



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
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## METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES October 17, 2012

**Commissioners Present:** Brian Tibbs (Chair), Ann Nielson (Vice-Chair), Menié Bell; Aaron Kaalberg, Ben Mosley, Samuel Champion

**Zoning Staff:** Robin Zeigler, Sean Alexander, Michelle Taylor, Susan T. Jones (City Attorney)

**Applicants:** Mike Morosi, Alan Dooley, Mr. Ladd, Blaine Bonadies, Lynn Taylor, Drew Sloss, David Baird, Tim Wesley, Jamie Hollin, Hans Schmitt, Michael Ward, Jamie Pfeffer

**Public:** Dan Locherie

Chairperson Tibbs called the meeting to order at 2:10 p.m. and read aloud the processes for the consent agenda and appealing the decisions of the Metro Historic Zoning Commission.

### I. APPROVAL OF MINUTES

**Motion:**

**Commissioner Nielson moved to approve the September 2012 summary minutes without changes. Commissioner Mosley seconded and it passed unanimously.**

Vice-chairperson Nielson explained the process of the consent agenda and the appeal process.

### II. CONSENT

**2529 FAIRFAX AVENUE**

Application: New Construction - Addition

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1892853

**1709 FATHERLAND STREET**

Application: New Construction - Addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1892908

**1904 SHELBY AVENUE**

Application: New construction-accessory structure, Setback reduction

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MICHELLE TAYLOR

Permit ID #: 1892937

**1216 5<sup>th</sup> AVENUE**

Application: New construction-accessory structure  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: MICHELLE TAYLOR  
Permit ID #: 1893138

**1812 BEECHWOOD AVENUE**

Application: New construction-addition and accessory building  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: ROBIN ZEIGLER  
Permit ID #: 1892911

**1011 CLEARVIEW AVENUE**

Application: New construction-addition  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: ROBIN ZEIGLER  
Permit ID #: 1893079

**1313 GARTLAND AVENUE**

Application: New construction-accessory structure, Setback reduction  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: MICHELLE TAYLOR  
Permit ID #: 1893090

**1401 DALLAS AVENUE**

Application: New construction-addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: MICHELLE TAYLOR  
Permit ID#: 1893147

**1405 DALLAS AVENUE**

Application: New construction-addition; new construction-accessory structure; alterations  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: MICHELLE TAYLOR  
Permit ID#: 1893204

**3703 MEADOWBROOK AVENUE**

Application: New construction-addition and ridge raise  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: ROBIN ZEIGLER  
Permit ID #: Unavailable at time of publication

**319 SOUTH 11<sup>TH</sup> STREET**

Application: New construction-addition; alterations  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: MICHELLE TAYLOR  
Permit ID#: 1891464

Commissioner Mosley asked that 1216 5<sup>th</sup> Avenue be removed from consent since he would need to recuse himself for that case and at that time, quorum would be lost if he left the room. Staff requested removal of 2529 Fairfax Avenue, 1011 Clearview Avenue and 1401 Dallas Avenue.

Staff member, Michelle Taylor, presented the projects on the consent agenda. There were no requests from the public to remove items from the consent agenda.

**Motion:**

**Commissioner Mosley moved to approve all consent items with their recommended conditions with the exception of 2529 Fairfax Avenue, 1011 Clearview Avenue, 1216 5<sup>th</sup> Avenue and 1401 Dallas Avenue. Commissioner Nielson seconded and the motion was passed unanimously.**

**III. NEW BUSINESS**

**2529 FAIRFAX AVENUE**

Application: New Construction - Addition

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1892853

Staff member Sean Alexander presented the case for 2529 Fairfax Avenue, which is an application to remove an existing sixty-two square foot (62 sq.' ) rear addition and construct a new nine hundred, twenty square foot (920 sq.' ) rear addition at 2529 Fairfax Avenue.

Demolition of the existing rear addition meets guideline III.B.2.b, because it does not contribute to the historic character of the structure.

The new addition will include a “sunroom” and a “master suite.” The sunroom will be behind the house and will set in from the sides by nine feet (9’) on the left (the bottom of this site plan) and one foot (1’) on the right.

The master suite (in blue) will connect to the right side of the sunroom thirty inches (30”) behind the original rear corner of the house. The addition will then set out twenty-two feet (22’) to the right, which is thirteen feet (13’) beyond the outer wall of the existing side addition.

Although the addition is wider than the historic house on the right side, it does not have a physical impact on the historic house because it connects to the house at the rear and because it is partially obscured by the existing side addition. For this reason, and because the lot is one and one-half times wider than the standard lot on the block, staff finds the addition to meet guidelines the setback and open space guidelines.

The addition meets the setbacks required by zoning, and is also compatible with the established rhythm because of the width of the lot and the right-side alley. This meets guideline II.B.1.c.

The eaves of the addition will align with those of the existing house, with the foundation line rising and the wall height diminishing as the grade rises toward the rear or the lot.

The roof of the addition will have clipped gables, matching the form and pitch of the existing roof.

The exterior will be cement-fiber clapboard and board and batten siding, composite roof shingles and brick. The exterior trim elements will be wood as will the windows, although more details about the windows (ex. muntin style) and doors should be required before a permit issued.

These roofs, materials, and also the window pattern are compatible with those of the historic house.

The site plan also shows a paved parking area in front of the new addition, just to the right of the historic house. Currently there is a gravel parking pad behind the house in the location where the addition will be built. Front and side yard parking is not associated with historic houses in the surrounding area and because this new parking area is being created due to the addition, staff recommends that the parking be located behind the structure.

Recommendation: Staff recommends approval of the application to demolish a non-contributing rear addition and construct a new rear addition, with the condition that the windows and doors of the addition be approved by staff and the parking be located behind the structure. Staff finds the application to otherwise meet all of the Hillsboro-West End Neighborhood Conservation Zoning Overlay design guidelines.

Mr. Michael Morosi, applicant for the project, provided photographs of existing front-yard parking areas.

Commissioner Nielson asked if all the examples were recent or new and the applicant stated that he wasn't sure.

Mr. Alan Dooley, the architect, stated that the side alley somewhat serves as a driveway and the applicant is being penalized for that fact. The addition requires him to remove the rear parking area and it would be inconvenient to have parking at the rear of the lot.

There were no other requests from the public to speak.

Chairperson Tibbs asked if the idea was to have the access off the rear alley or further down on the side alley. Mr. Alexander stated that the plans showed a future garage that Staff thought would be an appropriate location for parking until the garage is constructed.

Commissioner Mosley asked if they wanted to encourage these types of situations in future cases and explained that in the past they have asked that these types of scenarios be deleted from projects.

**Motion:**

**Commissioner Mosley moved to approved the project with the condition that the windows of the addition be approved by staff and that the parking pad be located behind the structure. Commissioner Nielson seconded and the project passed unanimously.**

**1011 CLEARVIEW AVENUE**

**Application: New construction-addition**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID #: 1893079**

Staff presented the case stating that the applicant has agreed to all the conditions that would make this project for a side and rear addition meet the design guidelines and has already submitted new plans reflecting these conditions with the exception of the front porch.

On the plans submitted to you there are notes that the front porch addition was not under consideration as this was the direction provided by the applicant after learning that the alteration did not meet the design guidelines. However, the applicant would now like for you to consider this front addition.

The existing porch is a cut-away porch and the applicant requests to add a new extended porch in the same location that will affect the setback and alter the look of the primary building.

Staff recommends approval of the project with the conditions that

- The addition not begin before the midpoint of the house;
- The applicant submits new drawings prior to the permit being issued;
- The front porch not be constructed unless documentary evidence can be found; and
- Applicant submits roof color for review prior to purchase and installation.

Cory Ladd, applicant for the project, stated that he wants to turn the house into a commercial property with a few alterations needed for the business.

Mr. Ladd said they wanted the porch as it would make the building look better and would restore its historic character.

There were no requests from the public to speak.

Commissioner Mosley/Nielson stated that the Secretary of Interior's Standards are clear about not adding conjectural elements and this is an added feature to an otherwise intact historic home. 100%

**Motion:**

**Commissioner Mosley moved to approve the project with the conditions that:**

- **The addition not begin before the midpoint of the house;**
- **The applicant submits new drawings prior to the permit being issued;**
- **The front porch not be constructed; and**
- **Applicant submit roof color for review prior to purchase and installation.**

**Vice-chairperson Nielson seconded and the motion passed unanimously.**

**1401 DALLAS AVENUE**

**Application: New construction-addition**

**Council District: 18**

**Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay**

**Project Lead: MICHELLE TAYLOR**

**Permit ID#: 1893147**

Staff member Michelle Taylor stated that the project met the design guidelines with the exception of a portion of the rear addition which steps out from the side wall of the house.

Staff recommends approval with the conditions that the addition sit in a minimum of 1' on each side and staff provide final review of windows and doors, porch steps and roof color.

Mr. Bonadies, architect for the project, handed-out several options to the Commission. He disagreed that the portion that sits out will not be easily removable and stated that the soffit has been repaired and the eave will be left intact. The reason for the proposal is for functionality and to bring down the scale of the proposed addition.

Vice-Chairperson Nielson stated that she was concerned about setting a precedent by allowing it, since they required additions be inset at least a foot in the past.

*Commissioner Champion arrived at 2:44 p.m.*

Commissioner Mosley stated that the overall concern was inset and the porch completes the eave line shape. Additional options were also discussed.

The commissioners brought up the possibility of deferral and Mr. Bonadies declined to defer.

There were no requests from the public to speak.

Commissioner Champion asked about the context next to the house and if there is a side walkway and Ms. Taylor brought up a photograph to show the context.

**Commissioner Nielson moved to approve with the following conditions:**

- **The addition sit in a minimum of one foot (1') on each side; and**
- **Staff provide final review of windows and doors, porch steps and roof color.**

**Commissioner Bell seconded. Mosley voted against and motion carried with four concurring votes.**

*Commissioner Mosley recused himself from the next case and left the room at 3:04 p.m.*

#### **1216 5<sup>th</sup> AVENUE**

**Application: New construction-accessory structure**

**Council District: 19**

**Overlay: Germantown Historic Preservation Zoning Overlay**

**Project Lead: MICHELLE TAYLOR**

**Permit ID #: 1893138**

Staff member Michelle Taylor, provided the case for 1216 5<sup>th</sup> Avenue North. The project is for a two-story rear accessory structure. It meets all design guidelines and was only removed from the consent agenda due to one of the commissioners needing to recuse himself, since he was the architect for the project.

Staff recommended approval with the conditions that Staff review and approve the window specifications and design and the pedestrian and vehicular door specifications and designs prior to purchase and installation.

There were no requests from the public to speak

#### **Motion:**

**Commissioner Nielson moved to approve with the conditions that Staff review and approve the window specifications and design and the pedestrian and vehicular door specifications and designs prior to purchase and installation.**

**Commissioner Bell seconded and it passed unanimously.**

*Commissioner Mosley returned to the meeting at 3:07 p.m.*

#### **1408 WOODLAND STREET**

**Application: New construction-accessory structure**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID #: 1893053**

Staff member Robin Zeigler provided background on the project stating that in April of this year, the MHZC approved a two-story house that was recently completed. The applicant now proposes a 2-story garage.

The project meets the design guidelines in terms of roof shape, materials, design details, location, setbacks and rhythm of openings; however it does not meet the design guidelines in terms of height and scale.

The proposed garage is not subordinate to the primary dwelling in that the height and width is similar to the primary house.

It is proposed to be approximately 28' tall on the street/facing side and 29' on the alley side, compared to the primary building which is (29') tall on the street side. The width is thirty feet (30'), which is the same as the primary dwelling.

Because of the drop in grade the accessory building will appear to be below the height of the existing building; however, the overall massing of the building is not subordinate to the primary building and is not in keeping with historic surrounding buildings.

The guidelines require that new outbuildings be “compatible in terms of height and scale” with the surrounding accessory structures. The majority of accessory buildings in the immediate context are one-story.

A study of historic outbuildings in the Lockeland Springs-East End neighborhood completed in 2008 revealed that there are no historic buildings more than twenty-four feet (24’) tall and approximately 5% were two-stories with an average footprint of about 250 square feet, the largest footprint being five-hundred and seventy six square feet (576 sq. ft.).

The combination of the large footprint and a height and width that is essentially the same as the two-story primary building results in a massing that does not meet sections II.B.8.a.

Staff recommends disapproval finding that the height, massing and scale of the proposed garage to be inappropriate for the context and does not meet sections II.B.8.a.

Because dropping the height will significantly alter the overall design of the building, staff is not simply recommending condition(s) for approval but a full disapproval. Disapproval will not prevent the applicant from returning to the Commission with a new design or designing a building that falls within the staff’s ability to review.

Lynn Taylor, architect for the project, clarified the grade drop was 9’ to the front of the garage. The massing of the building is broken up into two gables and the garage will sit back from the alley by 18’. She listed other garages approved by the Commission that were bigger. She stated that they were willing to lower the overall height to 25’ or 26’.

Mr. Sloss, the contractor for the job, stated that he wanted to carry the character of the house into the design of the accessory building. The topography drops 9’ so even though the garage was the same height of the house, because of the grade, it will appear to be subordinate.

Chairperson Tibbs noted that if the height were lowered the overall footprint could change a small amount too since some risers were lost.

There were no other requests from the public to speak.

Commissioner Kaalberg stated that the project does take advantage of the grade but that is only one piece and it needs to be compatible with surrounding buildings. He expressed concern that 29’ is taller than most of the houses, let alone garages.

**Motion:**

**Commissioner Kaalburg moved to approve the garage on the condition that the height be lowered by 4’.  
Commissioner Mosley seconded and the motion passed unanimously.**

**1112 FORREST AVENUE**

**Application: Demolition**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID #: 1893065**

Staff member Robin Zeigler presented a case to demolish 1112 Forrest Avenue. This building recently received a permit for an addition but after renovation began, they realized there was extensive termite and fire damage and so requests to demolish the building. There is more detailed information in the engineer’s report included in your staff recommendation.

Since the existing residential building is a contributing building to the National Register of Historic Places district and the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay demolition does not meet the design guidelines; however, when applying the standards for economic hardship, staff finds the project does meet the guidelines for appropriate demolition.

The existing portion of the house with a previous rear portion already removed and including the stairs, a second level and front porch is 650 square feet.

The applicant purchased the property for \$191,700 and estimates that it will take \$90,000 to make necessary repairs not evident at the time of purchase and bring the building up to the standards enforced by the Metro's Department of Codes & Building Safety. Staff has reviewed existing conditions three times since the removal of siding and flooring, providing a clear view of the structure, and agrees with the cost estimates for repair and rehabilitation based on an extensive amount of termite and fire damage to critical elements of the structure such as the sill and load bearing interior walls.

David Baird, architect for the project, explained that once work started on the approved addition, it was discovered that almost every structure roof, walls and floor were damaged by termites and construction stopped. The owner would like to demolish and come back with a plan for new construction.

Tim Wesley, the owner stated that he was available for questions.

There were no requests from the public to speak.

Commissioner Kaalberg stated that he was worried that there was no incentive to inspect thoroughly at the time of purchase. He explained that the \$90,000 needed to repair the house left with the seller and if they had known that they could have negotiated the purchase price with the seller. He asked what the applicant did in terms of their due diligence. Chairperson Tibbs and Mosley agreed that owners should do their due diligence. Commissioner Kaalberg acknowledged that this discussion may not be the right timing in terms of the specific case before them but something they all need to consider for demolition requests.

**Motion:**

**Vice-chairperson Nielson moved to approve based on the findings and facts of the staff recommendation. Commissioner Mosley seconded and the motion passed unanimously.**

**1520 WOODLAND STREET**

**Application: New construction-accessory structure**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID #: 1893447**

Ms. Zeigler presented the case to cover a dining area at 1520 Woodland.

The application meets the design guidelines in terms of location, setback, height, scale, and roof form.

This application is not on the consent agenda because it is providing a more defined approach to allowing for plastic sides—if you approve. In the past we have received applications for plastic sided additions to primary facades and street facing sides that have been denied.

In this case, the applicants propose a more permanent front to the street facing side.

The front section will be glass wall panels with a finish that matches the existing storefront, a wood screen, and a canvas covered roof on a steel frame.

Anticipating future requests, staff recommends allowing for plastic roll-up sides on commercial buildings with the following conditions: it is located on the ground level off a secondary facade, not be on a street facing side of a building, have a permanent glass wall on the portion of the addition which faces the street, and the front sits back a minimum of three (3') from the front or side wall, depending on placement of the addition. The reason for these conditions is to allow for minimal and open additions that provide temporary cover and discourage more permanent additions that have a greater visual impact on the building, while minimizing the impact of an inappropriate material.

Staff recommends approval of the project finding it to meet Section II.B. of the *Lockeland Springs-East End Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

Jamie Hollin, on behalf of the applicant, stated that he was available if there were any questions.

Hans Schmitt, president of the Lockeland Springs Neighborhood, stated that the board of the organization had reviewed the drawings, and encouraged approval.

**Motion:**

**Vice-chairperson Nielson moved to approve. Commissioner Mosley seconded and the motion passed unanimously.**

**2403 FAIRFAX AVENUE**

**Application: New construction-infill**

**Council District: 18**

**Overlay: Hillsboro West End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID #: 1893057**

Ms. Zeigler presented the case for new construction at 2403 Fairfax Avenue. She explained that the proposed design was a new version of what the Commission saw last month and met all the design guidelines with the exception of the front dormers which should be set back by 2', based on the Commission's past decisions.

Michael Ward, architect, stated placing the dormers back would alter the plan. He provided examples of other dormers that do not sit back the 2'.

There were no requests from the public to speak.

Commissioners Mosley and Champion and Chairperson Tibbs stated that they found the dormers to be appropriate because of the extensive overhangs on the proposed building, which prevented the dormers appearing as "faked-in" dormers which had been the concern with past decisions.

Commissioner Kaalberg asked if concessions had been made in the past for dormers on roofs with large overhangs and Ms. Zeigler said that she was not aware of any being approved on the primary façade.

**Motion:**

**Commissioner Champion moved to approve with the condition that staff provide final review of windows, doors, brick, location of HVAC, and roof color. Commissioner Mosley seconded and the motion passed unanimously.**

**0000 24<sup>TH</sup> AVENUE (no address available at this time)**

**Application: New construction-infill**

**Council District: 18**

**Overlay: Hillsboro West End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID#: 1893057**

Ms. Zeigler presented the case for new construction at 0000 24<sup>th</sup> Avenue, which presently does not have an official address. She explained that the project met all design guidelines and the recommendation was to approve.

Michael Ward stated that he and the developer were available if there were any questions.

There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve with the condition that staff provide final review of windows, doors, roof color and location of utilities. Commissioner Kaalberg seconded and the motion passed unanimously.**

**321 SOUTH 11<sup>TH</sup> STREET**

**Application: New construction-infill**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: ROBIN ZEIGLER**

**Permit ID#:**

This project is for new construction at the corner of 321 South 11<sup>th</sup> Avenue. It will be located where you see this fence in the middle picture with a historic residential building to the left and the church, to the right, and across the side street.

The project meets the design guidelines in terms of location, setback, height, scale, proportion and rhythm of openings, and the known materials.

The most unusual part of the design is the roof form which is an exaggerated cross-gable form. Staff viewed it is an interpretation of historic cross gable forms in the neighborhood. The steep 12/12 pitch proposed is found in the neighborhood.

Staff recommends approval of the application with conditions that staff review and approve the roof color and the window, trim, porches, front basin, door materials and specifications. With this condition, staff finds the project to meet Section II.B. of the *Lockeland Springs-East End Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

There were no requests from the applicant or the public to speak.

Vice-chairperson Nielson moved to approve with the conditions that staff review and approve the roof color and the window, trim, porches, front basin, door materials and specifications. Commissioner Bell seconded and the motion passed unanimously.

**1608 GARTLAND AVENUE**

**Application: New construction-infill**

**Council District: 06**

**Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay**

**Project Lead: SEAN ALEXANDER**

**Permit ID #: 1892831**

Staff Sean Alexander presented the case to demolish a non-contributing building and construct a primary building.

Because the existing structure does not contribute to the historic character of the district, the application to demolish meets guideline IV.B.2.b.

The new building will be one and one-half stories tall with a side-gabled roof. It will be a half story taller than the adjacent and next closest historic houses, but the same height as several other Craftsman houses on this and other blocks of Gartland Avenue, and the width is also compatible.

The house will be nearly centered on the lot with the front setback about ten feet (10') deeper than the adjacent Folk Victorian house to the left, but will be consistent with the majority of other historic houses on the street.

The materials of the new structure will include cement-fiber clapboard and shingle siding with wood trim, a split-faced concrete block foundation, and a composite shingle roof. The exterior trim elements will be wood, as will the windows, although more details about the windows (ex. muntin style) should be approved before they are purchased.

Roof Shape and Windows Pattern are appropriate.

The proposal includes a one-story, two-car garage behind the house. The materials of the structure will match those of the house: and the scale and location meet the design guidelines.

The accessory structure will be accessed from the alley, with no driveway to the street. Staff recommends that a concrete walkway like that found on other houses in the area be added from the front of the structure to the street.

Staff recommended approval of the proposed demolition of a non-contributing structures and the subsequent construction of a new primary building and accessory building, with the condition that staff approve the windows and that a concrete walkway be added from the front of the house to the street. With these conditions, staff finds the application to meet the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Jamie Pfeffer stated that he was available for questions and agreed with the condition of the staff recommendation.

There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve with the condition that staff approve the windows and that a concrete walkway be added from the front of the house to the street. Commissioner Kaalberg seconded and the motion was passed unanimously.**

**228 CHAPEL AVENUE**

**Application: Demolition, New construction-infill, Setback reduction**

**Council District: 06**

**Overlay: Eastwood Neighborhood Conservation Zoning Overlay**

**Project Lead: SEAN ALEXANDER**

**Permit ID #: 1892827**

Staff member Sean Alexander presented the case to demolish a non-contributing house and construct a new house.

The existing structure does not contribute to the historic character of the district due to its age and lack of historic integrity or character. The application to demolish it meets guideline III.B.2.b.

The proposed new house will have two components: a two-story main component and a one-story wing to the left.

The larger section will be similar in height and width to surrounding historic structures, and shorter than the two story house across the street. The one-story side wing is not something found on other houses, but given the odd dimensions of the lot and its location at an unusual intersection, it does not interrupt the rhythm of the street.

The front edge of the new building would be aligned with the adjacent historic house to the right, with approximately 15 feet from the adjacent building on the right. The siting of the building is compatible with the surrounding context and is in keeping the rhythm of spacing established by houses along Chapel Avenue, which breaks at the intersection with Benjamin Street. The proposed new structure would meet the minimum setback buffer requirements on the front and both sides, but not meet the rear setback. Therefore a reduction of the rear setback from twenty feet (20') to ten feet (10') is requested, which staff finds to be appropriate.

The known materials of the new structure are compatible with those of historic houses: including cement-fiber board and batten siding, a split-faced concrete block foundation, composite shingle roof. Additional information is needed on specific door and window types, porch roof color, and porch railings if they are needed.

The roof forms, window pattern, are all compatible, and Staff also finds the orientation compatible.

Staff recommended approval of the application to demolish a non-contributing structure and construct a new building, with the conditions that:

1. The color of the porch roof is approved by Staff; and
2. Front porch railings, if needed, shall be approved by Staff;
3. Additional information on the windows and doors is approved by staff.

With those conditions, Staff finds the new building to meet the design guidelines for new construction in the Eastwood Neighborhood Conservation Zoning Overlay.

Mr. Alexander stated that public comment was received via email and submitted to the commissioners via email.

The applicant, Jamie Pfeffer, informed the Commission that he was available for questions.

Dan Lockery, next door neighbor, explained that they had no issues with demolition or the reduction of the rear setback but disagreed that the rhythm of the street was met or that the height was appropriate. It will be the widest, tallest and closest home to its neighboring home.

There were no other requests from the public to speak.

Chairman Tibbs invited Mr. Pfeffer back to explain the reasoning for the siting of the building, in answer to Commissioner Champion's request. Mr. Pfeffer explained that the lot size and shape was unusual for the district but they are building within the standard building envelope and they were attempting to save existing trees.

Commissioner Bell asked if the new construction was closer to the neighboring building than the existing house and Mr. Pfeffer stated that he believed the proposed building would be slightly closer. The proposed location was a response to the drip line of the tree and Benjamin Street.

Mr. Lockery returned to say that there was a tree at the corner and the next tree on Benjamin was actually on the property behind the proposed lot. He measured the distance between his house and the new one and it was about 15' and the new house will be closer to him than the house on the other side of his home.

Commissioner Kaalberg stated that the section appears as a side addition.

Commissioner Mosley asked if the house could be moved 2-3' towards Benjamin. Mr. Pfeffer stated that he would be willing to talk to his engineer and explore the possibility.

**Motion:**

**Commissioner Mosley moved to approve with the conditions that:**

- 1. The color of the porch roof is approved by Staff;**
- 2. Front porch railings, if needed, shall be approved by Staff;**
- 3. Additional information on the windows and doors is approved by staff ;**

- 4. The house be moved 3' towards Benjamin Street and the applicant should work with staff on any associated changes needed.**

**Commissioner Champion seconded and the motion passed unanimously.**

**1622 FIFTH AVENUE & 1612 FOURTH AVENUE**

**Application: Historic Landmark designation for Fehr Elementary School and the Warner House**

**Council District: 19**

**Project Lead: ROBIN ZEIGLER**

**Bell/Nielson 100%**

This application is to provide historic landmark designation to the Warner House at 1612 4<sup>th</sup> Avenue North and the Fehr School at 1622 5<sup>th</sup> Ave N

Fehr School was constructed in 1924 and was one of the first six schools integrated in September 1957, when Nashville Public Schools began what was then called the "Stairstep Plan." Four African-American children, two girls and two boys, attended class on September 9, 1957, amid white protestors.

In 2011, Historic Nashville, Inc. listed the property in the Nashville Nine Most Endangered list. Fehr School retains a great deal of architectural integrity, and is eligible for listing in the National Register of Historic Places.

The Warner House at 1612 4<sup>th</sup> Avenue North is behind Fehr School and also owned by Metro. J.H. Warner constructed this brick two-pen c. 1865 and a rear brick ell was added prior to 1914. The property remained in the Warner family up until 1937, when it was sold to pay off a \$500 debt.

Staff suggests the Commission recommend to City Council that Fehr School and the Warner House be adopted as a Historic Landmark Overlay. Fehr Middle School meets standard 1 because of its association with Nashville's Civil Rights Movement. Both buildings meet standards 3 and 5 because of their architectural style and integrity; and because they are eligible for listing in the National Register of Historic Places.

Commissioner Bell moved to approve recommendation. Vice-chairperson Nielson seconded and the motion passed unanimously.

There was no new business.

**Commission**

Meeting adjourned at 5:10 pm.

**RATIFIED BY COMMISSION ON NOVEMBER 15, 2012**