



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
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METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES February 20, 2013

Commissioners Present: Brian Tibbs (Chair), Menié Bell, Rose Cantrell, Samuel Champion, Richard Fletcher, Hunter Gee, Aaron Kaalberg, Ben Mosley

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

Applicants: Jim Richie, Matt Schutt/Bonadies Architecture, Blaine Bonadies/Bonadies Architecture, Sandi Adams/Rigid Construction, Kaitlyn Smous/Allard Ward Architects

Public: Bob Borzak, Councilmember Gilmore

Chairperson Tibbs called the meeting to order at 2:02 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

Approval of January's minutes was deferred and will be reviewed at the March meeting.

Chairperson Tibbs explained the process of the consent agenda and the appeal process and stated that 513 Fatherland would be removed from the consent agenda due to the receipt of public comment via email.

Staff member Sean Alexander presented the cases listed on the consent.

II. CONSENT

1815 FORREST AVE

Application: New construction-addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1908693

2007 CEDAR LN

Application: New construction-addition; Partial demolition.

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1908504

1203 FERGUSON AVE

Application: New construction-addition; Demolition-outbuilding

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1908500

311 WEST END PL

Application: New construction-addition and Accessory structure; Partial Demolition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1908507

3705 RICHLAND AVE

Application: New construction-addition and Accessory structure; Setback Reduction
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1908481

1628 FATHERLAND ST

Application: New Construction-addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1908525

1922 19TH AVE S

Application: New construction-accessory Structure
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1906255

2403 FAIRFAX AVE

Application: New construction - Outbuilding
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: MICHELLE TAYLOR
Permit ID #: 1908445

3501 BYRON AVE, LOT 11

Application: New construction-infill
Council District: 18
Overlay: Elmington Place Neighborhood Conservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 1909004

3501 BYRON AVE, LOT 3

Application: New construction-infill
Council District: 18
Overlay: Elmington Place Neighborhood Conservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 1909004

1234 5TH AVENUE NORTH

Application: New construction-infill
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: ROBIN ZEIGLER
Permit ID #: 1909001

2612 ESSEX PL

Application: New construction-primary and accessory buildings; Reduced Setbacks
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1908568

1511 FATHERLAND ST

Application: New construction-primary building
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1904314

513 FATHERLAND ST

Application: New Construction-infill
Council District: 06
Overlay: Edgefield Historic Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1908513

515 FATHERLAND ST (515)

Application: New construction-primary structure
Council District: 06
Overlay: Edgefield Historic Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1908517

2818 BELCOURT AV (512 32nd Avenue South)

Application: New construction-infill
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1908569

2818 BELCOURT AV (514 32nd Avenue South)

Application: New construction-infill
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1908570

Staff member Sean Alexander provided a brief description for each of the consent agenda items. Chairperson Tibbs asked if there were any requests to remove items from the consent agenda and there were none. Commissioner Mosley

moved to approve all the consent agenda items with all applicable conditions with the exception of 513 Fatherland Street, which was removed because of prior public comment received. Commissioner Cantrell seconded the motion and it passed unanimously.

Chairperson Tibbs stated that 1423 Ordway Place and 1517 Paris Avenue have been removed from the agenda at the owner's request.

III. NEW BUSINESS

513 FATHERLAND ST

Application: New Construction-infill

Council District: 06

Overlay: Edgefield Historic Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1908513

Staff member, Melissa Baldock, explained that a second infill project next to this building was approved on the consent agenda but because there was public comment received via email expressing concern over the materials, this project would be presented as new business to allow for discussion. She stated that 513 Fatherland is a vacant lot. The lot has been empty since prior to the creation of the Edgefield historic zoning overlay in the 1970s. The proposed infill will be centered on the lot and will meet all base zoning requirements for setbacks. The front wall of the house will line up with the front wall of the historic house at 517 Fatherland. A parking pad is proposed for the rear of the property, accessed via the alley. Staff asks to review the parking pad material and any other appurtenances for the site.

The infill will be two stories tall, with a maximum width of 35 feet, 3 inches, and a maximum depth of 64 feet, five inches. It will have a porch depth of 8'4". The infill is proposed to have a maximum height of about 32' above grade. The structure's height will be minimized by the hipped roof form, which ensures that the maximum height is not reached until 26' behind the front wall of the house. The massing of the structure is broken up with a projecting bay. The projecting bay is lower in height, with a ridge height of about 26 feet from grade. The projecting bay is proposed to be clad in brick, whereas the rest of the structure will be clad in cement fiberboard with a 5 inch reveal. Although changes in material typically happen at the floor line, staff finds the use of brick on the bay and siding for the rest of the structure to be appropriate because the projecting bay is separated from the planes of the rest of the house and will read as its own feature. Other known materials include a split face block foundation, asphalt shingle roof, and wood windows and doors.

The windows at the front of the structure and on the front half of the side façades are generally taller than they are wide, and meet the typical historic proportions for rhythm openings. The windows on the side facades, towards the back of the house, are smaller than is typically seen on historic structures, but staff finds them appropriate since they are beyond the midpoint of the house and will only be minimally visible. There are no large expanses of wall space on the infill without a window or door opening.

This block of Fatherland has little historic context. There are two, one-story historic houses to the right of the site at 517 and 519 Fatherland, and another two-story historic house across the street at 538 Fatherland. Staff finds that the structure's height, scale, materials, roof form, and proportion and rhythm of openings meet the historic context.

In conclusion, staff recommends approval of the project, with the conditions that 1) staff review and approve a brick sample, the windows and doors specifications, the asphalt shingle color, and the material for the porch steps, porch floor, porch columns, and rear deck and deck railing; 2) The rowlock on the projecting bay continue on the left elevation; 3) The utilities be placed in the rear of the house or on a side façade, beyond the midpoint of the house; 4) Staff review and approve the walkway and parking pad materials and 5) Staff review and approve all appurtenances for the site, including, but not limited to, lighting, fencing, and other landscape features.

Commissioner Fletcher asked if the building and roof shape of the new construction were compatible with the neighborhood and Ms. Baldock stated that staff found them to be appropriate and explained which homes that were used to determine context.

There were no requests for public comment.

Commissioner Mosley expressed that the need to change materials at the floor line, which was the concern of the email received, was not a guideline but a recommendation; however, in this case, the vertical change was appropriate for a projecting bay.

Motion:

Commissioner Mosley moved to approve the project with proposed recommendations. Commissioner Cantrell seconded and it was passed unanimously.

105 LINDSLEY PARK DR

Application: Demolition-historic building and New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1908566

Staff member, Sean Alexander explained that the house was historic and therefore demolition did not meet the guidelines for appropriate demolition and did meet the design guidelines for inappropriate demolition. He further explained that a complete application for economic hardship had not been presented.

The applicant is proposing to demolish the house at 105 Lindsley Park Drive and to construct a new house on the property.

The existing house has typical Craftsman-style features including three-over-one windows, bracketed eaves, and exposed rafter tails. The foundation is continuous brick with cedar piers, the siding currently is vinyl, and the roof is asphalt shingle. Based on the architectural style, historic context, materials, the development of the street and city directories, the building was constructed circa 1930. It has not undergone any major alterations that changed its original form and character. The footprint is approximately 842 square feet.

Because the house contributes to the historic character of the district, staff finds that the application to demolish does not meet section IV.B.2 for appropriate demolition.

Design Guideline IV.B.1.a. says it is inappropriate to demolish a contributing building.

In addition, the applicant has not submitted evidence to indicate denial of the demolition would result in economic hardship.

Plans for subsequent new construction were submitted by the applicant. New construction is not appropriate at this point because the contributing structure does not meet the ordinance's requirements for demolition. Staff recommends disapproval of new construction.

Staff recommended disapproval of the application to demolish the contributing building at 105 Lindsley Park Drive as demolition meets section IV.B.1.a. for inappropriate demolition. Staff recommends disapproval of new construction since new construction will require the demolition of the existing building which is inappropriate.

Several commissioners asked for clarifications of whether the case was economic hardship or not, and the differences between an application for demolition based on economic hardship or historic value. Ms. Zeigler explained that the case before the commission was based on whether the building is or is not historic, since the applicant has not submitted a complete application for economic hardship.

Jim Richie, representing the owner, explained that he didn't have time to submit an economic hardship case and the house could not be properly inspected at the deadline date because of the amount of items left in the home when the renter left. He explained that he has been a general contractor for 20 years, the value of the property is \$70,000, and nothing about the home meets current codes. He stated that he now has a structural report, foundation is brick on top of grade, windows are decayed, the cladding beneath the siding is decayed, and there is extensive termite damage of the 862 square foot home.

Mr. Richie admitted to purchasing the home for \$125,000 that was probably more than what the home was truly worth since he was unable to inspect the home prior to purchase. It is uninhabitable and unable to be rented at this time, according to Mr. Richie, and the realtor valued the house at \$70,000.

Mr. Richie noted that they hired an architect to design a new home that is compatible with the neighborhood and that there is a new home across the street.

Commissioner Kaalberg asked if he had inspected the home prior to purchase and Mr. Richie said no.

Chairperson Tibbs explained that they could not accept new evidence at the meeting and recommended he talk to staff about putting together a true economic hardship case. He asked if he would like to defer and Mr. Richie stated that he would like to withdraw the current application and submit a new application for economic hardship next month.

Mr. Borzak, 1503 Woodland Street, stated that he has lived across the street from this house for 27 years. He claimed that a 20-year contractor should have known that the house would need extensive work, just based on an exterior inspection. He acknowledged that the house would require a lot of work but there have been other homes of this size and of equal condition that have been restored.

He asked for an explanation of economic hardship. Ms. Zeigler explained that economic hardship was not based on the hardship of the owner but the hardship of the property. The applicant will need to prove that rehabilitation of the building will far outweigh the value of the building once it has been rehabilitated.

Mr. Borzak maintained that the house could be rehabilitated and that there are other options, such as adding on to the building, or maintaining the façade and reconstructing the bulk of the house. This is one of the last streets in LSEE where people can afford to purchase homes because the houses are still small.

1423 ORDWAY PL

Application: New construction-Addition; Setback Reduction

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1908564

1423 Ordway was removed from the agenda at the request of the applicant.

1620 HOLLY ST

Application: Demolition; New construction-infill

Council District: 18

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1897529

Staff member, Sean Alexander presented the case for 1620 Holly Street.

A proposal for an upper half-story and rear addition was approved in 2001, and the same permit was re-issued in 2010, but was never constructed. The applicant is now proposing a new scope of work, significantly revised from that of the previously approved additions.

The applicant has submitted new plans to demolish the roof and interior walls of the existing building, keeping the foundation, first floor front and side walls, and an existing front-facing attached garage.

Mr. Alexander stated that Staff has reviewed similar applications in the past and found that existing foundations generally can't be reused to support such a significant increase in load. Staff requested an engineering report addressing that issue but has not received one. With the concern that the existing building cannot accommodate a full second level, and because the majority or entirety of the finished project would be new material even if it could, Staff reviewed the project as new construction of a primary building, rather than as an addition.

Because of its age and design, the existing structure does not contribute to the historic character of the district. For this reason, staff finds the demolition of the structure in full to meet guideline IV.B.2.b.

The proposed new building would resemble a Foursquare house with a hipped roof. The roof ridge height would be twenty-eight feet, six inches (28'-6"), and the eave height would be nineteen feet (19'). The width of the front wall would be thirty-five feet (35'), but it would retain an existing eleven foot (11') wide front-facing attached garage on the left side of the non-contributing building making the full width forty-six feet (46').

The width of the primary wall is compatible, but the width including the garage is not. The front garage appears to cross the property line as well, but without it the setbacks are appropriate.

The heights of the new building would be compatible with the surrounding historic context, which includes one story and two-story houses, between twenty-five and forty feet (25'-40') tall.

Mr. Alexander referred to the side elevations and reiterated what was presented in the Staff Recommendation: Behind the two-story primary mass having the same general footprint of the existing structure, is a two story wing with an attached garage on the first floor level.

Staff finds this scale to be inappropriate because of this long wall and roof on the East Elevation without any breaks or articulation. The scale is such because of the attached garage and staff finds that the scale would be more compatible if it was eliminated and detached.

Also:

- The foundation height on the house should be indicated on the exterior by a change in material, as is shown on the front porch.
- Additional windows on the sides are needed for the window pattern to be compatible.
- The shutters on the front façade should either be eliminated or designed to be operable;
- The materials, textures, details, and colors (including the siding texture and reveal, the materials and colors of the foundation, brick stain, windows, doors, trim, roof, sidewalks and front steps) would need to be approved administratively,
- Cornerboards should be added where needed;

Apart from the scale, staff finds that the proposal would be appropriate in terms of materials, and window pattern with those conditions being met.

Historically, it was typical for lots in Lockeland Springs to have a primary building at the front and a detached accessory building at the rear. Often these accessory buildings were located very near the rear property line. The Sanborn map for the area shows a previous house on this lot had an detached garage right on the alley. Attached garages are inappropriate

because they are not consistent with the historic pattern of development and they make primary buildings less compatible by increasing the scale and lot coverage.

In response to getting more applications for attached garages, the Commission developed a framework to give guidance on when they may be appropriate, based on a survey of historic garages compiled by Staff. This policy allows attached garages if they are a feature typical of the neighborhood; or when the location of the attached garage is in the same general location of an historic accessory building, the new garage is located in the basement level, and the vehicular access is on the rear elevation.

Staff finds the two attached garages on the new building do not meet that policy or guideline section II.B.8.

Recommendation

Staff recommends approval of the application to demolish the non-contributing house and construct a new two-story house, with the conditions that:

- The attached front-facing garage and driveway be eliminated;
- The scale of the new building be reduced by detaching the attached rear-left garage;
- The long two-story wall and continuous roof plane on the left side of the house be broken up or articulated;
- The foundation height is indicated on the exterior by a change in material, water table, and/or rowlock.
- Additional windows are added to the sides;
- The shutters either be eliminated or designed to be operable;
- The materials, textures, details, and colors (including the siding texture and reveal, the materials and colors of the foundation, brick stain, windows, doors, trim, roof, sidewalks and front steps) are approved administratively, and that cornerboards are added where needed,
- Cornerboards be added where needed; and
- Revised drawings be submitted to reflect any and all approved conditions.

Having met those conditions, staff finds that the application would meet the design guidelines for New Construction in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Commissioners Kaalberg, Mosley and Champion commended the staff for trying to find a way to approve the project with multiple conditions but there were so many they were concerned that they wouldn't be sure what they were actually approving.

Susan Jones stated that the applicant's attorney provided information yesterday and because she just received it from her staff today she has not had time to review. She asked if the applicant wished to defer or he may choose to continue with the information they have received so far. The applicant was not present and there were no requests for public comment.

Commissioner Mosley stated that they needed information on whether or not the foundation could support a second story and how the new and old brick would be tied together visually.

Motion:

Commissioner Champion moved to disapprove the project. Commissioner Cantrell seconded. Commissioner Champion amended his motion to state that the project does not meet the requirements for new construction and additional information is necessary to determine whether the proposed addition can structurally be accomplished before the guidelines for additions can be applied. Commissioner Mosley seconded the amendment, which passed with one dissenting vote from Commissioner Fletcher. The final motion was approved with one dissenting vote from Commissioner Fletcher.

1300 ASHWOOD

Application: Addition—accessory structure; Setback reduction.

Council District: 06

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK
Permit ID #: 1908671

Staff member, Melissa Baldock, presented the case for 1300 Ashwood. She stated that 1300 Ashwood is a c. 1935 historic house. The Commission approved the reconstruction of the house's front dormer and porch in November 2012. The site at 1300 Ashwood is steeply sloped from the front of the property to the rear. There is a change in grade of approximately 12 feet from the front right corner of the house to the location of the accessory structure. The application is to build an addition to the existing accessory structure, which is not historic. Because the changes to the existing accessory structure were substantial, staff applied the guidelines for new construction in reviewing the project. Staff is recommending disapproval of the project because the height, scale, roof shape, and proposed setback reduction is not similar to historic street-facing outbuildings for primary buildings and lots of similar scale.

The site is located at the northwest corner of Ashwood and Eastwood. The existing accessory structure is located at the rear of the property and is accessed via the side street. The proposed addition will add approximately 370 sq. ft. to the 330 sq. ft. structure. It will have garage doors facing both Eastwood and the alley. Base zoning requires that for a corner lot like this one, the garage be located 20' from the side street property line and 10 feet from the rear property. The existing structure does not meet the base zoning setbacks; it sits on the Eastwood property line and is six feet from the rear property line. The addition requires a setback reduction because it is proposed to be located just 1 foot from the side street property line. Staff finds that the proposed setback reduction is not merited in this instance because locating the tall accessory structure so close to the side street will only emphasize its out-of-scale height relative to the house. Staff finds that the proposed setback does not meet Sections II.B.b. and II.B.i.1 of the design guidelines.

Staff considers the drawings to be incomplete because they do not have the ridge heights of the proposed structure, relative to grade called out. In addition, they do not make clear how the structure will interact with the site's slope. No drawing showing the relative height of the historic house to the height of the garage was submitted. The relationship between the house and accessory structure is critical to understanding the massing of the project since the design guidelines require that new outbuildings be similar in scale and height to existing outbuildings, which are typically subordinate to the primary dwelling.

The owner of the property, who is not the applicant for this project, submitted drawings in November for a separate application, and these drawings indicate that the primary structure is approximately 26' tall at the grade taken at the point of the gable's ridge. The house is approximately 28' feet tall if you measure from the grade at the front of the house. Staff examination of the drawings for the garage indicates that the structure will have a ridge height of about 27'6", possibly more. When the substantial slope of the property is taken into consideration, it is likely that the accessory structure will be more than ten feet taller than the historic house. Staff finds that the height of the accessory structure does not meet Section II.B.a. and II.B.i.1. of the design guidelines.

The accessory structure will be 700 square feet. By comparison, the house is approximately 1,240 sq ft, and therefore the accessory structure will be more than 1/2 the size of the primary structure's footprint. Staff finds that the accessory structure's footprint is too large for the site and too large compared to the primary dwelling, particularly when its proposed height is taken into consideration. Staff finds that the accessory structure's scale will not be subordinate to the historic house, as is found in historic examples, and does not meet Sections II.B.b. and II.B.i.1 of the design guidelines.

The existing house has a side gable roof form with a front slope of 9/12 and a back slope of 3/12. The accessory structure is proposed to have a gabled roof form with a slope of approximately 12/12. The gable faces Eastwood Avenue. While a steeper roof slope can be appropriate for accessory structures, for this project staff finds that the steeply sloped pitch adds to the height of the structure and contributes to it being out of scale with the historic house. Staff therefore finds that the roof form does not meet Sections II.B.e. and II.B.i1 of the design guidelines.

In conclusion, staff recommends disapproval of the addition to the accessory structure, finding that the height, scale, and roof shape of the accessory structure is not similar to historic street-facing outbuildings for primary buildings and lots of a similar scale. It does not meet the applicable sections of the design guidelines. Staff also recommends disapproval of the setback

reduction based on the fact that the reduction will increase the inappropriate perceived massing of the structure. Staff finds that the project does not meet Section II.B. of the design guidelines.

Matt Schutz with Blaine Bonadies Architect, clarified that the house is 28' – 30' tall from grade and the garage is 26'6" from grade. The new wall facing the street will sit back 2' from the existing face and not 1', as stated in the staff recommendation. In addition, the eastern property line already sits 15' from the street.

Mr. Bonadies provided a packet of information for the commissioners including 2 emails from the immediate neighbors who agree with the project, Sanborn maps, and 2 examples of garages that were approved in the past that he claims are less desirable in scale in height than what they are proposing.

Mr. Bonadies explained that there was a 21' grade change from front corner to rear corner of the lot which creates a hardship, according to bulk standards. They attempted to mitigate the height of the building by lowering the eaves, which are considerably lower than the primary house. He referred to the provided Sanborn map to show that the proposed setback was appropriate.

Mr. Bonadies referenced a new house under construction on the other side of the alley that supports his proposal. In answer to Commissioner Gee's question, he admitted that the new house is outside of the district.

Susan Jones explained that the term "hardship" is a Board of Zoning Appeals term but the Commission does not have the same standard or analysis for "hardship" and should make their decision based on the design guidelines.

Commissioner Champion concurred that it was too big but that there were likely some easy solutions.

Commissioner Kaalberg stated that new drawings show that the garage is slightly subordinate to the primary building but the footprint is large enough to almost be another house. In addition, the rise in grade will exaggerate the house. He also expressed concern over there being doors facing the street as well as the alley.

Commissioner Mosley recognized that if the garage were at any other location, because of the grade, the building would require the addition of a half-story, which strengthens the case for the structure being located where it is proposed. Commissioner Champion concurred that the location was a positive one for pedestrian activity but the size needs still needs to be managed.

Commissioner Gee agreed with all the comments, finds that the proposal meets the design guidelines, and the design mitigates the height.

Commissioner Fletcher conferred with staff that it is too big. The height is appropriate since it is shorter than the existing house but it is too wide along the alley since it is similar to the primary building.

Commissioner Champion suggested that the project be approved with the conditions that the owner/architect work with staff to alleviate concerns while keeping the integrity of the project intact.

Commissioner Fletcher moved to disapprove the project based on the staff recommendation. Commissioner Kaalberg seconded. The motion failed with only one vote in favor from Commissioner Fletcher.

Commissioner Champion moved to approve the project with the condition that the applicant work with staff on square footage and scale, footprint along the alleyway and create one entrance. Commissioner Kaalberg seconded. Motion failed with only one vote in favor from Commissioner Champion.

Commissioner Kaalberg stated that his problem with this type of motion is that he really doesn't know what they are telling staff to do.

Commissioner Gee explained that he disagreed with the motion because he finds that the project does not contrast greatly with the buildings in the neighborhood in any way, as was stated in the design guidelines.

Commissioner Kaalberg responded that he finds the proposal does contrast greatly, specifically in terms of width, since it is similar to the width of the primary building. Motion failed with lack of four concurring votes.

Motion:

Commissioner Gee moved to approve the project as submitted because it does meet the design guidelines in terms of height, scale and specific requirements of outbuildings and it does not contrast greatly with outbuildings in the neighborhood. Motion passed with only Commissioners Fletcher, Bell and Kaalberg opposed.

Historic zoning administrator Zeigler asked if the Commission would be willing to require accurate drawings. Chairman Tibbs asked the applicant to submit new drawings.

Chairperson Tibbs left the meeting at 3:42 and turned over chairman duties to Commissioner Gee since the Vice-chair was not present.

1808 SWEETBRIAR AVE

Application: Demolition; New construction-primary and accessory buildings

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1908567

Staff member Sean Alexander presented the case for 1808 Sweetbriar Avenue.

The house at 1808 Sweetbriar Avenue is a one story brick Minimal-Ranch house. Constructed circa 1951, it does not contribute to the historic character of the area.

The original proposal for this property was to demolish the house and build a new one and a detached garage. The garage has been withdrawn from review this month. The recommendation for the house alone could have gone on the consent agenda, but the garage came off after the agenda was posted.

Demolition of the non-contributing house meets the design guidelines.

The new building will be one and one-half stories tall, the height and width are compatible with surrounding historic houses.

The front setback will be compatible with other houses on the street (historic and non-historic are all about 60'), and the right side setback will be 5'. The left side setback will be greater than the typical setback, but that is needed to accommodate a utility easement. These setbacks are appropriate.

The roofs, materials, and windows would be generally appropriate with the following conditions:

Recommendation

Staff recommends approval of the proposed new infill with the conditions that:

- The foundation height be uniform on the primary facades of the building;
- The porch floor slabs be increased to eight inches (8") in thickness;
- The front porch depth be increased to six feet (6');
- The window configuration on the front elevation be revised to be more appropriate to the type of window openings found in the district;
- The windows in masonry walls have typical brick molding;
- The eave overhangs be extended to eighteen inches (18");

- Staff approve the brick color and texture and the half-timber stick work; and
- The lap siding have a minimum reveal of five inches (5”).
- Revised drawings be submitted to reflect any and all approved conditions;

With those conditions met, staff finds that the proposed infill would meet the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Commissioner Mosley corrected the 5” minimum to be a 5” maximum.

Sandi Adams, architect with Rigid Development, stated that she agreed to all the conditions and has submitted new drawings to meet all the conditions.

Motion:

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

- **The foundation height be uniform on the primary facades of the building;**
- **The porch floor slabs be increased to eight inches (8”) in thickness;**
- **The front porch depth be increased to six feet (6’);**
- **The window configuration on the front elevation be revised to be more appropriate to the type of window openings found in the district;**
- **The windows in masonry walls have typical brick molding;**
- **The eave overhangs be extended to eighteen inches (18”);**
- **Staff approve the brick color and texture and the half-timber stick work; and**
- **The lap siding have a minimum reveal of five inches (5”).**
- **Revised drawings be submitted to reflect any and all approved conditions;**

Commissioner Kaalberg seconded the motion and it passed unanimously.

1708 CEDAR LANE

Application: New construction – Outbuilding; Setback Reduction

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MICHELLE TAYLOR

Permit ID #: 1908515

Staff member Melissa Baldock presented the case for a garage at 1708 Cedar Lane. 1708 Cedar is an application for a new accessory structure that requires a setback reduction. Staff issued an administrative permit for a new addition on the site in January of this year. The property is located at the corner of Cedar Lane and Brightwood Avenue. The garage will be located in the rear of the property, and will be accessed via Brightwood Avenue. Base zoning requires that an accessory structure be located 20 feet from the street side property line when it is on a corner lot. The proposed site plan shows the accessory structure as being just 3’2” from the side property line. Staff finds the reduction to the side setback appropriate in this instance because the locations of historic outbuildings were of minimal distance from alleys and streets and because there is a 10 foot wide public right-of-way between the property line and Brightwood Avenue, which helps to reduce the perceived lack of a setback.

The applicant is proposing a 29 foot wide driveway off of Brightwood Avenue. This is equivalent to a double width driveway. In the past, the Commission has requested that driveways, where appropriate, should be a single lane. Staff recommends that the driveway be no more than 12 feet wide at the curb and expand out to two-lanes deeper in the property. This may require that the building be setback further than what is proposed. The garage will be 21 feet by 24 feet, or 504 sq. ft. It will have a ridge height of 18 feet, and an eave height of 14 feet, which is subordinate to the historic house. The roof form will be hipped with a 7/12 slope. The garage will be connected to the house with a breezeway that is open on both sides. The Commission has approved breezeways like this one in the past. The primary material for the garage will be stucco to match the existing house. The foundation will be a concrete slab. The roof material is unknown, as are the materials for the windows, doors, trim, and lighting.

Staff recommends approval of the accessory structure with the conditions that the driveway be no more than 12 feet wide at the curb and that staff review roof material and color, as well as all window, door, trim, and lighting materials prior to purchase and installation.

Designer for the project, Kaitlyn Smous with Allard Ward Architects, explained a 12' driveway is too narrow for a car to pull straight in or out and that it is important to the applicant to preserve the rear yard. She passed out photos of garages around the neighborhood that are a similar condition.

There were no requests from the public to speak.

Ms. Zeigler explained that in looking at the context, staff looked at historic context rather than later construction that might have been before the overlay. She also stated that there is a rear alley so there are other options besides a 22' wide driveway.

Commissioner Mosley added that since there is no sidewalk there is less of a need to diminish the impacts of driveways, there is a grade change at the rear of the lot and large curb cuts are not desired in urban neighborhoods but they do exist.

Acting chairperson Gee asked if staff typically asked for tire strips rather than a solid driveway. Ms. Zeigler explained that it depended on where in the neighborhood the property is located. In the center of the district, where the older homes are located, it has been required, but not necessarily on the west side of the neighborhood in the areas of post-war construction.

The Commission explored how cars would exit and enter the garage to determine possible solutions and discussed the existing grade and existing gravel drive.

Commissioner Kaalberg asked how the applicant felt about tire strips. Smous explained that there is no curb or sidewalk and the grade drops in the back. She thought strips could work but would make it more difficult to turn in and out.

Commissioner Mosley moved to approve the project with the conditions that the driveway be no more than 12 feet wide at the curb and that staff review roof material and color, as well as all window, door, trim, and lighting materials prior to purchase and installation. Commissioner Champion seconded the motion.

Ms. Smous requested that the public hearing be reopened and Acting chair Gee agreed. She made the argument that to have one lane would push the garage back and eat up the rear yard, to place the garage closer to the alley would mean that it is approximately 6' below the house and that to leave the garage where it is it would create an unsafe condition to have a one-lane driveway. She summarized by saying that the proposed location is the only reasonable and convenient location.

Commissioner Mosley stated that if there is alley access that that is the appropriate place for cars to be, as that is why they are there, to service cars and garages. He amended his motion to state that the garage could remain in the current location but be oriented to the alley.

Commissioner Mosley moved to approve the project with the condition that it be reoriented in the same location with vehicular access off the alley. Commissioner Fletcher seconded the amendment which passed unanimously.

Commissioner Kaalberg amended the amended motion to state that the garage could remain in the existing location or be moved closer to the alley and the driveway would not be required to be only 12' wide. Commissioner Fletcher seconded and it passed unanimously.

Motion:

Commissioner Mosley moved to approve the project with two options:

- 1) The garage may remain in the current location but the driveway shall be no more than 12 feet wide at the curb;**
- 2) The garage may be reoriented towards the alley and located anywhere between its current location and the rear alley, with driveway access off the alley and no requirements for the width of the driveway.**

In addition, staff shall review roof material and color, as well as all window, door, trim, and lighting materials prior to purchase and installation. Commissioner Champion seconded the motion and it passed unanimously.

Salemtown Neighborhood Conservation Zoning Overlay

Ms. Zeigler explained that Councilmember Gilmore is requesting a neighborhood conservation zoning overlay for the Salemtown neighborhood. The area was originally owned by the McGavock family who began subdivision in 1855. The majority of development took place after the Civil War.

She stated that the area is an important collection of worker housing for Nashville with homes associated with various industries including soap manufacturing, slaughter houses and of course Werthan mill. It is particularly valued for its collection of shotgun homes. There are a few scattered throughout the city but the majority have been lost and this is the most intact grouping of them left.

She explained that they were not requesting adoption of the design guidelines at this time as the neighborhood is providing some additional feedback for the draft design guidelines. She also clarified that the application currently before the Council is for a larger area. This staff recommendation is for an amendment to boundaries that the neighborhood and Councilmember Gilmore would like to make and *not* the exact boundaries that are currently before the Council. She explained that if the Commission chooses to recommend designation, please state that you are recommending *the amended boundaries*.

Councilmember Gilmore stated that she supported the overlay. She explained that after feedback from the neighbors they had agreed to reduce the boundaries.

Motion:

Commissioner Bell moved to approve the designation of the amended boundaries. Commissioner Mosley seconded and the motion passed unanimously.

APPLICATION DEADLINE

Project Lead: Robin Zeigler

Staff requested to change the Preservation Permit application deadline date and time and to create a new deadline for revised application drawings.

For several years the application deadline has been the first Wednesday of the month (14 days prior to hearing) for the meeting that takes place on the third Wednesday of the same month. This has allowed staff a day or two, at best, to review all projects and get comments back to the applicant in time for them to submit revised drawings and provide missing information, if applicable, by the following Friday.

Drafts of staff recommendations are due to the historic zoning administrator for review on the following Tuesday (8 days before the hearing date). On the second Wednesday of the month (7 days prior to the hearing) staff completes revisions; and prints, folds and prepares the packets for the Metro-mail pick-up first thing Thursday morning (6 days prior to the hearing). (Staff has avoided taking the packets to the post office later in the day as it is an additional cost for the department not to use the earlier Metro Mail pick up.) The Commission then receives them on Friday before the meeting (5 days prior to the hearing).

With the increase in work load and the decrease in number of staff, that time frame no longer provides the best product and does not allow staff time to conduct the necessary review. Not only is this time frame no longer feasible, but it often results in hurried reviews that do not provide the applicant with all the information he/she may need. In the past we were able to

review projects and get comments to the applicants fairly quickly, but due to the large number of applications, we now find that it takes several days, which does not allow the applicant time to revise the drawings and leaves staff unsure on how to write the staff recommendation. An understanding of whether or not the applicant is agreeable to conditions; wants to pull a project because it doesn't meet the design guidelines; or wants to continue with a project that they know will receive a recommendation for disapproval, is critical in the writing of the reports and publishing the agenda. Therefore Staff requests an additional deadline for "revised drawings." If we have not heard from the applicant or received additional drawings by that date we will write the recommendation based on what was previously submitted.

Staff also requests to extend the deadline to 16 days prior to the meeting, which would provide staff an additional two days to review and send comments to applicants. This will still meet the ordinance's requirement that the Commission meet within 15 working days of receiving a complete application. We further request a deadline of noon on that date.

The schedule for the rest of the 2013 *calendar* year would be:

APPLICATION DEADLINE	DEADLINE FOR REVISIONS	MEETING DATE
March 4, noon	March 7	March 20
April 1, noon	April 4	April 17
April 29, noon	May 2	May 15
June 3, noon	June 6	June 19
July 1, noon	July 3	July 17
August 5, noon	August 8	August 21
August 30, noon (Offices closed 9/2)	September 5	September 18
September 30, noon	October 3	October 16
November 4, noon	November 7	November 20
December 2, noon	December 5	December 18

When the deadline falls on a Metro recognized holiday, the deadline shall be the working day prior.

If the Commission agrees to this alteration, the schedule will be posted on the website, sent to our regular applicants and to the Codes Department, and included in an emailed newsletter.

Commissioner Mosley suggested that, not as a part of this motion, but that the Commission should consider some guidelines for submission of materials at the meeting and Commissioner Kaalberg agreed. Ms. Zeigler stated that in the past, the Commission has not accepted new information at the meeting, only information that further clarifies the proposal submitted by the deadline. Legal counsel agreed to work with staff to come up with something to submit to the Commission for review and adoption.

There were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the revised deadline schedule. Commissioner Champion seconded and it passed unanimously.

REVISE ADMINISTRATIVE REVIEW POLICY

Project Lead: Robin Zeigler

Staff requested changes to the administrative policy outlining what can be administratively reviewed, due to the limited number of staff and the increase in Preservation Permits and historic zoning overlays. Increasing the type of project that can receive an immediate permit decreases staff time, creates a more positive experience for the applicant, and reduces the number of items on the agenda.

The following policy was adopted by the Commission in June of 2010. Proposed alterations are shown as a “strike through” or are underlined.

Commission Review

The types of applications that must be reviewed by a quorum of the Commission are as follows.

- Demolition of primary buildings (contributing ~~or non-contributing~~)
- Demolition of historic outbuildings and appurtenances
- All new construction of primary buildings
- New construction of outbuildings (unless the project is small enough to meet the requirements of administrative review)
- Rear additions (unless the project meets the requirements of administrative review)
- Side Additions
- All relocations of buildings
- ~~Ridge raises~~
- Any project that requires a setback reduction
- All other projects not listed under “administrative approval”
- Any project that does not conform to the design guidelines
- Any project listed under “administrative approval” that Staff has deferred to the Commission

Administrative Review

The MHZC has delegated to staff the ability to administratively approve work defined as conforming items without prior review of the work by the MHZC. The types of applications that may be administratively reviewed are as follows. The Commission may extend this list in emergency situations to provide optimum customer service. Staff may, at any point during the review process and for any reason, choose to defer the application to the Commission.

- Demolition of non-historic accessory structures and appurtenances
- Demolition of any structure that has become a major life-safety hazard and is requested to be demolished by another City department for that reason
- Demolition of non-contributing primary buildings
- New construction of accessory structures which are less than 700 square feet; having an eave height no greater than 10' or a ridge height no greater than 20'.

- Rear additions which are no wider and no taller than the primary building and no deeper than half the width of the existing house.
- Front additions to non-contributing structures
- Appurtenances
- Ridge Raises
- Repairs and replacement in-kind
- Signage
- Fences
- Permanent landscape features
- Painting of masonry and metal

There were no requests for public comment.

Motion:

Commissioner Mosley move to approve the alteration to the approval list. Commissioner Kaalberg seconded and the motion passed unanimously.

Ms. Zeigler reminded the Commission about the MHC Awards and the Old House Fair.

Meeting adjourned at 4:25.

MINUTES RATIFIED BY COMMISSION ON FEBRUARY 20, 2013.