the low-cost Preferred Risk Policy (PRP) and the Standard Flood Insurance Policy (SFIP). The PRP is available for 1- to 4-family residential structures located outside the SFHA with little or no loss history. The PRP is available for townhouse/rowhouse-type structures, but is not available for other types of condominium units. The SFIP is available for all other structures.

Additional information on the PRP and how a property owner can qualify for this type of policy may be obtained by contacting the Flood Insurance Information Hotline, toll free, at 1-800-427-4661. Before making a final decision about flood insurance coverage, FEMA strongly encourages property owners to discuss their individual flood risk situations and insurance needs with an insurance agent or company.

The revisions made effective by a LOMR-F are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448) 42 U.S.C. 4001-4128, and 44 CFR Part 65.

In accordance with regulations adopted by the community when it made application to join the NFIP, letters issued to revise an NFIP map must be attached to the community's official record copy of the map. That map is available for public inspection at the community's official map repository. Therefore, FEMA sends copies of all such letters to the affected community's official map repository.

To ensure continued eligibility to participate in the NFIP, the community must enforce its floodplain management regulations using, at a minimum, the flood elevations and zone designations shown on the NFIP map, including the revisions made effective by LOMR-Fs. LOMR-Fs are based on minimum criteria established by the NFIP. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive and comprehensive floodplain management criteria, these criteria take precedence over the minimum Federal criteria.

FEMA does not print and distribute LOMR-Fs to primary map users, such as local insurance agents and mortgage lenders; therefore, the community serves as the repository for LOMR-Fs. FEMA encourages communities to disseminate LOMR-Fs so that interested persons, such as property owners, insurance agents, and mortgage lenders, may benefit from the information. FEMA also encourages communities to prepare articles for publication in the local newspaper that describe the changes made and the assistance community officials will provide in serving as a clearinghouse for LOMR-Fs and interpreting NFIP maps.

When a restudy is undertaken, or when a sufficient number of revisions occur on particular map panels, FEMA initiates the printing and distribution process for the panels and incorporates the changes made effective by LOMR-Fs. FEMA notifies community officials in writing when affected map panels are being physically revised and distributed. If the results of particular LOMR-Fs cannot be reflected on the new map panels because of scale limitations, FEMA notifies the community in writing and revalidates the LOMR-Fs in that letter. LOMR-Fs revalidated in this way usually will become effective 1 day after the effective date of the revised map.

## Your property has been reclassified as moderate-to-low flood risk. Your flood risk has been reduced but not removed.

You may now qualify for a Preferred Risk Flood Insurance Policy with annual rates starting as low as \$325. Keep your home—and everything inside of it—covered for less money. Contact your insurance agent to secure a lower-cost policy today.

**Protect the life you've built.**

Call **800-427-4661** or visit [www.FloodSmart.gov](http://www.FloodSmart.gov)



**FEMA**



## Flooding 101: Did you know?

- Flooding is the most common and costly disaster in the United States. Just 1 inch of flood water can cause \$25,000 of damage to your home.
- People outside of high-risk flood areas file more than 20% of NFIP claims and receive one-third of disaster assistance for flooding.
- Most homeowners and renters insurance doesn't cover flood damage. Only flood insurance provides financial protection from costly flooding.

**Stay covered. Save money. Talk to an agent today.**

For more information visit [FloodSmart.gov](https://www.floodsmart.gov).



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF FRANKLIN, WILLIAMSON COUNTY, TENNESSEE	A portion of Open Spaces 100 and 101, Splendor Ridge Subdivision, as shown on the Final Plat recorded as Document No. 19047861, in Plat Book P72, Page 80, in the Office of the Register of Deeds, Williamson County, Tennessee  The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 470206	
AFFECTED MAP PANEL	NUMBER: 47187C0211G  DATE: 12/22/2016	
FLOODING SOURCE: HARPETH RIVER		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 35.930970, -86.869022 SOURCE OF LAT & LONG: LOMA LOGIC  DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
Open 100	--	Splendor Ridge	Splendor Ridge Drive	Portion of Property	X (shaded)	--	--	636.0 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION	PORTIONS REMAIN IN THE SFHA
DETERMINATION TABLE (CONTINUED)	STATE LOCAL CONSIDERATIONS
FILL RECOMMENDATION	

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

### LEGAL PROPERTY DESCRIPTION (CONTINUED)

Open Space 100:

Commencing at the northwest corner of said Open Space 100, said corner being in the easterly margin of Parsons Place (SO' public right-of-way); thence, with the northerly line of said Open Space 100, South 60 degrees 52 minutes 27 seconds East, 183.57 feet; thence, leaving said northerly line and with a line crossing said Open Space 100, South 29 degrees 15 minutes 29 seconds East, 10.80 feet to the POINT OF BEGINNING of the herein described tract; thence, South 60 degrees 42 minutes 00 seconds East, 125.00 feet; thence, South 29 degrees 15 minutes 29 seconds West, 104.92 feet; thence, With a non-tangent curve to the left having a radius of 62.00 feet, a central angle of 13 degrees 59 minutes 12 seconds, an arc length of 15.14 feet and a chord bearing and distance of South 62 degrees 59 minutes 55 seconds West, 15.10 feet; thence, With a tangent curve to the right having a radius of 30.00 feet, a central angle of 77 degrees 25 minutes 57 seconds, an arc length of 40.54 feet and a chord bearing and distance of North 85 degrees 16 minutes 43 seconds West, 37.53 feet; thence, North 46 degrees 31 minutes 09 seconds West, 85.08 feet; thence, North 29 degrees 15 minutes 29 seconds East, 125.25 feet to the POINT OF BEGINNING.

Open Space 101:

Commencing at the southwest corner of Lot 4 as shown on said Final Plat of Splendor Ridge Subdivision; thence, with a line crossing said Open Space 101, North 77 degrees OS minutes 35 seconds West, 60.00 feet to the POINT OF BEGINNING of the herein described tract; thence, North 77 degrees OS minutes 35 seconds West, 60.00 feet; thence, North 12 degrees 54 minutes 25 seconds East, 20.00 feet; thence, North 77 degrees 05 minutes 35 seconds West, 60.00 feet; thence, North 12 degrees 54 minutes 25 seconds East, 125.00 feet; thence, North 84 degrees 29 minutes 10 seconds East, 66.50 feet; thence, With a non-tangent curve to the left having a radius of 60.00 feet, a central angle of 71 degrees 33 minutes 56 seconds, an arc length of 74.94 feet and a chord bearing and distance of South 41 degrees 17 minutes 48 seconds East, 70.17 feet; thence, South 12 degrees 54 minutes 25 seconds West 124.97 feet-to the POINT OF BEGINNING.

### DETERMINATION TABLE (CONTINUED)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
Open 101	--	Splendor Ridge	Splendor Ridge Drive	Portion of Property	X (shaded)	--	--	637.0 feet

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION BASED ON FILL DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

### **FILL RECOMMENDATION (This Additional Consideration applies to the preceding 2 Properties.)**

The minimum NFIP criteria for removal of the subject area based on fill have been met for this request and the community in which the property is located has certified that the area and any subsequent structure(s) built on the filled area are reasonably safe from flooding. FEMA's Technical Bulletin 10-01 provides guidance for the construction of buildings on land elevated above the base flood elevation through the placement of fill. A copy of Technical Bulletin 10-01 can be obtained by calling the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or from our web site at <http://www.fema.gov/mit/tb1001.pdf>. Although the minimum NFIP standards no longer apply to this area, some communities may have floodplain management regulations that are more restrictive and may continue to enforce some or all of their requirements in areas outside the Special Flood Hazard Area.

### **PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 2 Properties.)**

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

### **STATE AND LOCAL CONSIDERATIONS (This Additional Consideration applies to all properties in the LOMR-F DETERMINATION DOCUMENT (REMOVAL))**

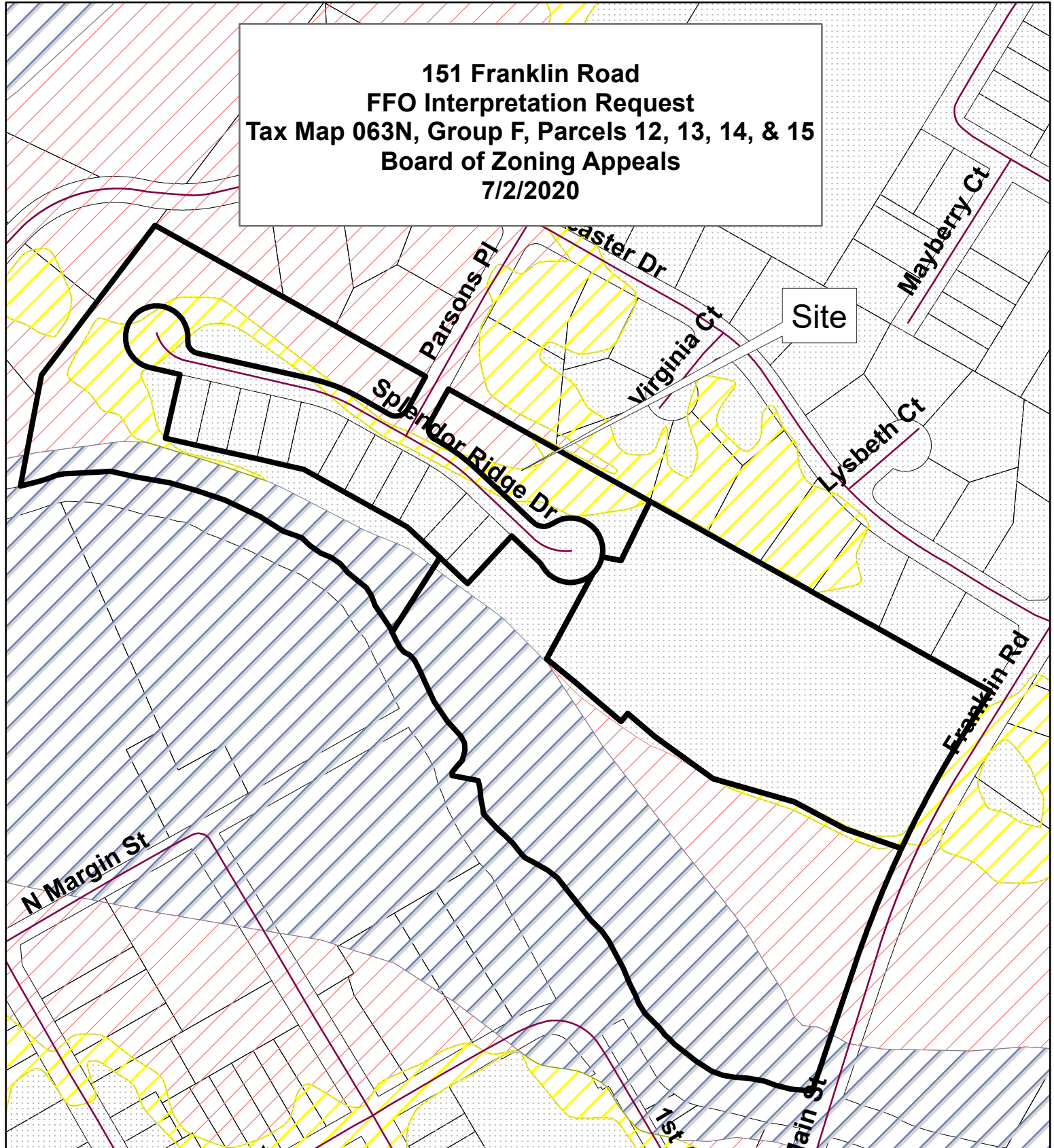
Please note that this document does not override or supersede any State or local procedural or substantive provisions which may apply to floodplain management requirements associated with amendments to State or local floodplain zoning ordinances, maps, or State or local procedures adopted under the National Flood Insurance Program.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.







A handwritten signature in black ink, appearing to read "Luis V. Rodriguez".

Luis V. Rodriguez, P.E., Director  
Engineering and Modeling Division  
Federal Insurance and Mitigation Administration

**151 Franklin Road  
FFO Interpretation Request  
Tax Map 063N, Group F, Parcels 12, 13, 14, & 15  
Board of Zoning Appeals  
7/2/2020**



**151 Franklin Road FFO Interpretation Request**

-  151 Franklin Road
- 2016 FEMA Flood Zones**
- Representation: franklingis.DBO.FloodZone2016**
-  500 Year Floodplain
-  Zone A - No Base Flood Elevation
-  Zone AE - 100 Year Flood Plain
-  Zone AE - Floodway
-  Zone X - Outside 500 Year Floodplain

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