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**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park  
3000 Granny White Pike  
Nashville, Tennessee 37204  
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**STAFF RECOMMENDATION**

**300 Scott Avenue**

**March 15, 2017**

**Application:** Setback determination—detached accessory dwelling unit

**District:** Eastwood Neighborhood Conservation Zoning Overlay

**Council District:** 06

**Map and Parcel Number:** 08306015700

**Applicant:** Cheyenne Smith

**Project Lead:** Melissa Baldock, melissa.baldock@nashville.gov

<p><b>Description of Project:</b> The applicant seeks to amend the site plan of a previously-approved DADU to situate the DADU five feet (5') from the side property line. Since the base zoning setback is ten feet (10'), the revised site plan requires a setback determination. No changes are proposed to the DADU's height, scale, materials, or design.</p> <p><b>Recommendation Summary:</b> Staff recommends approval of the revised site plan, finding it meets Ordinance 17.16.030. G. and Section II.B.1.h. of the Eastwood Neighborhood Conservation Zoning Overlay design guidelines.</p> <p>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.</p>	<p><b>Attachments</b>  <b>A:</b> Site Plan  <b>B:</b> Elevations</p>
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## 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**

### **h. 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.)*

- 1) A new garage or storage building should reflect the character of the period of the house to which the outbuilding will be related. The outbuilding should be compatible, by not contrasting greatly, with surrounding historic outbuildings 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 DADU's 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.

2) Outbuildings should be situated on a lot as is historically typical for surrounding historic buildings.

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.*

- No more than one DADU shall be permitted on a single lot in conjunction with the principal structure.*
  - 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:** 300 Scott Avenue is located at the northeast corner of Benjamin Street. It is a brick bungalow that was constructed c. 1928, and it contributes to the historic character of the Eastwood Neighborhood Conservation Zoning Overlay (Figure 1). In January 2017, MHZC staff issued an administrative permit for an addition to the historic structure. The site does not have an alley, and there is an existing curb cut on Benjamin Street (Figure 2)



Figure 1. 300 Scott Avenue



Figure 2. The existing curb cut off of Benjamin Street

In November 2016, MHZC reviewed and approved a DADU with a rear setback determination. At that time, the applicant assumed the right side property line along Benjamin Street was at the street line (See Figure 2). MHZC approved the Benjamin Street setback with the assumption that the property line was at the street line, and that the DADU would be sixteen feet (16') from the side property line, thereby meeting the base zoning setback of ten feet (10') (Figure 3). Since that approval, a survey showed that the property line is not at the street line, but approximately ten feet (10') back at the line of the current fence (see Figure 2).

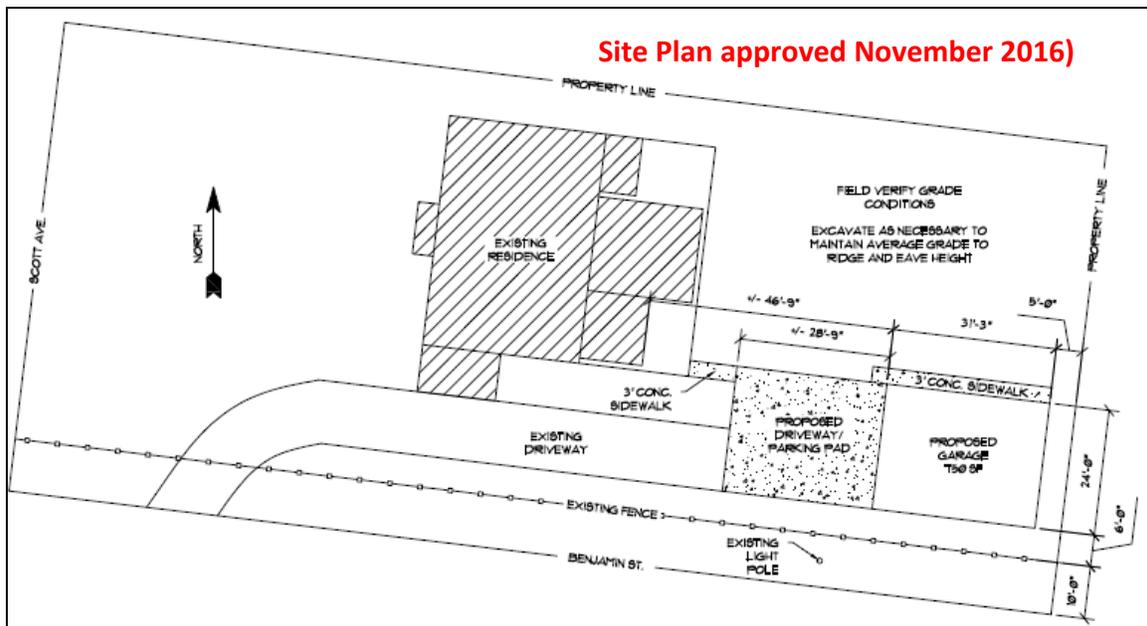


Figure 3. The previously approved site plan assumed, erroneously, that the property line was at the street line, but it is in fact in the location of the existing fence.

The previously-approved project did not provide the required notice for a side setback to situate the structure six feet (6') from the side property line, as it should have. In reviewing the project, the applicant now would like to move the DADU one foot (1') closer to the Benjamin Street property line. The applicant therefore seeks a setback determination to situate the DADU five feet (5') from the Benjamin Street property line, which is one-foot (1') closer to Benjamin Street from its previously-approved location.

### Analysis and Findings:

The applicant seeks to amend the site plan of a previously-approved DADU to situate the DADU five feet (5') from the side property line. Since the base zoning setback is ten feet (10'), the revised site plan requires a setback determination. No changes are proposed to the DADU's height, scale, materials, or design. The DADU's rear setback will remain as previously approved – at five feet (5').

Staff finds the proposed side setback to be appropriate for several reasons. There is ten feet (10') of right-of-way between the end of the street and the property line, and therefore, the DADU will be fifteen feet (15') from the street. Visually, the proposed DADU will appear to meet the base zoning side setback. In addition, garage portion of the DADU will not have garage doors that face Benjamin. Although there is an existing curb cut and driveway off of Benjamin Street, the garage doors face Scott Avenue. Therefore, should the ten foot (10') right-of-way be converted to street in the future, there will not be an issue of adequate space for cars to back in and out of the garage.

Also, the house at 2009 Benjamin Street is the closest house to 300 Scott Avenue; its side property line is the rear property line for 300 Scott. 2009 Benjamin is situated on a large lot and there is a space of approximately sixty-five feet (65') from its left side property line to the house. This large expanse of space means that the location of the DADU at 300 Scott Avenue will have little impact on the historic house at 2009 Benjamin and on rhythm of spacing along Benjamin Street.

Staff finds that the proposed side setback of five feet (5') is appropriate and meets the design guidelines.

**Recommendation Summary:** Staff recommends approval of the revised site plan, finding it meets Ordinance 17.16.030. G. and Section II.B.1.h. of the Eastwood Neighborhood Conservation Zoning Overlay 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.

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206

ISSUE DATE: 02.23.17

REV	DATE	DESCRIPTION
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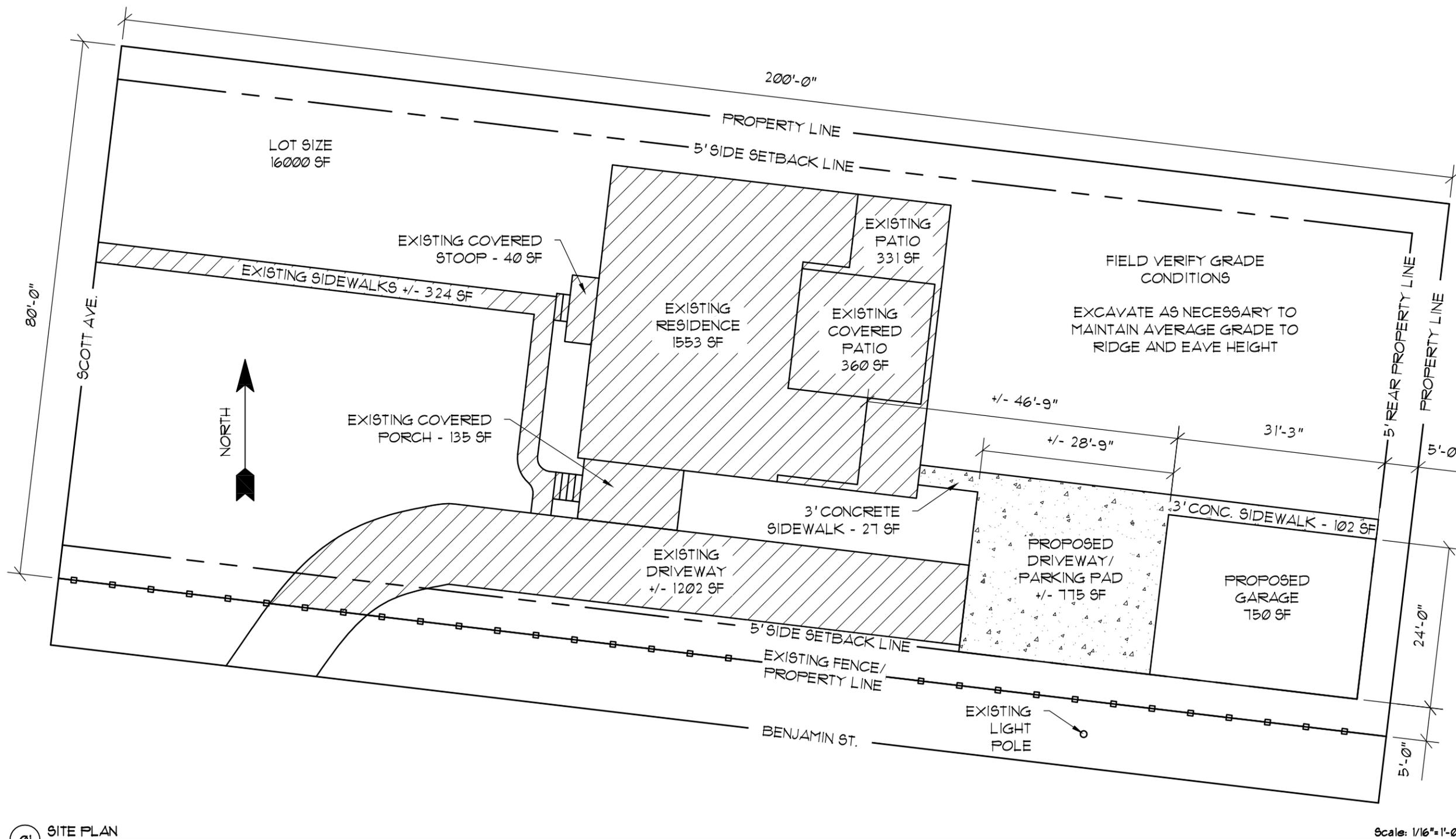
CONSTRUCTION  
 DRAWINGS

PLOT TO FULL SCALE  
 ON 11" X 17" PAPER

SCALE: 1/16" = 1'-0"

A100

SITE PLAN



01 SITE PLAN

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206

ISSUE DATE: 02.23.17

REV	DATE	DESCRIPTION
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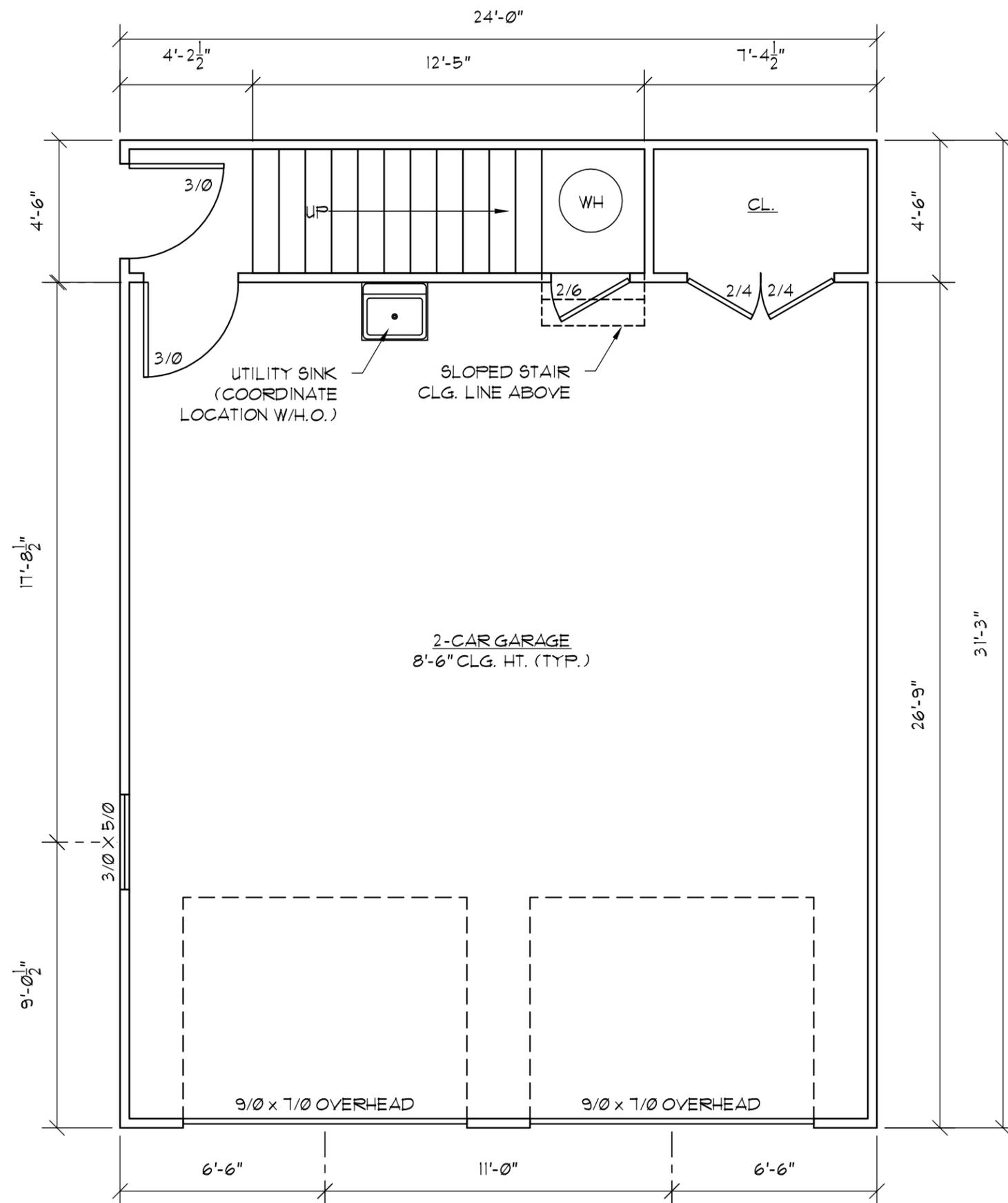
CONSTRUCTION  
 DRAWINGS

PLOT TO FULL SCALE  
 ON 11" X 17" PAPER

SCALE: 1/4" = 1'-0"

A101

FIRST FLOOR PLAN



CONSTRUCTION NOTES

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO DESIGNER AND/OR HOMEOWNER BEFORE PROCEEDING.
2. DO NOT SCALE DRAWINGS - IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL OBTAIN CLARIFICATIONS FROM THE DESIGNER AND/OR HOMEOWNER.
3. ALL WALLS ARE 2X4 (3 1/2") UNLESS OTHERWISE NOTED. FRAMING DIMENSIONS ARE FACE OF STUD TO FACE OF STUD.
4. ALL ANGLED WALLS ARE 135° UNLESS OTHERWISE NOTED.
5. TOP OF ALL DOORS AND WINDOWS FRAMED AT 6'-8" A.F.F. OR TO MATCH EXISTING UNLESS OTHERWISE NOTED.
6. INTERIOR DOORS AND CASED OPENINGS (ROUGH OPENINGS) SHALL BE LOCATED AS GRAPHICALLY SHOWN AND EITHER BE CENTERED IN THE WALL OR LOCATED 5-1/2" FROM THE ADJACENT WALL ON THE HINGE SIDE WHILE MAINTAINING 5-1/2" ON THE LATCH SIDE UNLESS OTHERWISE NOTED.
7. CABINETRY, BUILT-INS AND SHELVING TO BE COORDINATED WITH HOMEOWNER.

01 FIRST LEVEL FLOOR PLAN  
 150 SQ. FT.

Scale: 1/4" = 1'-0"

REV	DATE	DESCRIPTION
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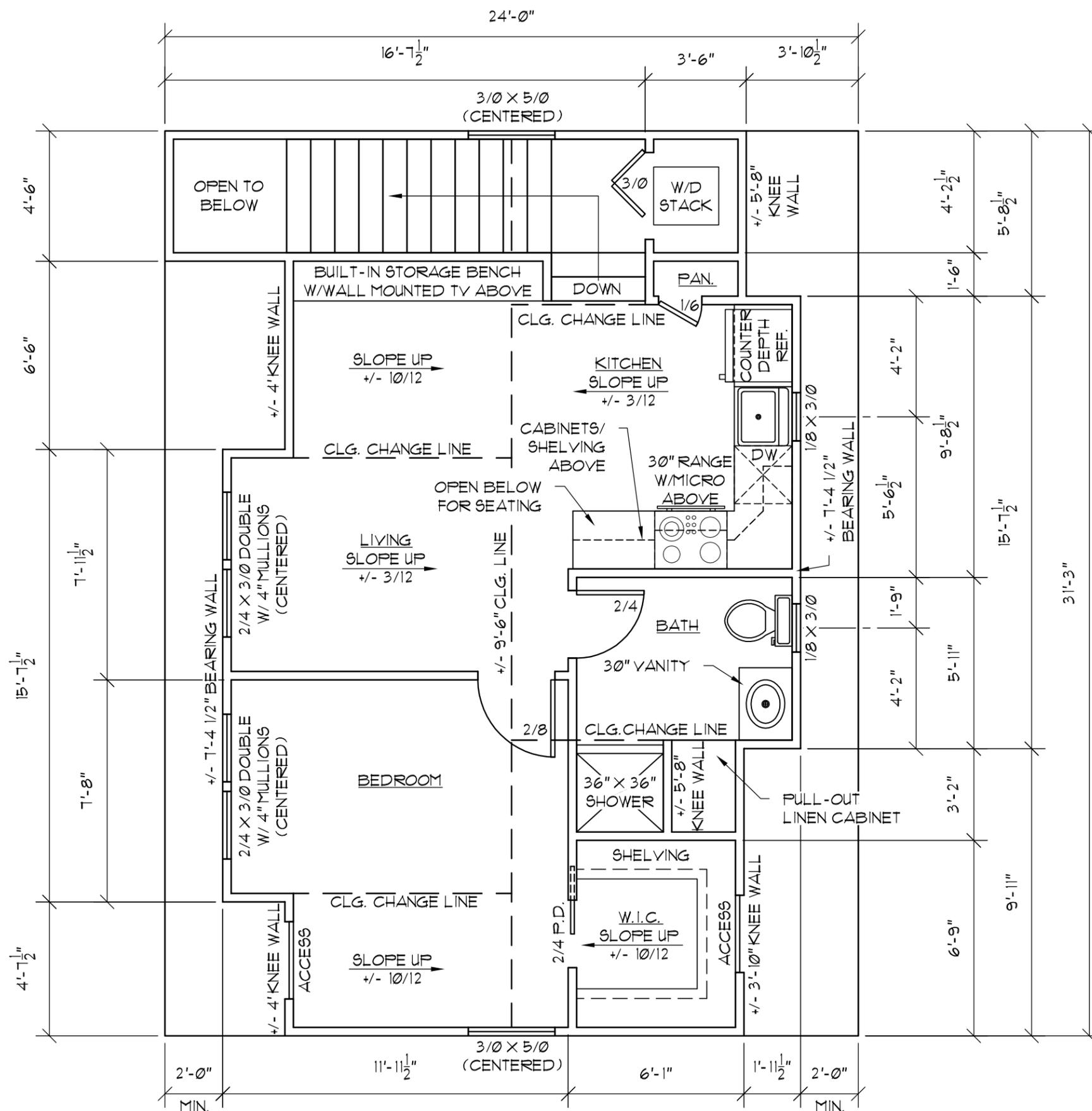
CONSTRUCTION DRAWINGS

PLOT TO FULL SCALE  
 ON 11" X 17" PAPER

SCALE: 1/4" = 1'-0"

A102

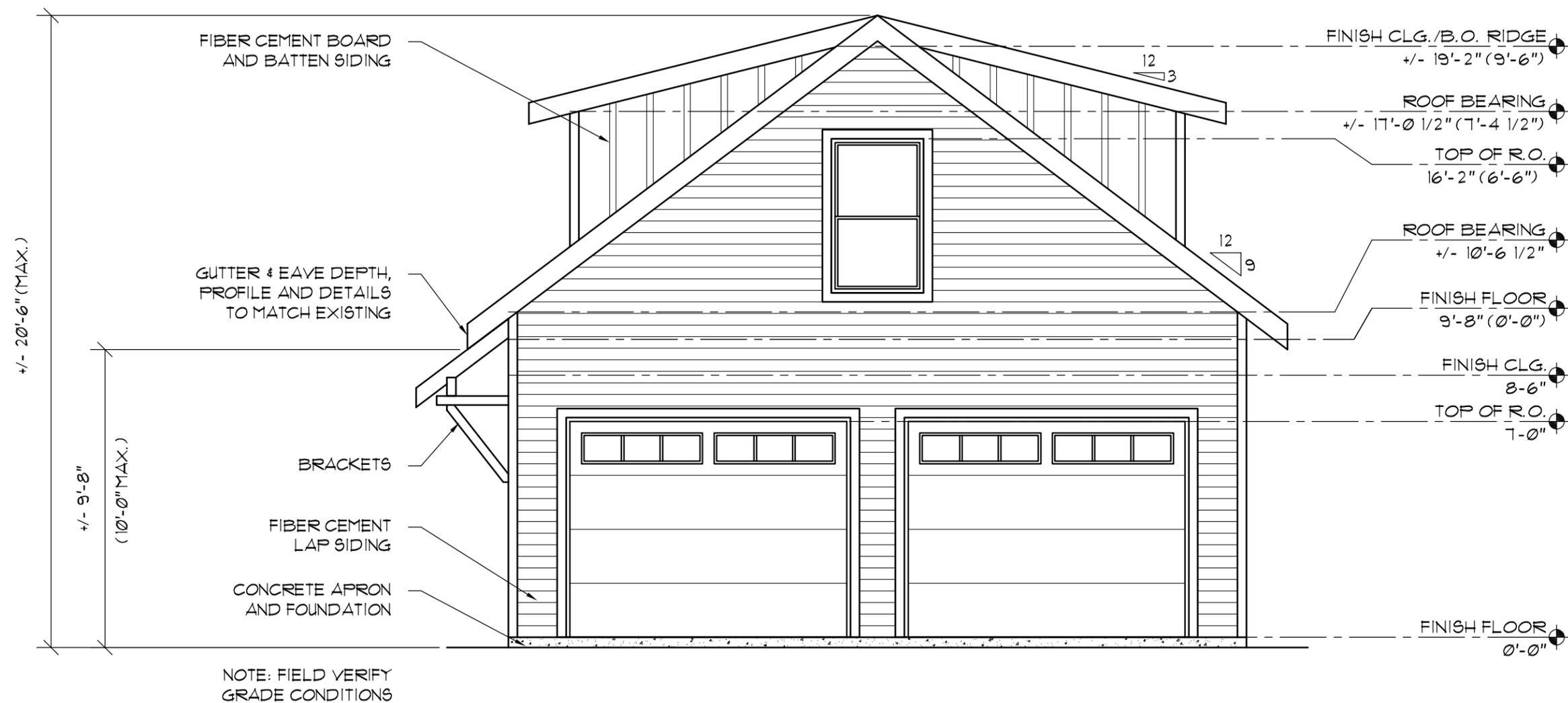
SECOND FLOOR PLAN



- CONSTRUCTION NOTES**
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO DESIGNER AND/OR HOMEOWNER BEFORE PROCEEDING.
  2. DO NOT SCALE DRAWINGS - IF DIMENSIONS ARE IN QUESTION, THE CONTRACTOR SHALL OBTAIN CLARIFICATIONS FROM THE DESIGNER AND/OR HOMEOWNER.
  3. ALL WALLS ARE 2X4 (3 1/2") UNLESS OTHERWISE NOTED. FRAMING DIMENSIONS ARE FACE OF STUD TO FACE OF STUD.
  4. ALL ANGLED WALLS ARE 135° UNLESS OTHERWISE NOTED.
  5. TOP OF ALL DOORS AND WINDOWS FRAMED AT 6'-8" A.F.F. OR TO MATCH EXISTING UNLESS OTHERWISE NOTED.
  6. INTERIOR DOORS AND CASSED OPENINGS (ROUGH OPENINGS) SHALL BE LOCATED AS GRAPHICALLY SHOWN AND EITHER BE CENTERED IN THE WALL OR LOCATED 5-1/2" FROM THE ADJACENT WALL ON THE HINGE SIDE WHILE MAINTAINING 5-1/2" ON THE LATCH SIDE UNLESS OTHERWISE NOTED.
  7. CABINETRY, BUILT-INS AND SHELVING TO BE COORDINATED WITH HOMEOWNER.

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206



01 FRONT ELEVATION (WEST)

Scale: 1/4"=1'-0"

ISSUE DATE: 02.23.17

REV	DATE	DESCRIPTION
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CONSTRUCTION  
 DRAWINGS

PLOT TO FULL SCALE  
 ON 11" X 17" PAPER

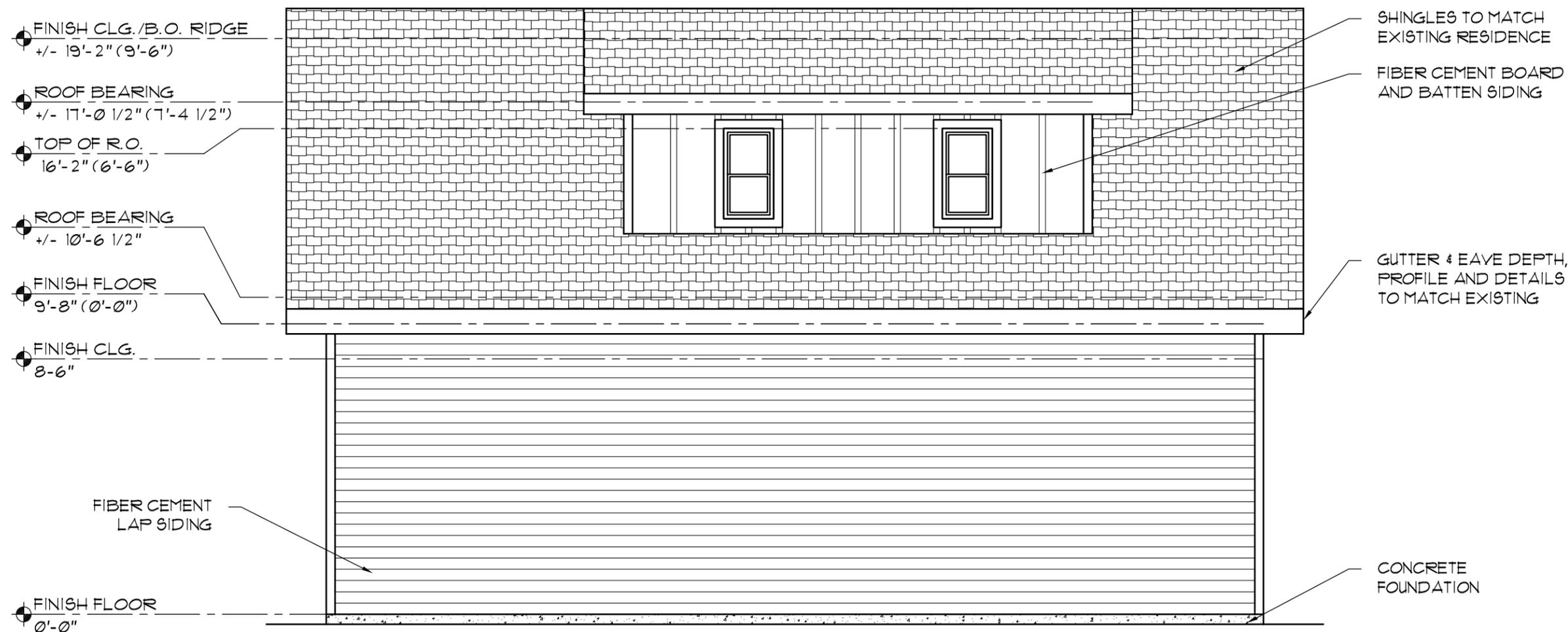
SCALE: 1/4"=1'-0"

A103

FRONT ELEVATION

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206



NOTE: FIELD VERIFY GRADE CONDITIONS

Scale: 1/4"=1'-0"

01 RIGHT ELEVATION (SOUTH)

ISSUE DATE: 02.23.17

REV	DATE	DESCRIPTION
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CONSTRUCTION DRAWINGS

PLOT TO FULL SCALE ON 11" X 17" PAPER

SCALE: 1/4"=1'-0"

A104

RIGHT ELEVATION

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206

ISSUE DATE: 02.23.17

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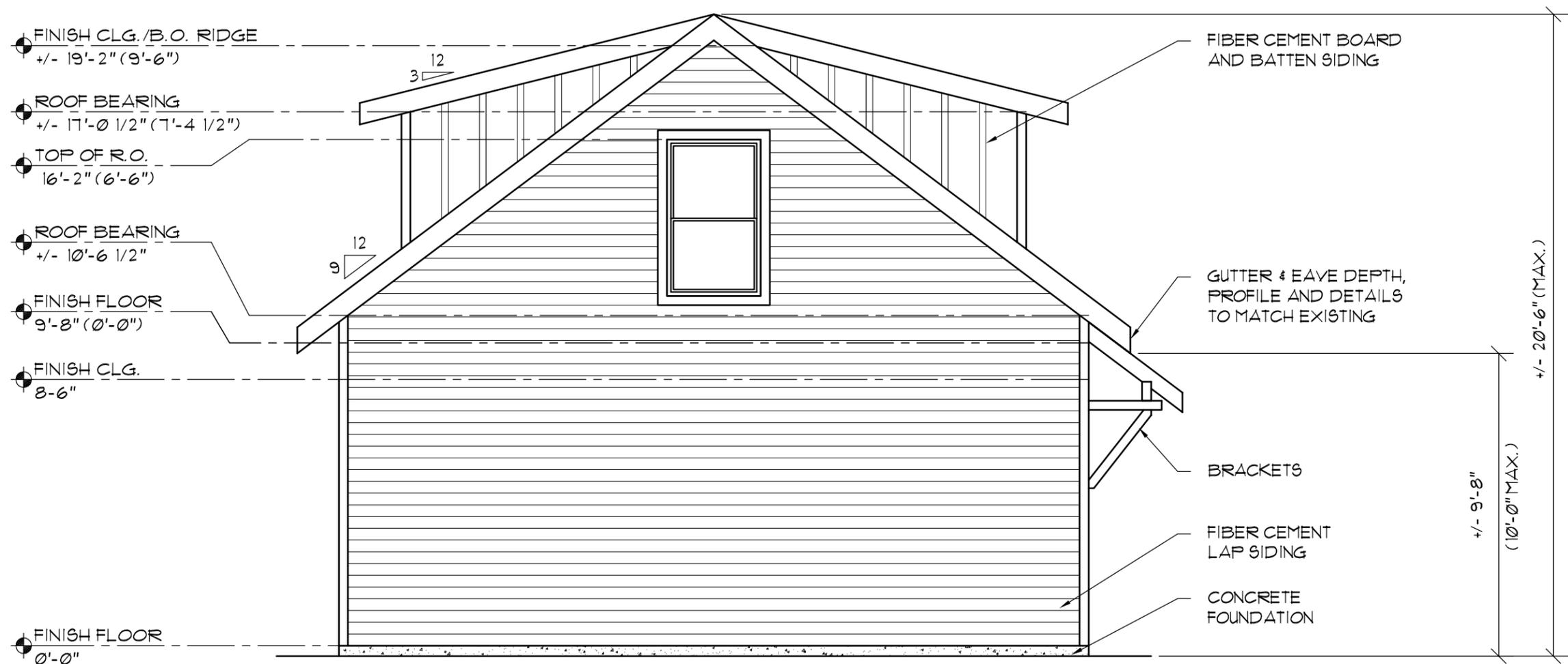
CONSTRUCTION  
 DRAWINGS

PLOT TO FULL SCALE  
 ON 11" X 17" PAPER

SCALE: 1/4" = 1'-0"

A105

REAR ELEVATION



01 REAR ELEVATION (EAST)

Scale: 1/4" = 1'-0"

NOTE: FIELD VERIFY  
 GRADE CONDITIONS

FIBER CEMENT BOARD  
 AND BATTEN SIDING

GUTTER & EAVE DEPTH,  
 PROFILE AND DETAILS  
 TO MATCH EXISTING

BRACKETS

FIBER CEMENT  
 LAP SIDING

CONCRETE  
 FOUNDATION

+/- 20'-6" (MAX.)

+/- 9'-8"  
 (10'-0" MAX.)

12  
 3

12  
 9

FINISH CLG./B.O. RIDGE  
 +/- 19'-2" (9'-6")

ROOF BEARING  
 +/- 17'-0 1/2" (7'-4 1/2")

TOP OF R.O.  
 16'-2" (6'-6")

ROOF BEARING  
 +/- 10'-6 1/2"

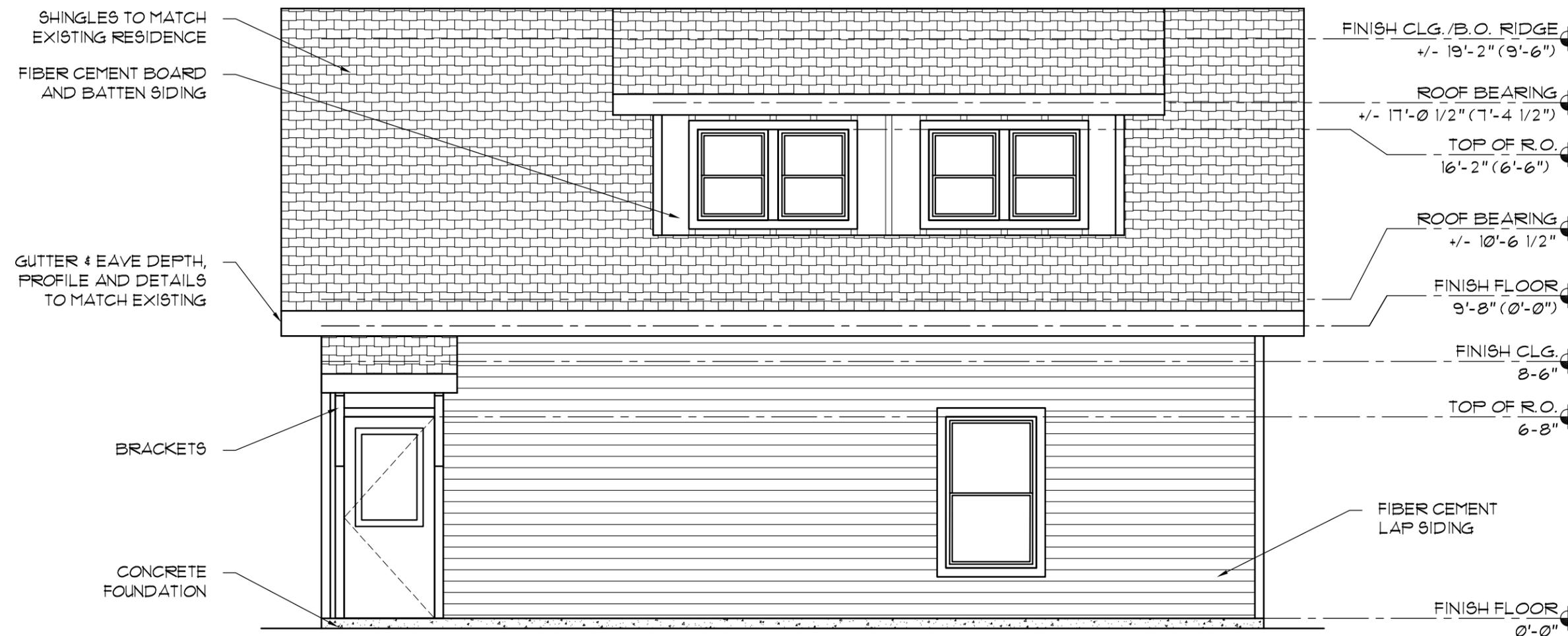
FINISH FLOOR  
 9'-8" (0'-0")

FINISH CLG.  
 8'-6"

FINISH FLOOR  
 0'-0"

PROJECT #: 16050

DETACHED ACCESSORY DWELLING UNIT  
 300 SCOTT AVE.  
 NASHVILLE, TN 37206



01 LEFT ELEVATION (NORTH)

Scale: 1/4"=1'-0"

ISSUE DATE: 02.23.17

REV	DATE	DESCRIPTION
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CONSTRUCTION DRAWINGS

PLOT TO FULL SCALE ON 11" X 17" PAPER

SCALE: 1/4"=1'-0"

A106

LEFT ELEVATION