



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
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## STAFF RECOMMENDATION 4911 Park Avenue May 15, 2013

**Application:** Demolition-rear addition and Setback Reduction  
**District:** Park and Elkins Neighborhood Conservation Zoning Overlay  
**Council District:** 24  
**Map and Parcel Number:** 0911502660  
**Applicant:** Dru Buchan  
**Project Lead:** Robin Zeigler, robin.zeigler@nashville.gov

**Description of Project:** The applicant proposes to demolish a non-historic rear addition in order to meet Metro Planning’s requirements to subdivide the corner lot and requests a rear setback reduction for the existing building. The applicant proposes the subdivision in order to construct a new building facing 50<sup>th</sup> Avenue North. The new building is not proposed at this time as the lot cannot be subdivided until a setback reduction has been approved.

**Recommendation Summary:** Staff recommends approval of demolition of the rear addition, finding demolition of this portion of the building to be consistent with the design guidelines for appropriate demolition; and approval of the rear setback reduction with the following conditions for the newly created lot to assure its compatibility with the context of the neighborhood and the design guidelines:

- A buildable area be created by a twenty-foot (20’) left setback, a twenty-three foot (23’) right setback and a twenty-three foot (23’) front setback and a twenty foot (20’) rear setback, consistent with the Planning Department’s requirements;
- The left setback area be a no-build area, consistent with the Planning Department’s requirements;
- No curb cuts be added to Park Avenue or 50<sup>th</sup> Avenue North and all vehicular access be from the alley;
- No construction in existing or newly created front or side yards for either building; and,
- The applicant submit a drawing and material information for the treatment of the rear wall once the addition is removed.

With these conditions, staff finds the project to be meet the design guidelines for demolition and setback reductions.

**Attachments**  
**A: Site Plan**

**Vicinity Map:**



**Aerial Map:**



## Applicable Design Guidelines:

### II. B. NEW CONSTRUCTION AND ADDITIONS

#### 1. *New Construction*

##### c. *Setback and Rhythm of Spacing*

The setback from front and side yard property lines established by adjacent historic buildings should be maintained. Generally, a dominant rhythm along a street is established by uniform lot and building width. Infill buildings should maintain that rhythm.

*The Commission has the ability to reduce building setbacks and extend height limitations of the required underlying base zoning for new construction, additions and accessory structures (ordinance no. BL2007-45).*

*Appropriate setback reductions will be determined based on:*

- *The existing setback of the contributing primary buildings and accessory structures found in the immediate vicinity;*
- *Setbacks of like structures historically found on the site as determined by historic maps, site plans or photographs;*
- *Shape of lot;*
- *Alley access or lack thereof;*
- *Proximity of adjoining structures; and*
- *Property lines.*

*Appropriate height limitations will be based on:*

- *Heights of historic buildings in the immediate vicinity*
- *Existing or planned slope and grade*

### III. B. DEMOLITION

#### 1. *Demolition is not appropriate*

- a. if a building, or major portion of a building, is of such architectural or historical interest and value that its removal would be detrimental to the public interest; or
- b. if a building, or major portion of a building, is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense.

#### 2. *Demolition is appropriate*

- a. if a building, or major portion of a building, has irretrievably lost its architectural and historical integrity and significance and its removal will result in a more historically appropriate visual effect on the district;
- b. if a building, or major portion of a building, does not contribute to the historical and architectural character and significance of the district and its removal will result in a more historically appropriate visual effect on the district; or

Generally, non-historic (non-contributing) structures may be demolished for new construction that will have a more historically appropriate effect on the district.

- c. if the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with section 17.40.420 (Historic Zoning Regulations), Metropolitan Comprehensive Zoning Ordinance.

**Background:** 4911 Park Avenue is a historic building located at the corner of Park Avenue and 50<sup>th</sup> Avenue North in the Park & Elkins Neighborhood Conservation Zoning Overlay. The applicant proposes to demolish a non-historic rear addition in order to meet Metro Planning’s requirements to subdivide the corner lot and requests a rear setback reduction for the existing building. The applicant proposes the subdivision in order to construct a new building facing 50<sup>th</sup> Avenue North. The new building is not proposed at this time as the lot cannot be subdivided until a setback reduction has been approved.

**Analysis and Findings:**

Demolition: The one-story addition on the rear of this two-story home is not historic, evidenced by the materials and design. The foundation is concrete block and the foundation of the bulk of the building is brick. The height and windows of the addition do not match the height and window design of the bulk of the building.



Staff recommends a condition that the applicant submit a drawing showing the treatment and materials for the rear wall once the addition is removed. With this condition, Staff finds demolition to be appropriate and meet section III.B.2.b.

Setback Reduction: The applicant wishes to subdivide this corner lot, which will require a reduction of the rear setback for the existing building in order to meet the minimum square footage requirements of bulk zoning.

Currently the proposed property line runs through the existing rear addition. Once the addition is removed the existing building will have a rear setback of six feet and nine inches (6’9”), rather than the required twenty-feet (20’) of bulk zoning. Such a minimal setback would not be appropriate for the overlay, therefore the Planning Department intends on requiring a twenty-foot (20’) left-side setback for the proposed new building which allows the existing building to appear as if it has the appropriate setback. Staff recommends requiring the same. This would be a “no-build” area, meaning the current or future owners would not be able to add construct an addition or structure within this area. With these requirements a setback reduction can meet the guidelines adopted by the Commission for setback reductions in that the perceived setback will match the historic context.

To determine whether or not the setback reduction is appropriate, the Commission should also consider the appropriateness of new construction, in the form of a primary dwelling, on the back of this parcel. It was not unusual for the back of a corner lot to be subdivided but the later house that was constructed was typically subordinate to the existing building. An example of this type of development is at 303 46<sup>th</sup> Avenue with a smaller home behind it at 4600 Nevada. 303 46<sup>th</sup> Avenue was subdivided from 4600 Nevada and the newer house is approximately 2/3 the height of the existing house.



Considering the historic context across 50<sup>th</sup> Avenue North and the earlier subdivision of corner lots, a new house on the proposed lot should be twenty-one to twenty-four feet (21'-24') tall and the width should be between twenty-six and thirty-two feet (26'-32') wide. These measurements would assure the new home is consistent with the historic context and would also mean that the new house is approximately 2/3 the height of the existing house which is approximately thirty-eight feet (38') tall. This proportion is in keeping with historic subdivisions of corner lots. The proposed house would also be subordinate to the house on the other side of the alley, 4910 Elkins, too. The building should also read as a one or one and one half home, following the form of historic buildings in the overlay. The front setback should match those across the street which are approximately twenty-three feet (23').

MHZC and Planning Staff do not recommend additional curb cuts on Park Avenue or 50<sup>th</sup> Avenue North since there is an existing alley. The proposed scenario does not allow for off-street parking for either building, except in the twenty-foot (20') easement area behind the proposed house.

**Recommendation:** Staff recommends approval of demolition of the rear addition, finding demolition of this portion of the building to be consistent with the design guidelines for appropriate demolition; and approval of the rear setback reduction with the following conditions for the newly created lot to assure its compatibility with the context of the neighborhood and the design guidelines:

- A buildable area be created by a twenty-foot (20') left setback, a twenty-three foot (23') right setback and a twenty-three foot (23') front setback and a twenty foot (20') rear setback, consistent with the Planning Department's requirements;
- The left setback area be a no-build area, consistent with the Planning Department's requirements;
- No curb cuts be added to Park Avenue or 50<sup>th</sup> Avenue North and all vehicular access be from the alley;
- No construction in existing or newly created front or side yards for either building; and,
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With these conditions, staff finds the project to be meet the design guidelines for demolition and setback reductions.

# PARK AVENUE (80')

Note 1: No access from Lot 1 to Park Avenue or 50th Avenue North

Note 2: Rear yard modification from Historic

50TH AVENUE NORTH (80')

20' X 20' CONC. PAD OVER 2.1'

