



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
Telephone: (615) 862-7970  
Fax: (615) 862-7974

## STAFF RECOMMENDATION 743 Benton Avenue September 18, 2013

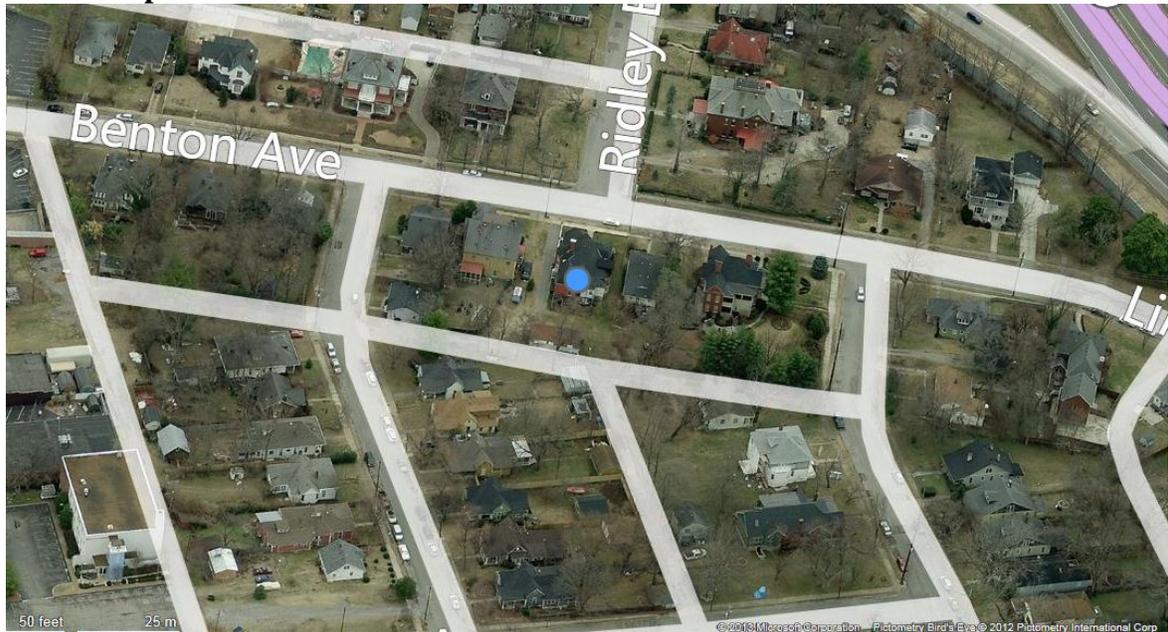
**Application:** New construction-outbuilding, Setback reduction  
**District:** Woodland-in-Waverly Historic Preservation Zoning Overlay  
**Council District:** 17  
**Map and Parcel Number:** 10510031600  
**Applicant:** Bob Cherry, owner  
**Project Lead:** Robin Zeigler, robin.zeigler@nashville.gov

<p><b>Description of Project:</b> Applicant proposes to construct a one and one-half story outbuilding in the same general location as the existing non-historic outbuilding. The building has been approved by the zoning administrator to house one of the three legally non-conforming dwelling units currently within the primary building.</p>	<p><b>Attachments</b> <b>A:</b> Email from Zoning Administrator <b>B:</b> Site Plan <b>C:</b> Elevations</p>
<p><b>Recommendation Summary:</b> Staff recommends approval for the project with the condition that the applicant seek final approval for materials of windows, doors, trim and roofing. Staff finds that the project meets the design guidelines for an outbuilding in Woodland-in-Waverly.</p>	

**Vicinity Map:**



**Aerial Map:**



## Applicable Design Guidelines:

### III.B.2 New Construction

- a . Height: The height of the foundation wall, porch roof(s), and main roof(s) of a new building shall be compatible, by not contrasting greatly, with those of surrounding historic buildings.
- b . Scale: The size of a new building and its mass in relation to open spaces shall be compatible, by not contrasting greatly, with surrounding historic buildings.
- 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.
- d . Materials, Texture, and Details and Material Color: The materials, texture, and details, and material color of a new building's public facades shall be visually compatible, by not contrasting greatly, with surrounding historic buildings. Vinyl, aluminum, and T-1-11 panel siding are not appropriate.
- e . Roof Shape: The roof(s) of a new building shall be visually compatible, by not contrasting greatly, with the roof shape, orientation, and pitch of surrounding historic buildings.
- f . Orientation: The orientation of a new building's front facade shall be visually consistent with surrounding historic buildings.
- g . Proportion and Rhythm of Openings: The relationship of width to height of windows and doors, and the rhythm of solids (walls) to voids (door and window openings) in a new building shall be compatible, by not contrasting greatly, with surrounding historic buildings.
- h. Outbuildings:
  - 1) A new garage or storage building should reflect the character of the period of the house to which the outbuilding will be related. The outbuilding should be compatible, by not contrasting greatly, with surrounding historic outbuildings in terms of height, scale, roof shape, materials, texture, and details.

*Historically, outbuildings were either very utilitarian in character, or (particularly with more extravagant houses) they repeated the roof forms and architectural details of the houses to which they related. Generally, either approach is appropriate for new outbuildings. Brick, weatherboard, and board - and -batten are typical siding materials. Outbuildings with weatherboard siding typically have wide cornerboards and window and door casings (trim). Generally, the minimum roof pitch appropriate for outbuildings is 12:4. Decorative raised panels on publicly visible garage doors are generally not appropriate. Publicly visible pedestrian doors must either be appropriate for the style of house to which the outbuilding relates or be flat with no panels. Publicly visible windows should be appropriate to the style of the house.*

2) Outbuildings should be situated on a lot as is historically typical for surrounding historic buildings. *Historic garages are usually located as near to a rear corner of a parcel as possible.*

- i. Appurtenances: Appurtenances related to new buildings, including driveways, sidewalks, lighting, fencing, and walls, shall be compatible, by not contrasting greatly, with the characteristics of the surrounding historic buildings.

### V.B.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.

### V.B.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
- 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 of the historic zoning ordinance.

**Background:** 743 Benton Avenue is a one and one-half story, Queen Anne style, contributing building to the historic district and is a legally non-conforming triplex. The zoning administrator has approved moving one of the three units out of the primary building into a detached building, which is not a Detached Accessory Dwelling Unit (DADU). Therefore the guidelines for outbuildings were applied rather than the standards for a DADU.



In 2010 the applicant received a permit to enclose the concrete block carport but the work was never done.



Carport in 2010, prior to enclosure.

**Analysis and Findings:**

**Demolition:** The current outbuilding is a non-contributing building evidenced by the primary material of concrete block; therefore, demolition meets section V.B.2.b of the design guidelines as appropriate demolition.

**Scale:** The one thousand and ninety two square feet (1092 sq. ft. ) of the proposed garage/apartment increases the existing footprint of the enclosed carport by a minimal amount, approximately ten percent (10%) and increases the height by a half-story. The new building will be twenty-four and two-inches tall (24' 2"), which is subordinate to the approximate thirty-six feet (36') of the primary building.

**Design:** The garage mimics the materials of the primary dwelling with brick and lap siding but not in terms of style. The design of the building is a simple, utilitarian, design as appropriate for outbuildings.

**Roof Form:** The roof form of the garage is a cross gable with clipped gables, a typical form of the district. The pitch is 12/12, which is also typical of the district and similar to the historic primary building.

**Location & Setbacks:** The garage will be in the same location, towards the rear, right-corner of the lot, as the existing enclosed carport. The side setback is three feet (3') and

the rear setback is five feet (5'). Although, these setbacks are less than required by bulk zoning, they match existing conditions and are appropriate for the historic context.

**Materials:** The primary cladding is brick to grade with five inch (5") reveal cement-fiber lap siding on the dormers. The materials for the roof, trim and windows and doors are not indicated and should be approved by Staff prior to purchase and installation.

**Orientation:** The garage will be accessed from the rear alley, as most historic garages are, and an existing side driveway will remain.

**Recommendation:** Staff recommends approval for the project with the condition that the applicant seek final approval for materials of windows, doors, trim and roofing. Staff finds that the project meets the design guidelines for an outbuilding in Woodland-in-Waverly.

**From:** Herbert, Bill (Codes)  
**Sent:** Tuesday, September 03, 2013 1:33 PM  
**To:** Bob Cherry  
**Cc:** Walker, Tim (Historical Commission); Hargis, Joey (Codes)  
**Subject:** 743 Benton Ave

Bob,

It has been a pleasure speaking with you regarding your plan to renovate the existing detached garage located on your property at 743 Benton Avenue. You have indicated to me that you have had conversations with Tim Walker regarding the proposed renovation and so I am copying Tim on this email. It is my understanding that part of the proposed renovation will consist of moving one of the units from the principal structure to the detached garage.

Records as early as 1951 indicate that the house located at 743 Benton Avenue has had three separate living units (triplex). Records also indicate that each unit has been separately metered. Assuming that there has been no lapse in use of any unit for a period of 30 continuous months, the triplex is a legally non-conforming use that pre-dates the R6 zoning that became effective 12/24/1974.

The principal use of the property is a triplex. In my opinion, moving one of the units from the house to the garage does not create a “detached accessory dwelling unit” (DADU). An “accessory” use is a use of land or of a building or a portion thereof that is customarily incidental and subordinate to the principal use of the land or building and that is located on the same lot as the principal use.

In this case, the subject property is vested in three dwelling units. The three units are not incidental and subordinate to the principal use, they are the principal use. There is no increase in density over that which legally exists today. Therefore, relocating one dwelling unit from the house to the detached garage would not constitute a “detached accessory dwelling unit” (DADU) because the dwelling unit to be relocated to the garage is not an accessory dwelling unit. Bill Herbert.

BENTON AVENUE

SIDEWALK

EXISTING  
2-STORY  
RESIDENCE

EXISTING GRAVEL DRIVEWAY

EXISTING  
2-STORY  
RESIDENCE

EXISTING  
PORCH

EXISTING  
1-STORY  
RESIDENCE

EXISTING  
DECK

PARCELL #08313037800  
ZONED R6  
743 BENTON AVENUE, NASHVILLE, TN 37204  
0.25 ACRES, LOT AREA = 10,890 SQ. FT.  
BUILDING COVERAGE = 2,588 SQ. FT.  
COV. RATIO=(.6 ALLOWED) 6,534 SQ. FT.



ALLEY #677

NEW  
GRAVEL  
DRIVEWAY

EXISTING  
1-STORY  
GARAGE

- ▶ A4.1
- ▶ A4.2
- ▶ A4.3
- ▶ A4.4
- ▶ HVAC EQUIP. LOCATION
- ▶ AREA OF EXPANSION AND REMODEL OF EXISTING ACCESSORY BUILDING INTO 1-1/2 STORY STRUCTURE
- ▶ BUILDING COVERAGE LIMITED TO 50% OF THE PRINCIPAL DWELLING STRUCTURE (MAXIMUM OF 1,294 SF)

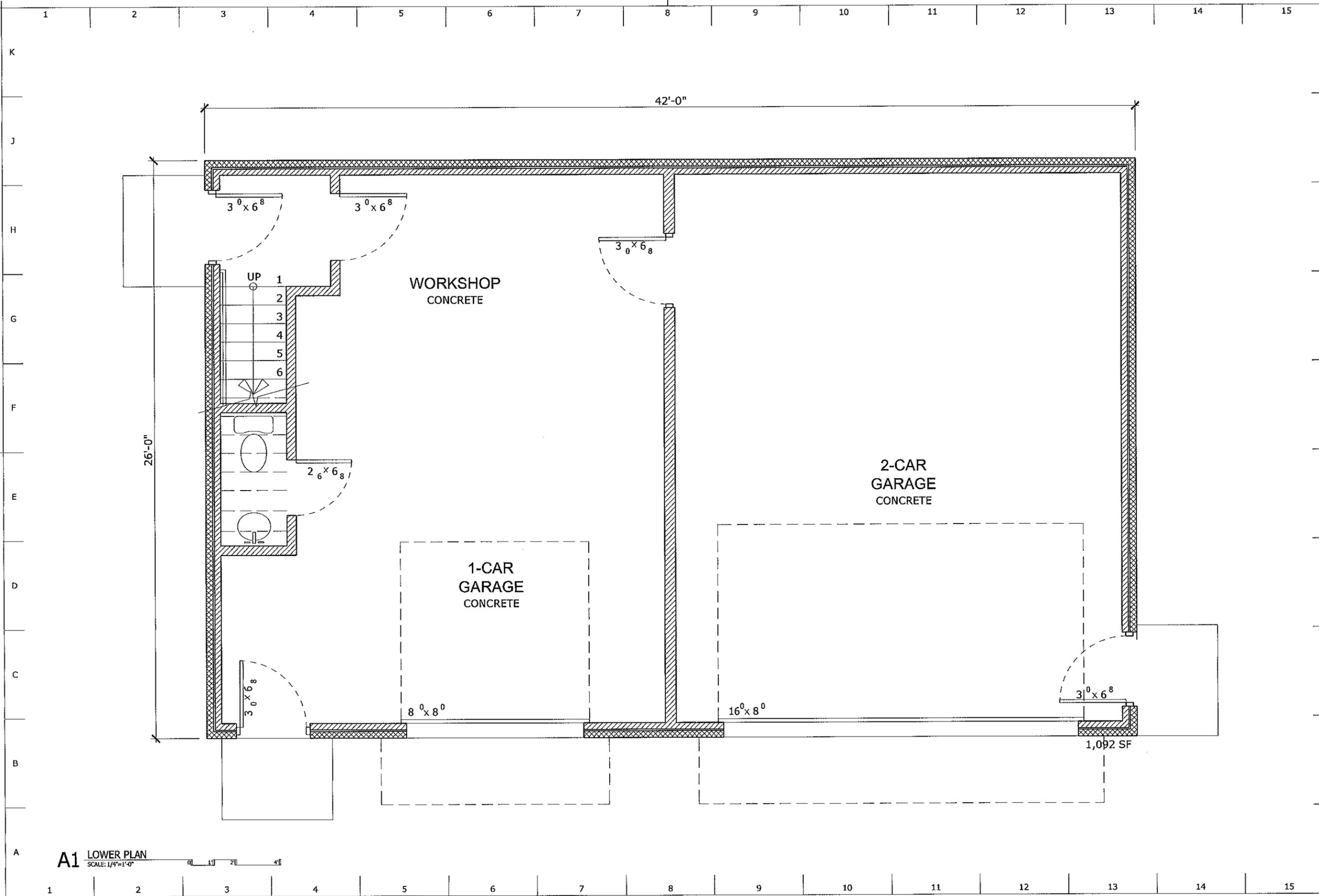
ACCESSORY BUILDING:  
743 BENTON AVENUE  
NASHVILLE, TN 37204

REVISIONS

REV.	DATE	DESC.
0	11.07.12	FOR HISTORIC APPROVAL

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SITE PLAN #12114  
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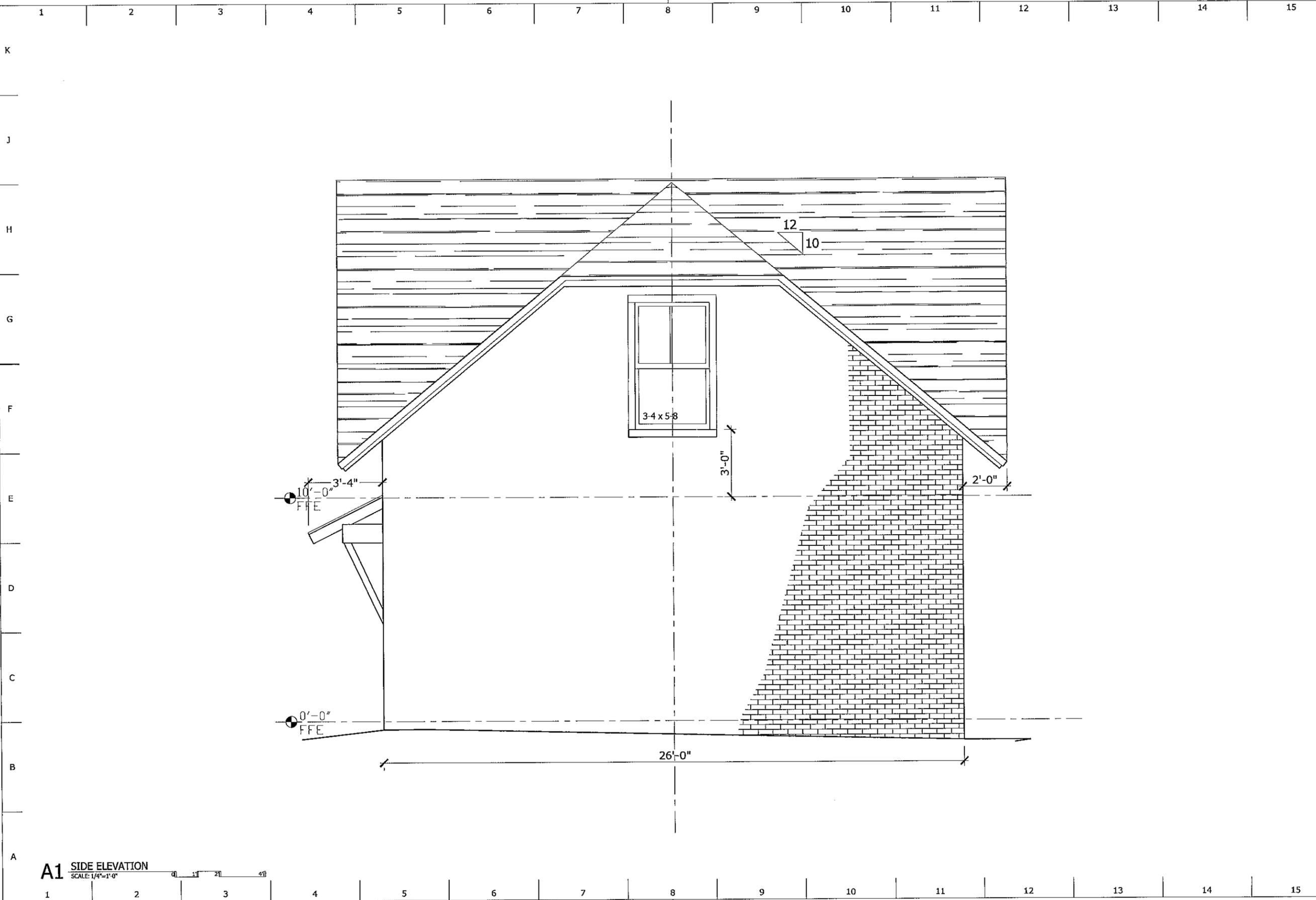
**A1** LOWER PLAN  
SCALE: 1/4"=1'-0"

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REV.	DATE:	DESC:
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CONSTRUCTION PLAN  
#12114  
ACCESSORY BUILDING:  
**743 BENTON AVENUE**  
NASHVILLE, TN 37204

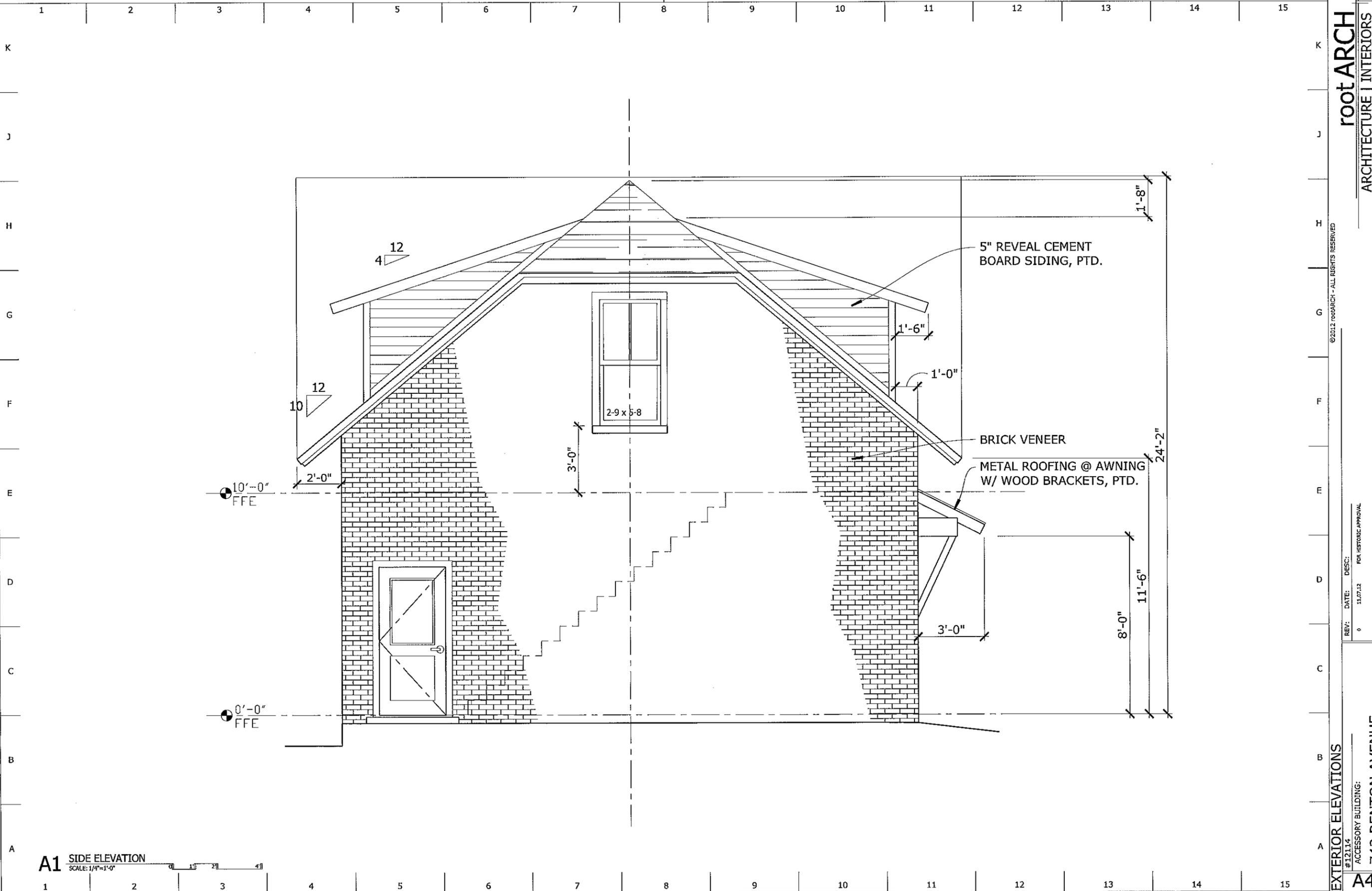


**A1** SIDE ELEVATION  
SCALE: 1/4"=1'-0"

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EXTERIOR ELEVATIONS  
 #12114  
 ACCESSORY BUILDING:  
**743 BENTON AVENUE**  
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**A4.1**

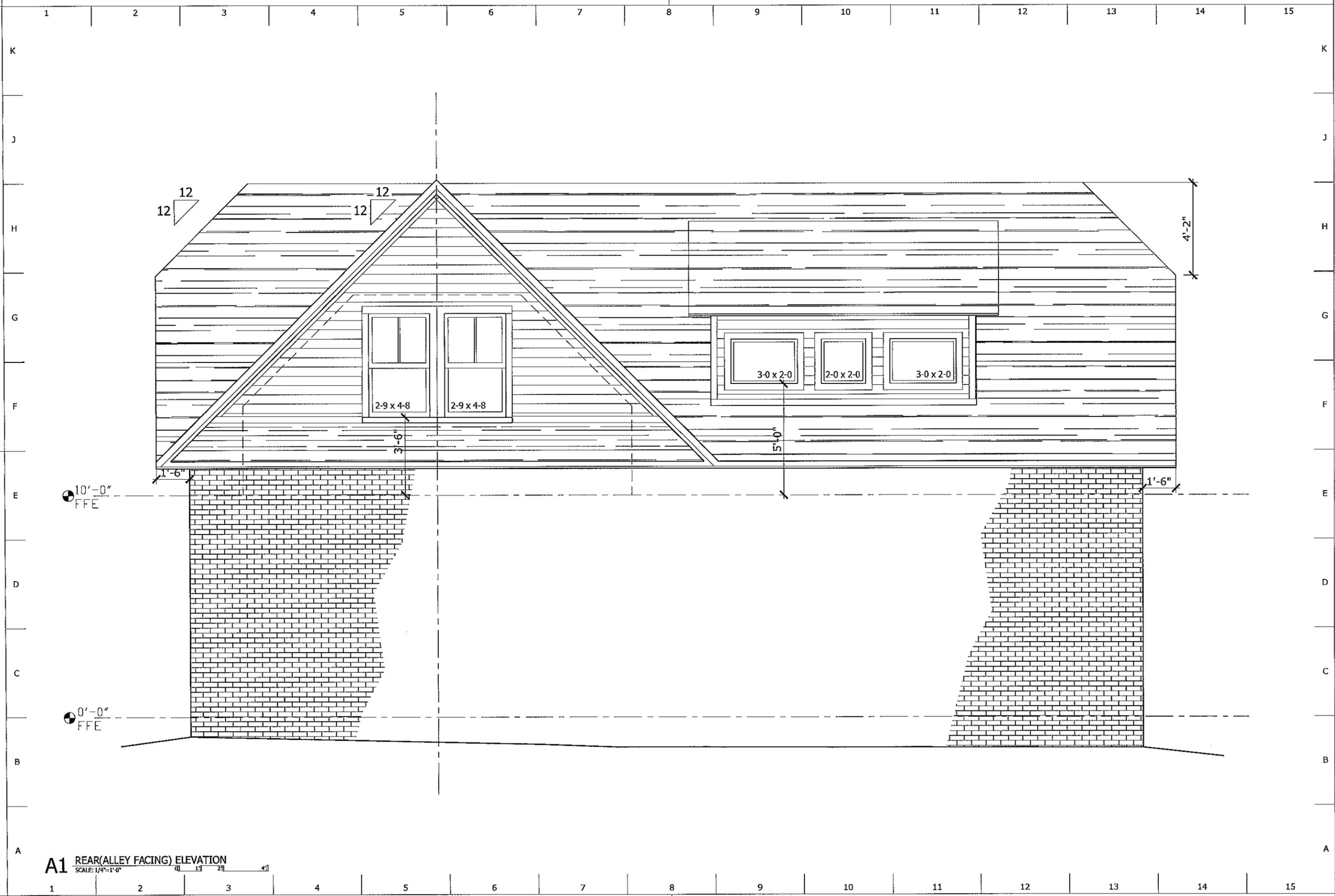
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 REV: 0 DATE: 11.07.12 DISC: FOR HISTORIC APPROVAL



**A1** SIDE ELEVATION  
SCALE: 1/4"=1'-0"

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**A1** REAR (ALLEY FACING) ELEVATION  
SCALE: 1/4"=1'-0"

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