

**FRANKLIN HISTORIC ZONING COMMISSION  
MINUTES  
NOVEMBER 8, 2021**

The Franklin Historic Zoning Commission its regular scheduled meeting on Monday, November 8, 2021, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present: Susan Besser  
Josh Denton  
Brian Laster  
Nick Mann  
Lisa Marquardt  
Mary Pearce  
Jim Roberts  
Ken Scalf  
Kathy Worthington

Staff Present: Amanda Rose, Planning & Sustainability Department  
Kelly Dannenfeler, Planning & Sustainability Department  
Victoria Hensley, Planning & Sustainability Department  
Maricruz Fincher, Law Department  
Walt Gatlin, Building & Neighborhood Services Department

**Call to Order**

Chair Roberts brought the November 8, 2021 meeting to order at 5:01pm.

Chair Roberts stated that the applicant for Item 8 has asked for the item to be withdrawn from this meeting.

Ms. Pearce moved to accept the withdrawal. Mr. Scalf seconded the motion, and the motion carried 9-0.

**Minutes: November 8, 2021**

Mr. Laster moved to approve the November 8, 2021 meeting minutes. Ms. Marquardt seconded the motion, and the motion carried 8-0, with Mr. Mann abstaining.

**Announcements:**

Ms. Rose stated she wanted to remind everyone about the Special DRC site visit at 3:00 pm on Monday, November 15<sup>th</sup> at 418 Lewisburg Avenue which is Collins Farm. Ms. Rose stated the visit will be discussed at the regular DRC 4:00 pm meeting after the site visit. Ms. Rose stated she

also wanted to note that Item 8 has withdrawn, and we want to thank Mr. Scalf for his service to the Commission because he has chosen to end his term in December. Ms. Rose stated we are looking for an architect to take Mr. Scalf's position on the Commission, and we have submitted a notice to the paper and online.

Ms. Pearce noted that the African American Heritage Society has closed on the purchase of the Merrill-Williams House and that a celebration will be taking place on Friday at 11am at the site.

## **VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA**

The non-agenda process, by design, is reserved for emergency instances. Non-agenda items shall be considered only upon the unanimous approval of all the HZC members.

No non-agenda emergency items.

### **Citizens Comments on Items Not on the Agenda**

**Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Historic Zoning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Historic Zoning Commission consideration at a later date.**

No one requested to add anything to the Agenda.

### **Item 1:**

**Consideration of Preliminary HZC Recommendation for Emeline Acres Subdivision proposed at the Southeast and Southwest Corners of the Intersection at Mack Hatcher Pkwy. and Franklin Rd.; Kiser Vogrin Design LLC, Applicant.**

Ms. Rose presented Staff's analysis and recommended the Historic Zoning Commission provide a recommendation of disapproval to the FMPC and BOMA, based on the staff analysis dated November 8, 2021.

Mr. Gary Vogrin stated they have been working diligently with Planning staff and have tried to work through the elements on Franklin Road. Mr. Vogrin stated the three design components he sees in the guidelines for this area are to preserve a historic building, which has been done, and to provide an uncongested gateway into Central Franklin that emphasizes historical character and community, and he thinks that box has been checked based on the frontages along Franklin Road through the widening of the home sites, greater side and front setbacks, and minimized the number of units with only six structures on each side of the road. Mr. Vogrin stated the fourth design goal was to make sure new construction maintains a balance of buildings, roads and open space, and he believes they have done that as well. Mr. Vogrin stated they are preserving open space, providing

roads that are on-street parking, parallel parking to slow down the streets. Mr. Vogrin stated when he looks at the three elements that is what they have been working towards.

Mr. Vogrin stated he is positive in what Ms. Rose stated about the widening of the corridor of Franklin Road because that is something they have always talked about. Mr. Vogrin stated they want to get the commission's guidance and feels they have come a long way to get where they are now but what is coming into play is where they widened the lots along Franklin Road that has kicked some other things back internally, which are not fronting Franklin Road but have the same character as he believes Myles Manor has in terms of lot width, a mix of alley-loaded and not alley-loaded. Mr. Vogrin stated they are almost at the same density, with us being at 2.42 and Myles being at 2.3 or so. Mr. Vogrin stated they saw this as kind of mimicking Myles Manor in terms of lot sizes, types, character, alley-loaded, rear-loaded and front facing Franklin Road.

Mr. Vogrin stated this site in terms of location has a lot of dynamic features to it. Mr. Vogrin stated they are at an intersection with a very high traffic road being at Mack Hatcher and Franklin Road. Mr. Vogrin stated they have a railroad track to the southeast of them. Mr. Vogrin questioned if larger lots should really be proposed along those two edges which are to be debated. Mr. Vogrin stated they have a church to the east that allows them to transition density from off of Franklin Road and move it to the tracks or the church. Mr. Vogrin stated they are just looking for the commission's guidance and would like to offer some suggestions and get some ideas on some things. Mr. Vogrin stated they would like to reduce some density, reduce some lot sizes, and want to get the commissions feedback. Mr. Vogrin stated they would like to potentially turn Creekside Estate into a home site, which was a discussion at DRC, and if we could turn it into an estate or residence, we could do that. Mr. Vogrin requested to know what the minimum lot size would be wanted. Mr. Vogrin stated knowing Myles Manor is at 50-feet, would you want to see 45-feet wide and explained the lot sizes, whether it was alley loaded and/or rear garage loaded on the plan shown on the projector. Mr. Vogrin stated they are just looking for guidance.

Chair Roberts requested to know if there were any citizens who wished to speak.

Mr. Scott Layden expressed his concern for the church access and did not want the church access to be a thoroughfare.

Ms. Rose stated the role of HZC is to provide a recommendation to FMPC and BOMA on items that relate to the Historic District Design Guidelines, so any comments about the roadway access or the density or the traffic would be better suited to be heard at the Planning Commission meeting.

Ms. Pam Lewis at 4081 Columbia Pike spoke against the item due to the density and the historic resource.

Ms. Julie Fuller at 905 Caleb Court stated she was the chairperson for the Board of Trustees of the church that borders this property. Ms. Fuller spoke against the item and explained her reasons.

Ms. Lynn McAlister at 723 Fair Street spoke against the item due to it not being rural, open, or uncongested.

Mr. Vogrin stated they are trying to balance between what Envision Franklin recommends and what the Historic District Design Guidelines require.

Chair Roberts stated he would entertain a motion from the commission.

Ms. Rose noted that if there was any feedback given to Mr. Vogrin as he requested, the commissioners should be very specific with their feedback, as you would with any new proposal or construction.

Ms. Pearce stated this item is worthy of a site visit and worthy of us knowing where the setbacks are and where the elevations on the ground are, and she would support this going to DRC and a site visit.

Ms. Pearce made a motion to defer this item to the December's HZC meeting and stated there should be a site visit scheduled with the setbacks marked off so the commission can get some understanding of how this proposal lays out, and then have it come to December's DRC meeting. Ms. Marquardt seconded the motion.

Ms. Pearce stated she feels Franklin Road is built out and this has way too much regularity in her mind.

Ms. Besser stated what sticks out in her mind is the mention about Myles Manor, which is more of an in-town development, and this is more of a rural development. Ms. Besser stated they have to look at the context of the historic house itself and pull from that and not try to design houses that don't really work with that context. Ms. Besser stated this leads us to a lot size larger than what they are proposing.

Ms. Marquardt stated she would agree with Ms. Besser and stated it is not just historic house itself but the surroundings as well.

Ms. Rose stated in an attempt to be very specific, we should be clearer about what we mean with the comment about being more consistent with the Creekside property.

Ms. Besser stated what she thinks she sees here is that Harlinsdale Manor has lots that measure approximately 125 feet to 175 feet in width, and what she would like to see is at least 125 feet in lot width with the style, for instance, pulling on Federal, Greek Revival, or Folk Victorian. Ms. Besser stated quite frankly she is overwhelmed with the idea that we have to plan out all these sizes, and she doesn't feel comfortable doing that. Ms. Besser stated she thinks what they have now is something that is not conducive to keeping the rural character, and she thinks that the context encourages a building which works in a specific time frame. Ms. Besser stated again that

Myles Manor has smaller lots with different types of styles, and it is a different feel altogether. Ms. Besser stated Franklin Road is much more rural, and as a commission, we are trying to keep that rural character.

Mr. Vogrin requested to know if that was internally and externally, or just lots fronting Franklin Road.

Ms. Besser stated again, to have us tell the applicant the sizes of every house is something she cannot do. Ms. Besser stated the applicant needs to show us a lot and what can go on it. Ms. Besser stated the lot sizes just have to be larger.

Mr. Vogrin stated basically half-acre lots are fronting Franklin Road that range from 90 feet to 260 feet deep. Mr. Vogrin requested clarification on whether this was just along Franklin Road or is it internally and externally.

Ms. Besser stated she is just telling him the lots need to be larger. Ms. Besser stated it is creating a scenario that the houses that are developed in that lot size are not going to reflect the rural character area.

Chair Roberts stated could not go along with the number of units being proposed and that it must come down. Chair Roberts stated the lot widths need to be increased as well.

Discussion ensued.

With the motion having been made and seconded, the motion carried 8-0, with Mr. Denton abstaining from the vote.

**Item 2:  
Consideration of Alterations (Rooftop) at 231 Public Sq.; Emma Fisk, Applicant.**

Ms. Rose presented the staff report and stated it is recommended that the Historic Zoning Commission approve the proposed rooftop alterations, with the following conditions:

1. Awning Specifications
  - The applicant must utilize a dark awning material to lessen the visual impact of the vantages across the adjacent street (Public Sq.).
  - Canvas, vinyl-coated, or acrylic are the most appropriate awning materials for storefronts, per Guidelines. While this is not a storefront location, there may be visibility of the awnings from across the adjacent street (Public Sq.), so the applicant must utilize one of these recommended awning materials.
  - Color and material specifications must be submitted to the Preservation Planner for review in light of the applicable Guidelines prior to issuance of a building permit.

2. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit, including the following:
  - Provide BNS with Structural Engineered plans for the retractable awning structure along with the tempered glass panels to confirm compliance with uniform design load factors, wind, snow, roof, etc. in Chapter 16 of the 2018 IBC.
  - Provide BNS with Mechanical plans indicating all details regarding the gas lines for the fire bowls.

Mr. Trent Sullivan was present to represent the item and stated as Ms. Rose mentioned this item was deferred and they met with you a month or so ago at DRC. Mr. Sullivan stated they have drastically reduced the scale of what they wanted to propose to do for the roof and it is awnings that are retractable. Mr. Sullivan stated they felt the awnings were the best way to make this space habitable and to protect the people from the elements. Mr. Sullivan stated when it is retracted it is about four to six inches wide, which is about the size of a gutter. Mr. Sullivan stated the owner is open to color suggestions and hopes the color would be something readily available like a black or dark gray.

Chair Roberts requested to know if any citizens wished to comment, and no one requested to comment.

Mr. Scalf moved to approve with conditions a Certificate of Appropriateness for the rooftop retractable awnings. Mr. Mann seconded the motion.

Mr. Laster requested to know if the applicant considered having awnings on less visible elevations on the rooftop. Mr. Laster stated what he means is somewhere less prominent viewshed than the town square.

Mr. Sullivan stated no, they really didn't, and explained it was laid out in conjunction with the interior layout where it would make the most appropriate sense from the users of the space.

Mr. Laster requested to know if the awning could be put on a less visible side.

Mr. Sullivan stated certainly, yes.

Ms. Pearce stated that was a comment she had made earlier and the thing that concerns her is not the awning, but everything that comes with the awning, like tables, chairs, plants. Ms. Pearce stated to her, it would be preferable that it be on the East Main side so that the front was used as perhaps a standing area, and everything else would be less visible.

Mr. Laster stated he couldn't support the motion as it is because right now, we are shown by the drawings, but you can actually see the awning on the square and would prefer to see it on a less visible side.

Mr. Sullivan stated he does believe this meets the guidelines as specified. Mr. Sullivan stated as far as line of sight, it is supposed to be to the nearest right-of-way. Mr. Sullivan stated where it

was visible from was one of the questions posed to him by DRC, and the parapet is so tall and so wide that you have to lean over that to see down to the street. Mr. Sullivan referenced drawings displayed on the projector screen and stated they have tried hard with the size. Mr. Sullivan stated with it being retractable, it can only go about ten feet.

Mr. Laster stated with the guidelines, the line of sight would be anywhere within the square of the buildings that could be viewed, and that would be the line of sight and not just the park in the middle or at the sidewalk of the building.

Ms. Marquardt stated that view is when the awning is open, and the beauty of a retractable awning is you can hide it. Ms. Marquardt stated she knows it is not ideal and we would like to have it not visible at all. Ms. Marquardt stated the presumption of this building anyway and its structure on top is that it almost calls for awning. Ms. Marquardt stated originally there was talk of a restaurant on top of the building, and she thinks at some point the awnings are inevitable, and in her mind, this one is probably the most suitable.

Mr. Scalf stated he agreed with the comments and stated this is a commercial building, and when the building was approved, this was part of the scheme a rooftop restaurant.

Chair Roberts stated we actually approved some awnings on the East Main side previously.

Ms. Worthington commented on staff comment bullet point number two about a canvas, vinyl coated material and treating it as sort of a storefront location in a dark color material or maybe a color that would blend with the building.

Ms. Rose stated color is a condition the commission can make here to help lessen the visibility.

The motion carried 6-3, with Ms. Besser, Mr. Laster, and Ms. Pearce voting no.

**Item 3:**

**Consideration of Alterations (Window Replacement) at 113 2<sup>nd</sup> Ave. S.; Luke Dougal, Applicant.**

Ms. Hensley presented the staff report and stated it is recommended that the Historic Zoning Commission approve the proposed window alterations with the following conditions:

1. The new windows must consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to installation.
2. The application must meet all the requirements of the Building & Neighborhood Services Department prior to installation.
3. Any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

Ms. Gina Emmanuel stated they met with DRC and received a few items to work on and they have addressed most of those and they have worked to make the drawings a little clearer. Ms. Emmanuel stated she hopes this meets all the conditions required.

Chair Roberts requested to know if any citizens wished to comment, and no one requested to comment.

Mr. Laster moved to approve with conditions a Certificate of Appropriateness for the proposed window alterations. Ms. Worthington seconded the motion and the motion carried 9-0.

**Item 4:**

**Consideration of Addition (Accessory) & Fencing at 810 W. Main St.; Ben McCreary, Applicant.**

Ms. Rose presented staff report and analysis and stated it is recommended that the Historic Zoning Commission approve the proposed addition and fencing alterations with the following conditions:

1. The windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
2. The applicant must submit a signed and notarized Owner Affidavit for each applicable easement owner prior to installation of the gate.
3. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit. Any additional changes to the approved plans must be returned to the Historic Zoning Commission for review and approval.

Mr. McCreary stated Ms. Rose said everything well.

Chair Roberts requested to know if any citizens wished to comment, and no one requested to comment.

Ms. Marquardt moved to approve with conditions a Certificate of Appropriateness for the proposed addition and fencing alterations. Ms. Pearce seconded the motion, and the motion carried 9-0.

**Item 5:**

**Consideration of New Construction (Accessory) at 211 2<sup>nd</sup> Ave. S.; Ben McCreary, Applicant.**

Ms. Hensley presented the staff report and analysis and stated it is recommended that the Historic Zoning Commission approve the new accessory structure, with the following conditions:

1. The location of the exterior fireplace and chimney is not consistent with the Guidelines, as chimneys and fireplaces were not historically traditional on accessory structures. The applicant should make the fireplace freestanding off of the accessory structure.



2. The windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
3. The application must meet all the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit, and any additional changes to the approved plans must be returned to the Preservation Planner or the Historic Zoning Commission for review and approval.

Mr. McCreary stated he would like for the Commission to consider the fireplace just for the chimney and the size of it in relation to the main house. Mr. McCreary stated he wanted to let the Commission know the main house chimney is about thirty feet tall and sits approximately thirty-five feet forward of where the chimney is proposed on the garage. Mr. McCreary stated with the orientation of the house the way the main house sits along Second Avenue, the garage and the chimney—or at least half of the garage, and all of the chimney—is obscured from the street view.

Chair Roberts requested to know if any citizens wished to comment, and no one requested to comment.

Mr. Laster moved to approve with conditions number two and three a Certificate of Appropriateness for the construction of the accessory structure, based on the Staff Analysis and Recommendation. Mr. Scalf seconded the motion.

Mr. Scalf stated on the chimney if you did not see the fire box and the hearth, which you are most likely not, it appears that it is associated with the structure it is attached to.

Mr. Laster stated he believes this does support the guidelines because it can't be seen from the street and there are places within Franklin with fireplaces and chimneys.

Ms. Pearce stated she would support that because of the size of the lot and low visibility.

With no further discussion, the motion carried 9-0.

**Item 6:**

**Consideration of New Construction at 185 Splendor Ridge Dr.; Chad Gore, Applicant.**

Ms. Hensley presented the staff report and stated it is recommended that the Historic Zoning Commission deny the proposed new construction with the following:

1. The proposed building coverage is 39.6 percent, which is not consistent with the Guidelines. The Guidelines recommend that maximum building coverage not exceed 35 percent in specified residential zoning districts, including R-1, as measured by building footprint (p.67, #10).

2. If issued a COA, the windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
3. If issued a COA, the application must meet the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit, and any changes to the approved plans must be submitted to the Preservation Planner or the HZC for approval prior to work commencing.

Mr. Gore stated the only thing he needs to address is the building coverage, and page three's diagram which we have looked at before, illustrates the platted permanent open space around the development and shows us that when considering that open space, even with these individual lots each built out to just under 40 percent lot coverage, the coverage of buildings across the entire site is approximately thirteen percent.

Chair Roberts requested to know if any citizens wished to comment, and no one requested to comment.

Mr. Scalf moved to approve with conditions two and three the issuance of a Certificate of Appropriateness for the proposed new construction at Lot 15, based on Staff Analysis and Recommendation dated November 8, 2021. Mr. Laster seconded the motion, and the motion carried 8-1, with Ms. Besser voting no.

**Item 7:**

**Consideration of New Construction (Principal & Accessory) at 119 Winslow Rd.; Michael Katsaitis, Applicant.**

Ms. Rose presented the staff report and analysis and stated it is recommended that the Historic Zoning Commission approve the proposed new construction with the following conditions:

1. The applicant must utilize Elevation B, for better consistency with the Guidelines and with the Transitional Features regulations of the Zoning Ordinance.
2. Lap siding must consist of wood or smooth cementitious siding of a 4"-5" reveal for historical appropriateness.
3. The application must meet the requirements of the Building & Neighborhood Services Department prior to issuance of a building permit, and any changes to the approved plans must be submitted to the Preservation Planner or the HZC for approval prior to work commencing.
4. It is recommended that the applicant ensure that the accessory structure meets all the requirements of Section 5.2.7 of the Zoning Ordinance, as related to Accessory Dwellings, prior to applying for a building permit.

Mr. Katsaitis stated to answer the last question, the siding would be five-inch reveal fiber cement. Mr. Katsaitis stated on the accessory structure we did try to tone down some of the windows in the back. Mr. Katsaitis stated they had a grouping of six windows in the art studio, and we have toned it down to two. Mr. Katsaitis stated on the side elevation we had a set of transoms over that, so we eliminated those transoms and moved down the shed roof and added a fixed window above. Mr. Katsaitis had Ms. Rose show the drawing.

Mr. Katsaitis stated as Ms. Rose had mentioned during the DRC there are the zoning requirements, and the front door originally was facing the side and now, which they have modified that to face the front façade as per the zoning requirements. Mr. Katsaitis stated they do want to be sensitive to the transitional architectural features, and we do believe that an elongated window scheme, option A, does provide more of a two and half story massing where option B, splitting those windows, creates more of a distinct two-story rather than a one-story façade that we are trying to achieve. Mr. Katsaitis stated that disconnect element pushes that window to the second floor almost, even though it is a volume space in the grand foyer. Mr. Katsaitis stated with that said, we ask for your consideration and approval of scheme A.

Chair Roberts requested to know if any citizens wished to comment.

Mr. Danny Anderson stated he wishes the commission to consider design A.

Ms. Pearce noted they did not turn down the side entrance, as that is a City of Franklin zoning requirement, and she thought she heard Ms. Rose say, “hey, the City might not approve option A.”

Ms. Rose clarified she did not believe elevation A will be approved to meet the transitional features requirements of the Zoning Ordinance because the verticality is much more exaggerated than what you would see elsewhere in the street. Ms. Rose stated she would encourage that if you would like to approve A, you should consider approving B as well, in case A did not get approved through the building permit process.

Ms. Pearce moved for approval with conditions, with applicant using either Elevation A or Elevation B, and applicant can alter Elevation A to meet the Zoning Ordinance requirements, with staff approval. Mr. Scalf seconded the motion.

Ms. Besser stated she thinks the design works really well, but with the chimney melding into the front of the house, she asked if it is possible to have some kind of delineation.

Mr. Katsaitis stated no, it was designed for Tudor Revivals or English Tudors to have flushed chimney like this.

Ms. Besser stated it needs some definition.

Mr. Denton stated he had a hard time getting behind option A, as opposed to option B, and he would not be able to support approving both options.

Discussion ensued on Option A or Option B and photograph Ms. Pearce found of windows in a Storybook Cottage.

After discussion Chair Roberts suggested everything be approved except the windows of this section of the house and have it come back to the next DRC or another HZC meeting.

The motion made previously by Ms. Pearce was withdrawn.

A second motion was made by Mr. Laster to defer this item to the December 13<sup>th</sup> HZC meeting. Ms. Marquardt seconded the motion, and the motion failed 1-8, with Ms. Besser voting yes.

Discussion ensued.

Ms. Pearce moved to approve with staff comments for Option B and to have the applicant bring back to staff a stone sample for approval. Mr. Denton seconded the motion, and the motion carried 9-0.

**Item 8:  
Consideration of New Construction & Fencing at 122 Harlinsdale Ct.; Eric Henderson,  
Applicant.**

Withdrawn.

**Other Business.**


- Consideration of Amendment to the 2021 Historic Zoning Commission & Design Review Committee Meeting Dates/Application Deadlines.
- Consideration of Approval of the 2022 Historic Zoning Commission & Design Review Committee Meeting Dates/Application Deadlines.

Ms. Rose stated there is a date on the current 2021 meeting schedule that needs to be changed due to it falling on a City holiday, and she must have approval from the commission to change it.

Mr. Mann moved to approve both 2021 and 2022 meeting schedules. Mr. Denton seconded the motion, and the motion carried 9-0.

**Adjourn.**

With no further business, the meeting was adjourned at 7:04 p.m.

DocuSigned by:  
  
999F56A2F2B94C2...  
**Acting Secretary**