



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
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METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES May 16, 2012

Commissioners Present: Ann Nielson, Vice-chair, Barri Bernstein; Richard Fletcher; Menié Bell; Hunter Gee, Ben Mosley; and Judy Turner.

Zoning Staff: Robin Zeigler (Historic Zoning Administrator), Sean Alexander, Melissa Baldock, Fred Zahn, Susan T. Jones (City Attorney).

Applicants: Joe Bucher, John Root, Brent Craig, Preston Quirk

Council: Burkley Allen

Public: Carol Norton, Bob Borzak, Sandra Shelton, Jim Rowan, Julie Kaalberg

Vice-chairperson Nielson called the meeting to order at 2:04p.m. and read aloud the process for appealing the decisions of the Metro Historic Zoning Commission.

I. APPROVAL OF MINUTES

Vice-chairperson Nielson asked the Commissioners if there were any comments or questions on the minutes, and there were none.

Motion:

Commissioner Fletcher moved to approve the minutes. Commissioner Mosley seconded the motion, and it was approved without objection.

Councilperson Burkley Allen spoke in support of denial of the demolition of 1820 Wildwood Avenue because of the historic context and denial of the infill project for 1809 Sweetbriar in order to preserve the character of the neighborhood. Both properties are located in her district.

II. CONSENT AGENDA

Staff member Melissa Baldock presented the cases that Staff determined to be eligible to be heard together as a consent item, explaining that the applicants had not opposed any of staff's conditions:

**119 Blackburn Avenue
New construction—Addition**

1301 Eastland Avenue
Partial demolition, New construction—addition, Setback reduction

217 South 10th Street
New construction—addition, Setback reduction

Carol Norton requested 217 South 10th Street be removed from the consent agenda.

Motion:

Commissioner Fletcher moved to approve 119 Blackburn agenda and 1301 Eastland Avenue with staff's conditions, and Commissioner Bernstein seconded the motion. The Commission approved the motion unanimously.

III. NEW BUSINESS

217 South 10th Street
New construction—addition, Setback reduction

Staff member Baldock presented the case for the modular addition at 217 South 10th Street and recommended that the project be approved based on the temporary nature of the building and it does not alter the historic building. Staff found that the project meets Section II.B of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Staff further recommended the proposed setback reduction since the building will be in alignment with the historic building and because of its temporary nature.

Ms. Zeigler explained that the project has also been approved by MDHA, with the condition that it only remains for the remainder of the current lease, which is approximately 6 years.

Carol Norton corrected the staff recommendation by stating that the building was constructed in 1939 and that it is not an institutional building but was constructed as a community building. She further claimed that an architectural element of the property, the band shell at the rear, has been obliterated. She stated that the Commission has failed to protect and preserve this property in the past, failed by placing the item on the consent agenda, and is failing to assess the impact on the property on the surroundings. Together the two portable buildings exceed the square footage of the historic building and it is highly visible from Fatherland Street. She asked that the Commission request a traffic study as she is concerned about how the additional space will impact the traffic at this intersection.

The applicant, Joe Bucher, spoke on behalf of the owner. He explained that they spent time and effort to rehabilitate the existing building, this temporary building will not impact the historic building, and a traffic study is under way.

There were no more requests for comment and the public hearing was closed.

Commissioner Fletcher asked if the Commission had some leeway with portable buildings and Ms. Zeigler explained that similar temporary buildings have minimum impact on the historic building.

Commissioner Gee expressed understanding over the neighborhood's concern; however, the structure does not impact historic homes and does not impact the rhythm of the street. He asked what was to happen at the end of the lease agreement. Ms. Zeigler explained that the building was only leased for 6 more years, the duration of the school's lease of the historic building. According to the MDHA conditions, if the current or future occupants wish to renew their lease the end of six years, they must go back to MDHA. Ms. Zeigler asked if Mr. Bucher could return and answer the question more completely, if that information was incorrect. Mr. Bucher was invited back to address the Commission.

Commissioner Gee asked legal counsel for clarification on what conditions the MHZC could place on time limits for the portable building. He also asked if Metro owned the property and if their property rights were any different than any other owner. Ms. Jones responded that the ownership was no different and that the commission could add a condition tied to the ownership or a time limit. Commissioner Gee asked if they could go one step further and require the removal of the building at the end of the lease and Ms. Jones said she would like to do some additional research before answering the question.

Commissioner Bernstein asked if it is was the owner or the lessee of the building who was lessee the portable building and Ms. Zeigler stated that it was the lessee, the school.

Commissioner Fletcher asked the applicant if they would be willing to plant bushes on Fatherland to provide a visual buffer and Mr. Bucher agreed. Commissioner Turner expressed concern with getting into approving landscape plans.

Commissioner Gee asked if staff would recommend approval if it were a permanent building and Ms. Zeigler responded no.

Motion:

Commissioner Gee moved to approve the project with staff's conditions that the foundation material be a stucco panel, the lap siding be horizontal fiber cement, and the entrance have full-light doors. In addition, Commissioner Gee required that the approval run with the lessee and that the approval is only good for 6 years. At the end of the lease period, the applicant must remove the building or reapply. An appropriate landscape feature shall be included on Fatherland and be approved by Staff.

Commissioner Mosley moved to amend the motion to also include that this approval does not extend to lessor and Commissioner Bell seconded. The amendment was approved unanimously.

Commissioner Turner moved to second the amended motion. Commissioner's Gee motion with amendment was approved unanimously.

1820 Wildwood Avenue Demolition

Staff member Sean Alexander presented the case for demolition of 1820 Wildwood Avenue, which is a one story house with a brick veneered exterior and a limestone block foundation. The Metro Tax Assessor's records indicate that the structure was constructed in 1953; however, City Directories list the property as a residence at least as early as 1944. The property was outside the documented area of the 1951 and earlier Sanborn Maps.

The property is outside of the original boundaries of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay which went into effect on April 5, 2005, but within the expansion added to the district on May 15, 2007.

Most of the addresses on the 1800 and 1900 blocks of Wildwood Avenue first appeared in the Nashville City Directories in the early 1940s and the area was platted in 1941. Two homes were constructed prior to the plat: 1819 and 1901 Wildwood Avenue. (1901 Wildwood has been demolished.)

These structures are typically described as being of the "Minimal Traditional" architectural style which is said to "reflect the form of the traditional Eclectic houses but lacks their decorative detailing."

Although Minimal Traditional originated during the 1930s...It's most commonly associated with suburban development after World War II. [if you think of architectural styles as a family tree, it's parents might be Colonial Revival, and it's related to Tudor and Craftsman]. Typical features often include: very shallow eaves, low pitched roof, and front-facing gables. The "Cape Cod" form without a front gable is also common.

The buildings in this area were likely constructed by the same developer as they are fairly homogenous in style, form and massing. Each is a one-story, brick, side-gable, rectangular form with central entrance and slight variations in roofline, chimney placement and entrance style. Approximately half the homes exhibit a small side room, set back from the face of the front of the buildings, as seen on 1816 Wildwood.

Following the expansion of the Neighborhood Conservation Zoning Overlay, the MHZC Staff has had an opportunity to resurvey these properties and determined that the 1800 and 1900 blocks constitute an intact cluster of Minimal Traditional houses that contribute significantly to the historic character of the larger district, with the exception of recent infill at 1901, 1903, 1822, and 1824 Wildwood Avenue. 1819 Wildwood Avenue, an earlier Colonial Revival house, is also contributing.

Staff recommended disapproval of the application to demolish the structure at 1820 Wildwood Avenue, finding the structure to have such architectural or historical interest and value that its removal would be detrimental to the public interest, and would not meet guideline II.B.1.a. of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Mr. Alexander stated that public comment on this case was received via email and printed copies were presented to the Commission, prior to the meeting.

Commissioner Bernstein noted that the slides were labeled incorrectly and the project is in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay and not the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Mr. Craig provided handouts showing buildings in the neighborhood. He clarified that the Councilperson stated the current proposal is inappropriate for the neighborhood; however, there are no plans in place at this time. Mr. Craig claimed that he could not determine that it was constructed in 1953, and that it is outside the realm of the historical conservation. He stated that he could not verify that the dates provided by the Commission were appropriate or that there could be an assumption that all were constructed in the same time period. He addressed page 12 of the guidelines, which state that new construction should respect the context; however, he claimed that there are no historic buildings on the opposite side of the street. Mr. Craig made the argument that demolition was appropriate as they planned to design a building that would fit into the neighborhood better than the existing historic building.

Mr. Craig asked how “historic” was determined and Ms. Zeigler explained and provided information on how the construction dates were researched.

Sandra Shelton, of 1830 Wildwood Avenue, said that her older neighbors told her that the buildings were all constructed about the same time. There are 20 houses on the street that look like this and she questioned Mr. Craig’s stated percentages of contributing buildings. She further explained that the non-contributing buildings were added at the top of the hill at the time that they were attempting to obtain the overlay. The look and feel of the neighborhood is the reason she chose her house and she finds the smaller homes a wonderful idea for the new green movement. She rehabilitated another home on the street and it is now a beautiful addition to the neighborhood.

Bob Borzak, 1508 Woodland Street, asked why demolition was being approved before a plan for new construction has been submitted.

There were no further requests for public comment and the public hearing was closed.

Commissioner Bell asked if the current non-contributing homes were replacing prior homes. Ms. Zeigler stated that she did not know as she was not here at the time of their construction.

Motion:

Commissioner Turned moved for disapproval based on the finding that the building is historic and Commissioner Bell seconded. The motion passed unanimously.

**1419 Holly Street
Demolition, Infill, Setback reduction and detached duplex**

Zoning Administrator, Robin Zeigler, presented the case for 1419 Holly Street. She explained that the MHZC will have the authority to remove the bulk zoning requirement that legal duplexes in a historic overlay must be attached, if a proposed change to the definition of two-family is adopted by Metro Council this June. The applicant is proposing the project with the understanding that if approved by the MHZC, only the demolition and construction of the primary dwelling will be permitted. The secondary dwelling will only be permitted if and when the definition is altered.

The applicant proposes to demolish an existing non-contributing building and construct a detached duplex. The applicant initially submitted a design for attached duplexes to the MHZC on March 21, 2012, but was denied due to the fact that the massing and scale of the proposed was not appropriate for the district. Since it was constructed outside of the period of significance for the overlay and does not contribute to the historic character in terms of style or construction method, staff finds demolition to be appropriate and meet section III.B.2.

The homes in the immediate context are mostly one and one-half story homes that range between seventeen and twenty-six feet (17'-26') tall and 30-35' wide. The primary building, at 32' is similar to the context and the secondary building is six feet shorter. The new policy will only require that it is five feet. The widths and scale are appropriate where they can be. The narrowness of the lot for the secondary building requires that it be slightly wider than the context.

The new policy for detached duplexes on corner lots requires that the secondary unit be either 60% of the footprint of the primary dwelling, or 1800 square feet, whichever is less. The proposed meets that standard. The primary building has a porch that extends into the setback area by three feet (3'). The historic context exhibits sides of corner buildings being as close as approximately five feet from the street. Even with the proposed setback reduction for the porch, the house will still be seven feet (7') from the street.

The policy for corner detached duplexes requires that the secondary building be located in the rear 30% of the lot. The applicant is permitted to have one accessory structure and two are proposed. If the approval allows for a carport attached to the primary building, the secondary unit should be moved closer to the alley to be approximately located in the 30% region allowed; however, if the approval requires the removal of the carport and allows the rear garage to remain, the secondary unit is in the appropriate location.

All materials are appropriate for the district and have been approved by the Commission in the past. The roof plan is a front gable with side recessed dormers and shed roof dormers. The primary roof portion has a pitch of 10/12. The pitch is appropriate for the context. Staff finds that the project meets section II.B.5.

Each unit is oriented to their respective street and the secondary unit has vehicular access from the alley.

For both buildings the windows meet the guidelines for rhythm and proportion.

The primary building has a double-wide (16') driveway leading from North 15th Avenue to a two-bay carport with conditioned space above. Typically, the commission has not allowed for street-facing garages, attached garages at any location other than a basement level, and new curb cuts. In addition, the policy for corner detached duplexes is to have both units accessed from the alley where one exists, and only one garage or carport. This project proposes both a garage and carport, as well as an additional curb cut.

Since the two homes will now appear to be on separate lots, staff suggests amending the policy to allow for an additional curb cut for a primary unit, when an alley exists, to allow for access to the secondary unit. Staff suggests that the curb cut be narrowed to one lane; however, that may not be feasible since vehicles from this parking area would need to back out; therefore, staff recommends a new design for the driveway that incorporates a product such as turf-pavers and concrete strips to minimize the impact of the width. With these conditions, the project meets section II.B.6.

However, the proposed carport is located at the center of the lot and attached to the house. The proposed is more than a simple carport with four posts and a roof, as this carport has substantial corners, potentially allowing for garage doors to be installed at a later date and a second-story conditioned space. In addition, the policy for corner detached duplexes only allows for one carport or garage for the entire lot, not for each building. Staff recommends removal of the middle carport from the design and the addition of a concrete parking pad and windows to the exposed north elevation. With these conditions, the project meets section II.B.8.

Staff recommends approval with the conditions that:

- Staff provide final review of windows and doors
- The carport attached to the primary building be removed and windows be added to the north side of the building.
- Existing driveway be redesigned to either be one lane of concrete strips or appear to be one lane by using a product such as turf-pavers.

This recommendation is based on the understanding that permits can only be issued for demolition of the existing building and construction of the primary building once "historic districts" is removed from the definition of two-family. The request to bring this project to the MHZC before definition is changed is the applicant's. With these conditions, the project meets section II.B for new construction in the Lockeland-Springs Neighborhood Conservation Zoning Overlay.

John Root, architect for the project, stated that he believed that they had met the design guidelines and the concerns expressed in April. He challenged staff's assertion that the carport could later be a garage because someone would have to come to the commission for that. His client has a need for additional square footage and they were trying to accomplish that above the carport.

Ms. Zeigler stated that the installation of garage doors would not come back before the Commission. She also explained that during her presentation, staff received an email from the Lockeland Springs-East End neighborhood association stating their support of staff's recommendation.

Mr. Borzak asked for a definition of the footprint and then corrected the applicant's square footage calculation on the site plan.

Julie Kaalberg, 1419 Holly Street, expressed her displeasure with the new plan and asked that the carport be removed. She also expressed concern with the second structure that is not subordinate to the primary and that the second building should adhere to the required 20' setback. If a sidewalk is installed, she explained, it will place the building on the curb. She also noted that there are 9 old-growth trees that will be lost and replaced with mostly pavement.

Carol Norton, stated that if any amendments are created to the design guidelines the neighbors must be notified by the Commission and there has been no opportunity for public input to discuss the proposed amendment.

Susan T. Jones stated that the ordinance which may change the definition of two-family dwellings has gone through the public notification processes and that the change will not affect the design guidelines. Ms. Zeigler explained that the design guidelines will not change and will still be used to review entire projects, the policy simply provides more detailed direction in fulfilling the guidelines.

3:25 p.m. Commissioners Mosley and Fletcher left the meeting.

Ms. Norton stated that there is no rhythm of spacing on 15th therefore the addition of a secondary building on 15th is an interjection that is inappropriate for most of East Nashville. She stated she would like to see a list of the properties that Staff claimed that they researched. She stated that two full-scale homes built on the same lot are rarely seen, which this is in effect, they are just not subdividing. In East Nashville the outbuildings are smaller. The Historical Commission surveyed historic out buildings several years ago, and most of them were very small. She stated that it is inappropriate for the Commission to create an artificial setback; and if you allow two large homes on a single small lot to exist in a historic neighborhood, you are not doing the neighborhood justice.

Bill Lewis, of 1416 Holly Street, stated that he and his wife opposed the setback reduction because it disrupts the rhythm of the street and that the applicant's desire to maximize square footage does not justify the reduction.

Commissioner Bell expressed concern that they would set a precedent with the setbacks, ingress and egress.

Commissioner Gee stated that there are dozens of examples of homes constructed behind primary buildings, many of them with porches right up to the sidewalk and to him they are some of the most unexpected surprises in the neighborhood. They meet the policy and the carport is tucked back as far as it can be. He likes the idea of a single lane driveway because of how it affects the streetscape. He is having trouble seeing the offensiveness since there is precedent and he is a believer in density.

Commissioner Bell asked if the ordinance is passed if the project will come back for review. Ms. Jones explained that the only elements the board can vote on today is the front structure and demolition but

they cannot give approval today for the second structure because there is no authority to do so. After the bill passes, if it passes, they may come back with a proposed second structure.

Commissioner Gee had concerns with approving the project without the approval of the definition change and asked the applicant if he would be willing to defer and Mr. Root agreed to bring it back in June.

**3924 Kimpalong
Partial Demolition, New construction—addition**

3924 Kimpalong Avenue is a one-story Craftsman style house with a hipped roof. The house has a wide, horizontal plan with shallow gabled projections on both ends and a central shed-roof dormer vent on the front slope of the roof, flanked by two gable-roofed dormers. The structure gains an additional story in the basement because of a drop in grade toward the rear.

The applicant is proposing to enlarge the structure with a rear addition. Staff member Sean Alexander presented the application.

Location & Scale: The addition will set in from the rear corners of the historic house by two feet (2') on each side. On the left side, the outside wall of the addition will extend twenty-four feet (24') to the rear. The right side will extend twelve feet (12') back and then set back out flush with the wall of the historic house and then continue twenty-four feet (24') back. The addition will increase the footprint of the structure from two thousand square feet (2000 sq. ft.) to three thousand, six hundred square feet (3,600 sq. ft.). Staff finds this scale to be compatible with surrounding historic houses, and to meet guideline II.B.1.b.

Roofs, Height: The roof of the addition, as seen from the left and right, will be hipped matching the form and pitch of the existing roof. The central mass of the addition will have a low-pitched roof (2:12 pitch) extending up and back from the ridge of the existing roof.

All other roofs of the addition will match the height of the historic house and are compatible. Because the majority of the new roofs are compatible with the roof of the existing structure, and because the taller central roof of the addition will not have a significant impact on the character of the historic house, staff finds the application to meet guidelines II.B.1.a. and II.B.1.e.

Materials: The materials of the proposed addition and new rear chimney will be stone to match the original stone veneer of the house that is currently removed but will be reinstalled, with smooth cement-fiber siding with a five inch (5") reveal on the new dormers, a fiberglass asphalt shingle roof, wood windows, and wood trim. The foundation will be split-faced concrete block. Staff will need to approve the materials of the final window and door selections, rear railing material, and roof color, but in general the proposed materials are compatible with those of surrounding historic houses and meet guideline II.B.1.d.

Outbuildings: The addition will have a basement-level garage with three vehicle doors on the right side of the house. This location is historically appropriate for this property.

Staff recommended approval of the proposed rear addition with the condition that Staff approve the materials of the final window and door selections, rear railing material, and roof color, finding it to meet the design guidelines for the Woodlawn West Neighborhood Conservation Zoning Overlay.”

Preston Quirk stated he was available for questions and there were none. There were no requests for public comment.

Motion:

Commissioner Bernstein moved approval of the proposed rear addition with the condition that Staff approve the materials of the final window and door selections, rear railing material, and roof color, finding it to meet the design guidelines for the Woodlawn West Neighborhood Conservation Zoning Overlay.” Commissioner Gee seconded the motion and it passed unanimously.

1504 Elmwood Avenue

Demolition, Infill and New construction—accessory structure

Staff member Melissa Baldock presented an application for demolition of a non-contributing structure and construction of infill and an accessory structure at 1504 Elmwood. The existing building was constructed after 1951, and based on the structure’s age, materials, and design, staff has determined that the structure is non-contributing to the Belmont-Hillsboro district and that its demolition meets the guidelines. The new infill and accessory structure meet all base zoning requirements for setbacks. The new infill will be centered on the lot and will be approximately 38 feet wide with a maximum depth of 71 feet, 8 inches, which is compatible with the neighborhood. No walkways were indicated on the site plan, and staff asks that a central walkway be added, running from the sidewalk to the front porch. The site plan shows that the site slopes approximately 2 to 4 feet from the front of the house to the back of the house.

Photographs of the existing structure show how the foundation level decreases from the front to the back of the house. The elevation drawings that were submitted, however, treat the site as if it were flat. Staff asks that a condition of approval be that the applicant submit new elevation drawings showing the slope of the site and how the height of the foundation will be treated on the site.

The proposed structure is one and half stories in height and approximately 26 feet, 9 inches above grade. It will have a hipped roof with a slope of 8/12. This height and roof form match the historic context. The proposed materials are cement fiberboard cladding, split face concrete block foundation, asphalt shingle roof, and brick porch column bases. Staff asks that the siding proposed for the porch rack be eliminated and that a more appropriate material like wood be used. The front door is proposed to be fiberglass. Fiberglass is not a material typically approved for front doors, and staff asks that the door be wood instead. A steel door is proposed for the right/east façade. Steel doors are typically not approved on visible facades of primary structures, but staff finds this door appropriate in this instance because it is in an area inset from the plane of the house and it will likely not be visible. With the exception of the

siding on the porch rack and the fiberglass front door, staff finds the materials to be appropriate so long as staff review and approve a brick sample, the asphalt shingle color, material for the porch column shaft, the materials for the porch floor, steps, and handrail, and all window and door specifications.

The drawings show that the front dormer sits just one foot back from the porch rack. Staff asks that the dormer be pushed back another foot so that it is 2 feet from the line of the porch rack. The right/east façade has a large expanse of over 23 feet without a window or door opening. Staff asks that a window of at least four square feet be added within this expanse. Staff also asks that a skirt board be added to the foundation line.

The garage is proposed to be approximately 20 feet, 7 inches by 24 feet, 7 inches. It will be accessed from the alley and its garage doors will face the alley. It is proposed to have a ridge height of 24 feet, 6 inches and an eave height of 16 feet. Staff finds that the proposed height is too tall to be considered subordinate to the primary structure. As proposed, it will be just 2 feet, 3 inches lower than the primary structure. Staff asks that both the ridge and the eave height be reduced by 2 feet to ensure it is subordinate. Staff also asks that a trim board be added to the structure's floor level.

Ms. Baldock then presented context photos. She concluded by stating that staff recommends approval of the project with several conditions, including: The applicant submit new drawings indicating how the grade will be addressed in the new construction; staff approve all final materials; the infill's front door be wood and be approved by staff; the siding on the porch rack be eliminated; a skirt board be added to the infill's foundation line; the front dormer be inset 2 feet from the line of the porch rack; a central walkway running from the sidewalk to the porch be added; a window of at least four square feet be added to the infill's right/east façade in the large expanse of space without openings; the utilities be located in the rear or on a side façade, beyond the house's midpoint; staff review and approve all appurtenances; the accessory structures' eave and ridge height be reduced by a minimum of two feet; a trim board be added at the accessory structure's floor level; and staff review all windows and doors for both structures.

Brent Craig, 9005 Overlook, addressed the Commission and agreed with all the conditions. There was no request for public comment.

Motion:

Commissioner Bell moved to approve the project with the conditions that the applicant submit new drawings indicating how the grade will be addressed in the new construction; staff approve all final materials; the infill's front door be wood and be approved by staff; the siding on the porch rack be eliminated; a skirt board be added to the infill's foundation line; the front dormer be inset 2 feet from the line of the porch rack; a central walkway running from the sidewalk to the porch be added; a window of at least four square feet be added to the infill's right/east façade in the large expanse of space without openings; the utilities be located in the rear or on a side façade, beyond the house's midpoint; staff review and approve all appurtenances; the accessory structures' eave and ridge height be reduced by a minimum of two feet; a trim board be added at

the accessory structure's floor level; and staff review all windows and doors for both structures. Commissioner Gee seconded the motion and it passed unanimously.

1203 Forrest Avenue Demolition

Staff member, Robin Zeigler, presented the case for 1203 Forrest Avenue. She explained that on April 18, 2012, the MHZC approved an addition for this building and a permit was issued. During rehab of the existing building, the applicant uncovered multiple structural issues that were not apparent at the time of purchase.

The rim joists have deteriorated beyond repair along at least 50% of the exterior walls. The most critical area is the front where a planting bed was located and caused the complete deterioration of the joist. In other areas, the joists are severely compromised and causing walls to bow.

Floor joists are insufficient, have not been repaired properly, are compromised due to installation of water line and suffer from termite damage. Because of evidence of floor issues in multiple areas of the home, all flooring and subflooring was removed, exposing the joists. Repairs include sistering that does not span properly, a beam supported by stacked bricks that have failed and the installation of a poorly constructed floor section where a masonry fireplace had been removed. The system is further compromised by termite damage.

Foundation piers are deteriorated. In some areas the house is only supported by loose stone that was installed between the piers. This stone was not stacked or mortared in a method to provide additional support beyond the piers.

No headers over windows and lack of top plates. The windows were constructed without headers. Top plates for the walls are not always necessary to add in historic buildings but would likely now be required by Codes because of the extent of partial demolition that has taken place. Some demolition was necessary for the rehabilitation and uncovered areas of concern. Additional demolition was then necessary in order to determine the extent of damage.

Intersections of valley rafters and hip rafters are not supported. The roof may have been replaced at some point or was just constructed poorly to begin with.

Evidence of fire damage. All plaster was removed to install new mechanicals and insulation and revealed charred wood. Some of these roof members are structurally compromised and will have to be replaced.

Many of these issues are typical of old house construction and should be expected for renovation projects. Historic construction rarely meets modern code requirements, which change every year. Other concerns, noted by the applicant, such as the second floor not having adequate support for a usable

second floor space should not be expected in a home that was not constructed for the second floor area to be habitable space.

Although foundation issues should be of great concern to any homeowner, repairs are not insurmountable. In this case, because of the level of deterioration and the poor construction and repair methods, repairing the foundation would require significant and costly reconstruction.

Staff recommends approval of the application finding that the level of deterioration, poor original construction and inappropriate repairs has resulted in an economic hardship. Staff finds the project to meet Section IV.B.2.e of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines.

The applicant was not present and there was no public comment.

Motion:

Commissioner Bell moved to approve demolition based on the findings and facts that the level of deterioration, poor original construction and inappropriate repairs has resulted in an economic hardship. Commissioner Bernstein seconded the motion and it passed unanimously.

1809 Sweetbriar Avenue Infill and New construction-accessory building

Staff member, Sean Alexander, presented the case for 1809 Sweetbriar Avenue which was approved by the MHZC for demolition in April, 2012. The lot is seventy-five feet (75') wide, which is twenty-five feet (25') wider than most lots in the vicinity.

The applicant is proposing to construct a new single family dwelling and a detached accessory structure.

Height: The proposed new house will be two-stories with a pyramidal-roof. It will have a thirty inch (30") tall foundation, with an eave height of nineteen feet, four inches (19'4") above the foundation line and a pyramidal roof peak at thirty-one feet, six inches (31'-6") above the foundation line. The maximum height of the structure, as shown from grade, will be thirty-four feet (34').

Although the elevations show the lot as being flat, there is actually a considerable drop from right to left. On historic houses where the lot slopes side-to-side, typically the foundation at the highest corner will be one course of stone or block and get taller along the foundation as the grade drops. Staff is concerned that without accurate elevations, the actual height of the structure and the foundation itself cannot be determined.

The height and roof form of the proposed structure are similar to that of a two-story Foursquare house. Foursquare houses are found in the Belmont-Hillsboro Neighborhood, primarily near the center of the district along Belmont Boulevard and Oakland Avenue. The houses towards the perimeter of the district on the streets running east-west are more commonly smaller one to one and one-half story houses.

All but one of the historic structures on the 1800 and 1900 blocks of Sweetbriar are one or one and one-half story houses, ranging from eighteen feet (18') to twenty-four feet (24') tall from grade.

The lone two-story house on this part of the street is 1913 Sweetbriar Avenue, a twenty-five foot (25') tall Colonial Revival style house constructed c. 1930. Staff finds that the height of the proposed new structure, approximately ten feet (10') taller than the tallest historic house on the street, is not compatible with the historic context and would not meet guideline II.B.1.a.

Scale: The front façade of the structure will be forty-two feet (42') wide with a full-width porch. The front porch will project eight feet (8') forward of the front wall.

The structure will have a nearly square footprint, extending back forty-two feet (42') along the left wall and fifty-six feet (56') on the right. Although a one or one and one-half story house of this width may be appropriate, Staff finds that the massing of a forty-two foot (42') wide two-story house would not be compatible with the historic context and would not meet guideline II.B.1.b.

Setbacks, Orientation: The face of the front wall of the house will match the orientation of surrounding houses and the front setback will align with the front setbacks of nearby historic structures, meeting guideline II.B.1.f. The side setbacks will be five feet, six inches (5'-6") on the left and twenty-seven feet, six inches (27'-6") on the right. Historic houses in the surrounding area are typically more centered on a lot. Staff finds that the proposed location would not be compatible with the established setback pattern on the street, and that it does not meet guideline II.B.1.c.

The details of the design and materials were not analyzed since the form, height, scale and setback of the building are inappropriate. In addition, the submittal needs further clarifications for a full review:

- Elevations show building on flat ground but there is a significant change in grade
- The double windows cannot be constructed as shown.
- The site and floor plans indicate that there will be a covered deck at the rear of the structure, but it is not drawn on the elevations.
- Not all materials are noted.

Staff recommended disapproval of the new structure and garage, finding their massing, height, and scale to be incompatible with surrounding historic houses. Staff finds that the project does not meet section II.B.1 for new Construction in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Ms. Zeigler stated that public comment was received via email and sent to the Commission prior to the meeting.

Brent Craig, the applicant, stated that the design had been approved for 1405 Cedar Street but that he inadvertently sent the wrong plan and the design issues can easily be taken care of. He stated that they can almost center the house on the lot but had chosen the current proposal in order to save a large tree on the lot and follow the location of the original non-contributing house. They are also willing to decrease the roof pitch to minimize the height.

Mr. Craig presented photographs and a map. On the other side of Hawthorne in the 1700 block are several two-story homes. 2007 Beechwood was approved as a foursquare and the closest home was 6 houses down. This is closer to a historic home than the one approved on Beechwood. Mr. Craig asked for clarification of what is contributing and what is non-contributing. He stated that 50% of the homes are potential teardown and rebuilds and this foursquare is not unusual for the neighborhood and will be the new context if the teardowns are allowed.

There was no request to make public comment.

Commissioner Gee asked if there is a current driveway. Mr. Alexander said there was and that there is an alley but it needs improvement to be usable. Mr. Craig explained that the alley was overgrown and unusable.

Commissioner Turner asked if Mr. Craig's responses addressed staff's design concerns and Mr. Alexander stated that the drawings were incomplete and the massing was inappropriate.

Commissioner Hunter asked if the character changed at Hawthorne and Mr. Alexander agreed and provided additional information about the styles and heights found in the area.

Motion:

Commissioner Bell moved to disapprove demolition based on the findings and facts of the staff recommendation. Commissioner Bernstein seconded the motion and it passed unanimously.

**1416 Gartland Avenue
New Construction—addition**

1416 Gartland Avenue is a one and one-half-story Transitional Victorian house with a partial-width recessed porch and a steep-pitched pyramidal roof. The house was constructed c. 1910 and is considered to be contributing to the historic character of the district.

The applicant is proposing to enlarge the historic house by constructing side dormers on the existing upper story and a rear addition.

Height, Scale of Additions: The rear addition will set in one foot (1') from the outside walls of the house on each side and extend nineteen feet (19') to the rear. The roof of the addition will be a rear-facing gable, matching the pitch of the existing roof with the ridge set one foot (1') below the existing ridge. There will be a shed roof dormer on each of the side slopes of the new roof, originating behind the rear wall of the historic house. These walls of these dormers will set in two feet (2') from the walls below.

New hipped dormers are also proposed, one on each side slope of the historic house. The new side dormers will match the form and size of an existing front dormer, which also meets the design guidelines. However, the left dormer would require the removal of an existing chimney. Side dormers

are not appropriate when they require the removal of an architectural feature. Staff recommends against approval of the new left dormer. A rear chimney will also be removed, which is appropriate because it is not visible from the right of way and is not a character defining feature.

Materials: The exterior materials of the addition will be: smooth cement-fiber clapboard siding and wood windows, with a fiberglass-asphalt shingle roof (matching the color of the existing roof) and a split-faced concrete block foundation. The windows and doors will be wood, as will an uncovered rear deck. These materials are compatible with those of surrounding historic houses and meet guideline II.B.4.

The design also meets the guidelines for roofs and proportion and rhythm of openings, described in the staff recommendations.

Staff recommended approval of the application to construct a rear addition and right side dormer at 1416 Gartland Avenue, finding the application to meet the design guidelines for New Construction and Additions in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Staff recommended against approval of the new left side dormer because it would require the removal of an original chimney, which would not meet the design guidelines.

To complete the record, Mr. Alexander reminded the Commission that comments had been received from a neighbor and distributed to the Commission via email.

The applicant was not present and there was no request for public comment.

Commissioner Gee asked if the condition of the chimney had been investigated. Mr. Alexander stated that it had and that it was in poor condition. Mr. Gee stated that there might be a reason to approve both dormers, based on the condition of the chimney. Commissioner Turner expressed concern over the imbalance created from approving just one dormer.

Motion:

Commissioner Gee moved to approve the rear addition and right side dormer based on the findings and facts of the Staff recommendation and to allow staff to approve the proposed left dormer if the applicant is able to prove that the chimney is beyond repair with the understanding that the applicant has then presented a legitimate hardship for preserving the existing chimney. Commissioner Turner, seconded the motion and it passed unanimously.

104 5th Avenue South

Signage

Staff approved a small projecting sign on November 9, 2011, according to historic zoning administrator Robin Zeigler, which has not yet been constructed. The building was also recently painted; however, it was previously painted and its repainting met the design guidelines. Staff approved a small rear addition on October 14, 2011.

The applicant now proposes two painted signs on each side of the building, in addition to the blade sign previously approved. The painted signs meet all applicable design guidelines, with the exception of the total number of signs.

Staff recommended allowing for the two painted signs by setting a policy, for this and future projects, to allow for one painted sign without counting it towards the signage allotment, since painted signs were traditionally secondary signage elements and the locations where they are feasible are minimal. Specifically, the design guidelines states, signage painted on brick side walls may be appropriate. Its size and placement should be compatible to historic examples in the district. Staff recommends adding additional clarification to the design guidelines, to state:

One painted sign need not be considered within the sign allotment and there should not be more than one painted sign on any one facade. Painted signs should only be added to rear elevations or exposed upper secondary elevations and should not cover transoms, columns, cornices, decorative elements, openings and architectural features or require the enclosure of openings. Painted signs on main facades or the first level of buildings is not appropriate. Generally, a painted sign should not be more than 125 square feet in size. Painted signs should serve as a sign for the current occupant(s) and should not advertise off-site businesses or products. In most cases, painted signs should also not be general scenes or murals, but should be signage. Generally, painted signs should not have lighting; however, if lighting is necessary, it should be between one and two gooseneck lights or another type of light that can be hidden by an architectural feature. Metallic and day-glow paints are not appropriate.

In this case, the building would have one sign on the front of the building and two painted signs on either side of the building. No more signs or painted signs would be appropriate for this building until one of these three is removed.

Staff recommended approval of the two proposed painted signs finding that they meet the design guidelines with the exception of number of signs per building. Staff suggests that one painted sign be allowed that is not counted towards the sign allotment. With this clarification of the design guidelines, the project meets section III of the design guidelines for the Broadway Historic Preservation Zoning Overlay.

Jim Rowan, applicant and owner of Sign Me Up, LLC stated he was available for questions.

Commissioner Bernstein asked staff to come up with a different word for “painted signs” as she had concern with saying that a “sign” would not count within the “signage count”, but understood that it was a different element. Ms. Zeigler said she did not have an answer for her today but that staff would look into a different name that would help to clarify the policy.

Motion:

Commissioner Gee moved to approve the two painted signs based on the findings and facts of the staff recommendation. Commissioner Turner seconded the motion and it passed unanimously.

Ms. Zeigler informed the Commission about several upcoming events.

The meeting was adjourned at 4:48 p.m.

RATIFIED BY COMMISSION ON JUNE 20, 2012