



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) SUMMARY MEETING MINUTES

March 19, 2014

Commissioners Present: Brian Tibbs, Chair; Menié Bell, Rose Cantrell, Samuel Champion, Richard Fletcher, Hunter Gee, Aaron Kaalberg

Zoning Staff: Sean Alexander, Paul Hoffman, Robin Zeigler (Historic Zoning Administrator), Jon Michaels (City Attorney)

Applicants: Derek Hoewel, Jamie Day, Preston Quirk, Kristen Walker, Gary Day, Jason Feller, Cyn Rohkar

Public: John Harris, Michael Kreyling, Sherry Beard, Richard Quin, Brett Withers, Shannon Poindexter, Vicki Jones, Lanier Brandau, Alan Hayes, Rebecca Ratz, Gary French

The Commission met prior to the public hearing at 12:30 pm for CLG training in the Davidson Room. No action was taken.

Chairman Tibbs called the meeting to order at 2:06 p.m. and read aloud the processes for appealing the decisions of the Metro Historic Zoning Commission and the time limits on presentations.

I. RECOGNITION OF COUNCIL MEMBERS

II. MINUTES:

Minutes were not voted upon as a draft was not available by the deadline. They will be ready for their review at the next meeting.

IV: CONSENT

a. 2006 BEECHWOOD AVENUE

Application: Demolition-outbuilding; New construction-outbuilding; Setback determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1962288

b. 1607 LINDEN AVENUE

Application: New construction-addition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1964503

c. 245 LAUDERDALE ROAD

Application: New construction - addition

Council District: 24

Overlay: Cherokee Park Neighborhood Conservation Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1965085

d. 2813 ACKLEN AVENUE

Application: New construction –addition and outbuilding; Setback determination
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1965093

e. 912 CHICAMAUGA AVENUE

Application: New construction - addition
Council District: 05
Overlay: Greenwood Neighborhood Conservation Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1965080

f. 1415 FORREST AVENUE

Application: New construction - outbuilding
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1965098

Sean Alexander, staff member, explained that 245 Lauderdale was removed from the agenda due to an incomplete application. There were no requests from the public to remove other items from the consent agenda.

Motion:

Commissioner Fletcher voted to approve all consent items with applicable conditions, with the exception of 245 Lauderdale. Commissioner Bell seconded and the motion passed unanimously.

Commissioner Fletcher arrived at 2:09 p.m.

III. EXPANSION OF EASTWOOD NEIGHBORHOOD CONSERVATION ZONING OVERLAY

Robin presented the case for expansion of the Eastwood neighborhood, explaining that the new boundaries are more in keeping with the actual boundaries of the neighborhood and that the area meets the criteria for designation as it is eligible for listing in the National Register of Historic Places.

Brett Withers, president of Eastwood Neighbors, requested support of the expansion of the overlay to include all the properties within the new boundaries. He explained why property owners had requested the overlay and how the neighborhood organization notified and informed property owners about the overlay. For five years he has received calls requesting expansion of the neighborhood.

John Harris, 2323 Benjamin Street, stated that owner-occupied opinions should carry more weight than absentee landlords. He is in full favor of the overlay and is pleased with the commercial development on Eastland. He asked that the overlay be approved. He expressed his approval with the commercial development along Eastland and Porter.

Lanier Brandau spoke for her brother, mother, and grandfather, who all own multiple properties in the overlay and passed out maps to show the location of those properties. She feels the overlay is in direct contrast to the message that they have received from the neighborhood association, stating that the commercial development would continue on Porter. She is therefore concerned that they will not be able to develop the properties as they desire. They are in the process of seeking an SP for one property.

Shannon Poindexter, 1413 Benjamin, is in support of the overlay because she objects to the type of new construction that is currently going on, such as umbilical duplexes, houses that are not the right style or not the right size. It is destroying the nature and personality of the neighborhood.

Rick Puncocar has a property at 818 Porter and he is looking for some architectural design integrity because the types of properties currently being constructed do not fit the context. He is certain that an SP for commercial development along Porter would not have to constrain a potential overlay.

Richard Quin and Sherry Beard, of 1919 Eastland Avenue, stated that they live just outside the current expansion but within the boundaries of a recent expansion. She expressed concern about new construction being out of character for the district and stated that they are in support of the overlay as the non-contributing buildings still provide opportunity for new construction and SPs could also work well as long as the design is guided by design guidelines.

Nathan Tasker, 810 Porter Road, explained that he moved here from Sydney, Australia but loves the character and now feels that the neighborhood has been exploited with current developments. He urged the commission to approve the overlay.

Vicki Jones, 204 Manchester, stated her support of the overlay. She has put a lot of effort into improving her home and her neighborhood, as she knows others have, and doesn't want that to be destroyed due to inappropriate development.

Alan Hayes, 1011 N 16th, is on the neighborhood board and commended everyone who has worked on the overlay. He even extended the overlay before he added on to his own building. His comments were emailed but he reiterated his support and his concern over inappropriate new construction. He asked everyone in favor to stand and the majority of the room stood, approximately twenty-three people. Three stood in opposition.

Commissioner Fletcher asked if SPs were possible in overlays and Ms. Zeigler stated that they are and there are several in existence.

Commissioner Champion moved to recommend approval of the overlay expansion to Council and adoption of the existing design guidelines for the expanded area. Councilmember Kaalberg seconded and the motion passed unanimously.

V. NEW BUSINESS

g. 1719 5TH AVENUE NORTH

Application: New construction-addition, Violation deferred

Council District: 19

Overlay: Salemton Neighborhood Conservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1962744

Historic zoning administrator, Robin Zeigler, gave details of the violation to the Commission, explaining that issues such as moving side windows and doors and demolishing a metal outbuilding were approved administratively; however, the applicant still requests retention of the front addition. The addition dramatically alters the roof shape and overall form of the house, including the porch, and increases the height. Zeigler said to her knowledge, front additions have never been approved for a historic building. She recommended disapproval of the alteration of the primary entrance dimensions and the front addition based on the fact that it does not meet section V.B.1, II.B.3 and 2.a. and f of the design guidelines and further recommended reconstruction of the original roof and porch roof forms.

Derek Hoevel, owner, explained his process for obtaining his building permit and subsequently receiving the stop-work-order. Mike Kyle, the Codes Administration zoning examiner who issued his building permit, has since retired, so he spoke with Bill Herbert at that department who told him that the building permit covered all of the work he had done so far. Jon Michael, legal counsel, also spoke with Codes and received clarification that if the property was not located in an overlay they would not have issued a stop-work-order on their own; however, it is in an overlay therefore the Commission was charged with applying their design guidelines.

Mr. Hoevel noted that he was not demolishing the house for two homes but trying to preserve a small historic home and that to remove it will be financially difficult. He didn't see his home on the overlay map when he applied for his permit. [It was noted last month that he had not been looking at the overlay map.] He handed out additional photographs of the home, and explained that the house next door was approved as new construction and that he feels his dormer is more in scale and appropriate for the neighborhood.

Commissioner Fletcher asked if he would be willing to change the size of the dormer and he stated that he would.

Commissioner Bell noted that it was clearly marked on his permit that the property was in an overlay, despite whatever direction he might have received from the Codes Administration. She explained that their role was to follow the design guidelines. She asked if there were any other options. Mr. Hoevel responded that the two options given to him by Ms. Zeigler were to correct the violation or to apply to the Commission to keep it.

Commissioner Cantrell stated that the design guidelines must be followed and Mr. Hoevel explained again that it will be a financial hardship for him to remove the addition.

Alan Hayes, 1011 N 16th Street, asked if the property was contributing or non-contributing. Ms. Zeigler stated that it was contributing and Mr. Hayes responded that it made it more difficult to allow the front addition.

Brett Withers, 1113 Granada, stated that in talking with neighbors about their potential overlay, one of the cons was that front porches cannot be enclosed or dormers added and that to allow it could be a dangerous precedent to set.

Jason Feller, 1115 Douglas Avenue, said that front dormers are not uncommon in historic districts and he thinks it is too harsh to require removal.

Commissioner Fletcher asked Ms. Zeigler to speak to the front dormer. She explained that the real issue was not the dormer itself, but the fact that the addition alters the roof shape, increased the original height, and changes the form of the porch. Commissioner Champion asked if the additional height exceeded the height guideline, because the result was that the house is still shorter than what is next to it. Ms. Zeigler responded that if it were new construction, they would definitely look at the context; however, in this case they are dealing with a historic building so they need to look at what is appropriate for this building, not the neighborhood as a whole. Altering the roof form and height is not appropriate, according to the design guidelines.

Mr. Hoevel returned to explain that the windows of the home have been altered and the stone was not historic.

Commissioner Kaalberg stated that if this were requested in a normal presentation, before the work took place, they would not approve it. He expressed that he may have gotten some bad information or misunderstood what was being told but they have precedent and the "hardship" is that it was a self-permit. If he had an architect or contractor he would have someone he could go back on but this was the risk of a self-permit. There is no question that the map was posted, he simply looked in the wrong spot.

Commissioner Cantrell stressed that it was a tough case but Mr. Michael's information makes it clear that they must follow the design guidelines.

Commissioner Champion stated that the damage was done but the roofline was not broken and he didn't feel that they were breaking precedent if they granted the project.

Commissioner Fletcher said the issue wasn't the peak of the roof compared to new construction but the alteration of the historic house.

Motion:

Commissioner Kaalberg moved to disapprove the project and undo the changes to restore the prior condition within 6 months. Commissioner Bell seconded and the motion passed with Commissioner Champion in opposition.

Commissioner Champion left at 3:03p.m.

h. 101 BROADWAY

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1965091

Staff member, Paul Hoffman, presented the case for signage and reconstruction of a missing cornice. The applicant proposes a new projecting sign for the front facade, and a painted sign on the east façade facing First Avenue. The proposed signs meet guidelines for design, lighting and allocation of sign area.

The painted Acme sign is proposed to be approximately 200 square feet. Although design guidelines state that a painted sign should not be more than 125 square feet, Staff finds this sign appropriate, as this is a large building with two large exposed facades, and recommends its approval as submitted. The projecting sign in its current location does not meet guidelines that projecting signs must be located below the third-story window sills. Staff requests that the location of this sign be moved below the third story window sills. The applicant proposes to restore two historic murals at the rear of the building, for the Bearden Buggy Company, which occupied the building from 1913 to 1924. The restoration of the historic signs meets design guidelines.

The project includes replacing a cornice that has been removed above the front entrance. The proposed detailing is appropriate to the historic dentil moulding. With the condition that Staff approves its material, replacement of the cornice meets guidelines.

In conclusion, Staff recommended approval of the proposed signage with Staff approval of the material for the cornice, and the condition that the projecting sign be moved below the window sills of the third story.

Commissioner Fletcher asked about the painted sign being larger than what was allowed. Hoffman and Ms. Zeigler explained that the additional size was appropriate because of the expanse of the side wall and because it is similar to the ghosting of an earlier painted sign.

Kristen Walker, project manager, made the case for placing the projecting sign where it is on the drawings, rather than below the third story. She provided slides showing how the visibility of their sign would be hindered by the required location and she showed other signs that didn't meet the current design guidelines. The sign placement will avoid obstruction of some architectural features, such as the metal checkered detail.

Chairman Tibbs clarified that the applicant agreed with all other conditions, just not the placement of the projecting signage.

Several commissioners stated that they thought the proposed location is desirable due to the fact it would not affect historic features and the building is unusually long, being a corner building; however, the height because of visibility from 5th Avenue was not a compelling point.

Motion:

Commissioner Kaalberg moved to approve the project with the conditions that the staff review final material for the replacement cornice and that the checkerboard material be preserved. The additional height is appropriate based on the design guideline requirement that architectural features not be covered or destroyed. Commissioner Bell seconded and the motion passed unanimously.

i. 1421 CALVIN AVENUE

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1964491

Sean Alexander presented the case for a new building at 1421 Calvin. The lot was recently subdivided from a triple lot, with an adjacent contributing structure on the left. The house will meet all base zoning setbacks, and will be 10' from the side street and 5' from the left side property line.

The front edge of the new house will line up with the front porch of the house next door and other houses further up the street. Because the house next door has an 11' deep front porch, which is particularly deep, and because the infill has a partial width front, the line of the infill's front wall will be forward of the front solid wall of the house next door. However, staff finds that there are similar porch configurations in the area and lining up the line of the infill's front porch with the porch of the house next door is appropriate. Mr. Alexander mentioned that there are a dozen or more structures with similar recessed or partial width porches on Calvin and N. 15th, many of which are Tudor Revival.

The infill includes side dormers on both side facades. These dormers are all set 2' below the ridge and 2' in from the wall below. The dormers have shed roofs with a slope of 3/12 and are both 36' long. Staff has concerns about the length of the dormer on the right or N. 15th Street elevation because it will be highly visible from the side street, and because historically side dormers were much smaller in length. Staff asks that a condition of approval be that the dormer on the right/15th Street elevation be divided into two separate dormers.

The windows on the infill are all generally twice as tall as they are wide, thereby meeting the historic proportions of openings. There are no large expanses of wall space without a window or door opening. On the 15th Street façade, which is highly visible because of the corner location, there are window openings at least every 12'. This is compatible with the fenestration and rhythm of historic houses. (Exhibited rear façade and context views.)

In conclusion, Staff recommends approval of the infill with the following conditions:

- Staff approve a stone sample, windows and doors, shingle color, and the material of the porch floor prior to purchase and installation of these materials;
- The long dormer on the right/15th Street elevation be divided up into two separate dormers;
- The front porch columns have a more substantial cap;
- A central walkway be added leading from the sidewalk on Calvin Avenue to the front porch; and
- The HVAC be located on the rear façade, or a side façade beyond the midpoint of the house.

With these conditions, staff finds that the project meets Section II.B. of the Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines.

Commissioner Kaalberg asked how much division would be needed between the proposed dormers. Mr. Alexander suggested the middle third and there was discussion on exact measurements.

Commissioner Fletcher asked if the applicant has agreed to split the dormer. Mr. Alexander said that they considered it but were asking for permission to retain the dormer as proposed.

Jamie Day, owner of the property, stated they agreed with all of the conditions with the exception of splitting the dormer, due to the layout of the second floor. Commissioner Fletcher asked if they had considered cutting the size back and Mr. Day said that they had submitted new plans but they really wanted to have the one dormer.

Rebecca Ratz, of 1409 Gartland Avenue, expressed concern about the front setback along Calvin that is not consistent with the street and that it damages the ability to see through all the porches, looking down the street. Even with an offset facade the porch extends beyond the building façade, typically. The secondary façade is supposed to be reviewed in the same manner as the front façade, since this a corner lot, and there is no break-up of the one long monotonous wall. There are other vacant lots nearby and allowing for this plan will set a negative precedent. (She handed out two photographs of the neighborhood.)

Gary French, 1402 Calvin Avenue, stated that they are accustomed to having a lawn there, rather than a house, and the house will swallow that corner, on a very special street. Moving the house forward and blocking the house in the photograph will smother the existing house. It is plain-Jane for their street, which is mainly bungalows and tudors.

Alan Hayes, 1011 N 16th Street, stated his support of the two projects that came before and that corner lots should be more closely scrutinized than the interior lots. The depth and the façade are pretty extreme. He agrees with staff's recommendation for the dormer.

Ms. Zeigler informed the Commission that the applicant was open to working with staff on breaking up the side façade. Commissioner Cantrell stated that she was bothered by the length of the building and that it would be good if the applicant worked out something to break up the side wall.

Motion:

Commissioner Fletcher moved to approve with the following conditions:

- **Staff approve a stone sample, windows and doors, shingle color, and the material of the porch floor prior to purchase and installation of these materials;**
- **The long dormer on the right/15th Street elevation be divided up into two separate dormers;**
- **The front porch columns have a more substantial cap;**
- **A central walkway be added leading from the sidewalk on Calvin Avenue to the front porch;**
- **The applicant work with staff to break-up the right elevation; and**
- **The HVAC be located on the rear façade or on a side façade beyond the midpoint of the house.**

Commissioner seconded and the motion passed unanimously.

j. 1720 4TH AVENUE NORTH

Application: Demolition; New construction --infill and outbuildings; Setback determination

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1964498

Paul Hoffman, staff member, presented the case for demolition, infill and setback determination at 1720 4th Avenue North.

The existing house at 1720 4th Avenue North was constructed c. 1988, much later than the period of significance for the Salemtown Neighborhood Conservation Zoning Overlay. The existing building's materials, form, and style are not in keeping with the historic Salemtown neighborhood, and it does not contribute to the historical and architectural character and significance of the district. Staff finds its demolition meets the design guidelines.

The proposed infill will be centered on the lot. The porch of the projecting right unit will be set back approximately twenty-eight feet (28') from the front property line. By comparison, the one-story, non-contributing house on the right of the site is set 24' from the front property line. To the left of the site is a vacant lot, and the one-story shotgun house on the right of the vacant lot is approximately 18' from the front property line. Because the new duplex will be two-stories and significantly taller than the non-contributing structure to its left and the historic shotgun to its right, staff finds that the front setback, which is pushed back slightly than its neighbors, is appropriate.

The new duplex will be 34' feet at the front, will expand to be 42' wide at a distance of over 40' from the front porch. Staff finds this width to match surrounding context, where one-story houses range in width from 15' - 36'.

The two garages require a setback determination. When considered together the square footage of the two garages is more than 700 sq. ft. The base zoning setbacks for the garages are set at 5' from the side property lines and 20' from the alley. The garages meet the side setbacks as they will be a minimum of 6' from the side property lines. However, the garages require a setback determination for the rear because they are proposed to be located 10' from the alley. Staff finds the proposed rear setback of 10' rather than 20' to be appropriate because historically, outbuildings were located close to the alley.

The proposed duplex will have a gabled-el form. The left unit will have a 16' eave height, and a ridge height of 31' above grade. The right unit will have an eave height of 21'6" and a ridge height of 32'9". The porch eave height will be approximately 12'.

The guidelines state, “Where there is little historic context, existing construction may be used for context. Primary buildings should not be more than 35’ tall.” Because there is little historic context on this street and because the height of the non-historic structures range between 17’ and 34’, staff finds that the proposed height meets the design guidelines.

The known materials have all been approved by the Commission in the past and include cement fiberboard lap siding and board and battens, concrete block foundation, standing seam metal porch roof, shingles for the primary roof, and wood windows and doors.

The windows on the proposed duplex are generally twice as tall as they are wide, thereby meeting the historic proportions of openings. The casement window in the second story of the projecting gable (marked in red) is about a foot taller than the windows on the first story. The design guidelines state that windows on upper floors shall be no taller than the windows on the lower floors. Staff asks that this window be reduced so that it is no taller than the windows below.

On the right elevation, ground floor, there is an expanse of approximately 20’ without a door or window opening, and staff asks that an opening of at least 4 sq. ft. be added to this expanse. (The rear façade and a perspective drawing of the front façade were shown).

The application includes two 20’x20’ garages. The garages will be one-story, with an eave height of 9’ and a ridge height of 15’4”. The garages will be located at the rear of the property and will be accessed via the alley. Staff finds the garages meet the design guidelines.

Staff recommends approval of the project with the following conditions:

- Staff approve the windows and doors, shingle color, metal roof color, and materials for the porch floor and steps;
- The window on the front façade’s second story projecting bay be no taller than the windows below it;
- A window opening of at least four square feet (4 sq. ft.) be added on the right elevation in the area of the kitchen; and,
- The HVAC units be located on the rear façade, or on a side façade beyond the midpoint of the house;

With these conditions, staff finds that the project meets Section III and IV.B.2. of the *Salemtown Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

Commissioner Fletcher left the meeting at 3:46 p.m. and returned at 3:49, before the completion of the overview of the staff recommendation.

Preston Quirk, architect for the project, stated that he agreed with all the conditions.

There were no requests from the public to speak.

Commissioner Fletcher asked about the size in relation to the historic context. Ms. Zeigler explained that typically they would only look at the historic context but because of the high number of new construction developed in Salemtown shortly before the overlay was established, they were balancing the context between the reality of what is there now and the actual historic context.

Motion:

Commissioner Kaalberg moved to approve the project with the conditions that

- **Staff approve the windows and doors, shingle color, metal roof color, and materials for the porch floor and steps;**
- **The window on the front façade’s second story projecting bay be no taller than the windows below it;**
- **A window opening of at least four square feet (4 sq. ft.) be added on the right elevation in the area of the kitchen; and,**
- **The HVAC units be located on the rear façade, or on a side façade beyond the midpoint of the house.**

Commissioner Fletcher seconded and the motion passed unanimously.

k. 1107 LILLIAN STREET

Application: New construction - infill; Setback determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1965099

Sean Alexander, staff member, presented the case for new construction. The application is for demolition of a primary building and infill construction in its place.

1107 Lillian Street is currently the site of a non-contributing house constructed in 1957. Demolition of the structure is appropriate under the design guidelines for the Lockeland Springs overlay.

The subsequent infill will be a one and one-half story house, with a side-gabled form with clipped gable ends. The basic form is very common throughout the historic district and although the partially recessed porch and a three-part dormer are less common, there are historic examples of both elements.

The height and width of the new house is in keeping with the proportions of nearby historic house. This scale (example shown) is compatible with surrounding houses but the house would not meet the standard 20' rear setback for a primary building. The depth of the building is compatible with surrounding houses.

The setback issue comes from the lot being about 40' shorter than other lots are from front to back. Staff finds the proposed 10' rear setback is appropriate given the size of the lot.

The materials are typical for infill: cement-fiber siding, asphalt shingle roof, split-faced block foundation. Staff will need to approve window and door material, and roof and masonry colors.

Staff recommends approval of the application to demolish the existing house at 1107 Lillian Street and to construct a new one and one-half story house, with the following conditions:

- Staff approve the color of the roof and the material of the windows and doors,
- The location of HVAC are approved by Staff.

With those conditions met, Staff finds that the application meets the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Commissioner Bell noted the unusual front dormer and asked if it was typical, to which Mr. Alexander replied that it wasn't typical but was not unheard of. Mr. Alexander and Ms. Zeigler explained the reasoning behind the design of the front dormer and provided other examples of similar dormer configurations.

Jason Feller, owner of the property, stated that he was available if they had any questions.

Michael Kreyling, president of ReDiscover East, stated that the house is too big for a small lot and the oversize dormer, the width, the short rear setback, and the front-yard parking area is evident of suburban design being pushed onto a small lot. He explained that the owner knew the size and setback constraints when he purchased the lot and so was aware of the constraints with developing the lot. Lot size is not a reason for allowing the house to wider and the house on 11th cannot be used as a precedent for multiple reasons. He expressed concern with the precedent approval would set. He provided full comments in hard copy.

Alan Hayes also serves on the board of ReDiscover East, and stated he would hate to see approval of something that was approved 2 or 3 years ago and one other oddity in the neighborhood. He is concerned about parking on the street, the precedent that would set and the difficulty it would create if sidewalks were added in the future.

Brett Withers takes exception to allow the building to be wider, knowing that the house has parking issues and because of the context. Keeping the house within the context would allow for a side driveway.

Commissioner Kaalberg stated that the house is too wide and the dormer combination is incredibly unusual. The 10' rear setback is a precedent that we do not want to set. There are too many problems to approve with conditions. Chairperson Tibbs stated that the small house is a part of the neighborhood character and there is too much to alter. Commissioner Cantrell emphasized that the house was too big for the lot.

Motion:

Commissioner Kaalberg moved to approve demolition of the non-contributing house based on the facts and findings of the staff recommendation. Commissioner Fletcher seconded and the motion passed unanimously.

Commissioner Kaalberg moved to disapprove the new construction based on its not meeting sections II.b.2, 3 and 5. Commissioner Bell seconded and the motion passed unanimously.

1. 1820 5TH AVENUE NORTH

Application: New construction - infill

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1965108

Sean Alexander, staff member, presented the case for new construction at 1820 5th Avenue North.

The building will have a one and one-half-story, side-gabled form. The height and width of the building will be in keeping with the proportions of surrounding historic buildings, however, the height of the porch roof/eave in relation to the primary roof gives the appearance of the second story having greater massing than the first. Staff finds that with the front porch components lifted and/or the primary roof pitch lowered, the scale of the infill will be compatible with surrounding historic context.

The materials of the new building will again be standard for new construction in a conservation overlay: asphalt shingle roof, cement-fiber siding, split-faced concrete block foundation.

The front of the building will align with the fronts of an adjacent historic building, and the side setbacks and spacing between buildings will maintain the rhythm established by existing historic houses.

The site plan shows a garage which is not currently under review. Alexander said his understanding was that it will be one story, and that Staff should be able to approve it administratively at a later date.

Staff recommends approval of the duplex infill with the following conditions:

- The roof and eaves of the front porch be raised to make the perceived height of the first story taller, in relation to the upperstory;
- The thickness of the porch floor and porch rack be increased to a size more compatible with nearby historic houses;
- That a water-table is added at the floor level;
- Staff review and approve the roof color and the materials for the trim, as well as the porch columns, porch floor, and foundation;
- Staff review and approve all window and door selections prior to purchase and installation; and,
- The HVAC unit be placed at the rear, or on a side façade beyond the midpoint of the house.

With these conditions, staff finds that the project meets Section III of the *Salemtown Neighborhood Conservation Zoning Overlay: Handbook & Design Guidelines*.

Robin York, applicant, stated that he was in agreement with the staff recommendations.

There were no requests from the public to speak.

Commissioner Bell and Fletcher expressed their concerns with dealing with review of infill design in Salemtown because of the number of non-contributing buildings.

Motion:

Commissioner Fletcher moved to approve with the conditions that:

- **The roof and eaves of the front porch be raised to make the perceived height of the first story taller, in relation to the upper-story;**
- **The thickness of the porch floor and porch rack be increased to a size more compatible with nearby historic houses;**
- **A water table is added at the floor level'**
- **Staff review and approve the roof color and materials for the trim, as well as the porch columns, porch floor, and foundation;**
- **Staff review and approve all window and door selections prior to purchase and installation; and,**
- **HVAC unit be placed at the rear or on a side façade beyond the midpoint of the house.**

Commissioner Kaalberg seconded and the motion passed unanimously.

m. 814 PETWAY AVENUE

Application: New construction – infill

Council District: 05

Overlay: Greenwood Neighborhood Conservation Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1965083

Staff member, Paul Hoffman, presented the case for 814 Petway Avenue, an application for infill construction of a one and one-half story house to be built on the first-floor framing of the current structure. Staff has approved partial demolition of this noncontributing house.

The proposed building is one and one-half stories and will be 26 feet tall from grade. The applicant proposes to widen the front section 3 feet 8 inches to a total width of 35 feet 8 inches. The height and scale of the new house are appropriate for the context.

With Staff review of materials, windows, doors, and the shutter drawn on this elevation, the project meets guidelines for materials. The proposed infill also meets design guidelines for roof form, proportion and rhythm of openings, and appurtenances. The new building meets the design guidelines for setback and rhythm of spacing.

A walkway and driveway are proposed. On the current plan, the driveway would essentially be turned into a front-yard parking pad as it would stop at the house.

Staff recommendation is that the existing driveway be removed, and a new parking area is located behind the house. In conclusion, staff recommends approval of the infill construction at 814 Petway Avenue with the conditions:

- Staff review and approve windows, doors, shutters, porch materials, color of roofing material, and location of utilities;
- The existing driveway be removed and replaced with a new parking area at the rear of the site, and approved by Staff.

The applicant, Cyn Rohkar, agreed with all the conditions, with the exception of the rear driveway because of the grade of the lot, the existing retaining wall and because staff's request will take up too much of the rear yard. The precedent on the street is all the same, according to Ms. Rohkar.

Several commissioners asked for clarification of the driveway and its ability to run past the front wall of the house.

Motion:

Commissioner Kaalberg moved to approve the project with the conditions:

- **staff provides final review of windows, doors, shutters, porch materials, color of roofing material and location of utilities; and**

- **the rear parking area not be required, existing driveway can be retained and the applicant will try to push the driveway further back.**

Cantrell seconded and the motion passed unanimously.

n. 417 PARK CIRCLE

Application: New construction - infill

Council District: 24

Overlay: Richland-West End Addition Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1960880

Staff member, Sean Alexander presented the case for new construction at 417 Park Circle.

The applicant is proposing to construct a new two-family dwelling on a vacant lot. The building will have the form, more or less, of a cross-gabled bungalow. The building will be one and one half story tall, although the grade drops to the rear allowing for an additional story in the basement level. Staff found the proposed height to be compatible with surrounding historic houses in the area.

The building will be thirty-eight feet wide, but the front third of the building will be only 32 feet wide.

The narrower front section will have a gable roof nested under the primary roof, and a shed-roofed projecting porch. As submitted, the porch is not properly finished in its detailing (such as not having a roof overhang and porch rack)

The materials of the new building will again be standard for new construction in a conservation overlay: asphalt shingle roof, cement-fiber siding, split-faced concrete block foundation. Staff will need to review the materials of windows, doors, porch floor and stairs, as well as the color of masonry and roofing.

Staff recommends approval of the proposed new construction with the following conditions:

- Staff shall approve the color of the roof;
- The porch roof shall be revised to be more compatible with surrounding houses, as approved by Staff;
- Staff shall approve the material of the porch floor, and of the windows and doors;
- Staff shall approve the location of the external HVAC unit; and,
- The plans and elevations shall be updated with all materials and dimensions labeled.

Meeting those conditions, staff finds that the application will meet the design guidelines for the Richland-West End Neighborhood Conservation Zoning Overlay.

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

Motion:

Commissioner Cantrell moved to approve the project with the conditions:

- **Staff shall approve the color of the roofs;**
- **Porch roof shall be revised to be more compatible with surrounding houses, as approved by staff;**
- **Staff shall approve the material of the porch floor, and of the windows and doors,**
- **Staff shall approve the location of the external HVA unit; and**
- **The plans and elevations shall be updated with all materials and dimensions labeled.**

Commissioner Bell seconded and the motion passed unanimously.

o. Duplex Policy

Staff presented a potential duplex policy, explaining that the discussion would begin with the neighborhoods that might be affected and a draft policy presented to the Commission at a later date.

Commissioner Kaalberg agreed that in the case of development of the rear of corner lots, the houses would need to remain small; however, he disagreed that the rear setback should be less because historically those smaller homes were built on lots that were two lots deep, not on 50' deep lots. The result is too much house on a small area. A minimum depth of the lot and maximum width of the house needs to be explored.

Chairperson Tibbs stated that the more qualifications that could be given the better, so that the commission doesn't experience a creep towards development that was not intended.

The meeting adjourned at 4:48 p.m.

RATIFIED BY COMMISSION ON 4/16/2014