



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

## METRO HISTORIC ZONING COMMISSION SUMMARY MEETING MINUTES

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
Telephone: (615) 862-7970  
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September 17, 2014

**Commissioners Present:** Chair Brian Tibbs, Menié Bell, Rose Cantrell, Richard Fletcher, Aaron Kaalberg, Ben Mosley  
**Zoning Staff:** Sean Alexander, Melissa Baldock, Paul Hoffman, Robin Zeigler (Historic Zoning Administrator), Susan T. Jones (City Attorney), Michelle Ness (intern)  
**Applicants:** John Root, Tom White, Stuart Proffitt and Mona Hodge, Ken Cunningham, David Baird, Angie Lawless and Brandon Miller, Robert Thompson  
**Public:** Brett Withers, Bob Borzak, Matthew Stitzlein

Chairperson Tibbs called the meeting to order at 2:06 p.m. and read aloud the process 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 Kaalberg moved to approve the August 20, 2014 minutes without changes. Commissioner Fletcher seconded and the motion passed unanimously.**

### III. CONSENT AGENDA

#### a. 1305 GALLATIN AVE

Application: Partial demolition; New construction--addition; Setback determination  
Council District: 06  
Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 1997476

#### b. 1516 B FERGUSON AVE

Application: Partial demolition; New construction--addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: MELISSA BALDOCK  
Permit ID #: 1997460

#### c. 216 FAIRFAX AVE

Application: New construction – addition and outbuilding

Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 1997807

**d. 1508 ORDWAY PL**

Application: New construction-outbuilding  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: PAUL HOFFMAN  
Permit ID #: 1998101

**e. 810 SETLIFF PL**

Application: New construction-addition  
Council District: 06  
Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: PAUL HOFFMAN  
Permit ID #: 1998106

**f. 1409 SUMNER AVE**

Application: New construction-Detached accessory dwelling unit (DADU)  
Council District: 06  
Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: PAUL HOFFMAN  
Permit ID #: 1998110

**g. 1316 4<sup>TH</sup> AVE N**

Application: New construction - addition  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 1997822

**h. 3734 CENTRAL AVE**

Application: New construction – addition; Setback determination  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 1997813

**Motion:**

**Commissioner Fletcher moved to approve all consent items and their corresponding conditions with the exception of 216 Fairfax Avenue. Commissioner Mosley seconded and the motion passed unanimously.**

**I. NEW BUSINESS**

**c. 216 FAIRFAX AVE**

Application: New construction – addition and outbuilding  
Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: SEAN ALEXANDER  
Permit ID #: 1997807

Staff explained that this case was removed from the Consent Agenda at the owner's request, as he did not agree with staff's condition. Staff member, Sean Alexander presented the case for an addition and outbuilding at 216 Fairfax Avenue.

The addition will be one story, sits in from the sides of the house, and will be compatible in materials, windows; staff finds that it meets the guidelines.

The new outbuilding will be at the rear of the lot. The roof of the garage will be higher than the roof of the house. This is not necessarily inappropriate because the grade slopes up to the rear, however, it's not just the actual height but the relative proportions of the garage are actually greater than those of the house: the ridge height above floor level is taller by more than one foot (1'), and the eave height above floor level is taller by more than three feet (3'), compared to the corresponding proportions of the house.

This scale is not subordinate to the house. Additionally, the roof of the building has wall-dormers and vertical bead-board siding which, while they may be appropriate in other configurations, in this one they work together to exaggerate the height. Staff finds that the height and scale of this does not meet guidelines a, b, or h. The other materials match those of the new addition and are appropriate, as are the location and setbacks.

**Recommendation Summary:** Staff recommends approval of the proposed addition, the demolition of the existing outbuilding, and the construction of a new outbuilding with the conditions that:

- The selections for windows and doors are approved by Staff prior to installation; and
- The eave ridge and eave height of the garage is lowered to be subordinate to the house; and
- The dormers are of a more compatible form (roof dormers within the plane of the roof instead of wall dormers, and/or having a more appropriate siding material used instead of bead-board on the outbuilding).

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

Commissioner Mosley noted that there is a 9' ceiling height on the first level. He asked if, in making this building subordinate to the home with a reduction of eave height, there would be a usable second story. He and staff discussed the fact that there are multiple options for reducing the height and it is really up to the applicant to decide which one worked best for him.

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

- **the selection for windows and doors be approved by Staff prior to installation,**
- **the eave ridge and eave height of the garage be lowered to be subordinate to the house;**
- **and the dormers be more a more compatible form.**

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

**j. 2002 EASTLAND AVE**

Application: New construction - infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1997839

Staff member Sean Alexander presented the case for infill construction at 2002 Eastland. He explained that the case was heard last month and disapproved but the applicant has now made a change and is presenting a new application.

Mr. Alexander explained that the applicant has lowered the roof pitch, bringing the total height of the buildings down by one foot (1'), and setting the buildings at a three foot (3') outside setback. No other changes have been made.

In reviewing the revised submittal, Staff concluded that it did not sufficiently address the issues of scale and the relationship of height-to-width that the Commission discussed. Finding the application not to be compatible with the historic character of the surrounding area, Staff recommends disapproval.

*Mr. Root provided two-color 3-D renderings of the proposed design.*

John Root, architect for the project, explained the process for the design solution. The original two lots of this parcel were realized when the existing non-historic house was demolished. The 5' side setbacks are needed so that they can have windows on the side of the house and not be required to meet the fire rating. It is not only the height and scale of the homes that meet the context, but also the space between the homes. Since this lot was abnormally wide, they felt that two homes kept the rhythm of the street better than one large building. Although they brought the height down, they didn't change the widths of the buildings as requested last month, in order to keep the existing rhythm. Any more than 10/12 pitch will adversely affect the proportions of the house. They also removed the transom and brought the porch down so that the perception of height is lessened. The gap between the houses is crucially important to keep the rhythm of the street and be respectful of the neighboring buildings. There is no opposition from the neighbors.

Brett Withers, representing the Eastwood neighborhood association, explained that he has met with the applicant and has some constructive criticisms. The neighborhood's objection is the proportion, which contrasts significantly because the buildings are narrower than anything in the neighborhood and max out the allowable height as well. The original structure was demolished in the 1998 tornado and it was a single-story building that didn't have the proportional rhythm of the street that the applicant is suggesting now. The reaction of the neighborhood is that the minimal dropping of the height is insulting to the neighborhood and to the Commission. Mr. Withers passed around an image on his phone of a house across the street. (The photo was emailed to staff prior and so is part of the record.)

Bob Borzak spoke against the project, explaining that the two homes are too massive for the context and not compatible with the neighborhood. He expressed the desire for one home that is a duplex rather than two different homes. 322 S 16th and Woodland Street, on today's agenda, are good examples of what can be done with a 1.5 story house, according to Mr. Borzak.

Mr. Alexander noted that written comment was received and emailed to the Commission.

Mr. Root returned for a rebuttal to public comment. The discussion about a large 4-square house is not relevant to the discussion today. They have two lots and one large building did not meet the rhythm of the street and the shared wall design is not desirable to a buyer. This is a mixed-use area that has an overlay and they are trying to fit into the context of the neighborhood.

Commissioner Kaalberg stated that the project has not changed in any meaningful way. Commissioner Mosley explained that if the two buildings were put together there would be another discussion about it being too massive. By right, the applicant has two lots and this is a unique area with multi-family units, single-family and commercial buildings. The applicant has tried as sensitively as they could to fit a mixed-use building on to the two lots. Whether the distance between the homes is identical or not, it is more in keeping with the rhythm of the street in terms of mass to open space.

Commissioner Fletcher expressed his concern with the buildings being too tall but agreed with Commissioner Mosley's comments on the rhythm of the street. Commissioner Kaalberg had the opposite concern that the buildings were too narrow.

Commissioner Mosley explained that the lots are narrower than the context and that is the reality of what the applicant has to deal with. He further explained that pushing the two homes together would not help the project fit into the neighborhood better. Commissioner Kaalberg stated that tinkering with the existing design didn't get them to a point to meet the design guidelines.

Chairman Tibbs reopened the public hearing to allow the applicant to speak to the Commission. Mr. Root stated that if there is a height the Commission can agree to, they will meet that.

Commissioner Fletcher stated that dropping the height to 27'6" would make the project fit in better.

**Motion:**

**Commissioner Kaalberg moved to disapprove based on the fact the size and scale does not meet section II.B.b, it is too narrow with spacing that doesn't meet the context, and the size, scale and height-to-width ratio of the two buildings does not meet the historic context. Commissioner Cantrell seconded. The motion passed with Commissioner Mosley in opposition.**

**i. 1706-1708 4TH AVE N**

Application: Demolition; New construction-infill

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1998154

Historic zoning administrator, Robin Zeigler presented the request for a rehearing of last month's case for infill construction at 1706-1708 4<sup>th</sup> Avenue North. The Commission's Rules of Order and Procedure document states that the commission will not rehear the exact same case again, unless there is some evidence that has become available that was not, and could not, have been available at the time of the meeting.

The applicant submitted their request in writing, as required, which was emailed to you and a copy is provided for you today. Please note that the staff recommendation included in your packet was a review of a revised version of last month's application. Since that time, they have requested the original submission be reheard and the proposal in your packets be withdrawn. The request provides two arguments for a rehearing. One is that the existing buildings have been demolished; however, this is not new information and had no bearing on the Commission's discussion about the new construction last month as the buildings are non-contributing. In addition, the staff recommendation from last month analyzed the then existing buildings, determining them to be non-contributing. As such, the Staff has the authority to permit demolition and did so after the meeting.

The second reason given is that the applicant did not receive notice of the meeting; however, notice is not evidence relating to the case.

The applicant received a copy of the staff recommendation on August 8, with the date of the meeting. Also on August 8<sup>th</sup>, the applicant received an automatic email from the city's permitting program, notifying the applicant that the project was scheduled for the next meeting. Information about the meeting, including a full year's schedule, location, parking, directions, and time are provided in multiple locations on the agenda or on the MHZC's website.

This request for a rehearing shall be acted upon by motion of a member of the Board who voted in the majority as to the disposition of the case. The vote was unanimous. Present were: Chairman Tibbs and Commissioners Kaalberg, Gee, Champion, Fletcher and Mosley.

There need to be at least 4 affirmative votes to grant a rehearing. If the rehearing is granted, the applicant will be able to present a new case next month or they may present their revised case this month, as originally planned at the time the agenda was posted. Again, to clarify, the case that was included on the agenda for this month included a change to the original submission; however, the applicant is now requesting to rehear the original submission as written. If the rehearing is not granted, the applicant can return next month with a revised case.

To recap, the commission needs to decide if demolition of the non-historic building and the type of notice sent is "new information" about this case. Second, if that information could have been presented at the prior meeting. If the board finds that both criteria are met, then the rehearing should be granted and that motion should come from Commissioners Kaalberg, Gee, Champion, Fletcher or Mosley. If both of those two criteria are not met, the rehearing should not be granted.

Commissioner Kaalberg stated that he didn't see that there was any new business. Commissioner Fletcher asked to hear from the attorney, as to their new evidence.

Tom White, attorney for the applicant, addressed the issue of notice. The clients did not receive the notice or the staff recommendation or they would have been present. Staff worked with the applicant for 13 months and staff gave a recommendation for approval. He asked to be reheard at the October meeting.

**Motion:**

**Commissioner Kaalberg moved to disapprove the request for rehearing based on the fact that there was no new evidence provided that was not available or could not have been available at the prior meeting. Commissioner Mosley seconded. Commissioners Cantrell and Bell abstained. There were the required concurring votes with the remaining commissioners including Chairman Tibbs voting in favor of the motion.**

Mr. White requested to rescind the request to withdraw the altered application submitted and for the item to be placed at the end of the agenda so that the applicant had an opportunity to put together his presentation for the new proposal. The Commission agreed.

**j. 1401 3<sup>RD</sup> AVE N, 1403 3<sup>RD</sup> AVE N, 1408 4<sup>TH</sup> AVE N, 1410 4<sup>TH</sup> AVE N, 302 TAYLOR ST**

Application: Demolition--primary structures; New construction--infill; Setback determination

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID#: 1997466

Melissa Baldock presented an application for a multi-unit residential development in the Germantown Historic Overlay. The bulk of the development will be situated along 3<sup>rd</sup> Avenue North, between Taylor and Van Buren streets, which is outside of the Germantown National Register District, and is therefore governed by the section of the design guidelines for areas outside of the historic context. The two lots facing 4<sup>th</sup> Avenue North are inside of the Germantown National Register District, and are therefore governed by the section of the design guidelines for areas within the historic context. The zoning for the development site is governed by a Specific Plan (or SP zoning). The SP permits up to 249 multifamily dwelling units. The project involves demolishing two structures along 3<sup>rd</sup> Avenue North that were constructed c. 1988 and are therefore non-contributing.

Building A is the primary building facing 3<sup>rd</sup> Avenue North, and Building B is the other structure located along a 100' section of 4<sup>th</sup> Avenue North. A setback determination is requested for the rear of Building A, along the alley. The SP zoning requires a three foot (3') setback from the alley. Most of the rear of the structure will be four feet (4') from the alley, but a trash area that is approximately twenty-four feet (24') wide will be approximately two feet, three inches (2'3") from the alley, and an "amenity" space that is approximately twenty-one feet (21') wide will be one foot, four inches (1'4") from the rear property line. In addition, the bridge connecting Buildings A and B over the alley could require a setback determination (it connects at the third floor level). Staff finds that the reduced setback at the alley is appropriate in this instance because the majority of the structure does meet the prescribed setbacks, and the areas of reduced setbacks are located in the middle of the block, away from Taylor and Van Buren Streets, where they will be only minimally visible.

The primary entrance for the development will be at the corner of Taylor Street and 3<sup>rd</sup> Avenue North, which will engage both streets and be oriented toward the historic preservation zoning overlay. Many of the ground floor units along 3<sup>rd</sup> Avenue North, Taylor, and Van Buren Streets will have stoops leading to the street, helping to enliven the street. Building A will range from four to five stories in height. It is designed so that its tallest portion is towards the north end of 3<sup>rd</sup> Avenue North, stepping down to four stories as it approaches Taylor Street and the more residential portion of the neighborhood. At the corner of Van Buren Street and 3<sup>rd</sup> Avenue North, the development is approximately seventy-two feet (72') tall above grade. At the corner of Taylor Street and 3<sup>rd</sup> Avenue North, the structure is about forty-eight feet (48') tall for a depth of about twenty-five feet (25'), at which point the height rises to approximately sixty-four feet (64'). Along Taylor Street, the height is largely sixty feet (60') tall, although towards the alley, the height reduces to about forty-eight feet (48'). The Van Buren

façade is largely approximately sixty-four feet (64') tall, and its massing is broken up with a courtyard about halfway between 3<sup>rd</sup> Avenue North and the alley.

The design guidelines state that great densities and taller heights may be appropriate along Third Avenue North. In addition, the "North Nashville Community Plan" allows for additional height in this area, stating that along 3<sup>rd</sup> Avenue North buildings should be a maximum of 4 to 6 stories and no taller than 75'. Because of the site's location outside of the historic context, on an arterial street and at the edge of the district, Staff found the heights of the 3<sup>rd</sup> Avenue North building to be appropriate.

Building A contains a parking garage to house more than three hundred (300) cars. The garage structure will be located behind the residential portion of the structure. It will not face any streets, and only has an alley-facing façade. It will be at most minimally visible from Taylor and Van Buren Street. The garage will be accessed via a new curb cut along 3<sup>rd</sup> Avenue North, about halfway between Taylor and Van Buren Streets. The curb cut will be approximately twenty-four feet (24') wide. Access to the garage will also be provided from the alley. Although new curb cuts are discouraged, staff finds that the one proposed vehicular access to the garage minimizes interruption to the sidewalk network and the pedestrian environment, and provides cross access between parking areas to minimize street curb cuts.

Building B is located within the Germantown National Register Historic District, and is therefore governed by the guidelines for "new construction within the historic context." This section of 4<sup>th</sup> Avenue North has a mixture of historic and non-contributing small-scale residential structures. Building B is scaled to fit the residential character of 4<sup>th</sup> Avenue North at the front. The front is two stories and is divided into two, thirty-one feet (31') wide sections, separated by a thirteen foot (13') wide recessed entry/courtyard. This u-shaped form is common for historic apartment buildings. The central entry is set back approximately twenty feet (20') from the front portion of the façade.

At the front, the structure will be two-stories and approximately twenty-eight feet (28') tall above the foundation (thirty-three feet [33'] above the sidewalk level). Approximately fifteen feet (15') back from the front wall of the structure, the structure expands to three stories and approximately forty-two feet (42') in height. Building B will be set back approximately ten feet (10') from the front property line, which is about fifteen feet (15') forward of the historic house next door at 1406 4<sup>th</sup> Avenue North, but is only one to two feet (1' -2') forward of the infill houses at 1402 and 1404 4<sup>th</sup> Avenue North.

The front portions of Building B will have two-story front porches and doors leading to those porches facing 4<sup>th</sup> Avenue North, which will emulate the residential orientation of the historic neighborhood. The porches appear to be only five feet deep (5') and staff asks that they be a minimum of six (6').

In conclusion, Staff recommends approval of the project with several conditions:

- Staff approve all final material choices and color, including cladding, windows and doors, and materials for all appurtenances;
- The HVAC and other utilities be located on the roof of the structures, or on the rear façade along the alley;
- Staff approve the design and materials of all appurtenances, including, but not limited to, permanent planters, railings, lighting fixtures, and fences;
- The porches on the front façade of Building B be at least six feet (6') deep;
- Building B's parapet be enlarged to serve as the railing for the terrace behind it (*the applicant would like to provide more information on this point*);
- The foundation height and finished floor height of Building B be compatible with those of the historic structure at 1406 4<sup>th</sup> Avenue North, to be verified by MHZC staff in the field; and
- Staff approve the final dimensions, materials, and design of the bridge connecting the two buildings.

With these conditions, staff finds that the project meets Sections 2.0, 3.0, 5.3, and 7.0 of the *Germantown Historic Preservation Overlay: Handbook and Design Guidelines*.

Commissioner Mosley explained that he met with the applicant and staff and does not believe that the discussion will affect his ability to participate in the discussion and the vote. The design guidelines were conceived with stakeholders that included

businesses and unimproved property owners and this lot is indicative of the expectation of the drafters that these large lots would not revert back to single-family; therefore, the design guidelines are different in terms of what they permit.

Commissioners and staff discussed the lack of immediate historic context.

Stuart Proffitt, applicant for the project, explained their outreach about the project. Robbie Vaughn, president of the historic neighborhood wrote a letter of support for the project and Mr. Proffitt shared a copy of the letter.

Mona Hodge, architect for the project, explained the specifics regarding the conditions asked for by staff and presented two 3-D, color drawings.

There were no requests from the public to speak.

Commissioner Fletcher expressed concern about the size of Building B and the density associated directly next door to a contributing single-family home. Commissioners Kaalberg, Cantrell and Mosley disagreed because of the different context and the lone contributing structure in the block.

**Motion:**

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

- **Staff approve all final material choices and color, including cladding, windows and doors, and materials for all appurtenances;**
- **The HVAC and other utilities be located on the roof of the structures, or on the rear façade along the alley;**
- **Staff approve the design and materials of all appurtenances, including, but not limited to, permanent planters, railings, lighting fixtures and fences;**
- **The porches on the front façade of Building B be at least six feet (6') deep;**
- **Building B's parapet be enlarged to serve as the railing for the terrace behind it;**
- **The foundation height and finished floor height of Building B be compatible with those of the historic structure at 1406 4th Avenue North, to be verified by MHZC staff in the field; and**
- **Staff approve the final dimensions, materials and design of the bridge connecting the two buildings.**

**Commissioner Cantrell seconded and the motion passes unanimously.**

*The Commission took a break at 4:01 p.m. and returned at 4:13 p.m., with the exception of Commissioner Kaalberg who returned at 4:20 p.m., before discussion of the next case began.*

Chairman Tibbs invited Tom White, applicant for the 4th Avenue project to address the Commission. Mr. White stated that the applicant would like to defer the case that they had originally asked to be removed, on today's agenda, until next month.

**k. 2511 NATCHEZ TRACE**

Application: New construction-infill

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID#: 1998350

*This case was removed from the agenda at the applicant's request.*

**l. 322 S 16TH ST**

Application: Demolition—principle buildings; New construction—infill and outbuildings

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1997440

Staff member, Melissa Baldock, presented the case for demolition of a non-contributing building and new construction at 322 South 16th Street. 322 South 16<sup>th</sup> Street is located at the northwest corner of South 16<sup>th</sup> and Boscobel streets. The two structures on the lot are non-contributing. One structure is located at the southern end of the lot, close to the corner of South 16<sup>th</sup> and Boscobel Street. The other structure is located at the back of the lot, near the corner of the alley and South 16<sup>th</sup> Street. In between the two structures is a pool and a drainage easement.

The site is zoned R6 for two-family, although under the current zoning the two new residential units must be attached. The applicant has applied to the Metro Board of Zoning Appeals (BZA) for permission to build two detached residential structures to replace the current structures. Typically, MHZC waits for a determination from BZA before considering an application. However, this site will be considered at the BZA tomorrow, Thursday, September 18<sup>th</sup> and staff of the BZA believes that the request will be approved. Any recommendation for approval from MHZC should be conditional on the BZA's approval of the project.

The proposal before the Commission today is to construct two detached residential infill structures and two detached carports on the site. All four structures meet the base zoning setbacks. In addition, they are situated to avoid a drainage easement running across the property. One structure is oriented to face Boscobel Street, and its front setback will match the front setback of the adjacent property. The other structure will be oriented to face South 16<sup>th</sup> Street and will be situated ten feet (10') from the front property line, meeting the base zoning setback. This type of corner lot configuration, where a house at the front faces the primary street and a separate house at the rear of the lot faces the side street, can be found in the Lockeland Springs neighborhood, although it is not common. In most of those cases, the back portion of the lot was subdivided decades ago. Staff finds the site layout to be appropriate in this instance because the current configuration of the site is similar to what is proposed, and the new structures will be more in keeping with the historic character of the district than what is existing.

The structure that will face S. 16<sup>th</sup> Street is 28' tall and 31'8" wide, which staff finds to be appropriate. The house's materials, window pattern, porch depth, and roof form all meet the design guidelines. The carport will be one-story and two bays wide, and will be accessed via the alley. The structure that will face Boscobel Street will also be 28' tall and will be about 34' wide. It will have a one-bay, one-story carport which will be accessed via a curb cut on Boscobel Street. Because of the sewer easement, the house's depth and roof form is truncated. Although not a common roof form, this configuration allows the house's primary roof form at the front to match typical gabled roofs in Lockeland Springs and enables the house to have a shallower depth.

There is little historic context in this portion of Lockeland Springs. The taller houses seen in these photos (*shown*) were constructed within the last few years, prior to the expansion of the overlay to this area. The older houses are larger non-contributing, one-story structures built post-1950.

In conclusion, Staff recommends approval of the project with the following conditions, *assuming that Board of Zoning Appeals approves two detached principle dwellings on this lot*:

- MHZC staff approve in the field the finished floor heights of the two structures to ensure their compatibility with historic houses nearby;
- Staff approve all final material choices.
- Staff approve the location of the two HVAC units and other utilities.

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

Commissioner Mosley expressed concern over the use of horizontal windows that are not actual transoms, because the proportions don't meet historic proportions. Commissioners agreed that horizontal windows should only be used on the rear of buildings where they cannot be seen from the street.

Susan Jones, legal counsel for the Commission, explained that this is an unusual project because the applicant is coming before you before they have approval from the BZA. Their decision will need to be contingent on approval from the BZA. If the BZA adds conditions, the applicant would also need to return to the MHZC.

Commissioner Mosley pointed out that there is an easement across the lot and there are already two homes on the lot which create some unique conditions.

Mr. Cunningham, applicant for the project, explained that they have purchased the project with the conditions that they can construct two independent homes on the lot.

Bob Borzak, 1503 Woodland Street, complemented the developer and design of the project.

**Motion:**

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

- 1. MHZC staff approve in the field the finished floor heights of the two structures to ensure their compatibility with historic houses nearby;**
- 2. Staff approve the final windows and door specifications and the roof shingle color prior to purchase and installation; and,**
- 3. The horizontal windows be removed or changed in proportion of 3-to-2 width to height or square;**
- 4. Staff approve the location of the two HVAC units and other utilities.**

**Commissioner Bell seconded and the motion passed unanimously, with the understanding that a permit will not be issued unless the ability to have two homes on the lot is approved by the BZA. Motion passed unanimously.**

**m. 1801 WOODLAND ST**

Application: New construction--infill; Setback determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1997444

Ms. Baldock presented the case for replacing a non-contributing house with a new duplex infill. The original proposal for this project required a setback determination. However, the applicant has reduced the width of the structure to 35' to meet the historic context and the base zoning setbacks. With the revisions, a setback determination is no longer needed.

The proposed duplex will be one-and-a-half stories tall and will have a ridge height of 27' above grade. Staff finds that height matches the historic context. All of the known materials have been approved by the Commission in the past. The duplex infill will be oriented so that both units have front entries facing Woodland Street, which is appropriate. The left unit will be situated behind an enclosed stoop, which is 4' deep. While the design guidelines state that porches should be at least 6' deep, it is appropriate for entries behind a stoop to be shallower. The right entry is located behind a partial-width front porch that is approximately 8' deep. Although the entries to the two units have different configurations, staff finds that they are compatible with each other and they are of equal prominence.

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

- The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
- Staff approve all final material choices and colors
- Walkways be added from the street to each of the front entries of the duplex units; and
- Staff approve the locations of the HVAC units.

With these conditions, staff finds that the infill meets Section II.B. of the design guidelines. The applicant has agreed to all of these conditions.

Commissioner Mosley expressed concern over the porch pedestals and asked staff to keep an eye on the construction to be sure that they are constructed correctly.

Commissioner Fletcher and Mosley discussed the possibility of flipping the floor plan so that the porch is on the corner rather than the interior of the lot.

The applicant was not present.

Matthew Stitzlein, 1716 Forrest, a nearby property owner, expressed concern about the size of the building and asked that the rear roofline be a shed roof rather than a gable to soften the appearance along 18<sup>th</sup> Avenue. He stressed that the house is really a two-story house even though it is referred to as a 1.5 story.

Bob Borzak, 1503 Woodland Street, stated that he was in favor of the project.

Brett Withers, 1113 Granada Street, complimented the architect with creating a design that is not symmetrical and with creating a duplex that looks like one building.

Commissioners Mosley and Kaalberg suggested a side gable towards the rear on the side-street facing side, to break-up the highly visible side and make the building look more like a 1.5 story rather than a 2 story home.

**Motion:**

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

- **The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **Staff approve all final material choices and colors;**
- **Walkways be added from the street to each of the front entries of the duplex units;**
- **Staff approve the locations of the HVAC units**
- **The plan be flipped so that the porch is on the corner rather than the interior of the lot; and**
- **The side-street facing side be broken up with something like a front-facing gable or other element**

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

**n. 204 S 11TH ST**

Application: New construction-Infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: PAUL HOFFMAN

Permit ID #: 1998099

Staff member, Paul Hoffman, presented the case for new construction at 204 S 11th Street. The lot has been vacant since the previous building was approved for demolition in December of last year. The new structure will be 36 feet 8 inches wide and 35 feet tall from grade, at the front. It is larger than its immediate neighbors, but the height and scale are compatible with nearby contributing buildings. In particular the four-square houses across South 11<sup>th</sup> Street are of similar heights and widths. The materials for the project have all been approved by the Commission previously. The project meets the design guidelines in terms of materials, roof form, orientation, and proportion and rhythm of openings. The building will be centered on the lot and will meet setback requirements. It also meets design guidelines for appurtenances and utilities.

Staff recommends approval with the following conditions:

1. That the finished floor height shall be consistent with the finished floor heights of the adjacent contributing houses;
2. Staff approve windows and doors;
3. HVAC will be located behind the house or on a side, beyond the midpoint;
4. Staff approve roof color and masonry color, dimensions and texture.

With these conditions, this application meets the design guidelines and Staff recommends approval.

*The Commission received public comment which was provided to them via email prior to the meeting.*

David Baird, architect for the project, explained the thoughts behind the design of the project, which was between the largest and tallest four-squares in the immediate context.

Brett Withers, 1113 Granada, reiterated some points that were in a letter submitted by Michael Kreyling that expressed issues with the height, the scale, and depth and parking area.

David Baird returned for a rebuttal to the public comment. He stated that they spent 10 months looking at the adjacent buildings and the four-square seemed to be the most appropriate form for a commercial building but purposely made it narrower and shorter than the larger versions in the historic context.

Angie Lawless and Brandon Miller are owners of this lot and the building to the right. Ms. Lawless stated that they love the area and they want to stay in the neighborhood but need a bigger space. The neighbors in a three-block radius seem to be in favor of the project and signed a petition for the demolition of the former building.

Commissioner Mosley stated that there are a mix of uses and structures in this area and this project fits into the area and the realm of the base zoning. Commissioner Kaalberg stated that “adjacent” doesn’t just mean next door. The neighborhood is eclectic and this particular area is quite diverse; therefore, more is naturally compatible. It might not work a few blocks away. They could have gone wider and taller, but chose not to.

**Motion:**

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

- **The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- **The HVAC be located behind the house or on either side, beyond the midpoint of the house; and,**
- **Staff approve the roof color and masonry color, dimensions and texture.**

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

**o. 1026 CHICAMAUGA AVE**

Application: Demolition--primary Structure; New Construction--infill

Council District: 05

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

Project Lead: MELISSA BALDOCK

Permit ID #: 1997451

Staff member, Melissa Baldock, presented the case for infill and demolition at 1026 Chicamagua Avenue. The applicant has agreed to all the staff’s conditions, and the drawings here represent the revisions, incorporating the staff’s comments. The new infill will meet all base zoning setbacks. Because it has a partial-width front porch, its front will be pushed back slightly from the houses on either side so that its front wall lines up with the front walls of the houses on either side of it. The new infill will be 1.5 stories with a height of 27’ above grade, which meets the historic context. The primary cladding material will be 5” cement fiberboard. All of the known materials have been approved by the Commission in the past. The applicant has altered the window pattern on the side façades to the staff’s satisfaction, and staff now finds that the proposed proportion and rhythm of openings meet the design guidelines.

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

- The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
- Staff approve the color of the asphalt shingle roof;
- A walkway be added from the sidewalk to the porch steps;
- The HVAC be located behind the house or on either side, beyond the mid-point of the house.

With these conditions, staff finds that the project meets Sections II.B.1. and III.B.2. of the *Greenwood Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

There were no requests from the public to speak to the case.

Commissioner Mosley noted that the rear façade has a horizontal window that was disapproved on a prior project, but was appropriate here because the window would not be visible from the street, due to its location on the rear.

**Motion:**

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

- **The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- **Staff approve the color of the asphalt shingle roof;**
- **A walkway be added from the sidewalk to the porch steps; and,**
- **The HVAC be located behind the house or on either side, beyond the mid-point of the house.**

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

**p. 2517 ASHWOOD AVE**

Application: New construction – infill and outbuilding

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: SEAN ALEXANDER

Permit ID #: 1997818

Staff member, Sean Alexander, presented the case for new construction at 2517 Ashwood Avenue. Mr. Alexander stated that the applicant has met all the conditions with the exception of final approval of materials. It will be thirty-five feet (35') tall with a hipped roof, this is two feet (2') shorter than the historic house to the right. It will be brick with a split-faced block foundation.

Staff recommends approval of the proposal with conditions:

- The front dormer shall sit at least two feet (2') back from the front wall of the house, and
- There shall be a walkway connecting the front porch to the street, and
- Staff shall approve the color and texture of the brick, and
- Staff shall approve the selection of windows and doors are approved.

Meeting those conditions, Staff finds that the proposal meets the applicable design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Applicant stated that he agreed with the staff recommendations and was available for questions.

**Motion:**

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

- **The front dormer sit at least two feet (2') back from the front wall of the house;**
- **There be a walkway connecting the front porch to the street;**
- **Staff shall approve the color and texture of the brick; and,**
- **Staff shall approve the selection of windows and doors are approved.**

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

*Meeting was adjourned at 5:16 p.m.*

RATIFIED BY COMMISSION ON 10/15/2014