



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
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METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES September 19, 2012

Commissioners Present: Ann Nielson (Vice-Chair), Menié Bell; Hunter Gee, Aaron Kaalberg, Ben Mosley, Samuel Champion, Richard Fletcher

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

Applicants: Jackie Daniels, Steven Dileo, Blaine Bonadies, Don Morris, Jeff Steele, Kate Gregory, Michael Ward, Cindy Herndon, Jamie Pfeffer

Public: Councilperson Evans, former commissioners Ron Gobbell, Barri Bernstein, and Judy Turner

Vice-chairperson Nielson called the meeting to order at 2:05p.m. and read aloud the process for appealing the decisions of the Metro Historic Zoning Commission.

Vice chairperson Nielson welcomed two new commissioners, Aaron Kaalberg and Samuel Champion. Tim Walker and Ann Nielson thanked three commissioners cycling off the board and presented certificates for Barri Bernstein, Judi Turner and Ron Gobbell.

I. APPROVAL OF MINUTES

Motion:

Commissioner Fletcher moved to approve the August 2012 summary minutes without changes. Commissioner Gee seconded and it passed unanimously.

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

II. CONSENT

a. 2005 20TH AVENUE

Application: Partial demolition-- rear addition; New construction--addition
Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1887045

b. 1506 CEDAR LANE

Application: New construction—Addition to primary structure and to accessory structure

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1889242

c. 2007 SWEETBRIAR AVENUE

Application: Demolition--accessory structure; New construction--accessory structure; Setback reduction.
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1889244

d. 107 LAUDERDALE ROAD

Application: Demolition--Accessory structure; New construction--addition and accessory structure
Council District: 24
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1887040

e. 1725 LINDEN AVENUE

Application: New construction-addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: MICHELLE TAYLOR
Permit ID #: 1888688

f. 1203 FORREST AVENUE

Application: New construction-Detached accessory dwelling unit, Setback reduction
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: MICHELLE TAYLOR
Permit ID #: 1888066

g. 204 SOUTH 11TH STREET

Application: New construction-addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: MICHELLE TAYLOR
Permit ID #: 1887373

Vice-chairperson Nielson asked if there were any requests to remove items from the consent agenda and there were none. Staff member Michelle Taylor provided brief overviews of the consent agenda items.

Commissioner Kaalberg clarified that not a DADU

Motion:

Commissioner Gee moved to approve all consent items. Commissioner Bell seconded and the motion was passed unanimously.

III. NEW BUSINESS

144 WINDSOR

Application: Appeal
Council District: 19
Overlay: Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 1889418

Staff member, Robin Zeigler, explained that 144 Windsor was an appeal of a permit that was issued in 2011. The applicant initially requested to keep the existing dormers for the non-contributing house but replace all the windows. Staff requested a condition that more information about the windows be provided and that condition was included in the Commission's motion.

After the Commission approved the application, the applicant submitted detail drawings to illustrate the windows desired. The windows were approved administratively as a contemporary version of a tudor style metal window. These drawings also included a request to remove the two front dormers and replace them with one large dormer. The requested dormer was out-of-scale for the building so staff suggested alternatives.

The applicant chose an option that included two gabled dormers with a shed dormer in between as seen on the image submitted on the right. This design was included in the permit issued on August 17, 2011.

In November of 2011, staff inspected construction and found the overall size of the dormer to be as planned. The windows were not in place at that time and the center opening was an appropriate size to accommodate the two windows shown on the plans. The mullions that were required between the casement windows were not yet installed, however, this is not an unusual condition at the time of framing.

On a routine inspection on July 31, 2012, staff noticed that what was approved as two windows was now one large window.

Staff found the center window to be industrial in design, the proportions not in keeping with historic windows, and that the new window did not meet design guideline II.B.1.d and g as the details of the new window were not visually compatible with the rhythm of openings of surrounding historic buildings. Staff requested the applicant remove the window and install the windows as shown on plans. After discussions, the applicant chose to appeal staff's decision to the Commission.

Councilperson Evans spoke in support of the neighborhood and staff's recommendation. She stated that they count on the rules being followed, because if one person breaks them others will. She asks that the windows be installed as shown on the permit.

Jackie Daniels, owner of 144 Windsor, provided hand outs and explained that the addition was approved, despite staff's direction for disapproval. She explained that Ms. Zeigler stated that the only solution was two gables with a shed between but she was never happy with it. She claimed that Ms. Zeigler approved all windows and to replace the dormer window now will be a financial hardship on her family.

Commissioners asked for clarification of submitted emails. Ms. Zeigler explained that replacement windows for the entire house were approved but the entire dormer was disapproved. She further explained that she was never told that the applicant's intent was to take the window of the disapproved dormer and try to fit it into the original dormer form requested.

Applicant requested to reopen the public hearing and Ms. Daniels returned to speak and stated again that she believed the windows to be approved.

Commissioner Kaalberg stated it was clear that there was some confusion about the disapproval that the applicant should have clarified.

Motion:

Commissioner Kaalbeg moved to disapprove the dormer. Commissioner Bell seconded and the motion passed unanimously

329 BROADWAY

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 1887604

Robin Zeigler began by listing the current outstanding violations with this property:

1. The cornice shown on the plans has not been installed
2. The paint color was disapproved by staff and they were told to stop painting
3. Two signs were installed without a permit.

Ms. Zeigler explained that the application proposed today is two additional signs,

Guidelines for this district allow three signs and currently this building already has three: a painted wood sign above the door, a painted sign at the top of the building and another sign on the concrete at the entrance. Not only were these signs installed without a permit, at least two do not comply with the design guidelines: the one at the top of the building and the one on the ground at the entrance are in inappropriate locations.

The two projecting signs proposed today do not meet the design guidelines' requirement of a historically appropriate location, which would be between the first and second levels or at the second level. Staff recommends that the signs be located level with the second floor windows.

The proposed signs meet the design guidelines in terms of scale, materials and mounting.

Staff recommends approval with the following conditions:

- The proposed signs be moved down to be in line with the second story windows; and,
- The permit not be issued until the unpermitted signs at the top of the building and on the ground at the entrance are removed.

This will correct the signage violation and keep the total number of signs at the number allowed by the design guidelines. With these conditions, staff finds that the project meets the design guidelines for Signage in the Broadway Historic Preservation Zoning Overlay.

There were no requests from the public to speak.

Commissioner Mosley asked legal counsel if their approval can be tied to the correction of the violation. Ms. Jones stated that you can take into consideration other signs on the property but it might be different if talking about other violations not related to signage. Commissioner Gee asked if the city would still enforce the removal of the signs even if they do not include it in their condition that the two signs be removed. Ms. Jones stated that the MHZC can still pursue legal remedy.

Vice-chairperson Nielson asked if they should include a time frame of correction. Ms. Jones stated that it was up to their discretion as to whether or not they want to include a time frame.

Motion:

Commissioner Fletcher moved to approve the signage with the conditions that the proposed signs be moved down to be in line with the second story windows; and, the permit not be issued until the unpermitted signs at the top of the building and on the ground at the entrance are removed. Commissioner Gee seconded and the motion was passed unanimously.

317 BROADWAY

Application: New construction-addition, Alterations

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1889206

The applicant proposes to install a rear addition and make alterations to the front façade of the historic building at 317 Broadway. The rear addition meets all design guidelines.

On the storefront, the applicant proposes removing the glass veneer, changing the location of the entrance, and removing the upper story windows and altering the opening dimensions to accommodate double doors and railings.

The glass storefront is historic. A structural glass (Carrera/Vitrolite) veneer was added in the first half of the twentieth century. Although the glass is not the original storefront, it is a typical alteration to downtown buildings primarily between 1920 and 1960 as a way to update storefronts and so has become a part of the historic fabric of this building. Glass storefronts, such as this one, are considered a significant architectural detail as they tell the story of the evolution of the district.

According to the design guidelines historic storefronts should be retained and repairs made where needed; therefore, staff finds removal of the glass veneer to be inappropriate and does not meet section II.A.1 of the design guidelines.

Doors and Entryways: The application includes relocation of the primary entrance and the installation of a new secondary door on the main façade within the current recessed entry. The store-front windows are not original as they were replaced with aluminum accordion windows sometime after 2004; however the configuration of the storefront does not appear to have changed. The existing entrance has a tile floor and earlier photographs show an entrance at the current location. In keeping with the design guideline's requirement to retain original entryways, staff does not recommend moving the current doorway and adding a second one. The proposed action does not meet section II.A.2 of the design guidelines.

Changing the upper story from windows to doors does not meet section II.B.1 of the design guidelines which require that existing window openings, as well as windows themselves, be retained. In addition, it states that new window openings should not be introduced and balcony rails are inappropriate.

The existing signage and awnings will be retained. No lighting is proposed.

Staff recommends approval of the rear addition finding the addition meets section V.H. of the design guidelines for additions. Staff recommends disapproval of all proposed alterations to the front façade finding the alterations do not meet Section II of the design guidelines for rehabilitation.

Stephen Dileo, representing the owners of the property, spoke on behalf of the project. He explained that the design guidelines allow for new doors when they are needed for the upper floors and in this case, the additional door is required to meet fire codes and allow them to use the upper levels. They want to cooperate in every way and so have attempted to make the change as minimal as possible. He asked if they had any questions.

Commissioner Fletcher asked if they were keeping the ground floor windows and Mr. Dileo explained that one window will go back the same way but will be a little bit smaller because of moving the entrance over.

Mr. Dileo further stated that they disagree that the building is a contributing building as the third floor was added in the late 1950s, the floors on the third floor do not line up, the brick on the rear of the buildings is not original, upper story windows were replaced, and rear windows are metal casement windows. In addition the entire third floor center is a cinder block wall and it has steel beams. He claimed that the glass was added in the late 60's, with extruded aluminum. He offered to work with the Commission on the appropriate color for the building.

Commissioner Mosley asked for clarification of the contributory status of the building. Ms. Zeigler stated that the 1979 National Register nomination designated it to be contributing, even though the third floor was reconstructed after a 1939 fire. In addition, the 1980s' Market Study recommended keeping the existing storefront. Ms. Zeigler acknowledged that the glass has been repaired and replaced over the years but that it is now historic.

Commissioner Mosley stated that there is more than one way to deal with fire and public safety codes. Ms. Zeigler responded that one solution might be to place the door on the inside wall of the inset.

Mr. Dileo stated that what they propose is the smallest opening that is possible, without reducing their interior space.

Commissioner Gee asked if the existing doors can be used as the exit, with the stairwell exiting to a vestibule. Mr. Dileo stated that it had to go directly to the street and restated that they need the additional door to be approved as proposed.

Commissioner Gee stated that the door could be glass and therefore be more consistent with a storefront look. Commissioner Mosley argued that a full glass door might confuse people as to where the main entrance is, and should simply be painted black to be less noticeable within the black glass.

There were no other requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the rear addition and a new entrance, it's appearance to be mitigated by working with staff; and disapprove all other proposed alterations to the front façade, including removal of the glass veneer, changing upper story windows to doors, and adding railings. Commissioner Fletcher seconded and it passed unanimously.

100 BROADWAY

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1888834

The proposed projecting sign meets the design guidelines in terms of location, number of signs per building, mounting, and scale.

It is not on the consent agenda due to the internal illumination which the design guidelines prohibit, however, when new signage guidelines were recently considered for the downtown area, consultants showed examples that allowed for back lit signs only with a dark background, to have illumination of the lettering. They argued that this type of sign meets the intent of the design guidelines.

The advantages are:

That it is a relatively inexpensive option for applicants;

It allows for lighter signage requiring fewer holes into historic walls; and

Allows for thinner sign than neon signage.

In this case, the sign will have a dark rust background with white lettering only down the body of the sign, and the logo at the bottom illuminated internally.

Staff showed some examples of what it believes the design guidelines were intended to prevent, which would still be prohibited if the signs are required to have a solid dark background.

Staff recommends approval; however, the Commission should understand that if approved they will be allowing for like signage within the Broadway Historic overlay. Staff finds that an internally lit sign with a dark, opaque, solid color background meets the intent of Section III. F of the design guidelines.

Staff recommends approval, finding the proposed to meet the design guidelines with the exception of Section III.F., of which the intent is met by having a dark, opaque, solid background.

Ms. Zeigler further stated that a new location was being requested and handed out a photograph showing the new location, which is in front of a window. This would typically not be recommended; however this window is already obscured by two portions of the fire escape.

Don Morris, general manger of Hard Rock stated that they hoped for a good compromise. There were no requests from the public to speak.

Commissioners Mosley and Champion asked if the proposed sign was compliant in terms of height, size and extension. Ms. Zeigler responded that it was.

Motion:

Commissioner Gee moved to approve the signage with the newly proposed location, and with the understanding that any future internally lit signage should have a solid, dark, and opaque background. Commissioner Fletcher seconded and it passed unanimously.

2414 OAKLAND AVENUE

Application: New construction – addition; Setback reduction

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1889436

Staff person Sean Alexander presented the case for 2414 Oakland Avenue, which is a two-story Four-square house with pressed-face block on the first-story walls and wood shake siding on the upper story. It was constructed circa 1910.

The applicant proposes to enlarge the structure with a two-story rear addition that includes a one-story porch. The porch component would require a reduction of the side setback from ten feet (10') to five feet (5').

The main body of the addition will be two-stories tall, with the roof of the addition hipped with a lower slope so that its peak is five feet (5') lower than the peak of the existing roof. The roof of the addition will then step down with a ridge ten feet (10') below the existing roof, before tapering down to align with the eaves at twenty-one feet (21') above the main floor level.

The two story section of the addition will set in from the walls of the historic house by two feet (2') on each side, and will have a footprint of six-hundred, seventy-five square feet (675 sq. ft.).

The one story porch would wrap the back of the house and extend approximately five feet (5') to the right side, with another hipped roof tying into the side and rear of the two-story wall.

Because 2414 Oakland Avenue is a corner lot, the current side setbacks are five feet (5') on the left and ten feet (10') on the right, facing Beechwood Avenue. A reduction of the side setback from 10 to 5' is requested. There are a few examples of historic houses on corner lots nearby with side-street setbacks of less than ten feet (10'), but generally these are small bays or projections of less than one hundred square feet (100' sq. ft.). Staff could not locate any historic houses with additions protruding from the sidewall of the house and encroaching into the side setback buffer. For this reason, staff concludes that the side portion of the one-story porch does not meet guidelines II.B.1.c and II.B.2.a, and that the requested setback reduction for the porch would not be appropriate.

The proposed materials are cement-fiber siding, composite roof shingles, split faced block, and wood. The roof of the addition will have a 6:12 pitch, and the porch roof would be 3:12, both are compatible. The windows essentially match the proportion of existing windows and continue the window pattern.

These aspects are compatible with those of the historic house and surrounding historic houses, and meet guidelines.

Recommendation: Staff recommends approval of the application to construct a two-story addition, with the conditions that:

- Staff approves final details of windows and doors;
- The porch only extend off the rear of the addition, not the side, thereby keeping the required two foot (2') inset and not requiring a setback reduction.
- At least one window replaces the door that currently is proposed to lead to the side of the porch; and,
- The applicant submits new drawings with major measurements called out.

With these conditions, Staff finds the project to meet the guidelines for additions in the Belmont-Hillsboro neighborhood Conservation Zoning Overlay.

Commissioner Gee asked which door would be a window. Mr. Alexander responded that if the porch is not allowed to extend then the current door should be a window, to maintain the appropriate window rhythm.

Blaine Bonadies, architect for the project, handed out additional information. He stated that historically there are many corner lots with side setbacks that are less than ten feet, and that the single story open addition to the rear and side will help to break up the large mass along the side street.

Commissioner Kaalberg asked if the entire porch would move to the back if they did not receive the side setback. Mr. Bonadies stated that the idea was to add a side entry to what would potentially be a long house. Additionally, if the porch is pushed to the back there would be no rear yard.

Commissioner Fletcher asked if his examples were smaller and narrower than his proposed width. Commissioner Gee stated that in the examples provided, the entire house is already within the setback area.

There were no other requests to speak and the public hearing was closed.

Several commissioners expressed their belief that the addition of the porch is a nice addition as opposed to a flat façade, and that it helped to break down the scale of what is going to be a large home. Vice-chairperson Nielson stated that, on the flip side, it would be setting a precedent that they need to be careful of creating.

Motion:

Commissioner Champion moved to approve the porch. Motion failed with lack of a second.

Motion:

Commissioner Gee moved to approve the two-story addition, with the conditions that Staff approves final details of windows and doors, and the applicant submits new drawings with major measurements called out. Commissioner Mosley seconded and the motion passed with one dissenting vote from Commissioner Bell. Approval of the setback reduction was based on the fact that there are other historic buildings in the vicinity that have a similar setback.

119 WINDSOR DRIVE

Application: New construction--addition

Council District: 23

Overlay: Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1889287

Staff member, Sean Alexander presented the case for 119 Windsor, which includes a rear addition and ridge raise. 119 Windsor's lot is irregularly-shaped and wider than the typical lot in the district. It is 90 feet wide at the front and 50 feet wide at the back. The proposed addition meets all base zoning requirements for setbacks.

On the right side, the addition is inset one foot off the back wall of the house. After the initial inset, the addition steps back out to be a little less than 3 feet wider than the house's back wall. However, the addition will still be inset from the house's existing bay (seen in the photo). An attached storage shed will also extend beyond the back wall of the house and will line up with the wall of the bay.

On the left side, the proposed addition does not step in from the house's back wall. The addition will extend 4 feet, 6 inches wider than the left back wall at the house's corner. Staff finds this lack of an inset and the wider portion of the addition to be appropriate in this instance because the lot is unusually wide and because the addition will be behind an existing open side porch, which will help to minimize its visibility (as seen in photo).

In addition, the wider portion of the addition is relatively modest in size and scale. It extends less than five feet beyond the back wall of the house, is one-story in height, and is more than two-feet shorter than the historic house. The addition's side-gabled roof form will also help to reduce the visual impact of the structure.

The project involves a ridge raise, which staff finds to meet the design guidelines. The ridge raise is inset 2 feet from each of the side walls of the house and will raise the ridge by 2 feet vertically.

The side elevations are as follows: The proposal includes altering some of the historic house's materials. The concrete block will be stuccoed, and the asbestos siding in the gable fields and on the existing bay will be replaced with cement fiberboard siding. The house will also be re-roofed. The proposed materials for the addition include cement fiberboard siding, concrete block foundation, shingle roof, screened porch, wood trim and brackets, and a stuccoed chimney. All of the known materials have been approved by the Commission in the past and meet the design guidelines. However, staff asks to review and approve the shingle color and material and the window and doors prior to purchase and installation.

Here is the rear façade. Staff finds that the addition and the ridge raise meet the design guidelines in terms of location, setback, height scale, materials, roof form, and proportion and rhythm of openings. Staff recommends approval of the addition and the ridge raise, with the condition that staff review and approve the shingle color and material and the window and doors prior to purchase and installation.

Jeff Steele, architect for the project, stated that he was present if anyone had any questions.

Commissioner Gee asked how the transition would work from the flat roof on the back to the shingle roof on the front. Mr. Steele said there would be a ridge transition and it would not be visible from the street.

Motion:

Commissioner Bell moved to approve the project with the condition that staff review and approve the roof color and material, shingle color and material, and the windows and doors. Commissioner Mosley seconded and it passed unanimously.

1505 GALE LANE

Application: New construction - addition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1887038

Staff member Sean Alexander presented the case for 1505 Gale which is a c. 1929, one-story Colonial Revival house with a stone foundation, brick veneer. It is part of the recently-expanded portion of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay, and is contributing to the district.

Application is to construct a one-story rear addition that is slightly taller than the one-story historic structure and includes an attached 2-bay garage at the basement level. The project also involves demolishing a non-contributing accessory structure.

The accessory structure to be demolished is not historic, so demolition meets the design guidelines.

The addition will set in one foot from the primary wall of the existing house, with an “alcove” nearly eight feet deep, before stepping back in line with the primary wall of the house, and then ultimately eight feet out to the right, aligning with the wall of an existing sunroom of enclosed porch.

The addition sets in more than 25 feet from the left side of the house.

The roof ridge is mostly at the height of the existing roof, and steps up another foot at the rear. The additional height does not occur until approximately seventy-five feet (75’) beyond the front wall of the house and so would not be visible. The eave heights and foundation height will also step up, but will be largely obscured behind a side projecting room of the existing house.

The roof form and pitches, window proportion and rhythm, and materials (brick, stucco, stone) are all very similar to the existing house.

With the staff’s final approval of the specific material selections, staff finds the materials for the proposed addition to meet the design guidelines.

The addition includes an attached garage at the basement level on the rear of the addition. The slope and dimensions of the lot allow for the garage to be in the basement level, and for the doors to face the interior of the lot and use an existing curb-cut, so it does meet the design guidelines.

Staff recommends approval of the project with the condition that staff provide final review of windows, doors, brick, stone and asphalt shingle color. With this condition Staff finds that the application meets Sections II.B.1., II.B.2., and III.B.2. of the *Belmont-Hillsboro Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

Kate Gregory, the property owner, said she agreed with staff recommendation. There were no questions and no other requests to speak.

Motion:

Commissioner Mosley moved to approve the project with the conditions that staff provide final review of windows, doors, brick, stone and asphalt shingle color. Commissioner Gee seconded and the motion passed unanimously.

239 LAUDERDALE ROAD

Application: Demolition; New construction – primary building

Council District: 24

Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1889370

239 Lauderdale is a one-story brick Ranch house, constructed circa 1960. It does not contribute to the historic character of the district, which is composed primarily of Tudor Revival and Colonial Revival style houses constructed between 1920 and 1940. Cherokee Park differs from the majority of our historic neighborhoods having more formal street grids, in that it doesn’t have alleys and the streets are curvilinear.

The surrounding lots are irregularly shaped and sized due to the curvilinear streets of the neighborhood. As a result, there is great diversity in the heights and widths of the houses nearby. In general, the houses on wider lots tend to be wider and set back further from the street than those on narrower lots. The current front setback is sixty feet (60’), nearly twenty feet (20’) greater than the average setback of houses on the street.

The proposed application is effectively to add a second story over half of the structure and a half-story with a dormer over the rest. Because it's a non-contributing house and the end result will bear no real resemblance to the existing structure, staff has reviewed it using the guidelines for Demolition and New Construction.

First, demolition of the structure would be appropriate because the structure is non-contributing.

Again, roughly half of the new house will be two stories tall, with a hipped-roof ridge at thirty-four feet (34') above grade and a primary eave height of nineteen feet, six inches (19'6"). The other half will have a ridge height of twenty-eight feet, six inches (28'6") above grade. The eave height will be ten feet, six inches (10'6") above grade, roughly the same height as the eaves of the non-contributing house.

This height is equal to that of several houses in the area, albeit the taller ones, including a Colonial Revival house across the street. The visual height of this structure will be lessened to some extent because the grade at floor level is approximately three feet (3') below street level, and because of a deep front setback. The foundation height will be minimal because the concrete slab is to be re-used. For these reasons, staff finds that the heights of the new primary building meet guideline II.B.1.a.

The footprint of the new building will be roughly the same as the previous non-contributing structure, which is eighty-three feet (83') wide and twenty-five feet (25') deep. The new footprint will be extended with an additional room to the rear, but because of the orientation of the house and the curve of the street, it will be largely set in behind the mass of the structure so as to not be visible.

The setbacks would be consistent with those found on surrounding historic houses, and would maintain the established rhythm and arc of the street, and meet guidelines II.B.1.c. and II.B.1.f.

The exterior materials of the new building will be primarily brick, with cement-fiber stucco panels and wood half-timbering as a secondary cladding on the upperstory. The existing brick will be reused and new matching brick will be added where needed, so the masonry may need to be painted. This would be appropriate in this instance, but staff will need to review the brick texture, dimension and masonry stain color before installation and application.

The primary roof will be a side-oriented hip with a 12:12 pitch. Other roofs will be 16:12 gables. The dormer at the right of the front elevation would be stacked above the first story wall below, which is not typical of dormers on historic houses nearby. With this dormer set back two feet (2') from the wall below, the roof forms would be compatible with those of surrounding historic houses nearby, and meet guideline II.B.1.e. Other small gables on the left side of the building, though not set back from the wall, are more akin to "eyebrow" dormers which are often not set back from walls.

Proportion and rhythm of openings, and utility locations meet their respective guidelines.

Lastly, a detached garage also being proposed. It will have a first floor area of 625 square foot, with materials and roof reflecting that of the house. That structure is compatible and meets the guidelines.

Staff recommends approval of the application to construct the new primary building with the conditions that:

1. Staff approve a sample of the brick, masonry stain, windows and doors, and roof color;
2. The dormer on the right side of the front elevation shall set back two feet (2') from the wall below;

With those conditions met, staff finds that the application to construct a new primary building and accessory building would meet the design guidelines of the Cherokee Park Neighborhood Conservation Zoning Overlay.

There were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the project with the conditions that Staff approve a sample of the brick,

masonry stain, windows and doors, and roof color; and the dormer on the right side of the front elevation shall set back two feet (2') from the wall below. Commissioner Fletcher seconded the motion and it passed unanimously.

The commission took a break at 3:59 pm. Meeting resumed at 4:06 pm without Commissioners Mosley and Hunter.

4204 ELKINS AVENUE

Application: New construction - addition

Council District: 24

Overlay: Park & Elkins Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1888936

Staff member Sean Alexander presented the case for 4204 Elkins Avenue, which is a one story Craftsman-style bungalow, constructed circa 1930. The structure is considered "contributing" to the historic character of the district.

The applicant proposes to remove a non-historic rear addition, and enlarge the structure with the construction of a new rear addition.

The new addition will have a two-story massing, four feet (4') narrower than the existing house, but also (4') taller. The taller roof of the addition will not be greatly visible because it occurs forty feet (40') behind the front of the existing house. Additionally, the massing will be largely obscured because the addition will be set in from the sides of the existing house by a hyphen that sets in three feet (3') and eighteen inches (18") below the existing roof. These proportions are compatible with the existing house and meet guideline II.B.1.a. and II.B.1.b.

Because the addition sets in from the sides of the historic house and will not impact the front or side elevations, it also meets guideline II.B.2.a.

The materials of the addition will include: smooth-faced cement-fiber siding with a five inch (5") reveal, split-faced concrete block foundation, and a fiberglass shingle roof matching the color of the existing roof. The windows and trim will be wood. The existing vinyl siding and windows are not original, and will also be replaced. Additional information on the new windows is needed to determine compliance with the design guidelines, but in general these materials meet guideline II.B.1.d.

The nearly square two-story addition will have a cross-gabled roof with a 6:12 pitch on the left-to-right ridge, with a lower sloped 3:12 pitch on the front-to-back ridge. The roof will be minimally visible because the addition sets in and will be obscured by the existing side-gabled roof therefore staff finds that the roofs will meet guideline II.B.1.e.

The addition will have evenly spaced windows on both stories on both sides, and the windows will be taller on the first story than the second. These window openings meet guideline II.B.1.g.

Staff recommends approval of the proposed addition to 4204 Elkins Avenue, with the condition that staff approve the specific window selections prior to purchase, finding it to meet the design guidelines for the Park and Elkins Neighborhood Conservation Zoning overlay.

Vice-chairperson Nielson stated that staff should require clearer drawings with more accurate information.

Commissioner Fletcher asked if the 4' higher proposed roofline was accurate. Mr. Alexander stated that it might be an illusion that it looks like more than 4' because the connector between the two drops in height. Commissioner Fletcher asked why the additional height was appropriate and Mr. Alexander explained that additional height, pushed back approximately 40' from the front wall of the house, was appropriate because it will not likely be seen and the additional height occurs back far enough that the addition remains subordinate to the primary building.

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

Motion:

Commissioner Fletcher moved to approve the addition with the condition that staff approve the specific window selections prior to purchase and that revised drawings with greater detail be submitted. Commissioner Bell seconded and the motion passed unanimously.

1713 SWEETBRIAR AVENUE

Application: New construction-addition

Council District: 06

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1884772

Staff member Robin Zeigler presented the case for 1205 Lillian Street. The rear addition proposed for 1713 Sweetbriar meets the design guidelines in terms of height, roofshape, scale, location, setbacks, materials and orientation, proportion and rhythm of openings.

Although alterations of cladding, roofing and windows are individually not reviewed in a Neighborhood Conservation Zoning Overlay, removal of all rises to the level of partial-demolition, which is reviewable. The applicant has agreed to repair original cladding and windows and will replace the existing roofing material.

Although the drawings look as if the front entrance hood is being reconstructed in a higher location, it will simply be repaired. The project meets section II.B.3d of the design guidelines.

Staff recommends approval with the conditions that:

- Staff review trim, deck, windows, doors, garage doors, and roof color prior to purchase and installation; and
- Utility locations be reviewed by staff if new locations are planned.

With these conditions, the project meets II.B of the design guidelines for new construction and additions.

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

Commissioner Kaalberg asked if the additional height of the addition would be seen above the right side of the house that has a lower roof line. Ms. Zeigler stated that only a minimal portion of the additional height would be seen at one corner.

Motion:

Commissioner Bell moved to approve the project with the conditions that

- Staff review trim, deck, windows, doors, garage doors, and roof color prior to purchase and installation; and
- Utility locations be reviewed by staff if new locations are planned.

Commissioner Fletcher seconded and the motion passed with Commissioner Kaalberg voting in opposition and Commissioner Nielson voting in favor, providing four concurring votes.

1205 LILLIAN STREET

Application: Demolition; New construction – primary building

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1889363

Staff member Sean Alexander presented the case for 1205 Lillian Street which is a non-contributing structure, which the Sanborn maps indicate was constructed circa 1950.

The applicant proposes to demolish the structure and construct a new primary building.

Because the existing structure does not contribute to the historic character of the district and was constructed at the edge of the period of significance, the application to demolish meets guideline IV.B.2.

The new primary building will be one and one-half stories tall. The adjacent houses are non-contributing, one story houses. Nearby 1238 Lillian Street is approximately twenty-seven feet (27') tall and 1230 Lillian Street is approximately twenty-five feet tall (25'). Both are new construction; however, there is little historic context in the immediate vicinity. The broader historic context further up Lillian Street and adjacent streets have mostly one and one-half story houses.

The new structure will be twenty-five feet (25') tall from the floor level to the roof peak, and thirty-eight feet, six inches (38' 6") wide. A two-foot (2') tall foundation and one foot (1') of the flooring system will bring the total height to twenty-eight feet (28). It will have a front porch across two thirds of the width of the front elevation and a front projecting gable on the remaining third. This form is similar to that of Transitional/Folk Victorian gable-wing houses, which is a common historic house type in the area.

Staff finds the height and scale of the proposed new building to meet guidelines II.B.1 and II.B.2.

The setback rhythm of the street is established by non-contributing houses and recently approved infill, but it is consistent with nearby areas with stronger historic integrity. The front setback of the proposed new building will align with the adjacent houses. The side setbacks will be roughly six feet (6') on each side. These setbacks are consistent with those found in nearby areas with stronger historic character and meet bulk zoning requirements. Staff finds the setbacks and rhythm of spacing to meet guideline II.B.4.

The exterior materials of the new building will be: smooth-faced cement-fiber siding with a five inch (5") exposure, split-faced concrete block foundation, gray-brown fiberglass asphalt shingle roof, and wood trim. The porch floor and railing will also be wood. The front porch will have a metal roof. The windows will be wood, but the material of the door is not known, so that will need to be approved by staff. Overall, these materials are compatible with those of surrounding historic houses and meet guideline II.B.4.

The primary roof of the new building will be a side-facing gable with a 9:12 pitch. The front projecting gable and two front gable dormers will have a 12:12 pitch. The front walls of the dormers will be set two feet (2') behind the first story wall. Staff finds these roofs are compatible with those of surrounding historic houses and meet guideline II.B.5.

The siting of the new house will match that of adjacent houses, with the front façade being parallel to the street. The primary entrance is centered with a connection to the street via a concrete walkway. The orientation of the new building meets guideline II.B.6.

The proportion and rhythm of windows on the three visible elevations is compatible with surrounding historic houses and meets guideline II.B.7.

The new building will have a concrete walkway leading to a paved parallel parking area at the front edge of the property. Front parking is generally not appropriate, however because the lot rises significantly from the front to the rear, and because the property does not have alley access, rear parking is not feasible. There is no sidewalk.

Staff recommends approval of the application for the proposed demolition of a non-contributing structure and new construction of a primary building with the condition that staff provide final approval of windows and doors.

With that condition, Staff finds the project to meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Commissioner Kaalberg asked for clarification of the parking area. Mr. Alexander explained that the steep lot and lack of alley made parking problematic and concluded that the best solution might be parallel street parking with a retaining wall.

Jamie Pfeffer, architect for the project, stated he was available if there were any questions. There were no requests from the public to speak.

Motion:

Commissioner Fletcher moved to approve the project with the condition that staff provide final approval of windows and doors. Commissioner Bell seconded and the motion passed unanimously.

1209 LILLIAN STREET

Application: Demolition; New construction – primary building

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1889352

The structure at 1209 Lillian Street is a non-contributing structure, constructed circa 1950.

The applicant proposes to demolish the structure and construct a new primary building.

This application is very similar to the last one, and would likewise meet the guidelines for Demolition, Height, Scale, Roofs, Orientation, and Driveway, in the same way.

One major difference is the exterior will be primarily brick, with cement-fiber half-timber trim in the upperstory. The applicant will submit a brick sample to staff for review before purchase, but generally these materials are compatible with those of surrounding historic houses and meet guideline II.B.4.

There will be a shed-roofed front dormer on the front, eight feet (8') wide with a single window. Typically the face of a dormer is mostly taken up by window, so staff recommends a condition that an additional window be added there. Also, there is a front window with shutters, which are only appropriate when they are operable. Otherwise staff finds the proportion and rhythm of windows to be compatible with surrounding historic houses and meets guideline II.B.7.

Like 1205 Lillian, the street rhythm of the street is established by non-contributing houses and recently approved infill. The front setback of the proposed new building is deeper than that of the adjacent houses. An appropriate front setback would be more in line with the adjacent houses. The side setbacks will be roughly six feet (6') on each side. These side setbacks are consistent with those found in nearby areas with stronger historic character and meet bulk zoning requirements. Staff finds the setbacks and rhythm of spacing to meet guideline II.B.4.

Recommendation: Staff recommends approval of the application for the proposed demolition of a non-contributing structure and new construction of a primary building, with the conditions that

1. The front setback shall be more aligned with adjacent structures;
2. Material specifications for the windows, doors, and brick shall be approved by Staff;
3. The front shutters be removed, or they shall be operable;
4. An additional window shall be added in the front dormers.

With these conditions, Staff finds the application to meet the design guidelines for New Construction in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Commissioner Bell asked if the setback issued had been discussed with applicant. Mr. Alexander stated that the front setback was proposed because of the grade and because it is the setback of the existing house.

Jamie Pfeffer, architect for the project, explained that there was a steep topographic condition and they are concerned that the front porch will get higher and steeper. They agree that the house needs to be pulled forward and they would like to work with staff on the appropriate setback once the building is demolished.

Motion:

Commissioner Bell moved to approve the project with the conditions that:

- 1. The front setback shall be more aligned with adjacent structures and determined with the direction of staff once the existing building is demolished;**
- 2. Material specifications for the windows, doors, and brick shall be approved by Staff;**
- 3. The front shutters be removed, or they shall be operable;**
- 4. An additional window shall be added in the front dormers.**

Commissioner Fletcher seconded the motion and it passed unanimously.

1306 LILLIAN STREET

Application: Demolition; New construction – primary building

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MICHELLE TAYLOR

Permit ID #: 1889416

Staff member, Michelle Taylor presented the case for infill construction at 1306 Lillian Street. She explained that the context and the proposed house are very similar to the two buildings just presented and she presented several details of the design. She stated that it met all design guidelines with some conditions.

There were no requests from the public to speak.

Commissioner Fletcher asked about the shallow setback. Staff members Zeigler and Taylor explained that the proposed setback follows the existing setbacks, is appropriate for the grade and depths of the lots and follows new construction approved in the vicinity.

Commissioner Bell asked what staff looks for when providing final review of brick and roof. Ms. Zeigler stated that when reviewing the brick they looked for appropriate dimension, texture and color for the district and in terms of roofing materials, they were just assuring that the color was appropriate.

Commissioner Fletcher asked if the proposed front setback was appropriate and Staff explained that it was due to topographic conditions and existing setbacks.

Motion:

Commissioner Fletcher moved to approve the project with the conditions that the staff review final details of windows doors and roof color. Commissioner Kaalberg seconded and it passed unanimously.

1902 RUSSELL STREET

Application: New construction – primary building

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1884477

Staff member Sean Alexander presented the case for 1902 Russell Street, which was previously occupied by a non-contributing structure that was approved for demolition by the MHZC at the August, 2012 commission meeting.

The applicant proposes to replace the non-contributing structure with a new house. A new accessory building is also proposed.

The new primary building will be one and one-half stories tall, twenty-eight feet (28') tall from peak to grade. The primary eave height will be thirteen feet, six inches (13'-6") above grade. The form will be similar to that of a Craftsman-style bungalow, which is a common historic house type in the area, and similar in scale as well.

The exterior materials of the new building will be: smooth-faced cement-fiber siding with a five inch (5") exposure, cement-fiber shake siding, a split-faced concrete block foundation, gray-brown fiberglass asphalt shingle roof, and wood trim. The front porch will have a wooden floor, resting on split-faced concrete block piers. Additional information is needed on the material of the windows and doors. These materials are compatible with those of surrounding historic houses and meet guideline II.B.4.

The primary roof of the new building will be a side-facing gable with a gabled dormer centered on the front slope. The orientation, setbacks, and proportion and rhythm of windows matches that of adjacent houses.

Also proposed is a new accessory building in the rear-left corner of the property, sixteen feet (16') tall with an eave height of nine feet (9'), with 517 sq. ft. footprint. The materials will match those of the house: smooth-faced cement-fiber siding with a five inch (5") exposure, split-faced concrete block foundation, and a fiberglass asphalt shingle roof. The garage doors will face the rear alley. The location and character of the new accessory building meet guideline II.B.8.

The new primary building will retain a concrete walkway in front that connects to an existing driveway. The driveway is to be partially removed, leaving a paved section for parking at the front of the property. The accessory building will be accessed from the alley, as were historic accessory structures. Because the driveway is not needed to access the garage and front yard parking is not typical of the area, it would be more appropriate and in keeping with guideline II.B.9 to either remove the driveway entirely, or, because it is existing, keep it at least to the midpoint of the structure to the street. The concrete walkway should also be extended to address the street.

Staff finds the proposed new construction of a primary building and accessory building with the conditions that:

1. The driveway shall either be removed entirely or retained from the midpoint of the structure to the street;
2. The concrete walkway shall be extended to address the street; and,
3. Staff provide final approval of windows and doors prior to purchase.

With these conditions, Staff finds the application to meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Commissioner Kaalberg asked if there was an alley and Mr. Alexander responded that there was; the garage will be accessed from the alley, and that they also want to keep their current driveway.

Commissioner Fletcher asked about the heights of the context.

Commissioner Bell asked if the neighboring houses had driveways. Mr. Alexander stated that the adjacent non-contributing house had a driveway and there were some others but it was generally not the case that historic houses had driveways.

Commissioner Kaalberg asked if the immediately adjacent homes were non-contributing and Mr. Alexander confirmed that they were.

Commissioner Bell asked that information from previous meetings be included in later requests for the property since there may be commissioners who were not previously present.

Motion:

Commissioner Champion moved to approve the project with the conditions that:

1. **The driveway shall either be removed entirely or retained from the midpoint of the structure to the street;**
2. **The concrete walkway shall be extended to address the street; and,**

3. Staff provide final approval of windows and doors prior to purchase. Commissioner Bell seconded and the motion passes unanimously.

2403 FAIRFAX AVENUE

Application: New construction-infill

Council District: 06

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1889572

Applicant proposes one of three houses planned for this lot, which was originally two, but recently subdivided into three lots.

The proposed house is for the new interior lot facing Fairfax and will be visible from two streets until the corner lot is developed.

The project meets the design guidelines in terms of setbacks, known materials, orientation, Proportion and Rhythm of Openings, and percentage of open space,

However, the project does not meet the context in terms of scale and form.

The full width of the house is fifty one feet and three inches wide (51'3") not counting the right chimney. The front massing of the house is forty eight feet (48') wide.

Historic homes in the immediate context range between forty to forty-five feet (40'-45'), not counting side carports and the rare exception; however, all these homes are also one-story homes.

The closest two-story homes are approximately thirty-six feet wide. The building across the street was not considered in determination of scale and form as it is a school rather than a residential building. Staff finds that the width of the house, coupled with the proposed height, is out of scale for the neighborhood.

Appropriate scale is also determined by a mass and form that does not greatly differ from the historic context. The form of the structure is essentially a two-story "piano box" of which there are a few one-story examples in the neighborhood but not two stories.

The massing of this form is more typical of multi-family structures on larger lots than a single-family structure on a single lot.

Since the alterations to the form and width affect every other aspect of the home both inside and out, Staff did not find that a simple condition was achievable and so recommends disapproval of the project as not meeting section b.

An accessory structure is planned and shown on the site plans but elevations were not submitted as a part of the project.

Staff recommends disapproval, finding that the overall scale and form of the house is not compatible with the historic context and therefore does not meet section II.B. of the design guidelines for new construction in the Hillsboro-West End Neighborhood Conservation Zoning Overlay.

Michael Ward, architect for the project, stated that the developer and the new owners were present. He explained the buildings will be a historically appropriate gateway to the neighborhood. They believe that the project meets the design guidelines and request approval. They designed the home within the constraints of what they believed met the conditions already discussed with staff. Mr. Ward provided a 2-page handout showing the streetscape.

Mr. Ward addressed form and scale in terms of the context which includes institutional and residential historic buildings, as well as several apartment buildings on Fairfax. Mr. Ward claimed that the double gable form exists on Barton, and the gables are pulled forward so the large mass can be pushed back. The height is shorter than the Foursquares on Barton, just behind the proposed house. The two story design preserves the open space on the lot. They feel that that they have a distinct and modern design, and that copying existing form in the limited context of the overlay will not make an impressive house for the gateway to the neighborhood.

Commissioner Bell asked for clarification of the heights and widths noted on the handouts which Mr. Ward provided.

Commissioner Nielson asked if there were any other buildings that faced 24th like the third lot they had planned and Mr. Ward listed the buildings and lots that faced 24th.

Commissioner Fletcher asked Mr. Ward to explain the context. Mr. Ward explained that the immediate context was institutional across the street, small one-story homes up the street, taller homes behind on Barton Avenue and a rise in grade as you continue up Fairfax.

Ms. Zeigler provided information about the height and widths of the context and clarified that the height alone was not a concern of staff, rather the form and the width combined with the height.

In response to a question from Commissioner Kaalberg, Ms. Zeigler confirmed that the lots had already been subdivided.

Commissioner Kaalberg asked if there had been discussions with staff on how to address the form and width. Mr. Ward explained that they had but what they were left with was a house that looked out of balance and not as successful a design as what they were proposing, so they decided to bring their original plan to the Commission.

Prospective owner, Cindy Herndon, said that they lowered the height after discussions with staff and asked the architect to put together an elevation, which she feels validated that the house is appropriate for the scale of the street.

There were no other requests from the public to speak.

Commissioner Fletcher and Kaalberg stated that they thought it was just a little too big for the historic context and they hoped that the applicant could continue to work with staff on another solution.

Motion:

Commissioner Kaalberg moved to disapprove based on staff's recommendation. Commissioner Bell seconded and it passed unanimously.

375-399 MONROE STREET

Application: New construction-infill

Council District: 06

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 188606

This is a continuation of a project that was approved by MDHA prior to the historic preservation zoning overlay for Germantown, and is partially constructed. They are required to obtain a preservation permit at this time because the original building permit has expired.

The project is for three-story townhomes similar in design to those already constructed along 4th Avenue North and two and one-half story "carriage" homes on the interior of the lot.

The immediate context for this lot includes predominately non-historic warehouses so the design guidelines for “new construction-where there is minimal historic context” were used. This aerial was taken before any construction took place.

The project meets the design guidelines in terms of site and building planning, setbacks, orientation, mass, scale, height, façade articulation, materials, and known materials.

Staff recommends approval of the project with the conditions that staff review and approve:

- Any materials that are different in dimension, design and color to those already used on Phase I;
- The location of mechanicals, if in a visible location; and
- Exterior lighting plans, if any.

With these conditions, staff finds the project to meet the design guidelines for new construction in an area with little historic context in the Germantown Historic Preservation Zoning Overlay.

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

Commissioner Fletcher moved to approve project with the conditions that staff review and approve:

- Any materials that are different in dimension, design and color to those already used on Phase I;
- The location of mechanicals, if in a visible location; and
- Exterior lighting plans, if any.

Commissioner Kaalberg seconded and the motion passed unanimously.

Meeting adjourned at 5:10 pm.

RATIFIED BY COMMISSION