

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

**METRO HISTORIC ZONING COMMISSION (MHZC)
MINUTES**

July 20, 2016

Commissioners Present: Chairman Brian Tibbs, Vice-chair Nielson, Menié Bell, Rose Cantrell, Aaron Kaalberg, Ben Mosley, Cyril Stewart

Zoning Staff: Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Robin Zeigler (historic zoning administrator), Macy Forrest Amos (city attorney), Ryan Jarles (intern)

Council Member: None attending

Applicants: Van Pond, Joshua Hughes and Dierks Bentley; Jason Quiram; Lynn Taylor; John Root; Bill Johnson; David Baird; Sandi Adams, Studio S

Public: David Tarpley

Chairman Tibbs called the meeting to order at 2:05 p.m.

Chairman Tibbs read the instructions for the meeting, appeals process, and the consent agenda.

I. RECOGNITION OF COUNCILMEMBERS

There were no councilmembers present.

II. APPROVAL OF MINUTES

a. June 15, 2016

Motion:

Commission Vice-chair Nielson moved to approve the minutes as presented. Commissioner Cantrell seconded and the motion passed unanimously.

III. CONSENT AGENDA

A. 1821 FIFTH AVENUE NORTH

Application: New construction—detached accessory dwelling unit

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

B. 4028 ABERDEEN ROAD

Application: New construction—addition
Council District: 24
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock

C. 1610 CEDAR LANE

Application: New construction—outbuilding; Setback determination
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock

D. 2617 ESSEX PLACE

Application: New construction—addition and outbuilding; Setback determination
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock

E. 1027 MANSFIELD STREET

Application: New construction—addition; Setback determination
Council District: 05
Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock

F. 1504 ORDWAY PLACE

Application: New construction—addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock

G. 2125 BELMONT BOULEVARD

Application: New construction - addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

H. 2213 BELMONT BOULEVARD

Application: New construction - Addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

I. 1403 ELMWOOD AVENUE

Application: New construction – detached accessory dwelling unit
Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

J. 1405 ELMWOOD AVENUE

Application: New construction – detached accessory dwelling unit
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

K. 1210 ORDWAY PLACE

Application: New construction – Detached Accessory Dwelling Unit
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

L. 1702 ASHWOOD AVENUE

Application: New construction – outbuilding; Setback determination
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid

M. 608 RUSSELL STREET

Application: New construction – outbuilding; Setback determination
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: Melissa Sajid

N. 311 WEST END PLACE

Application: New construction – outbuilding; Setback determination
Council District: 24
Overlay: Richland West End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid

O. 122 SOUTH TWELFTH STREET

Application: New construction – addition and outbuilding; Setback determination
Council District: 06
Overlay: Lockeland Springs – East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid

P. 2008 BENJAMIN STREET

Application: New construction – detached accessory dwelling unit
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

Q. 714 RUSSELL STREET

Application: New construction – additions; detached accessory dwelling unit
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: Sean Alexander

R. 1324 STRATFORD AVENUE

Application: New construction – Outbuilding; Setback Determination
Council District: 07
Overlay: Inglewood Place Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

S. 2119 WESTWOOD AVENUE

Application: New construction – addition and outbuilding; Setback determination
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

T. 3725 CENTRAL AVENUE

Application: New construction - addition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

U. 1322 SIXTH AVENUE NORTH

Application: New construction-appurtenances (alter)
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: Sean Alexander

Chairman Tibbs noted that 1610 Cedar and 311 West End Place were moved to new business. There were no other requests to remove items from the consent agenda.

Motion:

Vice-chairman Nielson moved to approve with all applicable guidelines with the exception of 311 West End Place and 1610 Cedar Lane, which will be heard as a part of “MHZC Actions.” Commissioner Stewart seconded finding the projects to meet their applicable design guidelines with the applicable conditions. Motion passed unanimously.

IV. PREVIOUSLY DEFERRED ITEMS

The items below were deferred from a previous MHZC meeting at the request of the applicant.

None

V. MHZC ACTIONS

N. 311 WEST END PLACE

Application: New construction – outbuilding; Setback determination

Council District: 24

Overlay: Richland West End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid

Staff member, Melissa Sajid presented the case for 311 West End Place.

This request is to construct an outbuilding that is not a DADU and includes rear and left side setback determinations. The outbuilding meets the design guidelines for everything except setbacks and eave height.

The outbuilding is located at the rear of the lot with parking from the alley. The proposed footprint is 749 SF. Since the footprint exceeds 700 SF, the base zoning requires a rear setback of twenty feet (20’) and side setback of five feet (5’). The applicant has requested to reduce both the rear and left side setbacks to 3’. Staff recommends approval of the setback determinations, finding that they are appropriate, as outbuildings were historically located close to or even on the rear and side property lines. In addition, this outbuilding is not a DADU, so it does not include an additional dwelling unit. Also, while the garage is accessed from the alley, the garage doors will face the right property line, so they will not open directly to the alley.

The overall height of the outbuilding is twenty-one feet (21’) with an average eave height of fourteen feet, six inches (14’-6”). Since the outbuilding is an accessory structure, it should be subordinate to the house. As proposed, the outbuilding is two stories whereas the house is one and one-half stories. The outbuilding exceeds the average eave height of the house by one foot, three inches (1’-3”). As an accessory structure, the outbuilding should be subordinate to the house not only with regard to footprint and overall height, but also with respect to eave height. Staff recommends that the average eave height of the outbuilding not exceed the average eave height of the historic house.

Van Pond, Architect for the project, requested the additional eave height be approved based on the slope of the lot and handed out some additional images.

There were no requests from the public to speak.

Vice-chair Nielson expressed reservations about making the exception because the outbuildings tend to get bigger than what the design guidelines allow for but there is a drop in grade and so if allowed the reason needed to be clear in motion. Commissioners Kaalberg and Cantrell stated that the slope provides space for the additional height.

Comment [ZR(C1)]: m
Comment [ZR(C2)]: mi`

Ms. Sajid reminded the Commission that concessions from the design guidelines have already been allowed such as a wall dormer, rather than a roof dormer and the principle building is 1-story but the proposal is 2-stories. Ms. Zeigler reminded the Commission that their intent was to be very specific with the guidance of the requirements for outbuildings so that applicants know what to expect in terms of designing their projects and what will be approved.

Commissioner Bell stated that the Commission does not review use but if the building becomes a DADU in the future, are they setting precedent for future DADUs. Commissioner Kaalberg argued that it did not as they are not reviewing a DADU.

Ms. Zeigler reminded the Commission that they had agreed to hold to the standards developed and at least for the last 6-months, which is all she has had time to research, they have not deviated from the eave, ridge and square footage requirements. She also reiterated that a similar request on the agenda includes a letter where the councilmember asked that they maintain the standards. In answer to Commissioner Bell's question, Ms. Sajid stated the proposed project is 1'3" taller than what the guidelines allow.

Van Pond was invited back to speak. Mr. Pond stated that a DADU was not possible because of the zoning of the lot. The design guidelines provide a maximum eave and ridge height and for the building to be subordinate to the structure. The proposed eave height matches the existing house that is up hill.

Commissioner Kaalberg said he saw the value of being perfectly consistent with the design guidelines but that is what Codes does and that is why there are bad results, because it does not take context into account. The proposal is subordinate and meets the intent of the design guidelines. They need to decide if they need to keep the door closed or allow for a deviation to the design guidelines.

Commissioner Kaalberg moved to approve the project as presented, finding that the structure is subordinate to the historic home in overall massing and the significant grade change reduces the perceived height and meets the design guidelines. Commissioner Stewart seconded. Commissioners Cantrell and Vice-chair Nielson voted against the motion, which meant there were not the five concurring votes required for a motion to pass. Motion failed.

Motion:

Commissioner Cantrell moved the application be approved with the conditions that:

- 1. Staff approve the final details, dimensions and materials of windows, doors, garage door, roof color, and driveway material prior to purchase and installation; and**
- 2. The average eave height of the outbuilding shall not exceed the average eave height of the historic house;**

Finding the project meets Section II.B.1. of the *Richland – West End Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*. Vice-chairman Nielson seconded and the motion passed unanimously.

c. 1610 CEDAR LANE

Application: New construction—outbuilding

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for an outbuilding at 1610 Cedar Lane. She clarified that the agenda lists that the application requires a setback determination. However, after the publication of the agenda, but before the publication of the staff recommendations, the applicant revised the project so that it no longer needs a setback determination. The outbuilding is 690 sq. ft., and meets the required 3' rear setback, and the required side setbacks. The garage will be accessed via an existing curb cut off Oakland Avenue, which is appropriate since there is no alley. The outbuilding is not being reviewed as a DADU.

From Oakland Avenue, the eave height will be 16' and the ridge height will be 25', which meets the design guidelines. The lot slopes significantly from Oakland Avenue to the interior of the block. Because of this, the eave and ridge heights will be taller on the interior portion of the block. Staff found that this was appropriate since the Oakland Avenue façade will be the most visible. The outbuilding's materials have all been approved by the Commission in the past, and staff recommends approval of a brick sample, roof color, and all windows and doors.

Architect Van Pond, explained that they changed the project to meet the bulk standard setback requirements by changing the front porch to a hood over the entrance. Without porch posts and floor, the hood is not included in the square footage.

David Tarpley said he is representing both himself and his wife. They did not receive notice in the change of the setback. Their property is to the rear of the property and the side close to the proposed garage is the "active" side of the house and will block sunlight in their yard. It will mean a loss of enjoyment of their property. They requested disapproval of the setback and he handed out a letter, which was read, as well as aerials and photographs.

There were no other requests from the public to speak.

Motion:

Commissioner Stewart moved to approve with the conditions that:

- 1. Staff approve a brick sample;**
- 2. Staff approve all window and door specifications prior to purchase and installation;**
and
- 3. Staff approve the asphalt shingle color and texture,**
finding the project meets Section II.B.i. and II.B.c. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Commissioner Mosley seconded and the motion passed with five concurring votes. Commissioner Cantrell abstained.

V. 400 BROADWAY

Application: Alterations; New construction—addition
Council District: 19
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Melissa Baldock

Staff member Melissa Baldock presented the case for 400 Broadway. 400 Broadway is an application to construct a rear and rooftop addition, to alter historic and non-historic windows, to

alter window openings on the rear façade and to alter the storefronts. The building is located at the northwest corner of 4th Avenue North. The building was originally constructed c. 1870, although the western portion of the structure was altered in the early to mid-20th century with new window openings and steel windows. Both the 1870s and the mid-20th century portions of the building contribute to the historic character of the Broadway Historic Preservation Zoning Overlay.

The bulk of the rooftop addition is set back from the Broadway façade by the required thirty feet (30') and from the 4th Avenue North façade by the required 20'. However, a portion of the stair bulkhead encroaches on the thirty-foot (30') setback by approximately eight (8') feet. This stair bulkhead is no taller than five (5') and is slanted so that the tallest portion of the bulkhead is further back. The bulkhead will likely be at most minimally visible, and staff therefore finds that its encroachment to the required setback is appropriate.

The design guidelines require that rooftop additions be a maximum of fifteen feet (15') above the parapet wall. The addition will extend thirteen feet (13') above the parapet wall along Broadway (image on the left). Because the parapet wall steps down along the Fourth Avenue North façade, a back portion of the addition will extend sixteen feet (16') above the parapet at its lowest point. Staff finds this to be appropriate because the majority of the addition will be less than fifteen feet (15') above the parapet, and because the portion of the addition that extends taller because of the lower parapet is pushed the rear, where it will be less visible.

The addition's materials include an aluminum storefront system with an operational glass wall system (also known as a nano wall system). Portions of the addition will be clad in an exterior cement composite façade system. The applicant has provided a sample of the material, which I can pass around. Staff will need further information about how the material will be installed and its final look before determining if the material is appropriate.

The applicant is proposing to install a railing on the roof. The design guidelines require that railings be set back 8' from the parapet wall. However, along the Broadway façade, the railing will not extend above the line of the parapet, and therefore it does not need to be recessed eight feet (8'), as is typically required. The applicant has proposed the railing to be set at the parapet, which is appropriate in this instance. Along Fourth Avenue North, the applicant is also proposing to not recess the railing 8', as is typically required. On this façade, the parapet drops in height, and therefore between one and three feet (1' – 3') of railing extends above the parapet wall. Staff finds that the railing on the 4th Avenue North façade needs to be recessed because of its visibility above the parapet. However, because some of the railing will be obscured by the parapet, staff recommends the Fourth Avenue railing be recessed four feet (4') rather than the typically required 8'.

The applicant is also proposing a stairwell addition at the rear. On the upper stories, the rear addition will be situated about nine inches (9") off the back corner of the historic structure. The rear addition will cover less than half of the existing rear façade. It will extend approximately three feet (3') above the parapet wall at the rear, but because the parapet wall steps down along Fourth Avenue North, the addition will be no taller than the front parapet of the building along

Broadway. The cladding material for the addition is proposed to be the same cementitious material proposed for the rooftop addition.

Staff finds that the rear addition is appropriate for several reasons. It is located on the rear façade, which is not architecturally significant. Therefore, it will not interrupt any significant architectural features of the building. It allows for the retention of the back corner of the building, and has a height and scale that does not overwhelm the historic structure.

The applicant plans to retain the existing openings and windows on the rear façade. The applicant is also proposing to install a new window opening on the third floor, which will be fifteen feet (15') wide and eight feet (8') tall. The opening will be filled with a fully operable folding glass wall system. Staff finds the proposed new window to be appropriate because it will be installed on the rear façade, which is not architecturally significant.

The applicant plans to alter the storefronts on both portions of the building. The storefronts are not historic, but date to a 1990 renovation of the structure (which was prior to the creation of the Broadway Historic Preservation Zoning Overlay).

On the right portion of the building, at the corner of Broadway and 4th Avenue North, the applicant is retaining most of the architecture of the storefront, keeping the corner entry. The primary change will be replacing the fixed glass in the storefront windows with an operable folding glass wall system (also known as a nano wall system). The Commission has approved operable storefront windows like these on non-historic storefronts in the past, and staff therefore finds them to be appropriate.

There will be separation between the left and the right storefronts since historically they were two separate buildings with separate storefronts. On the left portion of the building, the applicant intends to remove the entire storefront and rebuild a new storefront. The storefront will have a similar design to the storefront to the right, but will be simpler in design to match the mid-century design of the building. The entry will be relocated from the center to the west/left side of the building, and will be recessed. The storefront windows will also be an operational folding glass wall system. Because the existing storefront is not historic, staff finds these proposed changes to be appropriate.

The applicant is proposing quite a few goose neck lamps at the storefront. In total, ten (10) goose neck lamps are proposed for the Broadway façade, one (1) is proposed for the corner, and seven (7) more are proposed for the Fourth Avenue North façade. There are a total of 18 goose neck lamps proposed. The design guidelines state, "If lighting is installed, it should be concealed or simple and unobtrusive in design, materials, and relationship to other façade or elevation elements." Although the Commission has approved goose neck lighting for signage in the past, staff finds that the number of light fixtures does not meet the design guidelines because it is not "simple" or unobtrusive.

Late last week, after the staff recommendation was published, the applicant sent these detail drawings of the proposed lighting. The goose neck lamps are proposed to shine straight down to the sidewalk rather than inward towards the building. Under the storefront cornice, the exposed

bulbs are planned to run continuously along the storefront, shining down to illuminate the sidewalk. Also, a continuous line of lights are also proposed for the top of the cornice, shining up. While spotlighting that highlights architectural features of an historic building, a continuous line of lights that create a glow above the cornice does not.

In order to meet the design guidelines, Staff recommends that one goose neck lamp be installed per storefront bay, which will reduce the total number of lamps to eight (8). Staff also recommends that the downward exposed bulbs underneath the storefront corner be disapproved, and the upward facing lights only highlight architectural features – for instance just be installed between the window bays for up lighting. Similarly, on the rooftop addition, the number of goose neck lights should be reduced to two lights on the Broadway elevation and three on the 4th Avenue elevation. The applicant did not indicate on the drawings if further down lighting and up lighting will be installed on the rooftop addition.

The multi-light steel windows on the western/left portion of the façade date to the mid-20th century. Although they are not the original windows, they have acquired a significance of their own and are considered to be a contributing element to the historic building and the Broadway Historic Preservation Zoning Overlay. In 1990, they were restored and reglazed, so the window frames are historic, but the glass is newer.

The applicant is proposing to retain the existing steel frames, and to re-glaze the historic windows. Historically, the steel windows would have been fixed along the edges and would have had a central hopper window part that could swing in and out. Rather than restoring this historic operation, the applicant is proposing to retrofit the frame so that the entire window becomes an awning window. The windows would swing out horizontally, to be perpendicular to the building façade when fully opened. When fully opened, the windows would extend about 4’8” beyond the building façade, completely changing the look of the historic building.

Staff finds the proposed alteration to the window operation to be inappropriate. The operation of a window is intrinsically linked to its design and to the overall look of the building. Retrofitting an historic window to operate as an awning window could require a change to the window frame or opening that would not be appropriate. Even if the window frames or openings are not altered, changing the operation of the window to be an awning window would inappropriately change the look of the upper stories of the façade.

The double-hung windows on the Fourth Avenue North façade and on the right portion of the Broadway façade are not historic. They were installed as part of the 1990 renovation of the building. The historic photo shows double hung windows, similar to the existing replacement windows. The applicant is proposing to replace these windows. Although replacing the non-historic windows is appropriate, the proposed replacement window does not meet the design guidelines. The design guidelines state that “If replacement windows or window surrounds are necessary, replacements should replicate originals,” and the proposed replacement windows do not replicate the originals in design and operation.

The current and the historic windows were double hung. The applicant is proposing to replace the double hung window with an awning window that is fixed at the top and pivots outward.

Staff does not find such a replacement window to be appropriate because the windows will result in a different look for the building. The operation of a window is intrinsically linked to its design and to the overall look of the building. Windows are an important part of a historic building's character, and installing windows that do not replicate typical historic windows of the period does not meet the design guidelines. The applicant also sent a drawing of a quadruple hung window as an alternative replacement window. Again, such a window would not be appropriate because it would not replicate the design and operation of the historic windows.

Staff recommends that the Commission require that the new windows on Fourth Avenue North and the eastern/right portion of Broadway remain as double hung windows and not operate as an awning window. Staff also recommends that the historic steel windows remain fixed, and the central hopper element be restored if the applicant wishes the window to open in any way.

In answer to Commissioner Kaalberg's question, Ms. Baldock said that there are no buildings in the historic district with the proposed windows.

Commissioner Mosley wanted to clarify that moving the entrance was appropriate because there are photographs from 1990 to show that the existing storefront is not historic.

Applicant for the project, Josh Hughes, thanked the Commissioners for their service. The client is committed to investing in the renovation and upgrade of the building and contribute to the character of Broadway. The building provides several obstacles such as a small footprint and has been underutilized in past years. The building has been renovated multiple times in the past. The proposal is not in conflict with the design guidelines. Made an effort to lower the roof so that the parapet can serve as a railing. He suggested adding brick to the side wall or a glass railing on the side so that the proposed railing will be less visible. Committed to maintaining the look and the structural integrity of windows. In summary, they are happy to work with staff on materials and lighting but request the proposed windows and side railing setback. He handed out engineering information regarding the windows

Dierks Bentley, owner of the business, asked for approval of the project and explained the concept of the business.

Commissioner Stewart asked if there was a safety or functional reason for the windows. The applicant says that the existing hopper windows would be difficult to use. There are no safety concerns. The request is driven by the applicant's need to get customers to the second floor, which is the primary area of the business.

Commissioner Bell clarified that the intent to have an open window is to have open air.

Commissioner Kaalberg said he understood the desire to have the window open although they have told countless other applicants that they cannot change their windows so it would be a large and permanent change, if approved, and affect many other businesses. The railing does not seem like a huge ask to have some setback and it would reduce the visibility. Commissioner Mosley stated that it need not sit back on the front/side section where the parapet is taller.

Commissioner Stewart stated that staff has done an outstanding job trying to accommodate as many of the needs of the applicant as possible. He does not see a compelling functional or safety need for the proposed windows and in looking at the materials provided the new windows will have a different look. Commissioners Mosley and Cantrell agreed. Commissioner Bell concurred and said that it has not been approved in the past and would set a negative precedent.

Motion:

Commissioner Mosley moved to approve the project with the following conditions:

- 1. The number of gooseneck lamps on the ground floor be reduced to have just one lamp per storefront bay and that the lamps on the rooftop addition be reduced to two on the Broadway façade and three on the Fourth Avenue side;**
- 2. The applicant provide more information as to the number of up-lighting elements and their location to ensure that they meet the design guidelines;**
- 3. The replacement windows for the Fourth Avenue North façade and the eastern/right portion of the Broadway façade be double hung windows with a traditional framing system and offset overlapping sashes, and staff review the final window selection prior to purchase and installation;**
- 4. The historic steel windows remain fixed, and the central hopper element be restored if the applicant wishes the window to open;**
- 5. Staff review and approve a sample of the cement composite façade system; and**
- 6. The railing be recessed four feet (4') from the Fourth Avenue façade where the parapet drops down.**

Finding the project to meet sections II. and III. of the *Broadway Historic Preservation Zoning Overlay: Handbook and Design Guidelines*. Commissioner Bell seconded and the motion passed unanimously.

W. 1825 FOURTH AVENUE NORTH

Application: New construction—addition

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock presented the case for an addition at 1825 Fourth Avenue North. 1825 4th N is an application for a 1.5 story addition to a 1 story house. The historic house was constructed c 1925, and is a contributing structure to the Salemtown conservation overlay. In April 2015, the Commission reviewed and approved an addition to this house. That addition was never constructed and the applicant has returned with a much larger addition. Staff is recommending disapproval this application, finding that the addition's scale is too large for the modest historic house.

The application involves demolishing an existing covered porch at the rear, which staff finds to be appropriate. The additional will be slightly taller than the existing house. It will be about 4 to 6 inches taller than the historic house. The addition will convert the single-family house to a duplex, with one unit in the front and another unit in the rear. MHZC does not regulate use, but does regulate height, scale and design to ensure that additions do not overwhelm historic houses.

The proposed addition will more than double the footprint of the existing house. The current footprint, including the rear porch that will be removed, is 1,170 sq. ft. The addition will add 1442 sq ft of footprint to the house. The additions depth is 54', compared to the historic house's depth, which is less than 44'.

The design guidelines state, "No matter its use, an addition should not be larger than the existing house, not including non-historic additions, in order to achieve compatibility in scale. This will allow for the retention of small and medium size homes in the neighborhood. The diversity of housing type and size is a character defining feature of the historic districts." In past decisions, the Metro Historic Zoning Commission has interpreted this part of the design guidelines by requiring that additions no more than double the footprint of the historic house.

The addition's out-of-scale footprint is compounded by the fact that the addition is slightly taller than the historic house, and has a one-and-a-half story form attached to a true, one-story historic house. The footprint, height, and one-and-a-half story form together create an addition that is too large for the historic house. Staff therefore finds that the proposed addition's scale does not meet Sections III.B. and IV. B. of the design guidelines.

Staff also notes that the design of the addition does not include corner boards, as is typically required. In addition, the siding reveal is shown to match the existing non-historic siding and staff would typically recommend that the siding reveal be a maximum of 5". Also, there is an expanse of 30'6" of space without a window or door opening, which is more than double what is typically permitted.

However, the issues of the corner boards, siding reveal, and window openings are not the main reason staff is recommending disapproval of the project- the main issue is the scale of the addition. Staff is not recommending approval with conditions because we find that the addition would have to be substantially redesigned in order to be an appropriate scale. Staff recommends disapproval of the proposed addition, finding that its scale is too large for the historic house and that the cladding material, lack of corner boards, and fenestration pattern do not meet the design guidelines.

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

Commissioner Stewart stated after seeing the proposal and visiting the site he finds that the project does not meet the design guidelines, as explained in the staff report.

Motion:

Commissioner Stewart moved to disapprove of the proposed addition, finding that its scale is too large for the historic house and that the cladding material, lack of corner boards, and fenestration patter do not meet the design guidelines and finding that the proposal does not meet the following sections of the Salemtown Neighborhood Conservation Zoning Overlay design guidelines: Sections III.B. (for massing), III.D. (for materials), III.G. (for proportion and rhythm of openings), IV.B. (for addition massing), and IV.G. (for an addition following

the design guidelines for new construction). Vice-chair Nielson seconded and the motion passed unanimously

X. 3609 KATHERINE STREET

Application: New construction—infill

Council District: 07

Overlay: Inglewood Place Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented 3609 Katherine Street, an application to construct infill on a vacant lot. Until recently, the lot on Katherine St was part of the lot at 1132A McChesney Avenue. The new lot is seventy-five feet (75') wide along Katherine Street and one hundred feet (100') deep. The new infill meets all base zoning setbacks. Staff recommends that the driveway to the left of the house be extended to the rear of the house. Staff also recommends that a walkway be added from the street to the front porch of the house.

The new infill will be 1.5 stories with a maximum height of 25'. Staff finds this meets the historic context. Staff recommends that the front porch columns have caps and that staff review and approve the column base material. Staff also recommends that the front dormer windows have a 4 to 6" mullion in between them and that the front entrance have trim boards around it.

On the right elevation, staff asks that the paired windows either be framed together with a 4 to 6" mullion in between them or be spaced further apart. Staff also recommends that the applicant provide more information on the dimensions and material of the side deck. All of the known materials have been approved by the commission in the past and include smooth 5" cement fiberboard siding, board and batten, concrete block foundation, and asphalt shingle roof. Staff recommends approval of all windows and doors and the shingle color prior to purchase and installation.

Commissioner Mosley expressed concern about the window being located within the cornerboard trim.

The applicant, Jason Quiram, stated he was fine with all conditions with the exception of the walkway to the street since there was no sidewalk to connect to.

There were no requests from the public to speak.

Motion:

Vice-chairman Nielson moved to approve the project with the conditions that:

- 1. 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;**
- 2. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- 3. Staff approve a roof shingle sample;**
- 4. Column caps be added to the front porch columns;**
- 5. Staff approve the porch column base material;**

6. Staff approve the dimensions and material of the side deck;
7. The driveway extend to the rear of the house, and staff approve the driveway material;
8. A walkway be added from the street to the front porch, and staff approve the walkway material;
9. Paired windows on the front dormer and right side elevation have a four inch to six inch (4"-6") mullion between or be pushed further apart;
10. Trim boards be added around the front entrance; and
11. The HVAC be located on the rear façade, or on a side façade, beyond the midpoint of the house.

Finding the project meets Section III of the *Inglewood Place Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*. Commissioner Cantrell seconded and the motion passed unanimously.

Y. 1415 MCKENNIE AVENUE

Application: Demolition; New construction – outbuilding; Setback determination

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid

Staff member, Melissa Sajid, presented the case for 1415 McKennie.

This request is to demolish an existing non-contributing outbuilding and to construct a new outbuilding. The request includes a rear setback determination. The outbuilding meets the design guidelines for everything except setbacks and footprint.

Staff recommends approval of demolition of the existing outbuilding as the Sanborn maps illustrate that it is non-contributing.

The proposed outbuilding is located at the rear of the lot with parking from the alley. Since the lot is less than ten thousand square feet (10,000 SF), the maximum footprint for an outbuilding on this lot is seven hundred and fifty square feet (750 SF). The proposed footprint is eight hundred and twenty square feet (820 SF). The outbuilding exceeds the maximum footprint by seventy square feet (70 SF). While the proposed outbuilding does not have to meet the DADU standards, the overage is significant. Staff recommends a condition that the footprint of the outbuilding not exceed the maximum of seven hundred and fifty square feet (750 SF) to ensure that the outbuilding is appropriately scaled for the site.

Since the footprint exceeds seven hundred square feet (700 SF), the base zoning requires a rear setback of twenty feet (20'). The applicant has requested to reduce the rear setback to six feet (6'). Staff recommends approval of the rear setback determination, finding that it is appropriate, as outbuildings were historically located close to or even on the rear property line.

The overall height of the outbuilding is twenty-five feet (25') with an average eave height of twelve feet (12'), both of which meet the design guidelines and are subordinate to the historic house.

Applicant, Lynn Taylor, stated that reduced setbacks are normal and several others have been approved. The client is asking for the size based on metro code and because the proposal is not a DADU. She maintained that the requirements change base-zoning without proper procedure. She stated that portions of Councilman Wither's letter of support of the staff recommendation is not relevant to this project.

Attorney, Ms. Amos, agreed that there is a duty for notice if the design guidelines are changed but they have not been changed but italicized information has been added for clarification of the design guidelines.

There were no requests from the public to speak.

Commissioner Bell asked what base zoning allowed for in terms of bulk standards for out buildings. Ms. Zeigler replied with a clarification of the standards but also that the Commission does not apply base zoning standards but rather the design guidelines. She shared with the commission that the outbuilding standards allow for buildings that are 204% larger than historic outbuildings and 66% taller than historic buildings so that they may be at the outside of the guideline that requires that new outbuildings be similar in massing and scale to outbuildings in the neighborhood. In addition, the Commission, in response, to feedback from the neighborhoods, had agreed to follow the DADU standards for all outbuildings since the massing was appropriate for modern needs and maintained the appropriate scale for the neighborhood.

Mr. Alexander noted that the example given by the applicant of a larger outbuilding was approved because the lot was larger than 10,000 square feet. The design guidelines allow for footprints up to 1000 square feet on lots larger than 10,000 square feet.

Commissioner Kaalberg said that the DADU ordinance is a good benchmark for assuring that outbuildings are subordinate and they have already stretched the guidelines for practical reasons. In order to be consistent and the pressure for larger buildings, they should be consistent with past decisions. The dimensions are not out of thin air. Commissioner Cantrell agreed that consistency is important.

Commissioner Bell said that the lot size is under 10,000 so the applicant understands that the 750 square foot lot size is applicable.

Motion:

Commissioner Bell moved to approve the demolition of the existing outbuilding and construction of the proposed outbuilding with the following conditions:

- 1. The footprint of the outbuilding shall not exceed seven hundred and fifty square feet (750 sq. ft.); and**
- 2. Staff approve the final details, dimensions and materials of windows, door, garage doors, roof color, and driveway material prior to purchase and installation,**

Finding the project meets Section II.B. of the *Eastwood Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*. Commissioner Stewart seconded and the motion passed unanimously.

Ms. Taylor interrupted Ms. Bell's motion to state her opinion that what they said was wrong and the meeting continued.

Z. 916 MONTROSE PLACE

Application: New construction - infill
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman

Staff member Paul Hoffman presented the case for infill at 916 Montrose, an application for demolition of a non-contributing structure built in 1985, and new construction of a two-family residence and outbuilding. The new building will be two stories and 33 feet, 6 inches tall. Nearby structures are up to 34 feet tall, so the height is compatible with the context. The widest contributing buildings on this block face are as wide as 41 feet, for one-story homes. The tallest buildings are not that wide, for example, the nearest contributing building to the subject property is 32 feet. The neighbor across the street is a two-story building that is 42 feet at its widest. This width does not make up the bulk of the structure, however, and it has been added onto in a way that the widest parts are not original or contributing. Staff's recommendation is that the overall width of the proposed new building be reduced to 36 feet, to be more compatible with the width of neighboring two-story buildings. The new structure will be centered on the lot. The side and rear setbacks meet base setback requirements. The front setback is 38 feet, 8 inches. Staff estimates the nearest contributing building at 920 Montrose as being 32 feet from the street, and recommends that this new building match that setback, with a site plan showing that historic building. The proposed outbuilding is a one-story garage and meets the design guidelines.

John Root, applicant for the project, said that the same design was built and approved by the Commission in Salemtown. They agree with all conditions except the width of the home. The majority of the massing of this home is significantly set back. He provided a drawing showing other larger homes elsewhere in the neighborhood that are similar to what is proposed. There is a precedent for larger homes.

William Smallman, owner of the property, said the medium of contributing homes is 41' and the proposal is below that.

Comment [ZR(C3):

There were no requests from the public to speak

Commissioner Kaalberg asked why 919 Montrose was not a reason for a larger home. Mr. Hoffman stated that the bulk of the home is not as large as what is proposed. Since the proposed is a 2-story home, the project would be improved with a reduction in width. Commissioner Kaalberg agreed that the 1-story examples provided are not relevant but suggested that a width of 38' may be appropriate since the design of the proposal is designed to reduce the visibility of the massing. Commissioners Cantrell and Mosley agreed that it meets the rhythm of spacing.

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

1. The building's width is reduced from thirty-nine feet, four inches (39' 4"), provided that the porch remains as designed;
2. The front setback matches the contributing structure at 920 Montrose, to be verified on a revised site plan;
3. 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;
4. Staff approve the roof color, windows, doors, and any unspecified materials prior to purchase and installation; and,
5. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house,

finding the application meets section III.A of the design guidelines of the Waverly-Belmont Neighborhood Conservation Zoning Overlay. Commissioner Cantrell seconded. Commissioner Bell abstained and the motion passed with all other commissioners in favor of the motion.

AA. 2803 OAKLAND AVENUE

Application: New construction – detached accessory dwelling unit; Setback determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the project for 2803 Oakland Avenue.

The application is to construct a detached accessory dwelling unit (DADU) at the rear of the lot. The house was built in 2009-2010, and it was approved by this Commission and received a Preservation Award for infill from the MHC in 2011.

The new building will be one and one-half story with a cross-gabled roof, matching the principal building in its primary form and materials, and with a very similar overall character.

It does require a rear setback determination to be located 5' off the rear property line. Staff finds this location to be typical of historic outbuilding location. The side setbacks are appropriate and require no determination.

The stairs are enclosed within a screen wall, but are not within the interior of the building proper. Staff asks that the applicant ensure that the stairs are fire rated to the satisfaction of building codes and the fire marshal.

Bill Johnson, owner and architect for the project, stated that he agreed with all the conditions with the exception of the stair. He is not aware of the fire code requirement but his intent is to meet the code.

Ms. Zeigler read the ordinance requirement for the stair meeting fire code and explained that she spoke to a fire codes examiner who said the proposed "enclosure would not meet the requirements.

Motion:

Commissioner Cantrell moved to approve the detached accessory dwelling unit with the following conditions:

- 1. Staff shall approve the window and door selections prior to selection and installation;**
- 2. Staff shall receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit; and,**
- 3. The stairs are enclosed and fire rated;**

finding the project met Ordinance 17.16.030. G. and Section II.B.1.i of the Neighborhood Conservation zoning overlay design guidelines for this neighborhood. Commissioner Mosley seconded and the motion passed unanimously.

BB. 710 SHELBY AVENUE

Application: New construction - infill

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Sean Alexander

MHZC intern, Ryan Jarles, presented the case for 710 Shelby Avenue. The application is to construct a new building on a vacant lot. The lot is being divided from a double lot with a contributing house.

The building will be a one and one-half story house with a front-gabled roof with a recessed front porch. Both sides of the roof will have shed dormers – the dormers sit back from the first story wall nearly 3’, which is typical of dormers historically.

The height and width, and the materials of the new house are compatible with surrounding historic houses, and the overall form and character is appropriate for the neighborhood.

The building is deeper (front to back) than a typical historic house. The right elevation is articulated with the porch and a recessed section of wall that helps to break of the length.

The left elevation does not have a break, so staff recommends that some articulation be added. Because the house sits at the left setback, moving the house over to the right would be required to bump out the left.

There were no requests from the public to speak.

David Baird, architect for the project stated that he agreed with all conditions and has already submitted new plans.

There were no requests from the public to speak.

Motion:

Vice-chairman Nielson moved to approve the project with the conditions that:

1. **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;**
2. **The house be moved to the right three feet (3');**
3. **The two front-most windows on the left side elevation are at least as tall as they are wide or square;**
4. **Staff approve the final details, dimensions and materials of windows, doors, walkway, and driveway prior to purchase and installation;**
5. **Location of drives and parking areas be at the rear, to be added to site plan;**
6. **Staff approve the roof color, dimensions and texture; and**
7. **The HVAC be located behind the house or on either side, beyond the mid-point of the house,**

finding the project meets the design guidelines for new construction in the Edgefield Historic Preservation Zoning Overlay. Commissioner Kaalberg seconded and the motion passed unanimously.

DD. 1003 BATE AVENUE

Application: New construction – infill and outbuilding
 Council District: 17
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
 Project Lead: Melissa Sajid

The project was moved up in the agenda as the applicant for 1404 Lillian had left the room. The Commission agreed to review that project next since the applicant for 1003 Bate Ave was present.

Staff member, Melissa Sajid, presented the case for 1003 Bate Avenue.

This is a request to construct a new single-family home and detached garage at 1003 Bate Ave. The house located on this site is non-contributing as it was built c. 1969. A demolition permit was issued in April 2016, and the house has been demolished.

The plan before you meets the design guidelines for height, scale, setbacks and rhythm of spacing, materials, roof shape, orientation, and rhythm and proportions of openings. As proposed, the infill is oriented to Bate Avenue with parking off the alley.

The structure is one-half stories with a maximum height of twenty-seven feet, ten inches (27'-10") and an eave height of eleven feet (11') at the front. The historic context in the immediate area ranges from seventeen feet (17') to twenty-eight feet (28') and includes primarily one and one-half-story homes.

The detached garage has a footprint of five hundred twenty-eight square feet (528 SF) and an overall height of twenty-two feet, one inch (22'-1") with an average eave height of eleven feet, three inches (11'-3"). The outbuilding meets the design guidelines and the minimum setbacks of the Zoning Code.

Sandi Adams, in answer to Commissioner Mosley's question, stated that the beams are arched. She agreed with all staff recommendations.

Commissioner Mosley asked, in order to stay consistent, if they have approved brick steps in the past. Ms. Zeigler agreed that they should be concrete or wood. The applicant agreed to make them concrete.

There were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the application with the following conditions:

- 1. Steps be concrete rather than brick;**
- 2. 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;**
- 3. Staff approve the final details, dimensions and materials of trim, windows, doors, garage door, walkway, and driveway prior to purchase and installation;**
- 4. The HVAC be located behind the house or on either side, beyond the mid-point of the house; and**
- 5. Staff approve the roof color, dimensions and texture;**

finding the project meets Section III.A. of the *Waverly Belmont Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*. Commissioner Bell seconded and the motion passed unanimously.

CC. 1404 LILLIAN STREET

Application: Demolition, New construction - infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander presented the case for infill at 1404 Lillian Street.

The applicant proposes to demolish an existing house and construct a new house on the lot.

The existing house bears resemblance to a Craftsman bungalow, which is a common type of historic house in the neighborhood, but this one building was constructed circa 1950 and the front porch was added later. It is not a contributing structure to the historic character of LSEE, and demolition meets the design guidelines.

The new house will be one and one-half stories, and will also have a form and character very similar to a Craftsman bungalow, side gabled roof with a projecting full-width porch and square battered columns.

The height and width, and the materials of the new house are compatible with surrounding historic houses, and the overall form and character is very appropriate for the neighborhood. The

siding is shown with 6" reveal, Staff recommends that the siding have a reveal of 5" or less as that is typical of the historic context.

The roof of the house will be a side-oriented gable, which is a common form for this house type, with a front gabled dormer.

The dormer is proposed aligned or stacked directly over the front first story wall, staff recommends that it be off-set by two feet as is typical for historic houses of this form.

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

Commissioner Mosley asked for some clarifications of the drawings, specifically the brick foundation. Mr. Alexander explained that brick may be inappropriate for a brick house but it is seen on framed homes.

Motion:

Vice-chairman Nielson moved to approve with the conditions:

- 1. The height of the porch floor shall be consistent with adjacent houses, to be verified during construction;**
- 2. The front setback for infill at 1404 Lillian Street shall be the average of the adjacent buildings, to be verified during construction;**
- 3. The siding reveal shall not exceed five inches (5") and that the roof color and selections of the windows and doors shall be administratively approved;**
- 4. The front dormer shall be set back two feet (2') from the wall below;**
- 5. The driveway not be shortened;**
- 6. The rhythm and proportion of windows shall be typical of historic buildings with no large expanses of wallspace without any openings and with the first story windows generally as large or larger than those of the upperstory.**

Commissioner Kaalberg seconded and the motion passed unanimously.

Commissioner Bell asked when the 20' between outbuildings and principle dwellings comes into play and Ms. Zeigler explained that it is a goal but there are many factors, such as old-growth trees, existing gardens and pools keeping it from being a standard that can always be met.

V. PRELIMINARY SP REVIEW

None

VI. ADMINISTRATIVE ACTIONS

DD. ELECTION OF OFFICERS

Motion:

Commissioner Bell moved to appoint Chairman Tibbs to continue as Chairman. Vice-chairman Nielson seconded. There were no other nominations and the motion passed unanimously. Commissioner Bell moved to appoint Commissioner Cantrell to serve as

Vice-chairperson. Vice-chairperson Nielson seconded. There were no other nominations and the motion passed unanimously.

EE. ADOPTION OF REVISED RULES OF ORDER AND PROCEDURE

Motion:

Commissioner Kaalberg moved to approve the revised Rules of Order and Procedure, as presented. Vice-chair Nielson seconded and the motion passed unanimously.

VII. OTHER BUSINESS

GG. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

(No action requested.)

HH. ANNUAL REPORT

(No action requested.)

Ms. Zeigler reminded the Commission about training opportunities with the National Alliance of Preservation Commissions and CLG training with the state historic preservation office.

Meeting adjourned at 4:46 pm.

RATIFIED BY COMMISSION