



**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
Telephone: (615) 862-7970  
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**STAFF RECOMMENDATION**  
**1202 Gartland Avenue**  
**September 21, 2016**

**Application:** New construction—detached accessory dwelling unit; Setback determination

**District:** Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

**Council District:** 06

**Map and Parcel Number:** 08309007800

**Applicant:** Don Bailey

**Project Lead:** Paul Hoffman, paul.hoffman@nashville.gov

**Description of Project:** Application is for construction of a detached accessory dwelling unit (DADU) at the rear of the lot. The applicant requests a rear setback determination from twenty feet (20') to two feet (2') and a side setback determination from five feet (5') to three feet (3').

**Recommendation Summary:** Staff recommends approval of the detached accessory dwelling unit with the following conditions:

1. That the rear setback be a minimum of five feet (5') and the side setback be a minimum of five feet (5');
2. Drawings show the location of skylights;
3. Staff approve the final details, dimensions and materials of windows, doors, and garage doors;
4. Fiber-cement siding have a maximum reveal of five inches (5"); and
5. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuing the permit.

With these conditions, staff finds that the detached accessory dwelling unit meets Ordinance 17.16.030. G. and Section II.B.8. of the *Lockeland Springs – East End Neighborhood Conservation Zoning Overlay: Handbook and Design Guidelines*.

The Commission does not have the authority to approve the use. This recommendation is for the design of the building based on the proposed use.

**Attachments**

- A:** Site Plan
- B:** Elevations
- C:** DADU and Outbuilding Worksheet

**Vicinity Map:**



**Aerial Map:**



## Applicable Design Guidelines:

### 17.16.030. G. Standards for Accessory Dwelling Units:

An accessory dwelling unit should follow the design guidelines for the historic overlay and the following standards:

1. Applicability.
  - a. While the following conditions listed below apply to a detached accessory dwelling they do not counter-act or over-ride the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.
  - b. No accessory structure shall exceed two hundred square feet when there is a detached accessory dwelling on the lot.
2. Lot Area. The lot area on which the detached accessory dwelling is to be placed shall comply with Table 17.12.020A.
3. Ownership.
  - a. No more than one detached accessory dwelling shall be permitted on a single lot in conjunction with the principal structure.
  - b. The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling.
  - c. The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.
4. Setbacks. The setbacks for a detached accessory dwelling shall meet the setbacks found in Section 17.12.040.E. for accessory buildings.

*The Commission has the ability to determine appropriate building setbacks of the required underlying base zoning for new construction, additions and accessory structures (ordinance no. BL2007-45).*

*Generally appropriate side setbacks for outbuildings is 3' for buildings with a 750 square foot footprint or less and 5' for buildings with a footprint greater than 750 square feet. Appropriate rear setbacks may be as close as 5'.*

5. Site Requirements. A detached accessory dwelling may only be located behind the principal structure.
6. Driveway Access.
  - a. On lots with no alley access, the lot shall have no more than one curb-cut from any public street for driveway access to the principal structure as well as the detached accessory dwelling.
  - b. On lots with alley access, any additional access shall be from the alley and no new curb cuts shall be provided from public streets.
  - c. Parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of twelve feet.
7. Bulk and Massing.
  - a. The living space of a detached accessory dwelling shall not exceed seven hundred square feet.
  - b. On lots less than ten thousand square feet, the footprint of a detached accessory dwelling shall not exceed seven hundred fifty square feet
  - c. On lots ten thousand square feet or greater, the footprint of a detached accessory dwelling shall not exceed one thousand square feet.
  - d. The detached accessory dwelling shall maintain a proportional mass, size, and height to ensure it is not taller than the principal structure on the lot. The detached accessory dwelling height shall not exceed the height of the principal structure as measured to the eave line, with a maximum eave height of ten feet for single-story and seventeen feet for two-story detached accessory dwellings.
  - e. The roof ridge line of the detached accessory dwelling must be less than the primary structure and shall not exceed twenty-seven feet in height.

*In conjunction with the neighborhoods where DADUs are possible and using research of historic outbuildings, the Commission has determined that a 25' maximum is appropriate for historic neighborhoods. Please see design guidelines for outbuildings.*

#### 8. Design Standards.

- a. The detached accessory dwelling shall be of similar style, design and material color as used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.
- b. The detached accessory dwelling may have dormers that relate to the style and proportion of windows on the detached accessory dwelling and shall be subordinate to the roof slope by covering no more than fifty percent of the roof.
- c. Detached accessory dwellings may have dormers that are setback a minimum of two feet from the exterior wall.

#### 9. Historic Properties.

- a. Metro Historic Zoning Commission Action. Any existing or proposed detached accessory dwelling in a historic overlay district shall comply with the adopted regulations and guidelines of the applicable historic overlay.
- b. Detached accessory dwellings with a second story dwelling unit shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.

10. Restrictive Covenant. Prior to the issuance of a permit, an instrument shall be prepared and recorded with the register's office covenanting that the detached accessory dwelling is being established accessory to a principal structure and may only be used under the conditions listed above.

*Note: The "use" of a DADU will require approval from the Department of Codes and Building Safety. The MHZC reviews the exterior design only, based on the intended use.*

## **II.B. New Construction**

### **8. Outbuildings**

*(Although the MHZC does not review use itself there are additional ordinance requirements for buildings are or have a Detached Accessory Dwelling Unit (DADU) required by ordinance 17.16.030 that are reviewed by the MHZC. This information is provided for informational purposes only and does not replace ordinance 17.16.030.)*

- a) Garages and storage buildings should reflect the character of the existing house and surrounding buildings and should be compatible in terms of height, scale, roof shape, materials, texture, and details..

#### *Outbuildings: Height & Scale*

- *On lots less than 10,000 square feet, the footprint of a DADU or outbuilding shall not exceed seven hundred fifty square feet or fifty percent of the first floor area of the principal structure, whichever is less.*
- *On lots 10,000 square feet or greater, the footprint of a DADU or outbuilding shall not exceed one thousand square feet.*
- *The DADU or outbuilding shall maintain a proportional mass, size, and height to ensure it is not taller or wider than the principal structure on the lot. The DADU or outbuilding height shall not exceed the height of the principal structure, with a maximum eave height of 10' for one-story DADUs or outbuildings and 17' for two-story DADUs or outbuildings. The roof ridge height of the DADU or outbuilding must be less than the principal building and shall not exceed 25' feet in height.*

#### *Outbuildings: Character, Materials and Details*

- *Historically, outbuildings were either very utilitarian in character, or (particularly with more extravagant*

houses) they repeated the roof forms and architectural details of the houses to which they related. Generally, either approach is appropriate for new outbuildings. DADUs or out buildings located on corner lots should have similar architectural characteristics, including roof form and pitch, to the existing principal structure.

- DADUs or outbuildings with a second story shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.

#### *Outbuildings: Roof*

- Roof slopes on simple, utilitarian buildings do not have to match the roof slopes of the main structure, but generally should maintain at least a 4/12 pitch.
- The DADU or outbuilding may have dormers that relate to the style and proportion of windows on the DADU and shall be subordinate to the roof slope by covering no more than fifty percent of the roof plane and should sit back from the exterior wall by 2'.

#### *Outbuildings: Windows and Doors*

- Publicly visible windows should be appropriate to the style of the house.
- Double-hung windows are generally twice as tall as they are wide and of the single-light sash variety.
- Publicly visible pedestrian doors must either be appropriate for the style of house to which the outbuilding relates or be flat with no panels.
- Metal overhead doors are acceptable on garages when they are simple and devoid of overly decorative elements typical on high-style wooden doors. Decorative raised panels on publicly visible garage doors are generally not appropriate.
- For street-facing facades, garages with more than one-bay should have multiple single doors rather than one large door to accommodate more than one bay.

#### *Outbuildings: Siding and Trim*

- Brick, weatherboard, and board-and-batten are typical siding materials.
- Exterior siding may match the existing contributing building's original siding; otherwise, siding should be wood or smooth cement-fiberboard lap siding with a maximum exposure of five inches (5"), wood or smooth cement-fiberboard board-and-batten or masonry.
- Four inch (4" nominal) corner-boards are required at the face of each exposed corner.
- Stud wall lumber and embossed wood grain are prohibited.
- Four inch (4" nominal) casings are required around doors, windows, and vents within clapboard walls. Trim should be thick enough to extend beyond the clapboard. Double or triple windows should have a 4" to 6" mullion in between.
- Brick molding is required around doors, windows, and vents within masonry walls but is not appropriate on non-masonry clad buildings.

b) Garages, if visible from the street, should be situated on the lot as historically traditional for the neighborhood.

Generally new garages should be placed close to the alley, at the rear of the lot, or in the original location of an historic accessory structure.

Lots without rear alleys may have garages located closer to the primary structure. The appropriate location is one that matches the neighborhood or can be documented by historic maps.

Generally, attached garages are not appropriate; however, instances where they may be are:

- Where they are a typical feature of the neighborhood; or
- When the location of the attached garage is in the general location of an historic accessory building, the new garage is located in the basement level, and the vehicular access is on the rear elevation.

#### *Setbacks & Site Requirements.*

- To reflect the character of historic outbuildings, new outbuildings for duplexes should not exceed the requirements for outbuildings for the entire lot and should not be doubled. The most appropriate configurations would be two 1-bay buildings with or without parking pads for additional spaces or one 2-bay building.

- A DADU or outbuilding may only be located behind the principal structure in the established rear yard.

*The DADU or outbuilding is to be subordinate to the principal structure and therefore should be placed to the rear of the lot.*

- There should be a minimum separation of 20' between the principal structure and the DADU or outbuilding.*
- At least one side setback for a DADU or outbuilding on an interior lot, should generally be similar to the principle dwelling but no closer than 3' from each property line. The rear setback may be up to 3' from the rear property line. For corner lots, the DADU or outbuilding should match the context of homes on the street. If there is no context, the street setback should be a minimum of 10'.*

*Driveway Access.*

- On lots with no alley access, the lot shall have no more than one curb-cut from any public street for driveway access to the principal structure as well as the detached accessory dwelling or outbuilding.*
  - On lots with alley access, any additional access shall be from the alley and no new curb cuts shall be provided from public streets.*
- Parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of twelve feet.*

***Additional Requirements for DADUs from Ordinance 17.16.030. See requirements for outbuildings for additional requirements.***

- The lot area on which a DADU is placed shall comply with Table 17.12.020A.*
- The DADU may not exceed the maximums outlined previously for outbuildings.*
- No additional accessory structure shall exceed two hundred square feet when there is a DADU on the lot.*

*Density.*

- A DADU is not allowed if the maximum number of dwelling units permitted for the lot has been met.*

*Ownership.*

- a. No more than one DADU shall be permitted on a single lot in conjunction with the principal structure.*
  - b. The DADU cannot be divided from the property ownership of the principal dwelling.*
- The DADU shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.*
  - Prior to the issuance of a permit, an instrument shall be prepared and recorded with the register's office covenanting that the DADU is being established accessory to a principal structure and may only be used under the conditions listed here.*

*Bulk and Massing.*

- The living space of a DADU shall not exceed seven hundred square feet.*

**Background:** 1202 Gartland Ave was constructed c. 1904 and is a contributing building in the Lockeland Springs – East End Neighborhood Conservation Zoning Overlay.

**Analysis and Findings:** This application is to construct a detached accessory dwelling unit (DADU) at the rear of the lot. The applicant is requesting a rear setback determination from twenty feet (20') to two feet (2') and a side setback determination from five feet (5') to three feet (3').



Figure 1. 1202 Gartland Avenue

Roof Shape:

| <b>Proposed Element</b> | <b>Proposed Form</b> | <b>Typical of district?</b> |
|-------------------------|----------------------|-----------------------------|
| Primary form            | Side gable           | Yes                         |
| Primary roof slope      | 10/12                | Yes                         |
| Porch form              | n/a                  | n/a                         |
| Porch slope             | n/a                  | n/a                         |

The roof includes flat skylights. They are shown on the side elevations but the location is not evident on the front and back; staff requests that the drawings be updated to show the location of the skylights. The form and roof slopes are similar to historic outbuildings, the project meets Section II.B.8 of the design guidelines and section 17.16.030.G.8 of the ordinance.

Design Standards:

The accessory structure has a simple, utilitarian design that is appropriate for outbuildings. Its roof form, detailing, and form do not contrast greatly with the primary structure. As designed, the windows meet the standards of the design guidelines. In addition, the DADU is in a minimally-visible location at rear of the lot.

The design meets section II.B.8 of the design guidelines and Section 17.16.030.G.8 of the ordinance.

Material:

|                        | <b>Proposed</b> | <b>Color/Texture</b>      | <b>Approved Previously or Typical of Neighborhood</b> |
|------------------------|-----------------|---------------------------|---|
| <b>Foundation</b>      | Concrete slab   | Natural color             | Yes   |
| <b>Cladding</b>        | Cement-fiber    | Smooth (reveal not noted) | Yes   |
| <b>Roofing</b>         | Asphalt shingle | Color needs final review  | Yes   |
| <b>Trim</b>            | Cement fiber    | smooth                    | Yes   |
| <b>Windows</b>         | Not indicated   | Needs final approval      |   |
| <b>Pedestrian Door</b> | Not indicated   | Needs final approval      |   |
| <b>Vehicular Door</b>  | Not indicated   | Needs final approval      |   |

The siding reveal was not specified; staff recommends that fiber-cement siding have a maximum reveal of five inches (5"). The roof color was not specified. With the staff's

final approval of the windows, doors and garage doors, and the siding reveal not to exceed five inches (5”), staff finds that the known materials meet Section II.B.8.

Setbacks: The new DADU requires a setback determination for the side and rear property lines. When an outbuilding has a footprint greater than seven hundred square feet (700 sq. ft.), base zoning requires that the structure be located twenty feet (20’) from the rear property line, and five feet (5’) from the side. In this case the structure is proposed at two feet (2’) from the rear property line, and three feet (3’) from the left side. The Commission has the ability to set setbacks that are appropriate for the lot and the district; however, the Commission has never altered the ordinance’s side setback requirement for DADUs. The Commission has found that the five-foot (5’) setback requirement is appropriate for DADUs in all instances where a DADU meets zoning.

Rear setback determinations have routinely been approved for DADUs and outbuildings because outbuildings close to the rear of a lot is the historic context and does not directly affect neighboring properties because of the alley buffer; however, Staff is concerned that two feet (2’) may be too little. Although rear setbacks are routinely approved, and appropriate in this case, staff recommends a rear setback of at least five feet (5’) to allow for future alley improvements and an appropriate turn radius. (1210 Gartland was permitted at six feet (6’) from the rear property line. 1208 Gartland was permitted at five feet (5’) from the rear property line. 1206 Gartland was an addition to an existing garage located on the property line.)

Staff recommends approval of the rear setback determination to five feet (5’); staff recommends that the side setback meet base zoning requirements, also at five feet (5’).

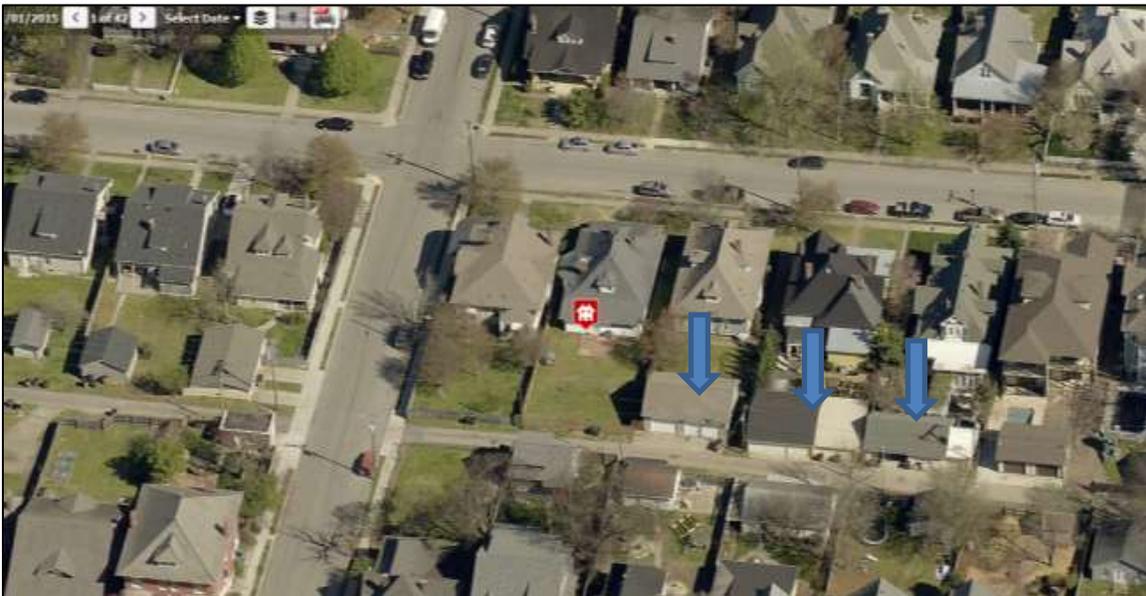


Figure 2. The neighboring outbuildings have a similar side and rear setback as proposed

The project meets Section II.B.8. of the design guidelines and 17.16.030.G. 4 of the ordinance.

Appurtenances & Utilities: A concrete drive will be laid from the alley to the new outbuilding. New concrete walkways will be installed between the house and the DADU. No other changes to the site's appurtenances were indicated. The project meets section II.B.8 of the design guidelines.

General requirements for DADUs:

The answer to each of these questions must be “yes” for either an outbuilding or a DADU.

|  | YES | NO |
|--|-----|----|
| <b>If there are stairs, are they enclosed?</b>   | n/a |    |
| <b>If a corner lot, are the design and materials similar to the principle building?</b>  | n/a |    |
| <b>If dormers are used, do they cover less than 50% of the roof plane where they are located as measured from side-to-side?</b>      | n/a |    |
| <b>If dormers are used, do they sit back from the wall below by at least 2'?</b>   | n/a |    |
| <b>Is the roof pitch at least 4/12?</b>  | Yes |    |
| <b>If the building is two-bay and the vehicular doors face the street, are there two different doors rather than one large door?</b> | n/a |    |
| <b>Is the building located towards the rear of the lot?</b>  | Yes |    |

The project meets section II.B.8 of the design guidelines and sections 17.16.30.G.5, 8 and 9 of the ordinance.

General Requirements for DADU:

The answer to each of these questions must be “no.”

|  | YES | NO |
|--|-----|----|
| <b>Does the lot NOT comply with Table 17.12.020A of the zoning code? (It isn't zoned two-family or doesn't have adequate square footage to be a legally conforming lot.)</b> |     | No |
| <b>Are there other accessory buildings on the lot that exceed 200 square feet?</b>   |     | No |
| <b>Is the property zoned single-family?</b>  |     | No |

|  |  |    |
|--|--|----|
| <b>Are there already two units on the property?</b>  |  | No |
| <b>Does the property owner NOT live on site or does NOT plan to move to this location once the DADU is complete?</b> |  | No |
| <b>Is the planned conditioned living space more than 700 square feet? It is 648.</b>                                 |  | No |

The project meets section II.B.8 of the design guidelines and sections 17.16.30.G.1,2,3, and 7 of the ordinance.

Site Planning:

|   | MINIMUM                             | PROPOSED |
|---|-------------------------------------|----------|
| <b>Space between principal building and DADU/Garage</b> | 20'                                 | 39'      |
| <b>Rear setback</b>                                     | 20'                                 | 2'       |
| <b>L side setback**</b>                                 | 5'                                  | 15' 9"   |
| <b>R side setback**</b>                                 | 5'                                  | 3'       |
| <b>How is the building accessed?</b>                    | From the alley or existing curb cut | Alley    |

The project meets section II.B.8 of the design guidelines and 17.16.30.G. 4 of the ordinance.

Massing Planning:

To determine the maximum height of the outbuilding or DADU, as measured from grade, complete the table below and choose the lesser number.

|                     | <b>Existing conditions (height of historic portion of the home to be measured from finished floor)</b> | <b>Potential maximums (heights to be measured from grade)</b> | <b>Proposed (should be the same or less than the lesser number to the left)</b> |
|---------------------|--|---|---|
| <b>Ridge Height</b> | 30' 6"   | 25'   | 23'   |
| <b>Eave Height</b>  | 12'  | 1 story 10' or 2 story 17'                                    | 10'   |

One-story building:

|  |                                |                            |                    |
|--|--------------------------------|----------------------------|--------------------|
|  | Lot is less than 10,000 square | 50% of first floor area of | Proposed footprint |
|--|--------------------------------|----------------------------|--------------------|

|                        | feet        | principle structure |             |
|------------------------|-------------|---------------------|-------------|
| Maximum Square Footage | 750 sq. ft. | 2327 sq. ft.        | 750 sq. ft. |

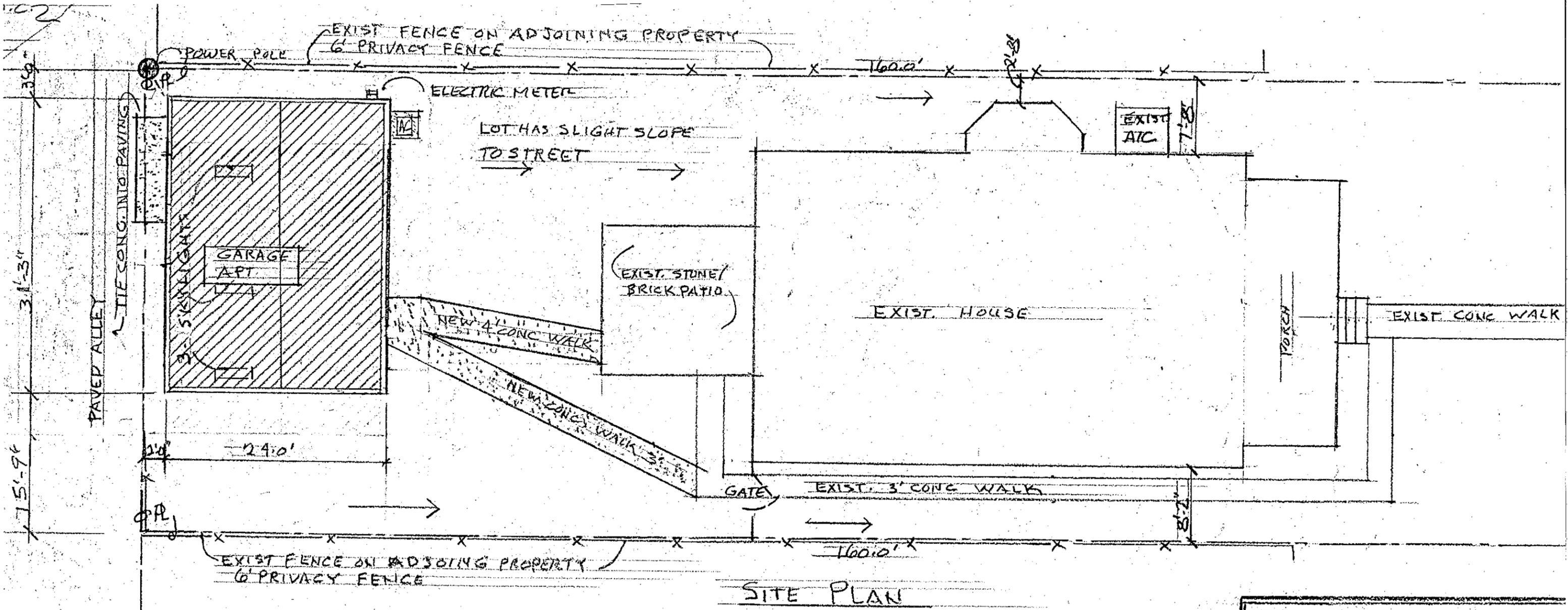
The project meets section II.B.8 of the design guidelines and 17.16.30.G. 7 of the ordinance.

**Recommendation Summary:** Staff recommends approval of the detached accessory dwelling unit with the following conditions:

1. That the rear setback be a minimum of five feet (5') and the side setback be a minimum of five feet (5');
2. Drawings show the location of skylights;
3. Staff approve the final details, dimensions and materials of windows, doors, and garage doors;
4. Fiber-cement siding have a maximum reveal of five inches (5"); and
5. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuing the permit.

With these conditions, staff finds that the detached accessory dwelling unit meets Ordinance 17.16.030. G. and Section II.B.8 of the Lockeland Springs – East End Neighborhood Conservation zoning overlay design guidelines for this neighborhood.

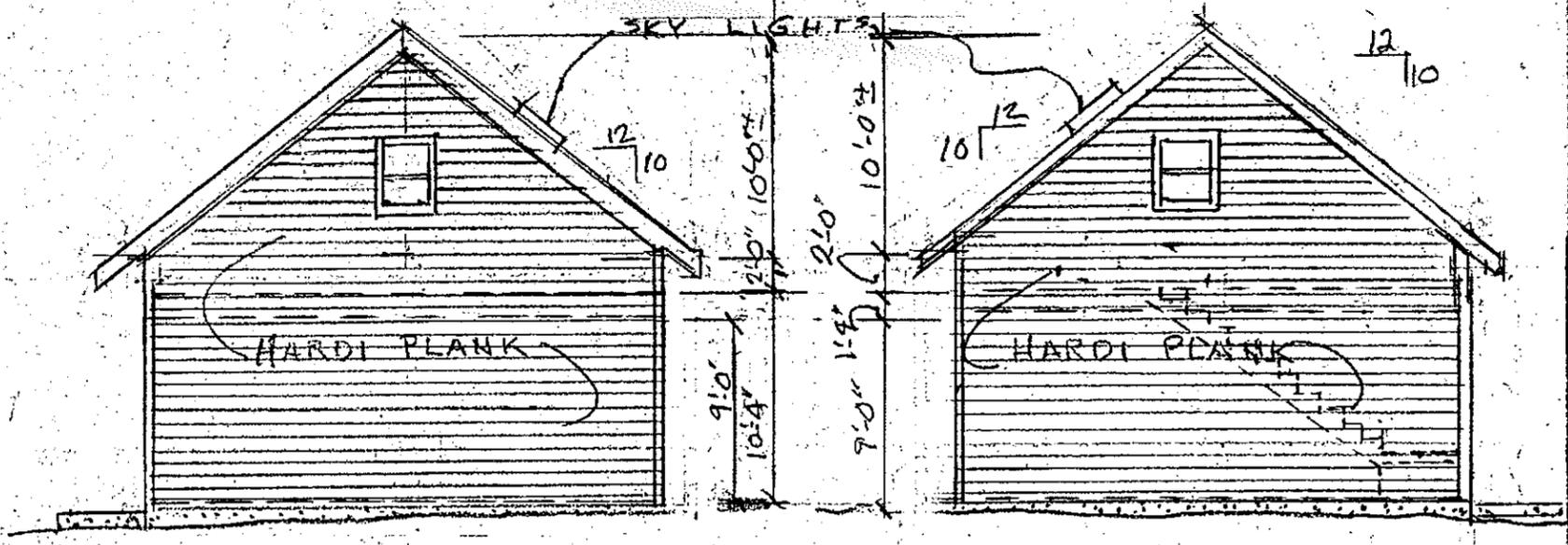
The Commission does not have the authority to approve the use. This recommendation is for the design of the building based on the proposed use.



SITE PLAN  
 SCALE 1" = 10'

REV 8/18/16  
 5/10/16

MR & MRS. DON BAILEY  
 1202 GARTLAND AVE  
 NASHVILLE, TN 37206

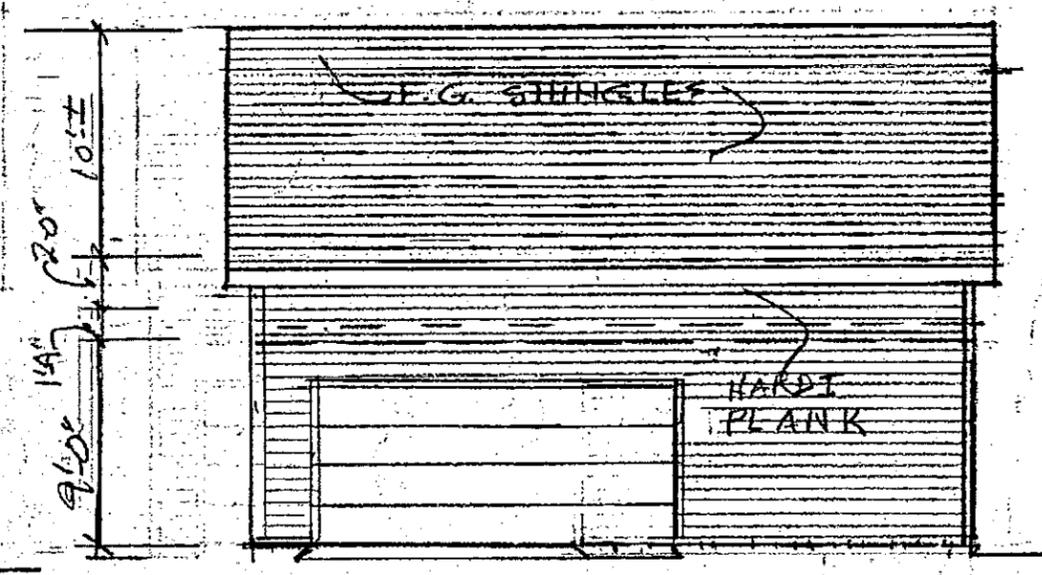


RIGHT SIDE ELEVATION  
SCALE 1/8" = 1'-0"

LEFT SIDE ELEVATION  
SCALE 1/8" = 1'-0"



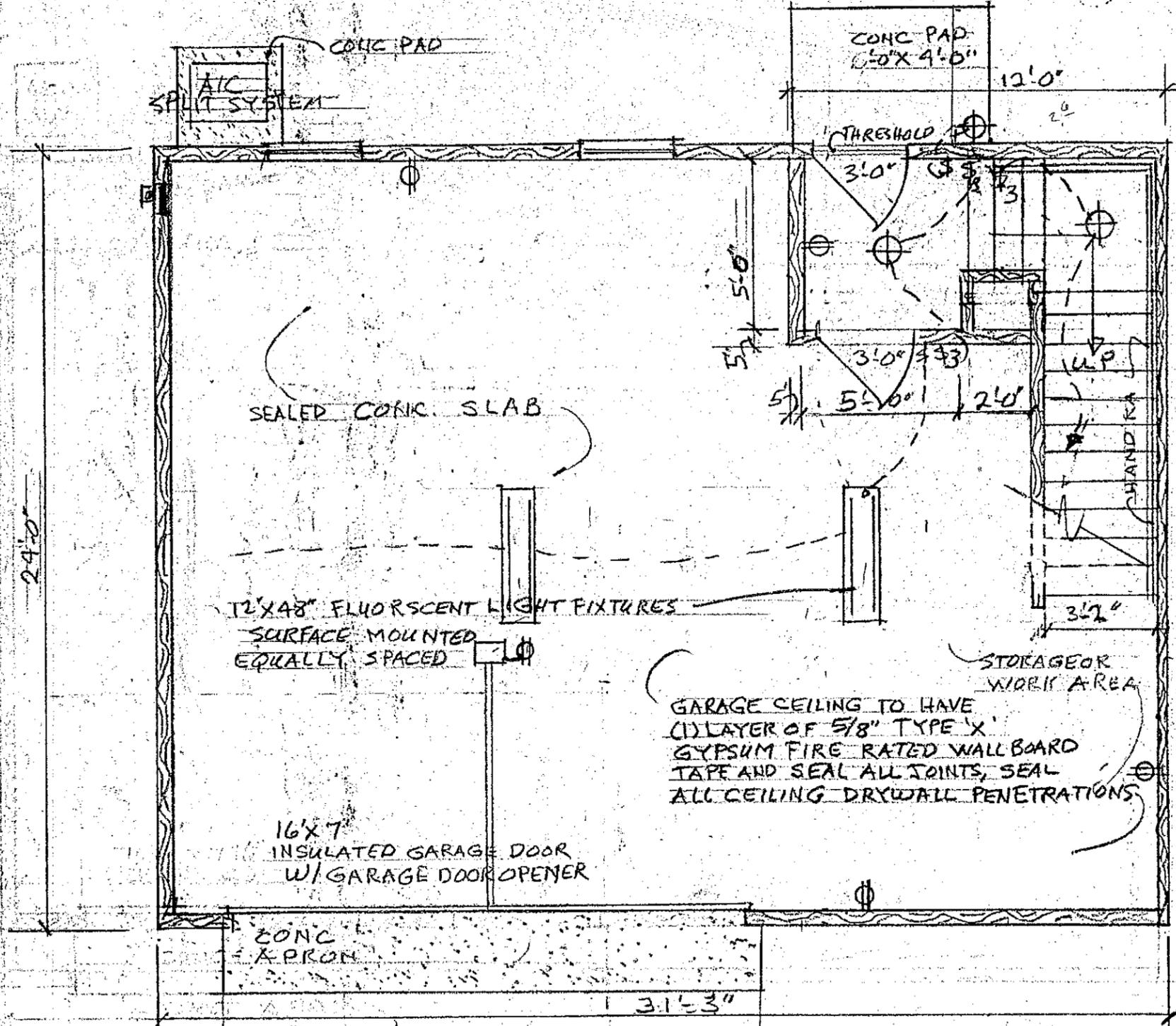
(FRONT) HOUSE SIDE ELEVATION  
SCALE 1/8" = 1'-0"



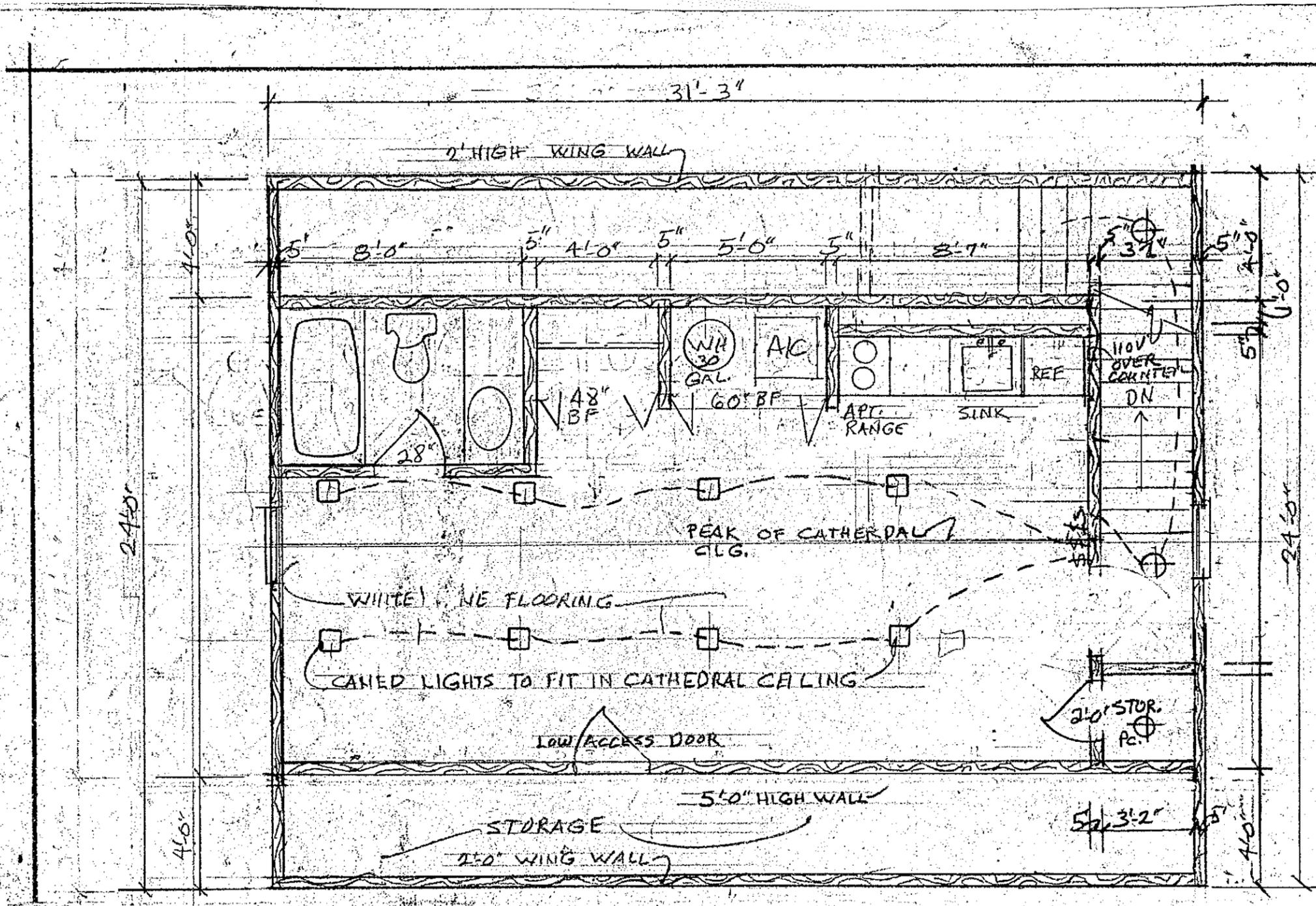
(REAR) ALLEY SIDE ELEVATION  
SCALE 1/8" = 1'-0"

REV 8/18/16  
5/10/16

|   |              |
|---|--------------|
| MR & MRS DON BAILEY<br>1202 GARTLAND AVE<br>NASHVILLE, TN | 2<br>OF<br>3 |
|---|--------------|



GARAGE PLAN SCALE 1/4" = 1'-0"



2ND FLOOR - FLOOR PLAN  
 SCALE 1/4" = 1'-0"