



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) SUMMARY MEETING MINUTES

April 16, 2014

Commissioners Present: Brian Tibbs, Chair; Ann Nielson, Vice-chair, Menié Bell, Rose Cantrell, Samuel Champion, Hunter Gee, Aaron Kaalberg

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

Applicants: David Plummer and Shawn Henry, Elizabeth Parrott and Jim Thompson, Blaine Bonadies, Denise Fest, Randy Michaels, Justin Lowe, Jason Feller, Rebecca Ratz

Public: Todd Cantrell, Shannon Carney and Aimee Davis, Jim Thompson

Chairman Tibbs called the meeting to order at 2:09 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

There were no council members present.

II. MINUTES:

Motion:

Commissioner Bell moved to approve the minutes for February 19 and March 19, 2014. Commissioner Gee seconded and the motion passed unanimously.

III. DESIGNATION RECOMMENDATION AND DESIGN GUIDELINE ADOPTION

- a. Application: Expansion of Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Council District: 06
Project Lead: ROBIN ZEIGLER

Robin Zeigler, historic zoning administrator, explained that this application is the first of two expansions for LSEE. The second will likely be on the June agenda.

The area, with a few modern intrusions, includes buildings constructed at the turn-of-the-century and helps to tell the story of the Lockeland Springs-East End neighborhood. The majority of the homes were constructed between the 1890s and the 1940s, as were many of the historic homes in the current boundaries.

The properties meet Standard 3 of the ordinance, embodying the distinctive characteristics of their individual types and the overall period of the neighborhood, and meet Standard 5 as being eligible for listing in the National Register of Historic Places. Finding that a large majority of the buildings meet the standards of the ordinance, Staff suggests the Commission recommend to City Council that the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay be expanded.

Staff recommended the Commission adopt the current design guidelines and also to apply the existing design guidelines to the additional properties.

Commissioner Mosley noted for the record that the Commission received two emails in support of the overlay.

There were no comments in opposition. Several members briefly spoke in support of the overlay: Todd Cantrell (1806 Ordway), Shannon Carney (1802 Lakehurst Drive) and Aimee Davis (601 N 16th Street).

Motions:

Commissioner Mosley moved to recommend the expansion of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay to Metro Council. Commissioner Gee seconded and the motion passed unanimously.

Commissioner Mosley moved to adopt the existing design guidelines for the expanded area. Commissioner Nielson seconded and the motion passed unanimously.

*Commissioners *Cantrell and Champion arrived at approximately 2:15 pm.*

IV: CONSENT AGENDA

b. 1910 LINDEN AVE

Application: New construction-addition and outbuilding; Setback determination
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1969435

c. 1717 WOODLAND ST

Application: New construction--addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969723

d. 1810 ASHWOOD AVE

Application: Partial demolition; New construction--addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969445

e. 2001 RUSSELL ST

Application: Demolition--accessory structure; New construction--detached accessory dwelling unit
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969450

f. 3747 WHITLAND AVE

Application: New construction--addition
Council District: 24
Overlay: Whitland Avenue Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969460

g. 930 B RUSSELL ST

Application: New construction--outbuilding
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969468

h. 1123 DOUGLAS AVE

Application: New construction - addition; Setback determination
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1970512

i. 126 2ND AVE N

Application: Signage and Alteration
Council District: 19
Overlay: Second Avenue Historic Preservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1970507

Staff member, Melissa Baldock, presented the items on the consent agenda. There were not requests from the public to speak and there were no requests for a case to be removed from the consent agenda for discussion.

Motion:

Commissioner Nielson moved to approve all consent items with their applicable conditions. Commissioner Bell seconded and the motion passed unanimously.

**Aaron Kaalberg arrived at 2:18 pm*

V. NEW BUSINESS

a. 1314 LILLIAN ST

Application: New construction - infill
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1969514

Based on emailed comments and the assumption that there would be numerous requests from members of the public to speak to it, 1314 Lillian Street was moved to the top of the agenda.

Staff member Paul Hoffman presented the case for infill construction at 1314 Lillian Street. The Commission approved new construction on this site in October of 2013. The survey for that project did not identify a sewer line running across the lot until they began field staking. A ten foot easement is required on either side of this water line. This application is for construction of a smaller single-family residence based on the constraints of the lot.

The new house will be one and a half stories. Its height and width are consistent with recent construction approved by the Commission. Its width is two feet more than the widest of those projects, but with the limitation on this site, Staff found it to be reasonable and remain consistent with the context. The height and scale meet section II.B.1 and 2 of the design guidelines.

The project meets design guidelines for materials, roof form, and proportion and rhythm of openings. Staff requests approval of final window and door selections.

The house will be centered on the lot, and a setback determination is requested from five feet on the sides to three and a half. The front setback will be seven and a half feet. This is similar to the front setback of noncontributing homes next door and nearby, but less than other recently built homes the Commission has approved, which have setbacks of twelve to twenty feet. The historic landscape nearby is not strong. Most of the context here is considered non-contributing.

Staff recommends approval of the application for infill at 1314 Lillian Street with the conditions that Staff approve the selection of windows and doors, roofing color, and that porch columns have capitals and bases. With these conditions, the proposal meets the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

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

Motion:

Commissioner Nielson moved for approval with the conditions that Staff provide final approval of roofing color, design of windows and doors, and that the front porch posts have capitals and bases. Commissioner Cantrell seconded and the motion passed unanimously.

b. 112 2ND AVE N

Application: New construction-addition

Council District: 19

Overlay: Second Avenue Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1969694

Historic zoning administrator, Robin Zeigler, introduced the project for a rooftop addition. For expediency, Staff did not cite all details, but only pointed out the reason for the recommendation for disapproval. The project does not meet the design guidelines in terms of the front setback which should be 30' and is just under 13'; and it does not meet the height limitation of one-story or 15', as a portion of it is two-stories and 28' tall.

The purpose of the setback and height limitations is to keep additions minimal so they will not overwhelm the historic building and also will not jeopardize the National Register listing of the district or the individual building. Zeigler added that she had called the state historic preservation office, who confirmed that such a large addition could affect National Register status.

Staff recommended disapproval based on the fact that the project does not meet the massing, height and setback requirements of the design guidelines, specifically section H for additions, and could jeopardize the property's National Register listing.

David Plummer, architect for the project presented the commission with a handout of information and explained the reason for the request. Mr. Plummer described the project as not visible from the street and that the design was based on an existing elevator shaft and the need for egress from the bedroom. He pointed out that the 30' setback was not in the design guidelines a year ago and that the project complies with the Secretary of Interior Standards.

Shawn Henry, attorney for the owner, stated that the owner purchased the property in 2009 and has spent money renovating it since then and proposes to add a master bedroom to the roof top like others had done before the overlay. He handed out a section of the design guidelines stating that work is not reviewed if it is not visible, the sections of the Secretary of the Interior's Standards and a technical brief that discusses roof top additions. He requested approval.

Commissioner Gee asked about the handout from Mr. Henry stating that the Commission does not review what cannot be seen. Ms. Zeigler explained that that paragraph follows the section about Neighborhood Conservation Zoning Overlays; however, the preceding page, that Mr. Henry did not provide, provides information about Historic Preservation Zoning Overlays, like Second Avenue. All exterior alterations are reviewed in Historic Preservation Zoning Overlays.

In answer to Commissioner Bell's question about the change in the design guidelines, Ms. Zeigler explained that the entire set of design guidelines was revised when the signage section was updated. The alteration was noticed to all property owners and approved by the Commission.

Commissioner Bell and Chairman Tibbs asked about the reasoning for the setback requirements, which Ms. Zeigler explained was to keep additions "minimal" which is called out twice in the design guidelines. The need for an addition to be minimal was based on preventing so much alteration that the project did not meet the Secretary of Interior's Standards or caused the property or even the district to be de-listed from the National Register of Historic Places.

Commissioner Cantrell stated that the design was well done and appropriate. Commissioner Bell and Kaalberg agreed that the project is well done but that the guidelines are specific in terms of setbacks and heights. Commissioner Kaalberg thought there might be an opportunity to revise the design guidelines but that they couldn't be ignored at this time.

Commissioner Gee pointed out that the design guidelines said "should" rather than "shall" which leaves the commission more discretion. The design of this project fully meets the intent of the design guidelines as it will not be seen and it is sensitive to the district.

Ms. Zeigler explained that Second Avenue has the same requirements for rooftop additions and there are at least three approved in the last few years that are highly visible. The intent of the design guidelines is not to make sure that the addition is invisible but that it is minimal.

In answer to Commissioners Gee and Kaalberg's questions, Ms. Zeigler explained that the importance of the National Register listing was that it was a great honor, it provided rehab tax credits for property owners and it was one of the requirements in the ordinance for listing the district as an overlay. She expressed concern for the entire district if one building was to be removed. Jon Michaels explained National Register is certainly a consideration of the board and the metro code sets up the connection with the National Preservation Act. Precedent is also significant and is a real issue to consider. Certainly every case is unique, however, the Commission must explain why they are voting the way it is.

The Chairperson invited David Plummer back to speak and reiterated prior comments. He invited Mr. Jim Thompson, who is on the state review board, to speak to the issue.

Jim Thompson stated the review board meets three times a year and he is also on the Murfreesboro design review board. They delist properties that have burned or that have been so remodeled as it no longer has its integrity. To him, the contributing features are the two facades but not the roof because it was flat before. He personally would not vote to delist it because it is not visible on Second Avenue.

Shawn Henry expressed concern with delisting as it shouldn't be part of the dialogue and reiterated the reason for the request.

Commissioner Champion stated the proposal does not affect the facades or the view of the building from the street and is a wonderful way to see a building progress rather than being frozen in time.

Commissioner Kaalberg asked what would happen if it is actually visible. He has seen similar drawings before which didn't look like the proposal. Commissioner Gee suggested adding a condition that it not be visible.

Commissioner Mosley asked if the front setback was the only issue or was it not also the proposed height. Ms. Zeigler agreed that the 28' is significantly taller than the 15' that for which the design guidelines allow. Commissioner Mosley asked if the narrowness of the building might be a reason to allow for some flexibility. Ms. Zeigler stated that all roof top additions, up to this point, have followed the requirement, with the exception of one building that wasn't deep enough. In this case, she explained, there is a great deal of depth as the building goes from street to street, rather than just street to alley.

Commissioner Gees suggested that if there were rooftop additions to every building that were similar to this no one would know, because they are not visible, and they wouldn't take away from the character defining features of the district.

Motion:

Commissioner Gee moved to approve the application as submitted as it meets the intents of the design guidelines. Commissioners Cantrell, Gee, Mosley and Champion voted in favor with Commissioners Bell, Kaalberg, and Nielson voting in opposition. The motion passed.

c. 119 3RD AVE S

Application: Signage
Council District: 19
Overlay: Broadway Historic Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969461

Staff member Melissa Baldock presented the case for 119 3rd Avenue North, an application to erect a projecting sign. (On the picture shown, the location of the sign is noted with a blue dotted box). Staff is recommending disapproval of the sign because the building is already significantly over its allotment for signage square footage as set forth in the design guidelines. In addition, the size of proposed new signage does not meet section IV of the design guidelines.

In 2013, MHZC staff issued a permit for the painted wall signs on the 3rd Avenue South façade (shown here). These signs replaced previous painted signs. Staff's approval was based on the prior design guidelines for signage. The new signage guidelines adopted last year set up a calculation for signage square footage allotment. Under the new guidelines, this building is allowed 158 square feet of signage. Currently, the building has 420 square feet of signage; the "Johnny Cash Museum" sign at the top is 362 square feet, and the "Museum Store" sign is 58 square feet. Staff finds that any additional signage on this façade would not be in keeping with the design guidelines because the building is already 262 square feet over its signage allotment. This is not a situation where the signage is just a little over the allotment; the proposed 36 square feet of new signage would mean that the building would have nearly 3 times more square footage than is permitted under the design guidelines.

The thickness of the sign and its projection from the building do not meet the design guidelines. The design guidelines states that an internally illuminated sign like this one should have a maximum thickness of one foot, six inches (1'6"). The bulk of the sign is two feet (2') thick, and the letters add ten inches (10") to the sign's width. Therefore the sign's maximum width is sixteen inches (16") thicker than what is allowed under the design guidelines. In addition, the design guidelines state that signs should project a maximum of six feet (6') from the building. This sign is six feet (6') wide, and is situated one foot (1') from the building, so its maximum projection is seven feet (7'), which does not meet the design guidelines. Because of the sign's thickness and its projection, staff finds that the size of the proposed sign does not meet the design guidelines.

In conclusion, Staff recommends disapproval of the project, finding that the building is already significantly over its allotment for signage square footage as set forth in the design guidelines, and finding that the signage size does not meet section IV of the *Broadway* design guidelines. Staff does note that the proposed sign location, height, materials, and illumination meet the design guidelines, and we offer as a solution that the owner could remove the painted wall signage, and alter the size of the projecting sign, to bring it into compliance with the design guidelines.

Denise Fest, representing the owner, said she had designed the sign in 2011. The owner painted over the existing sign and received a permit for it. He would like to put up a projecting sign so that people can find the museum more easily. The design can be changed as the sign has not yet been created.

Commissioner Kaalberg explained he understood the visibility issue and asked the applicant if they would simply remove the painted sign that isn't very visible. Ms. Fest explained that the current sign was painted over an existing sign so they didn't know if any of it might be lead, which could be difficult and expensive to remove.

There were no requests from the public to speak.

Commissioner Mosley asked about the black box and removal of the painted sign.

Motion:

Commissioner Kaalberg moved to approve the projecting sign with the conditions that existing signage is removed in a manner that meets the design guidelines. Commissioner Cantrell seconded and the motion passed unanimously.

d. 2615 BARTON AVE

Application: New construction - addition and outbuilding; Setback determination
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: SEAN ALEXANDER
Permit ID #: 1970508

Staff member Sean Alexander presented the case for 2615 Barton Avenue, an application for new construction - addition and outbuilding, and setback determination. The existing building is a 1.5 story Tudor Revival style house constructed primarily of brick, with steeply pitched gables with stucco and half-timbering in the upper story. The applicant proposes to enlarge the house with a rear addition and to construct a new outbuilding.

The addition will be wider than the historic house, on both sides. On the left it will sit in from the side of the house with an alcove, and then step out into the side yard.

This component of the addition will be shorter than the house, complimenting the massing of the historic house with corresponding eave and foundation heights and matching the roof pitch. Staff finds the height and scale, as well as the overall character of the addition, to be appropriate.

The addition extends across the rear of the house where there will be a dormer with shed and gable roofs, sitting within the silhouette of the house on the upper story, and on the right side the first story include a port cochere which also extends wider than the house.

The porte cochere would encroach into the standard 5 foot side setback buffer, for which a shorter 3' setback is requested.

The Commission has found that it can be appropriate for an addition to be wider than a house where it maintains the rhythm of the street, but that it's generally not appropriate for additions to be wider on both sides as this addition does. The distances between adjacent historic houses are such that the addition to the left would have less impact on the established rhythm of the street (or the impact is not adverse), but that the porte cochere on the right would disrupt the established rhythm because of the distance between houses on that side. Again, staff finds that the porte cochere on the right does not meet the design guidelines.

The exterior materials are typical and appropriate for contemporary buildings. The windows and doors will be wood, and staff asks to review the specific selections prior to installation.

The plans also show the removal of an original chimney on the front, and that the windows on the right side of the historic house will be replaced with different sized windows. Staff finds that the removal of the chimney and alteration of the original window proportions is not appropriate.

A one and one-half story, two-car garage is also proposed for the rear of the lot. Staff finds the height and scale to be appropriate, but it does not meet the 20' setback that would be required by the current zoning regulations. Because outbuildings were historically located closer to the rear, staff finds that the requested location 10 feet from the alley is appropriate.

Staff recommends approval of the proposed addition and outbuilding with conditions that:

- The original front chimney is retained; and
- The existing window openings are not resized; and
- The porte cochere is eliminated; and
- The selection of windows and doors are approved by Staff prior to purchase/installation.

Meeting those conditions, Staff finds that the proposal will meet the design guidelines of the Hillsboro-West End Neighborhood Conservation Zoning Overlay.

Commissioners requested clarifications from staff on the project and recommendations.

Blaine Bonadies, architect for the project, handed out photographs of porte cocheres. He stated that he felt that he was encouraged by staff to include a porte cochere because of its location towards the rear of the lot and its open mass. The neighbor has no objection because it is opposite his garage. If the addition is not allowed to go out to each side, it will be eating up more of the rear yard and will be problematic because of the drop in grade. There is a change in grade from the sidewalk to the front porch and the side vehicular access will be easier for the owner to get in and out of the house. He agrees with all other conditions, if the commission will allow for the porte cochere.

Randy Michaels, property owner, explained that it rains a lot in Nashville and so the porte cochere makes it easier to get the children and aging parents in and out of the car without exposing them to the weather. They are designing the house to be their “forever home” and they are trying to project into the future what needs they might have.

There were no requests from the public to speak.

Commissioners Kaalberg, Cantrell and Champion stated they were comfortable with the porte cochere and asked staff about the alteration to the front stoop. Vice-chairperson Nielson stated her concern of a precedent about extending both sides.

Ms. Zeigler reminded the Commission of their policy for altering base zoning setback requirements and requested direction from the Commission so that staff can give applicants the best guidance possible. In answer to a question from Commissioner Kaalberg, Ms. Zeigler stated that previous requests for porte-cocheres that encroached into setbacks have not been approved, with one exception that resulted in numerous upset neighbors. Vice-chair Nielson reiterated her concern about not following their established policy and setting precedent.

Commissioner Kaalberg stated that it was appropriate because it is past the mid-point of the house, it is “see-through,” it’s up the hill and so not easily perceived from the street, and the neighbor does not have concerns. For those reasons, the setback reduction is appropriate.

Commissioner Gee requested the public hearing to be reopened so that the applicant could address whether or not there were alternatives to include the porte cochere in a manner that doesn’t encroach into the setback. Mr. Bonadies explained he was trying to integrate into the side porch. The only other options were to reduce the cheek walls and size of columns but then the design would be inappropriate for the scale of the house. They are at a minimum as far as making the project functional.

There were no requests from the public to speak.

Motion:

Commissioner Champion moved to approve with the conditions that:

- **The original front chimney is retained;**
- **The existing window openings are not resized; and,**
- **The selection of windows and doors are approved by Staff prior to purchase/installation.**

Cantrell seconded. All voted in favor with the exception of Vice-chairperson Nielson and Commissioner Mosley who were in opposition. Motion carried.

Chairperson Brian Tibbs left the meeting at approximately 3:43 and Vice-chair Nielson took over the chair’s duties.

e. 245 LAUDERDALE RD

Application: New construction-addition

Council District: 24

Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1965085

Staff member Paul Hoffman presented the case for 245 Lauderdale Road, an application for new construction – addition. The proposed is an application for a rear addition and a front addition, which is to extend the front dormer.

The rear addition will be thirty-five feet (35') deep and will be brick on the first story and hardi board siding on the second. The rear addition will be compatible with this and other surrounding historic buildings, and meets all applicable design guidelines.

The applicant proposes to extend the front dormer of the house approximately two feet (2') to meet the roofline, to correct water intrusion around the dormer.

Staff recommends extending the dormer half-way forward, so that it will continue to read as a recessed dormer. In addition, the window can be shortened. These two alterations will allow for the slope of the dormer floor to be increased, allowing for proper drainage and retention of the scale of the original recessed design.

Staff recommends approval of the additions with the conditions that

- Staff provide final review of windows, doors, garage doors, skylights, and materials for the porch and dormer;
- The dormer be reconstructed in a similar design but extended halfway forward and with the window slightly shortened;
- And that the HVAC be located at the rear of the addition, or beyond the midpoint of the house.

With these conditions, staff finds the project meets the design guidelines.

Elizabeth Parrot, attorney for the applicant, stated that she agreed with all conditions except for the dormer condition as the solution presented by staff is not adequate to fix the problem the design is to address. There are eight water intrusion sites and these sites will still exist with the solution that staff is recommending.

Jim Thompson, contractor for the project, stated that the window has leaked for approximately 14 years, despite numerous attempts to fix the problem and it is negatively affecting the owner's quality of life. Secretary of Interior standards takes a strong stance against changing the windows and the windows are not original. They think the cumulative effect of what staff is asking for is greater than what they are requesting. They asked for approval of the design submitted.

There were no requests from the public to speak.

Commissioners Bell and Mosley asked for clarification of how far the dormer will come forward. Mr. Thompson was invited back to explain their request.

Commissioner Champion asked if the applicant's solution is a real solution to the water problem or is it just a band aid. Commissioner Gee and Mosely stated that just because it's historic doesn't mean it is great design and he doesn't believe that a recessed dormer is repeated much throughout history because of its flaws. At the same time he understands staff's recommendation because it is a character defining element of the building.

Commissioner Bell stated that projects are reviewed specific to that particular house; however, the owner has tried to repair it over many years and water leaking can be difficult to pinpoint. If there is a way to maintain the intent of the building it seems reasonable for the applicant's request to be in line with the project.

Commissioner Kaalberg felt that the recessed design is unique and should be preserved in some way. Commissioner Gee thought that staff solution could reduce the problems but he can understand the homeowner's objections. He asked the applicant to come back and further explain their request.

Commissioners debated the amount of slope and the resulting size of the window. Commissioner Cantrell stated there wasn't any problem because it will still look like it should. The problem is with the historic design.

Commissioner Mosley asked the applicant if there was adequate room for flashing with their proposed design and he stated there was.

Motion:

Commissioner Cantrell moved to approve the project with the conditions that Staff provide final review of windows, doors, garage doors, skylights, and materials for the porch and dormer; and that the HVAC be located at the rear of the addition, or beyond the midpoint of the house. Commissioner Bell seconded and the motion passed unanimously.

f. 3616 WESTBROOK AVE

Application: New construction-addition

Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1969355

Staff member Paul Hoffman presented the case for 3616 Westbrook Ave., an application for new construction – addition. The proposal is an application for an addition with attached garage to this (image shown) historic bungalow in the Richland-West End Neighborhood Conservation Overlay. The addition has appropriate insets to distinguish it from the existing house. The foundation will match that of the existing house. The addition does have a maximum ridge height that is three feet (3') taller than the ridge of the house.

As it does not reach this height until more than sixty feet (64'2") from the front wall of the house and because the visibility of the taller portion of the addition will be mitigated with a side gable roof form, Staff finds it meets design guidelines for height and scale. The project also meets guidelines for materials, roof shape, proportion and rhythm of openings and outbuildings.

Proposed partial demolition meets guidelines for appropriate demolition. The proposed addition meets design guidelines for setbacks.

Staff recommends approval with the condition of final approval of a brick sample, windows, doors and garage doors prior to their purchase and installation, and approval of HVAC location. With these conditions, Staff finds that the project meets the design guidelines of the Richland-West End Neighborhood Conservation Overlay.

The applicant was not present and there were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve with the condition of final approval of a brick sample, windows, doors and garage doors prior to their purchase and installation, and approval of HVAC location. Commissioner Cantrell seconded and the motion passed unanimously.

g. 1318-1326 6TH AVE N

Application: New construction-infill

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: ROBIN ZEIGLER

Permit ID #: 1969698

Commissioner Gee left the meeting at 4:15 p.m.

Robin Zeigler, historic zoning administrator, explained that the project included multiple components including renovations and new construction.

The two historic buildings on the property will be restored to an earlier condition. More recent additions will be removed and replaced with new additions. All the actions meet the design guidelines

It (the design) includes a mixed use structure with 3,000 square feet of retail on the ground floor and three one-bedroom 900-square-foot flats on the second floor that will be located between the two historic buildings.

Guidelines 2.2.3 state that porches should also maintain existing setbacks. Staff recommends that the depth of the balconies be shortened so that they do not protrude beyond the porch on the left historic building, or that the entire wall or building be pushed backed resulting in the same. It meets all other design guidelines.

Also proposed is a central courtyard, with a new eight-unit single-family townhouse on the alley, that also meets the design guidelines.

The building is a total of four-stories, which includes a basement level only visible from the rear of the development and a setback partial-upper level. In this case, the development takes advantage of a drop in grade to add a basement level that will only be visible from the rear of the development. The upper-most level is a partial level, sitting-back from the front and rear walls to minimize its massing. This building backs up to a lot that does not have a contributing building. To one side is the greater massing of Werthan Bag and on the opposite side is a parking lot. The massing is further broken with multiple vertical elevations. With all these conditions staff found the massing to be appropriate.

And finally, the project includes redesign of an existing surface parking area.

Staff recommended approval with the conditions that:

- Final materials be approved by staff;
- All windows and doors are recessed a minimum of two inches (2") from brick walls;
- The front balconies of building N1 do not extend beyond the porch of E1;
- Staff provide final review of mortar types, color and texture for the repointing;
- Staff provide final review of exterior lighting; and,
- Applicant submits a new permit application for any signage.

With these conditions, Staff finds the project to meet the applicable design guidelines for the Germantown Historic Preservation Zoning Overlay.

Justin Lowe, architect for the project, stated that he agreed with all the conditions. In answer to a question from Commissioner Bell, Mr. Lowe explained that the sidewalk along 6th Ave. N. will have brick pavers and there is an existing curb cut that will be expanded to take advantage of ADA access.

Motion:

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

- **Final materials be approved by staff;**
- **All windows and doors are recessed a minimum of two inches (2") from brick walls;**
- **The front balconies of building N1 do not extend beyond the porch of E1;**
- **Staff provide final review of mortar types, color and texture for the repointing;**
- **Staff provide final review of exterior lighting; and,**
- **Applicant submit a new permit application for any signage.**

Commissioner Mosley seconded and the motion passed unanimously.

h. 1807 4TH AVE N

Application: New construction - infill

Council District: 19

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1970504

Staff member Sean Alexander, began the presentation with an explanation that a non-contributing institutional building was recently approved for demolition. The infill application is a proposal to build a two-family dwelling.

The new building will be 32' tall and 32' wide at the front and rear sections, and will be 2' wider in the middle. The width and height are compatible with nearby historic houses and the height and form is very similar to an historic 2-story house nearby. This wider section in the middle will be present on both stories, and will provide articulation in an otherwise continuous wall, which will help to break up the perceived massing.

The exterior materials are typical and appropriate for contemporary buildings. The windows and doors will be wood, but staff would ask to review the specific selections prior to installation.

Staff recommends approval of the new building at 1807 4th Avenue North with the condition that specific window and door selections are approved by staff, finding that the proposal meets the guidelines for the Salemtown Neighborhood Conservation Zoning Overlay.

Jason Feller, applicant for the project, stated that there is little historic context but one house he liked was the one 2-story house in the district at 4th and Coffee, which was the inspiration for his design.

Commissioner Mosley asked if a screen wall on the porch was planned. Mr. Feller said they had a wall but that staff had requested that it be removed. Mosley agreed that it was more in keeping with the design not to have it.

Motion:

Commissioner Kaalberg moved to approve the project with the condition that specific window and door selections are approved by staff. Commissioner Cantrell moved to second and the motion passed unanimously.

a. 1107 LILLIAN ST

Application: New construction - infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1970733

1107 Lillian was moved up on the agenda as there was concern about losing quorum and there were members of the public wishing to speak to it.

Staff member Sean Alexander presented the case for 1107 Lillian St., an application for new construction – infill. A proposal for infill was disapproved at the March 2014 meeting, but the non-contributing structure was approved for demolition.

The new building will be a 1.5 story single-family dwelling. The form of the house will be primarily side gabled, with a lower front projecting gable and a recessed partial-width porch.

The height and width of the house will be compatible with surrounding houses.

The exterior materials are typical and appropriate for contemporary buildings. The windows and doors will be wood, but staff would ask to review the specific selections prior to installation.

The context is mostly non-contributing. Some of the houses have side-yard driveways, but there are no sidewalks and some people park their cars on the edge of the grass.

In this proposal there would be a paved parking area for cars at the front edge of the lot, parallel to the street. A side-yard driveway might not be practical due to the unusual dimensions of the lot, but the front-yard parking is not typical in the surrounding historic context. Staff does not find the proposed front parking to be compatible.

Staff recommends approval of the new house at 1107 Lillian Street with the conditions that:

- Specific window and door selections are approved by staff, and
- There is not a front-yard parking area.

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

Commissioner Kaalberg stated that the front yard parking areas should no longer be approved as the ones approved in the past are not working well. In answer to a question from Vice-chairman Nielson, staff stated that they had no solutions since the lot doesn't have a rear alley and the lot is not wide enough to accommodate a side drive as well as the house proposed.

The commission discussed the possibility of a side driveway but that would require a setback reduction that had not been noticed, repositioning the house on the lot, and a redesign of the home to be narrower than proposed.

Jason Feller, explained that he did not mind if the parking area was removed or with exploring other solutions.

Motion:

Commissioner Kaalberg moved to approve with the recommendations that specific window and door selections are approved by staff, and there is not a front-yard parking area. Commissioner Mosley seconded and the motion passed unanimously.

v. HWY 100 (1221 FORREST PARK DRIVE)

Application: New construction-infill
Council District: 24
Overlay: Warner Parks Historic Landmark
Project Lead: ROBIN ZEIGLER
Permit ID #: 1971029

The project was moved up on the agenda at the request of the applicant.

Historic zoning administrator, Robin Zeigler, introduced the project for a new golf club housed at Warner Park, in an area that is listed in the National Register of Historic Places as a non-contributing area. The club house will be located on the opposite side of the golf course from the historic areas of the park.

The construction will not require the demolition of any historic features nor significantly impact the view shed from any historic locations.

Staff recommends approval of the new Percy Warner Golf Clubhouse as the project meets all guidelines for new construction at a Landmark site.

The applicant, Rebecca Ratz, stated that they felt the project worked well and requested approval. There were no requests from the public to speak.

Motion:

Commissioner Bell moved to approve the project. Commissioner Cantrell seconded and the motion passed unanimously.

b. 3501 BYRON AVE

Application: New construction - infill
Council District: 18
Overlay: Elmington Place Neighborhood Conservation Zoning Overlay
Project Lead: PAUL HOFFMAN
Permit ID #: 1969410

Paul Hoffman, staff, presented the case for 3501 Byron Avenue, Lot 8, which is an application for infill construction on a vacant lot in the Byron Close development of eleven units. This is the site of the demolished former Ransom School next to I-440 at West End. The new building will be centered on the lot with side setbacks of five feet. The project meets design guidelines for setback and rhythm of spacing. Vehicle access to the attached garage will be from the private drive at the rear of the lot. A sidewalk will be built from the house's front porch to Ransom Avenue.

The size and height of the structure are acceptable for the context and meet the design guidelines for height and scale. Staff also finds the proposed infill to meet the design guidelines for materials, roof form, orientation, and appurtenances. Staff finds that the proposed proportion and rhythm of openings meet the design guidelines.

A recent infill at lot 3 across Ransom Avenue is the only existing context as far as the development itself. In conclusion, finding the project meets the design guidelines for infill in the Elmington Neighborhood Conservation Zoning Overlay, staff recommends approval of infill construction at 3501 Byron Avenue, Lot 8, with the conditions that Staff provide final review of windows, doors, and the color of roofing, brick and stone.

The applicant was not present and there were no requests from the public to speak.

Motion:

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

c. 2004 LINDEN AVE

Application: Demolition—principle building and outbuilding; New construction – infill and outbuilding.
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: MELISSA BALDOCK
Permit ID #: 1969446

2004 Linden was removed from the agenda at the owner's request.

RATIFIED BY COMMISSION ON 5/21/2014