

**MEETING MINUTES OF THE
FRANKLIN BOARD OF ZONING APPEALS
FEBRUARY 3, 2022**

The Franklin Board of Zoning Appeals held a regular meeting on Thursday, February 3, 2022 at 6:00 p.m. in the City Hall Boardroom.

Members present: Jonathan Langley
Jeff Fleishour
Joel Tomlin

Staff present: Emily Wright, Planning & Sustainability Department
Victoria Hensley, Planning & Sustainability Department
Bill Squires, Law Department
Tom Marsh, BNS Department

The agenda read as follows:

Call to Order:

Chair Langley called the February 3, 2022, meeting to order at 6:05 pm.

Election of the Chair and Vice Chair

Chair Langley stated the first order of business was to elect the Chair and Vice Chair and requested to know if there was a motion to elect a Chair.

Mr. Tomlin moved to elect a Chair and nominated Mr. Jonathan Langley. Mr. Fleishour seconded the motion and the motion carried 3-0.

Chair Langley requested to know if there was a motion to elect a Vice Chair.

Mr. Tomlin moved to elect Mr. Frank Jones as Vice Chair. Mr. Fleishour seconded the motion and the motion carried 3-0.

Review of Minutes from November 4, 2021, Meeting

Mr. Tomlin moved to approve the November 4, 2021, meeting minutes. Mr. Fleishour seconded the motion and the motion carried 3-0.

Announcements:

Chair Langley requested to know if Staff had any announcements.

Ms. Hensley stated there were no announcements.

Chair Langley stated he wanted to mention we have speaker cards and if you have not filled one out and want to speak at tonight's meeting, please fill one out and give to staff. Chair Langley stated it was important due to timing of the speakers. Chair Langley paused the meeting for anyone who had not filled out a speaker card to do so and no one else wished to add a speaker card.

Chair Langley stated on Item 4 he would have to recuse himself from the item and thus there would not be a quorum due to having only three members present tonight and it takes three members to have a vote. Chair Langley stated he thought the applicant knew the situation.

Chair Langley stated he knows there are a lot of residents present tonight and he has speaker cards from residents who want to speak. Chair Langley stated the goal here is to make sure each person has equal time to speak for or against an item. Chair Langley stated the applicant has been told they would be allowed ten minutes to present their presentation and Chair Langley counted the speaker cards and stated it would be two minutes per person to speak or twelve minutes per side of for or against. Chair Langley explained staff would start a timer for the two minutes and about thirty seconds out she will raise her hand so you kind of have heads up over your time. Chair Langley requested everyone to please respect the time rules so everyone can get a chance to speak. Chair Langley stated the board welcomes citizen comments and participation in the public process.

Applications:

Appeal of Administration 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 Map 062, Parcel 022.22, Franklin, TN 37064 (F.Z.O. 4.3).

Ms. Hensley stated the applicant is requesting an Appeal of Administrative Decision to interpret the City's FFO boundaries for a portion of Lot 305, Section 3, McEwen Place PUD, Revision 2. Ms. Hensley stated the request is based on the Letter of Map Revision Based on Fill (LOMR-F) document issued by FEMA on November 16, 2021. Ms. Hensley stated 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). Ms. Hensley stated 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.

Mr. Ken Shreeve stated he was the applicant present to represent the item. Mr. Shreeve stated he was here to answer any questions and did not have anything further to add.

Chair requested to know if any citizens wished to speak on this item, and no one requested to speak.

Mr. Tomlin moved to close the public hearing. Mr. Fleishour seconded the motion and the motion passed 3-0.

Chair Langley requested to know if there was any discussion or a motion to be made.

Mr. Tomlin moved to approve the item. Mr. Fleishour seconded the motion and the motion passed unanimously 3-0.

Variance Request For Development within the Landscape Buffer at the Property Located At 2013 Orange Leaf Circle (F.Z.O. 12.7.5 – Landscape, Buffers, Development Within Buffers).

Ms. Hensley stated Item 2 is a request to develop within the landscape buffer a pool and a deck at 2013 Orange Leaf Circle, which is in the October Park Subdivision. Ms. Hensley stated the BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. Ms. Hensley stated the staff has completed an analysis of the request in light of these criteria:

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

The subject property is located in the October Park subdivision. The parcel is located on the front edge of a cul-de-sac and it has a platted 37.5-foot incompatible lot size buffer along the rear of the property as required under a previous Ordinance. The lot is neither exceptionally narrow nor shallow at approximately 113 feet by 140 feet. Additionally, no significant topographic conditions are present on the subject parcel. Therefore, staff believes this criteria is not met.

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

The applicant has stated that the proposed location of the pool is ideal for both the family and the lot itself. The approved pool location is 5 feet from the back of the house. The location of the newly proposed pool is 7 feet from the back of the house, which provides two additional feet between the exterior wall and the pool itself, which the applicant has suggested will provide greater safety for the family. The approved pool is both smaller and closer to the back of the house, but it does not encroach into the landscape buffer. City staff found the approved pool to be safe based on applicable codes and issued a permit dated October 6, 2021. While the applicant has suggested that safety issues create an undue hardship, the approved pool does meet all safety standards. Therefore, staff believes this criteria is not met.

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

The intent of the buffer is to provide landscaping on smaller lots to screen them from larger adjacent residential lots that existed prior to this development. As proposed, the pool and pool patio will not remove any landscaping from the buffer. The 37.5-foot buffer is shown on the property map, but landscaping is shown

behind the proposed pool location. Because the Zoning Ordinance does allow for pools in rear yards in the proposed location, if not for the landscape buffer, and the applicant would not remove any required landscape screening from the buffer to construct the pool and deck, relief may be granted without impairing the purpose and intent of the Zoning Ordinance. Therefore, staff believes this criterion is met.

Ms. Hensley stated she would like to note BZA did approve a variance request to develop in the landscape buffer at 2019 Orange Leaf Circle at its November 2021 meeting.

Ms. Hensley stated based on the reasoning detailed, staff recommends disapproval of the Variance request because it does not meet the three required criteria.

Mr. Jake Jacobs from Pool and Spa Depot stated he was present to represent the item for the homeowner. Mr. Jacobs requested to know in terms of the first criteria what determines exceptionally narrow.

Ms. Wright explained when looking for exceptional narrowness we typically look at the lot within the greater neighborhood and compare it to the rest of the lots that are adjacent or in proximity to it. Ms. Wright stated that is how normally staff analysis is conducted. Ms. Wright stated the Board of Zoning Appeals members may have a different interpretation.

Chair Langley stated he wanted to mention this is the applicant's opportunity to speak. Chair Langley stated they as a board are looking at the three criteria outlined so this is really your time to explain to us how as an applicant you feel that it meets those criteria.

Mr. Jacobs stated if you take a thirty-seven and half foot easement off a rear property line that would make it an exceptionally narrow lot. Mr. Jacobs stated almost forty feet of the applicant's property is unusable for construction.

Mr. Jacobs stated to the second point by code it is five foot off the house, and we have made a smaller pool work. Mr. Jacobs stated it does force that pool closer into where his step downs currently happen. Mr. Jacobs stated from a safety point we brought this up because it pushes it in closer because as soon as you exit without pushing that pool back a couple of feet, he has got three small children and his fear was they are really close there because if you come off the bottom step you are pretty much right there on the water.

Mr. Tomlin stated to be clear it is moved two more feet from your original proposal.

Mr. Jacobs stated correct, and it is a net gain of seven feet which would be seven foot into that and we feel the second criteria is met.

Mr. Jacobs stated obviously Staff recommended the third criteria is met and that the functionality of that easement is to be able to plant trees to act as a screen to adjacent neighborhoods and it can absolutely suffice in that situation. Mr. Jacobs stated they had the concern of how the next door neighbors pool get approved and not this one.

Chair Langley explained from a board standpoint each lot is unique and each situation is unique topography and whatever the conditions are kind of within that criteria. Chair Langley stated it could be different within a subdivision. Chair Langley explained these are all looked at individually.

Chair Langley opened the public hearing portion, and no one wished to speak for or against the item. Chair Langley stated he would entertain a motion to close the public hearing.

Mr. Tomlin moved to close the public hearing. Mr. Fleishour seconded the motion and the motion passed 3-0.

Mr. Tomlin made a motion to approve the Variance request for development within the landscape buffer at the property located at 2013 Orange Leaf Circle because all three criteria required for granting a variance have been met. Mr. Fleishour seconded the motion and the motion passed 3-0.

Variance Request For Parking Within the Landscape Frontage For a Portion, known as the Haynes-Berry House (303 Berry Circle), of the Property Located At 423 S Margin Street (F.Z.O. 7.5 – Frontage Types, Landscape Frontage), and Variance Request For A New Building to Face the Gardens Rather Than a Public Street, Private Street, or Internal Drive For the Property Located At 423 S Margin Street (F.Z.O. 7.1.3 – Lot Frontage).

Chair Langley read the variance caption and explained this request has two variance requests, but variance number one has been withdrawn by the applicant.

Ms. Hensley stated the applicant for Item number three has formally requested to withdraw their variance request for parking with the landscape frontage for the portion known as the Haynes-Berry House. Ms. Hensley stated as the applicant is going through other commissions and review bodies the plan changed which removed the parking lot from in front of the Haynes-Berry House. Ms. Hensley stated Staff would just go into comments for the second variance request. Ms. Hensley stated the applicant is requesting a variance for a new building to face internal to the gardens rather than a public or private street or internal drive at 423 S. Margin Street. Ms. Hensley stated the property commonly referred to as Franklin Grove once housed the O'More campus. Ms. Hensley stated the property does include two historic houses The Winstead House and the Haynes-Berry House as well as other existing buildings. Ms. Hensley stated as part of a larger project the applicant is proposing to locate a new building towards the rear of the property that would face the gardens and not a street or internal drive. Ms. Hensley stated this variance request is only looking at the orientation of the new building. Ms. Hensley stated the request has no bearing on use, size, location, architectural style, zoning classification, etc. of any new building on the site of the development as a whole. Ms. Hensley stated this variance request is for relief from the Zoning Ordinance 7.1.3, which states that every lot shall have a frontage on a public street, private street or internal drive. Ms. Hensley stated the proposed use of any new building is not being considered in this request it is just the orientation of the building. Ms. Hensley stated staff has reviewed this request for the three criteria as established by state law as follows:

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

The subject property is located within the former O'More campus. The property does present an exceptional situation. The campus-like setting of the parcel includes two historic buildings as well as other existing buildings. In order to face a street, any new or relocated building would need to be located in front of the existing buildings, which would not be ideal or align with the Franklin Historic District Design Guidelines. By placing a new building internal to the rear of the site, the applicant is proposing to have the front façade of the new building face a formal open space, known as the gardens. Because of the campus-like setting and the shape and size of the site being inconducive to extending a new street or drive to the rear of the site, staff believes the subject parcel represents an exceptional situation, and this criteria is met.

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

The Zoning Ordinance requires lots to front a public street, private street, or internal drive. A new building on the subject parcel would not be able to face a public street unless it was located in front of the two historic buildings. The Winstead House and the Haynes-Berry House are both nineteenth century houses that can be seen from street view. The strict application of the Zoning Ordinance would restrict where new buildings could be located on the site, which is a practical difficulty for the owner of the property. A new building facing the gardens which are a formal open space internal to the property follows the campus-like setting on the existing site. Therefore, staff believes this criteria is met.

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

The exceptional situation on the subject parcel creates a campus-like setting. There are historic buildings on the site, which face the streets and meet the requirements of the Zoning Ordinance. In order to not place a new building in front of the historic buildings on the site, a new building should be oriented towards the other existing buildings on the site, which places the front façade of any new building internal to the site. Additionally, it would be difficult to create new internal streets within the subject parcel due to its size. Because the new building will face a formal open space and be placed behind the existing buildings internal to the site, relief can be granted without detriment to the public good or impairing the intent of the Zoning Ordinance. Staff believes this criteria is met.

Ms. Hensley stated based on the reasoning detailed above, staff recommends approval of Variance Request #2.

Mr. Cyril Stewart stated he was the architect for the project along with BSA Architects and he lived at 3813 Whitland Avenue, Nashville, Tennessee. Mr. Stewart stated it is a highly visible site as you probably know, and a lot of people are keeping their eyes on this project, which is proper for Franklin and the way things happen here. Mr. Stewart stated the reuse of the old O'More campus is an opportunity to create gardens, to renovate two magnificent historic structures, to create an art museum and an innovation center that is already open and providing a benefit to the community. Mr. Stewart stated they plan to relocate the Lee Buckner schoolhouse to this site and a space for people to gather to create their own memories going into the future. Mr. Stewart stated you probably heard about this project and its journey through the City's review processes and we have continued to refine the plans and made adjustments all along to bring the site into conformance with the many regulations that the City has, which has not been easy especially since the site is so unique in its configuration, its history and its circumstances. Mr. Stewart stated it simply doesn't fit easily into the boxes that our ordinances were designed for. Mr. Stewart stated it is not a typical new building, renovation or infill project. Mr. Stewart stated this meeting is one of many, many, many that we have with the public and with the city to discuss this project. Mr. Stewart stated they appear before the Historic Zoning Commission on February 14th and with the Planning Commission and BOMA in the future who will determine the outcome of this project. Mr. Stewart stated tonight's meeting has one purpose and that is to review and decide on the specific requirement of the Zoning Ordinance requiring new buildings to face a street frontage. Mr. Stewart stated whether the hall can face into the site, rather than a public road is the question tonight. Mr. Stewart stated they agree with the findings of staff that the project as proposed, meets the three criteria that are stipulated by the state. Mr. Stewart stated the shape of the site as you can see on the screen the left-hand side is Margin Street and on the lower left-hand side is Lewisburg Avenue and there is a little bit of Berry Circle that is the entire frontage of the site. Mr. Stewart stated the rest of the site backs up to property lines of other properties. Mr. Stewart stated all though there is a lot of frontage because the historic regulations new buildings cannot be placed in front of those historic buildings and shouldn't be placed in front of the historic buildings. Mr. Stewart stated to put this new structure on the back of the site is the totally appropriate place to put it to respect those historic structures and to respect the setting involved. Mr. Stewart stated the strict application of this provision of the ordinance would result in severe difficulties and a severe hardship by prohibiting any new buildings on the site. Mr. Stewart stated the plan restores the historic homes, including removing some additions that were later additions to the original structure and even with the new building it reduces what was 27,000 square feet that was on this site to a total of 18,278 feet. Mr. Stewart stated so even with the new buildings, it is much smaller than what was there before. Mr. Stewart stated the combined footprint, not including the upper stories, for all the existing and proposed buildings is 12,529 square feet. Mr. Stewart stated on a five-acre site that is extremely low density. Mr. Stewart stated over three and a half acres of this site will be gardens, which will be a great benefit to the community. Mr. Stewart stated number three, the proposed orientation focuses and contains both the smokehouse and the hall in a walled garden with seven feet high brick walls, a drive and landscape buffer between us and the adjacent neighborhoods. Mr. Stewart stated rather than harming the public good, it enhances the beauty and quality of this area. Mr. Stewart stated the site has been a campus for 40 years now and we ask

that you treat it as so in your decision tonight. Mr. Stewart stated for these reasons we request the approval of this variance request.

Chair Langley stated he would open the public comment and explained he had sorted the speaker cards by last name and would start with the end of the alphabet going first. Chair Langley stated the "For" side would go first.

Ms. Jennifer Parker at 1210 Echo Lane stated she served on the Heritage Board and has been a member for five years. Ms. Parker spoke in favor of the item due to the historical significance.

Mr. David Garrett at 109 Jennings Street stated he served as Chairman of the board of the Heritage Foundation and spoke in favor of the item due to the need of a revenue stream besides the historic nature.

Chair Langley stated they would now listen to the "Against" side.

Ms. Lillian Stewart at 201 Lewisburg spoke against this item stating it was due to the dangerous traffic congestion at Lewisburg Avenue and South Margin Street. Ms. Stewart stated it did not meet criteria three for public good.

Mr. Alan Simms at 119 Lewisburg Avenue spoke against this item stating he was against the event venue in general. Mr. Simms stated they had a wonderful residential neighborhood and did not want a commercial facility in his neighborhood.

Ms. Gale Haddock at 213 Lewisburg Avenue stated she was opposed to this item due to the commercial activity with its noise, traffic and general commotion in a residential neighborhood. Ms. Haddock noted she was speaking for her mother who owned 201 5th Avenue South.

Mr. Walter Green at 227 4th Avenue South stated he was speaking on behalf of the concerned neighbors of Franklin Grove. Mr. Green spoke against this item due to the event venue and the rezoning.

Mr. Steve Fahey at 109 Lewisburg Avenue spoke against this item. Mr. Fahey stated the event venue should not go in a residential area but a commercial area.

Mr. Ernie Bacon at 224 4th Avenue South spoke against this item stating he was speaking against the new building and the way it is proposed. Mr. Bacon stated he was requesting either a denial or a deferral of this item until the project has gone through the appropriate Franklin public bodies.

Chair Langley requested to know if anyone else would like to speak and no one else requested to speak on this item.

Mr. Tomlin moved to close the public comment. Mr. Fleishour seconded the motion and the motion passed unanimously 3-0.

Chair Langley reiterated this body would not be looking at use but looking at if it meets the three criteria we have discussed previously.

Mr. Fleishour requested to know from Ms. Hensley if they were solely looking at the orientation of the new building.

Ms. Hensley stated that was correct it is the orientation and whether a new building can face an internal rather than a public street, a private street or an internal drive.

Ms. Wright added this variance request does come in the process during the overall development plan review which has been submitted to staff. Ms. Wright stated before it can proceed to the Planning Commission and BOMA, staff needs to know if the variance is going to be approved because it affects staff's recommendation further in the process because the plan would not be compliant with the Zoning Ordinance.

Chair Langley stated they were looking at a specific Zoning Ordinance requirement that would require basically a new building to face a public street, private street or internal drive and could be anywhere on this lot.

Ms. Wright stated correct and as you can see the variance request is to front a formal open space so they would need to actually front that formal open space as part of the variance.

Mr. Fleishour stated it would be a requirement by stipulation.

Ms. Wright stated yes, but technically they potentially could redesign and move that but the zoning ordinance requires that the building be oriented towards a public street or the internal drive but our Historic District Design Guidelines would not encourage a building to be placed in front of the historic structures. Ms. Wright stated if this variance request is not granted, there is not really a place that our overall regulations would allow any new building to be placed.

Chair Langley stated so with staff recommending approval with the condition that it front the open space.

Ms. Hensley stated the way that the caption is written for this variance request, the condition is written into the variance request. Ms. Hensley stated it has to face the garden.

Mr. Tomlin moved to approve the orientation of this building to be facing inward based on the fact that staff recommends that it qualifies for a hardship and meets the criteria necessary within the Zoning Ordinance to comply. Mr. Fleishour seconded the motion and motion passed 3-0.

Variance Request For One Additional Drive Aisle and Two Rows Of Parking Bays For the Property Located At 1850 General George Patton Drive (F.Z.O. 7.4 – Frontage Types, Parking Frontage).

Chair Langley stated he recused himself from this item.

Mr. Tomlin made a motion to defer Item #4 until the March 3rd meeting. Mr. Fleishour seconded the motion and the motion passed.

Other Business.

No other business was heard.

Adjourn.

Chair Langley stated he would entertain a motion to adjourn.

Mr. Fleishour moved to adjourn. Mr. Tomlin seconded the motion and the motion carried 3-0.

With there being no further business, the meeting was adjourned at 7:00 pm.


Chair

From: [Eric George](#)
To: [Planning Intake](#)
Subject: 423 S. Margin St. Variance application request #2
Date: Friday, January 28, 2022 4:29:20 PM
Attachments: [image001.png](#)

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I am writing to you in regard to variance request #2 at 423 S. Margin St. Franklin TN applied for by the Heritage Foundation .

Eric George
313 Berry Circle
Franklin TN 37064

I have owned several properties in the Franklin Historic overlay over the past years and have always counted on the Historic zoning committee and the BZA strict zoning restrictions to protect my investment . Downtown Franklin is a very special place to live and comes with a very high price tag . I pay a premium in property taxes to live in Historic Downtown Franklin. There are several reasons why this request for an event venue a bad idea .

- 1 The traffic will be a major safety issue for those that live on and around Berry Circle . Could you imagine if we were to have a fire or a medical emergency at the same time The Heritage Foundation was hosting one of their 150 events . I am certain there will be people that can't find a parking space leaving their cars along Berry Circle as well as all the cars lined up in such a confined area on Lewisburg Pike trying to get into or out of The Grove. This will drastically reduce the response time for emergency vehicles.
- 2 The noise will be an issue as well . I understand the HF as proposed a building they say is "soundproof" , however there is no way they can control all the noise from people spilling out into the parking area as well as the catering company and the entertainment etc.. . I feel this type of noise will be before and well after any event and could likely go very late into the night . Keep in mind my front door will be roughly 100 feet from this event venue .
- 3 I can fully appreciate the zoning committee and the board allowing anyone to remodel or repurpose any existing building in the Downtown Franklin Historic overlay , but to put a commercial building in the middle of a quite historic downtown franklin neighborhood is not what I would have ever imagined the BZA would have allowed .
- 4 I am very much in favor and would help support all the other improvements that the HF has proposed . JUST NOT THE EVENT VENUE .

Thank you for understanding my concerns

Eric George
313 Berry Circle
Franklin TN
615-483-1300

Thanks,
Eric George



Phone: 615-331-0015
Fax: 615-331-0259
Email: egeorge@tempcontrolexpress.com

From: [Lynne McAlister](#)
To: [Planning Intake](#)
Subject: Franklin Grove Event Venue
Date: Tuesday, February 1, 2022 1:34:51 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hello Board of Zoning Appeals,

This email is in regards to the Franklin Grove project, and your consideration of placement of the event venue. As the Heritage Foundation is requesting that it be on the back of the property, I'd like to ask you to think about why buildings are typically street facing outside of the aesthetics. There is a lot of unattractive business that must take place for any business to conduct their work, but especially an event venue.

Please consider the stuff that goes behind the building:

Dumpsters, which are required to accommodate any event venue.

- The sound of throwing bottles and other rubbish into a dumpster at Midnight when the event is wrapping up and the refuse must be discarded.
- The smell associated with left over food, beer, wine etc... The Heritage Foundation repeatedly explains that they will only have elevated and upscale events. I assure you, as an event planner, a \$6 bottle of beer smells exactly like \$2 bottle of beer the next morning.
- Dumpsters must be dumped into the big trucks. I'm not sure how far that sound travels, but I live on Fair Street and can hear, early in the morning, when McDonald's dumpsters are tipped into the truck and the steel top door slams shut.

Delivery Trucks

- Rentals arrive, like in those black Southern Events trucks, in the morning of an event to bring chairs, tables, linens, glasses, plates, silverware, etc.... Then when the party is over, often between Midnight and 2:00 AM, they come back to pick up all those items. Nice guys, but they are not quiet.
- Catering trucks arrive throughout the day of an event. They may have extra warming ovens as well as the food.
- Alcohol delivery, often comes by truck or sometimes by U-haul like trailers.

- Floral deliveries usually arrive by truck.

Where do the Workers park before/during the event?

- Servers, for an upscale event you need one for every table.
- Bartenders
- Caterers
- Sound and Audio Techs
- Musicians/Band

As you can see all of that business typically happens behind an Event Center. Unfortunately, if this goes through that will be in neighbor's backyards. That will negatively affect someone's quality of life in their home and likely their home value.

When someone purchases a home, for most of us, our largest investment, there is a social contract with the City that we will be protected from this very kind of infringement. That's the purpose of zoning, isn't it?

Thank you for supporting my neighbors who have worked hard to make their homes and their neighborhood the jewel that it is.

Lynne
Lynne McAlister
919.449.4232

From: [Betsy Adgent](#)
To: [Planning Intake](#)
Subject: BZA Agenda Feb 3,2022
Date: Thursday, January 27, 2022 10:31:58 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

We live at 123 Lewisburg Ave. We are opposed to the variance requests for the property known as Franklin Grove located at 423 S. Margin S.(Agenda Item 3 on Feb. 3,2022.)

The property is located in the Franklin Historic Neighborhood and in the Historic Overlay District. The development of this property should be required to comply with the requirements and guidelines for its zoning, Civic Institution. There is a reason that zoning requirements exist. The variance requests may look benign on the surface, but will have a permanent, irreversible negative impact on Historic Downtown Franklin. The request for variances confirms that the development does not fit the zoning and is not suitable for its location. The Development has appeared before historic zoning several times and has been deferred for multiple reasons. I think any decision on the variances is premature. At a minimum, I urge you to defer this request.

Thank you for your consideration.

Betsy and Tim Adgent
lkjadg@comcast.net
tim.adgent@gmail.com
615-336-1729

From: [Daniel Klatt](#)
To: [Planning Intake](#)
Subject: BZA Agenda February 3, 2022
Date: Wednesday, January 26, 2022 5:03:11 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Please DENY the variance requests for the property known as Franklin Grove, located at 423 South Margin Street (Agenda Item 3). If approved, these requests would potentially allow development of an inappropriate commercial use, on a tight site, with limited access, surrounded by the historically designated residential neighborhoods of downtown and Lewisburg Avenue. Access to this site was problematic when O'More College resided here, and any added development will make this situation unmanageable. We cannot allow this property to become a visitor destination like the Carter House or Eastern Flank Park. This location cannot support it. If a variance is needed, then what is proposed is most likely in the wrong place. That is certainly the case here. Please uphold the requirements within the CI Zoning District and DENY these variance requests.

Thank you for your consideration.

Daniel Klatt
dan@klatt2design.com
615.337.8071

<https://www.danielklattfineart.com/>

From: Kelly Dismore
To: Kelly Dismore
Subject: Franklin Grove Public Comment
Date: Tuesday, February 1, 2022 12:12 PM

ATTENTION COP staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Hello BZA members,

This is Kelly Dismore and I'm writing to you about the Franklin Grove variance request, under the First Amendment of the U.S. Constitution and under the TN Public Employee Political Freedom Act. I have not been involved in the review of this item as a city employee because I am a nearby neighbor to this proposal, and I am providing this public comment as a citizen and affected neighbor.

I would be there in person to speak on Thursday, but I have Covid and am quarantined. My family lives at 315 4th Avenue South. We are very much opposed to the Franklin Grove event venue proposed for rezoning within our historic neighborhood. The proposal includes a new 6,000+ square foot commercial event venue behind the historic structure, in the back yard where the site's parking is located. The desired size of the venue is the reason that parking is being proposed along Lewisburg Avenue, in front of a historic house.

We believe the parking area would be very visible along this beautiful gateway into downtown Franklin, as seen by the photos below I've taken from the sidewalk along Lewisburg Ave. We do not want this for our neighborhood and do not want a precedent set to allow this for other historic houses in downtown Franklin.

We ask that you vote to deny this variance.

Sincerely,

Kelly and Chad Dismore





From: [James Geraughty](#)
To: [Planning Intake](#)
Subject: Protect our historic neighborhood
Date: Thursday, January 27, 2022 1:45:29 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Dear Sirs,

My name is Jim Geraughty. I reside along with my wife, Mary Charlotte, at 234 4th Avenue South in Franklin, TN. We have made Williamson County and Franklin, TN our home for over thirty years. During these thirty plus years we have owned three properties located in two historic districts of Franklin; Downtown Franklin and the Lewisburg Avenue Historic districts. All of these properties are in close proximity to the O'More property, now known as Franklin Grove, that is being developed and commercialized by the Heritage Foundation.

At your February 3, 2022 meeting you are being asked by the Heritage Foundation to consider variances to current coding that will facilitate the construction and operation of a commercial event venue on the Franklin Grove property. This proposed commercial venue, if allowed, is a direct threat to the integrity and ambiance of the surrounding neighborhood we have lived, loved, invested, and worshipped in for over three decades. An historic neighborhood increasingly burdened by day and night noise, light pollution, traffic, and infrastructure demand will be the legacy of this venue. Cloaking this development with a cover of historic preservation does not lessen the threat.

Many, if not most, of our neighbors join us in our concern. Collectively, as owners and occupants of historic properties, we and our neighbors represent hundreds of years of personal investment, preservation, payment of property taxes that support infrastructure and government, and active civic engagement. **Please honor us, our children, and future generations by protecting our shared heritage.** Do not vote to approve these variances or any subsequent requests that facilitate or permit the construction of this commercial venue. A variance from the zoning ordinance for the purposes of establishing a commercial event venue at Franklin Grove represents a substantial detriment to the public good.

In 1995 the Heritage Foundation, the Williamson County Historical Society, and Williamson County Tourism published a book; National Register Properties of Williamson County Tennessee. The Heritage Foundation chose to include a cover page with this quote from a preservationist and urban planner named Grady Clay;

“Preserve one building and you preserve one building. **Preserve the setting and the larger environment,** and you open a thousand doors and opportunities for a better life for the entire community. “

Please vote to protect and preserve our historic downtown neighborhood, the setting and larger environment of Franklin Grove.

From: gsmm@comcast.net
To: [Planning Intake](#)
Subject: Variance application Franklin Grove
Date: Sunday, January 30, 2022 4:59:31 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

To Whom it May Concern:

We live at 109 Lewisburg Ave. The proposed Franklin Grove is literally our next-door neighbor as we are only separated by Berry Circle.

We are strongly opposed to these two variance requests.

On the surface, these variances seem to be simple, but they will set in motion a project that will have long lasting negative impacts for our downtown residential neighborhood. Approving these variances will put an event venue in our backyard, and convert most of what could be called a "grove" today into parking lots. Variance request #1 will remove the trees and pave essentially all the grass directly across from us to make parking space for the new event venue at the rear which is driving variance request #2.

Our downtown Franklin neighborhood community has come together not to oppose the total Franklin Grove plan, but to strongly oppose the construction of any event venue. Such investment needs to go in a commercial area where it is allowed by current zoning and has the needed infrastructure to support it. It should not be forced into a residential area that simply cannot handle it.

We live in an area that is already strained by the amount of traffic that has come with Franklin's growth. Converting Franklin Grove into a large event venue will not only exacerbate our issues, it will set the precedent and justification for others to follow. Zoning can be a tricky thing, but this is one clear case where it should not be changed.

Thank you,

Steve and Ginny Fahey

From: [Marie Laughmiller](#)
To: [Planning Intake](#)
Cc: [Chauncey SPRING HILL](#)
Subject: attached letter re: 1850 General George Patton Dr., Franklin, TN 37067
Date: Wednesday, February 2, 2022 11:33:19 AM
Attachments: [IngramCivilEngGrouplettertoBPIII2022.pdf](#)

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

Greetings,

We live at 1207 Brentwood Pointe, Brentwood, TN 37027. We have concerns about 1850 General George Patton's recreational usage with it's classification as light industrial. Is this light industrial zoning for 1850 General George Patton congruent with the heavy traffic volume caused by this recreational usage of this building? This heavy traffic volume places undue burdens on General George Patton & affects the peace & safety of its residential homeowners

The traffic created by this recreational usage is extremely high. As you know General George Patton is a two lane road with a 30mph speed limit. Hundreds of residents live in Brentwood Pointe's I, II, III & the View. In addition, Morningside & Avenida residents often use General George Patton to access their homes located off Mallory Station Rd. Townhomes at Oakbrook also off Mallory Station Rd will soon add to the residential traffic volumes.

We ask the city of Franklin & city of Brentwood to consider the impact of 1850 General George Patton's recreational usage which produces high volumes of heavy traffic & respectfully ask that these recreation activities be relocated to a more appropriate location. We also ask the city to monitor this traffic volume & the speed limit violations on General George Patton to see for itself these negative impacts. Would you want this in your neighborhood?

The heavy traffic which often exceeds the 30mph speed limit impacts the peace & safety of hundreds of residents living off General George Patton. We pray Williamson County & it's cities will also focus on pedestrian & bike safety as it considers the heavy traffic volume on General George Patton while enforcing the safety measures needed for residents.

Sincerely,
Marie & Jay Laughmiller
1207 Brentwood Pt
Brentwood, TN 37027
615-478-3923

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Marie Laughmiller
"Jesus Are You My Everything"