

MEGAN BARRY
MAYOR



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 933 Fatherland Street June 21, 2017

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

District: Edgefield Historic Preservation Zoning Overlay

Council District: 06

Map and Parcel Number: 08216017300

Applicant: Mitchell Barnett Architect, PC

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

Description of Project: Application is to demolish existing outbuildings and to construct a detached accessory dwelling unit (DADU) at the rear of the lot. The structure requires a rear setback determination from twenty feet (20') to thirteen feet (13'). The structure contains an uncovered balcony, supported by brackets, that is twenty-eight square feet (28 sq. ft.).

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

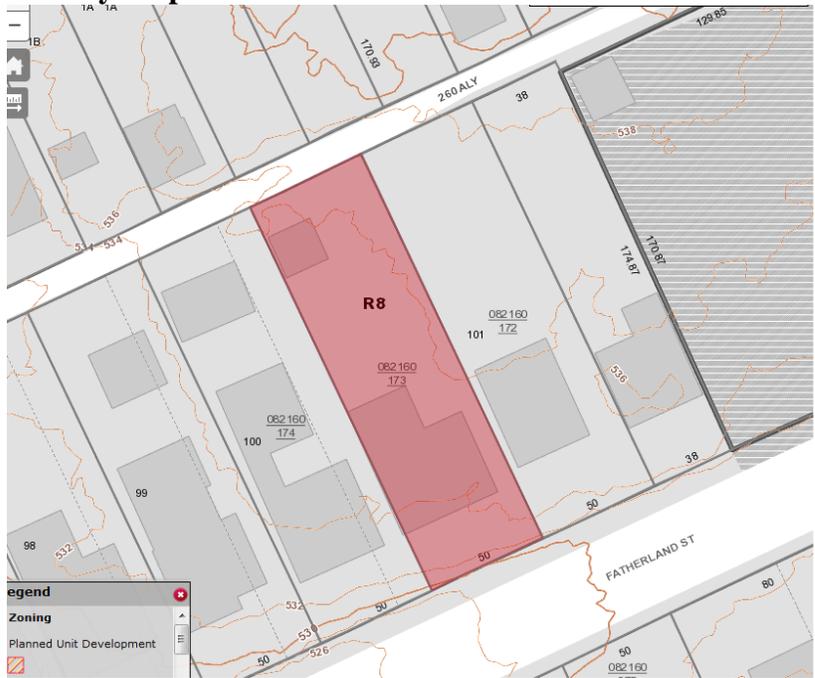
1. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
2. Staff approve the roof shingle color; and
3. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit; and
4. The balcony be approved as a test case for a potential policy for outbuildings and DADUs.

With these conditions, staff finds that the detached accessory dwelling unit meets Ordinance 17.16.030. G. and Section III.B.2.h. of the Edgefield Historic Preservation Zoning District design guidelines.

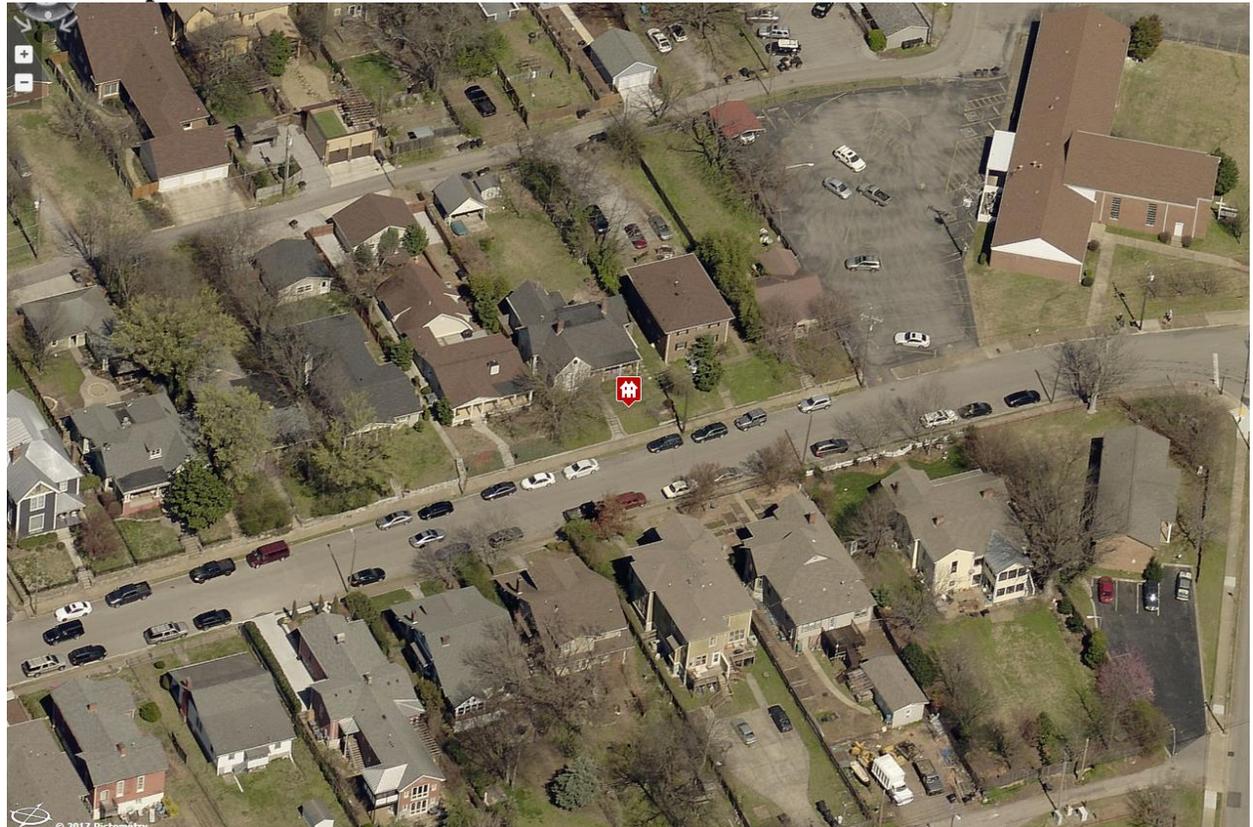
The Commission does not have the authority to approve the use. This recommendation is for the design of the building based on the proposed use.

Attachments
A: Site Plan
B: Elevations

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.

h. Outbuildings

(Although the MHZC does not review use itself there are additional ordinance requirements for buildings that have 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 outbuilding building should reflect the character of outbuildings with the associated house. The outbuilding should be compatible, by not contrasting greatly with the surrounding historic outbuildings in terms of height, scale, roof shape, materials, texture, 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.

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. Outbuildings with weatherboard siding typically have wide cornerboards and window and door casings (trim).

· 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 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 configuration 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 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 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.

o The DADU shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.

o 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.

i. Appurtenances Related to New Construction

For information on fences, paving, walls, et cetera, see the Appurtenances section.

Landscaping, sidewalks, signage, lighting, street furniture and other work undertaken in public spaces by any individual, group or agency shall be presented to the MHZC for review of compatibility with the character of the district.

Utility connections such as gas meters, electric meters, phone, cable, and HVAC condenser units should be located so as to minimize their visibility from the street.

Generally, utility connections should be placed no closer to the street than the mid point of the structure.

Power lines should be placed underground if they are carried from the street and not from the rear or an alley.

Landscaping, sidewalks, signage, lighting, street furniture and other work undertaken in public spaces by any individual, group or agency shall be presented to the MHZC for review of compatibility with the character of the district.

Generally, mailboxes should be attached to the front wall of the house or a porch post. In most cases, street-side mailboxes are inappropriate.

V.B DEMOLITION GUIDELINES

- 1 . Demolition is not appropriate
 - a. if a building, or major portion of a building, contributes to the architectural or historical significance or character of the district.
- 2 . Demolition is appropriate
 - a. if a building, or major portion of a building, does not contribute to the architectural or historical character or significance of the district; or
 - b. if a building, or major portion of a building, has irretrievably lost its physical integrity to the extent that it no longer contributes to the district's architectural or historical character or significance; or
 - c. if the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with section 17.40.420, as amended, of the historic zoning ordinance.

Background: 933 Fatherland Street is a late nineteenth century Eastlake-inspired frame house that contributes to the historic character of the Edgefield Historic Preservation Overlay.



Analysis and Findings: Application is to demolish existing outbuildings and to construct a detached accessory dwelling unit (DADU) at the rear of the lot. The structure requires a rear setback determination from twenty feet (20') to thirteen feet (13'). The structure contains an uncovered balcony, supported by brackets, that is twenty-eight square feet (28 sq. ft.).

Staff recommends receipt of the restrictive covenant for the DADU prior to issuance of the preservation permit.

Demolition. The applicant proposes to demolish the existing outbuilding (Figure 2). In 1996, the Metro Historic Zoning Commission issued a permit for the existing garage. Staff finds that the outbuilding’s date of construction and lack of architectural and historical integrity render it non-contributing. Staff therefore finds that the proposed demolition meets Section V.B.2. for appropriate demolition and does not meet Section V.B.1. for inappropriate demolition.



Figure 2. The 1996 garage that will be demolished.

Roof Shape:

Proposed Element	Proposed Form	Typical of district?
Primary form	Cross-gable	Yes
Primary roof slope	12/12	Yes

Since the form and slopes are similar to historic outbuildings, staff finds that the project meets Section III.B.2.h.1 of the design guidelines and section 17.16.030.G.8 of the ordinance.

Design Standards: The accessory structure has a simple design that is appropriate for outbuildings. Its roof form, detailing, and form do not contrast greatly with the primary structure. It is in a minimally-visible location at the side and rear of the building. Staff finds that the proposed design meets section III.B.2.h.1 of the design guidelines and Section 17.16.030.G.8 of the ordinance.

Materials:

	Proposed	Color/Texture	Approved Previously or Typical of Neighborhood
Foundation	Concrete slab	Natural color	Yes
Cladding	Cement-fiber	Smooth with 4” reveal	Yes
Roofing	Asphalt shingle	Not indicated	Yes
Trim	Cement fiber or wood	Smooth	Yes
Balcony	Wood	Typical	Yes
Driveway	Concrete	Typical	Yes
Windows	Not indicated	Needs final approval	Unknown
Pedestrian Door	Not indicated	Needs final approval	Unknown
Vehicular Door	Painted metal overhead sectional door	Needs final approval	Yes
Shutters	Wood	Typical	Yes

With the staff’s final approval of the windows and doors and the roof color, staff finds that the known materials meet Section III.B.2.h. of the design guidelines.

Appurtenances & Utilities: No changes to the appurtenances and utilities were indicated on the plans. Since 933 Fatherland is located within an historic zoning overlay, MHZC will need to review and approve all new and changes to existing permanent landscape features.

General requirements for DADUs:

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

	YES	NO
If there are stairs, are they enclosed?	YES	
If a corner lot, are the design and materials similar to the principle building?	N/A	
If dormers are used, do they cover less than 50% of the roof plane where they are located as measured from side-to-side?	N/A	
If dormers are used, do they sit back from the wall below by at least 2’?	N/A	
Is the roof pitch at least 4/12?	Yes	
If the building is two-bay and the vehicular doors face the street,	N/A	

are there two different doors rather than one large door?		
Is the building located towards the rear of the lot?	YES	

Staff finds that the proposed DADU meets section III.B.2.h 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
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.)		NO
Are there other accessory buildings on the lot that exceed 200 square feet?	YES (to be removed)	
Is the property zoned single-family?		NO
Are there already two units on the property?		NO
Does the property owner NOT live on site or does NOT plan to move to this location once the DADU is complete?		NO
Is the planned conditioned living space more than 700 square feet?		NO

Staff finds that the proposed DADU meets section III.B.2.h of the design guidelines and sections 17.16.30.G.1,2,3, and 7 of the ordinance.

Site Planning:

	MINIMUM	PROPOSED
Space between principal building and DADU/Garage	20'	65'
Rear setback	20'	10' *
L side setback**	5'	5'
R side setback**	5'	12'
How is the building accessed?	From the alley or existing curb cut	From alley

*For outbuildings that have footprints that are larger than seven hundred square feet (700 sq. ft.) like this one, the base zoning setbacks are five feet (5') from the side property lines and twenty feet (20') from the rear property line. In this case, the proposed DADU will meet the base zoning side setbacks, but will need a setback determination for the rear setback.

Staff finds that the proposed ten foot (10') rear setback to be appropriate because historically, outbuildings were situated close to the rear and side property lines. A ten foot (10') rear setback is more historically appropriate than a twenty foot (20') rear setback. In addition, if the DADU were less than seven hundred square feet (700 sq. ft.), the base zoning rear setback would be ten feet (10'). The reduced rear setback also allows for more space in between the house and the outbuilding, which is appropriate. Staff therefore recommends approval of the setback determination, finding that the proposed setbacks meet Section III.B.2.h.2. of the design guidelines and 17.16.030.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.

	Existing conditions (height of historic portion of the home to be measured from finished floor)	Potential maximums (heights to be measured from grade)	Proposed (should be the same or less than the lesser number to the right)
Ridge Height	24'10"	25'	23'6"
Eave Height	12'	10'	10'

	Lot is less than 10,000 square feet	50% of first floor area of principle structure	Proposed footprint
Maximum Square Footage	750 sq. ft.	878 sq. ft.	747.5 sq. ft.*

*The applicant is proposing an uncovered balcony that is seven feet (7') wide and four feet (4') deep, or twenty-eight square feet (28 sq. ft.). The balcony is supported by brackets. If this balcony is included in the calculation of the footprint, it would push the DADU's footprint over the allowed seven hundred and fifty square feet (750 sq. ft.). Staff recommends that the Commission consider creating a policy regarding balconies on outbuildings and DADU. Staff recommends that upper level balconies on outbuildings

and DADUs be permitted and not be included in either the footprint square footage allotment or the dwelling unit square footage allotment if they meet the following criteria:

- They are located either facing the principal house or the rear of the lot; they would not be permitted facing the side property lines;
- The outer facing railing meets the base zoning setbacks;
- The footprint is limited to thirty square feet (30 sq. ft.) or less;
- The balcony is uncovered; and
- The balcony does not have posts to the ground.

Staff finds that the proposed balcony meets these criteria, and staff recommends that the Commission approve the balcony as a test case and review it again once constructed. If the Commission finds the balcony to be appropriate, the above criteria could be added to the NCZO design guidelines as italicized information.

Staff finds that the DADU meets section III.B.2.h.1 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. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
2. Staff approve the roof shingle color; and
3. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit; and
4. The balcony be approved as a test case for a potential policy for outbuildings and DADUs.

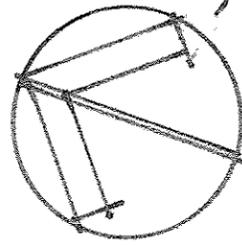
With these conditions, staff finds that the detached accessory dwelling unit meets Ordinance 17.16.030. G. and Section III.B.2.h. of the *Edgefield Historic Preservation Zoning District: Handbook and Design Guidelines*.

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.

Footprint 747.5 s.f.

933 Fatherland Street
6.9.17

North



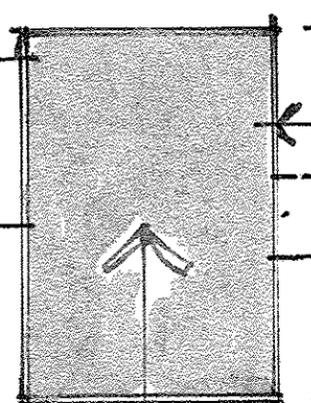
drive

10' 23'.0"

170.0'

50'

Alley



32.5

65'

Existing Residence

5'

3' MBSL

sidewalk

Fatherland Street

proposed building

site plan

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

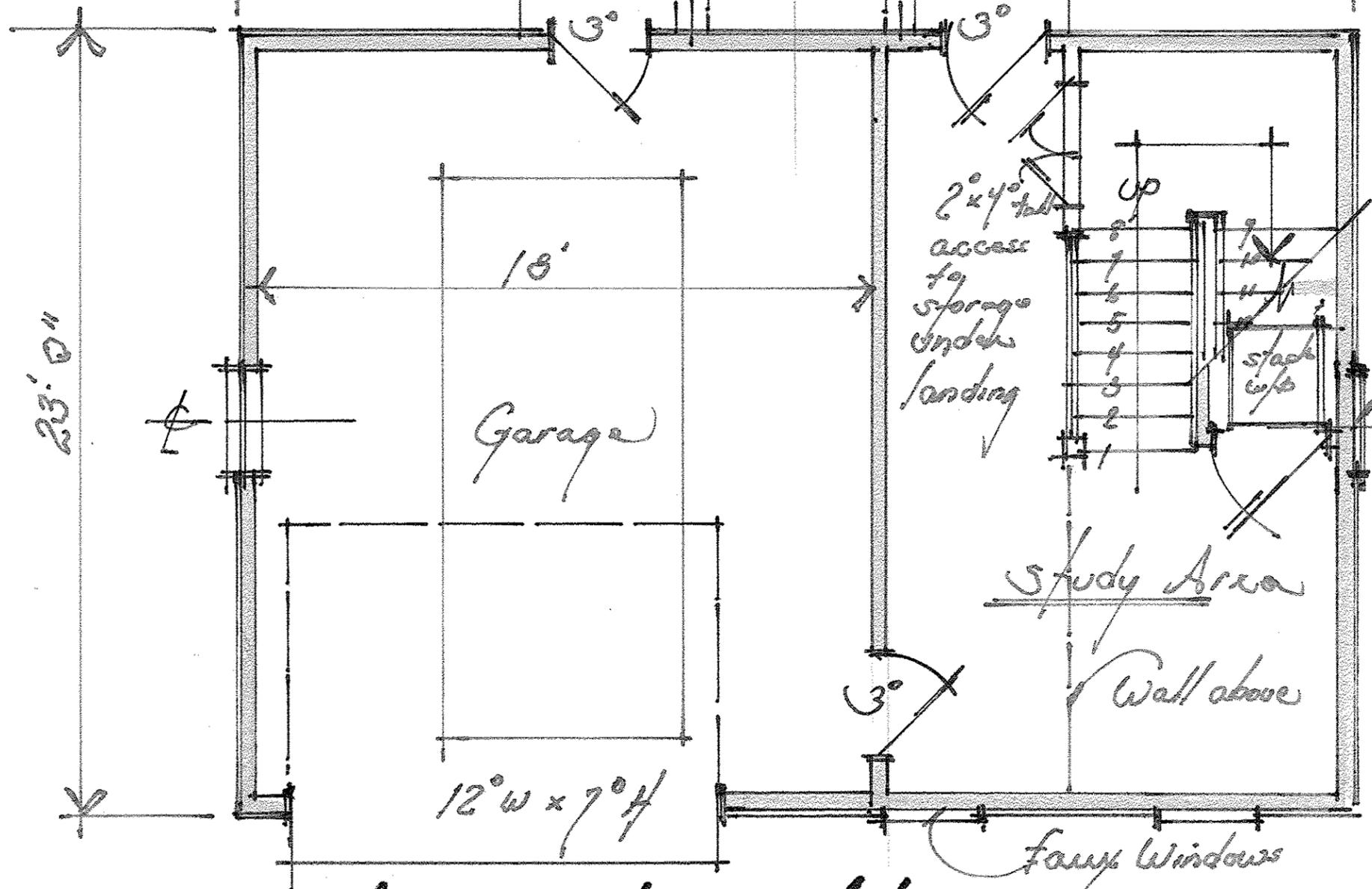


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2204 8th AVENUE SOUTH
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footprint
747.5 s.f.

32' 6"



933 Fatherland
Street
6.9.17



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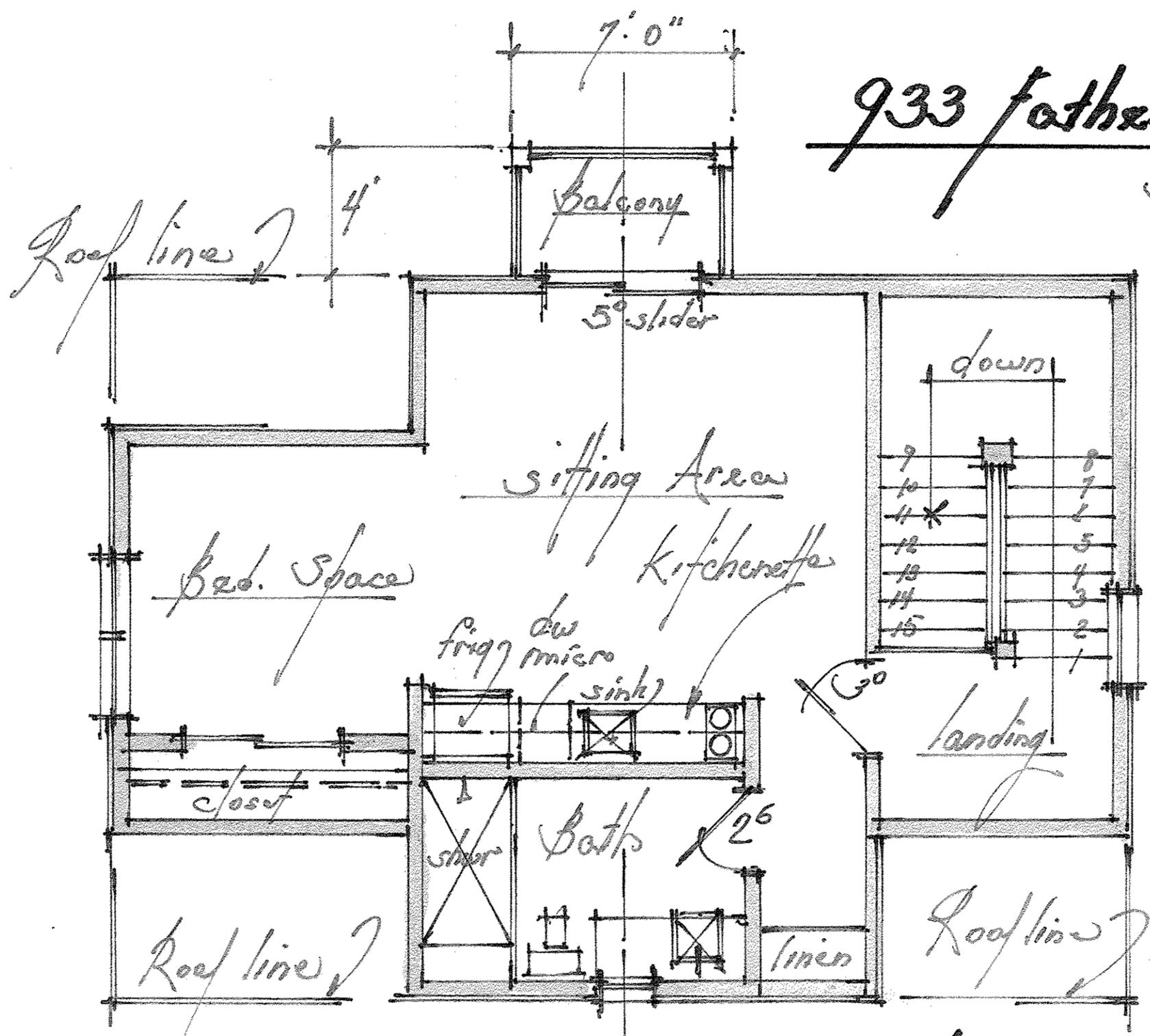
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4 faux windows
 First floor living
 191 s.f.
 Second floor 381 s.f.
 Total Living 572 s.f.

First Floor Plan

sc. 1/4"

933 Fatherland Street
 June 9, 2017



Second floor living
 381/s.f.

Second floor plan

1/4" = 1'-0"

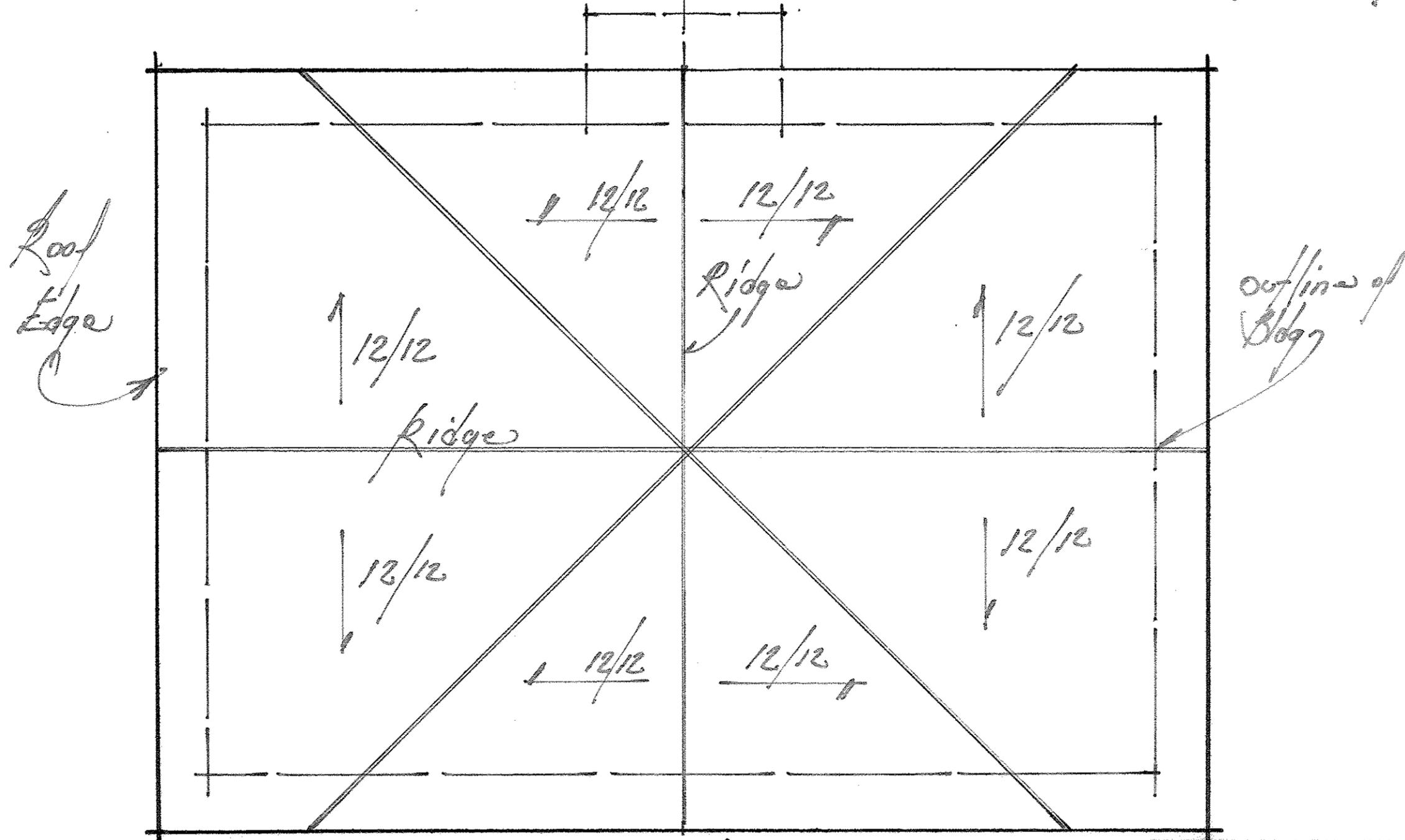


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933 Fatherland Street

6-9-2017



Roof Plan

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

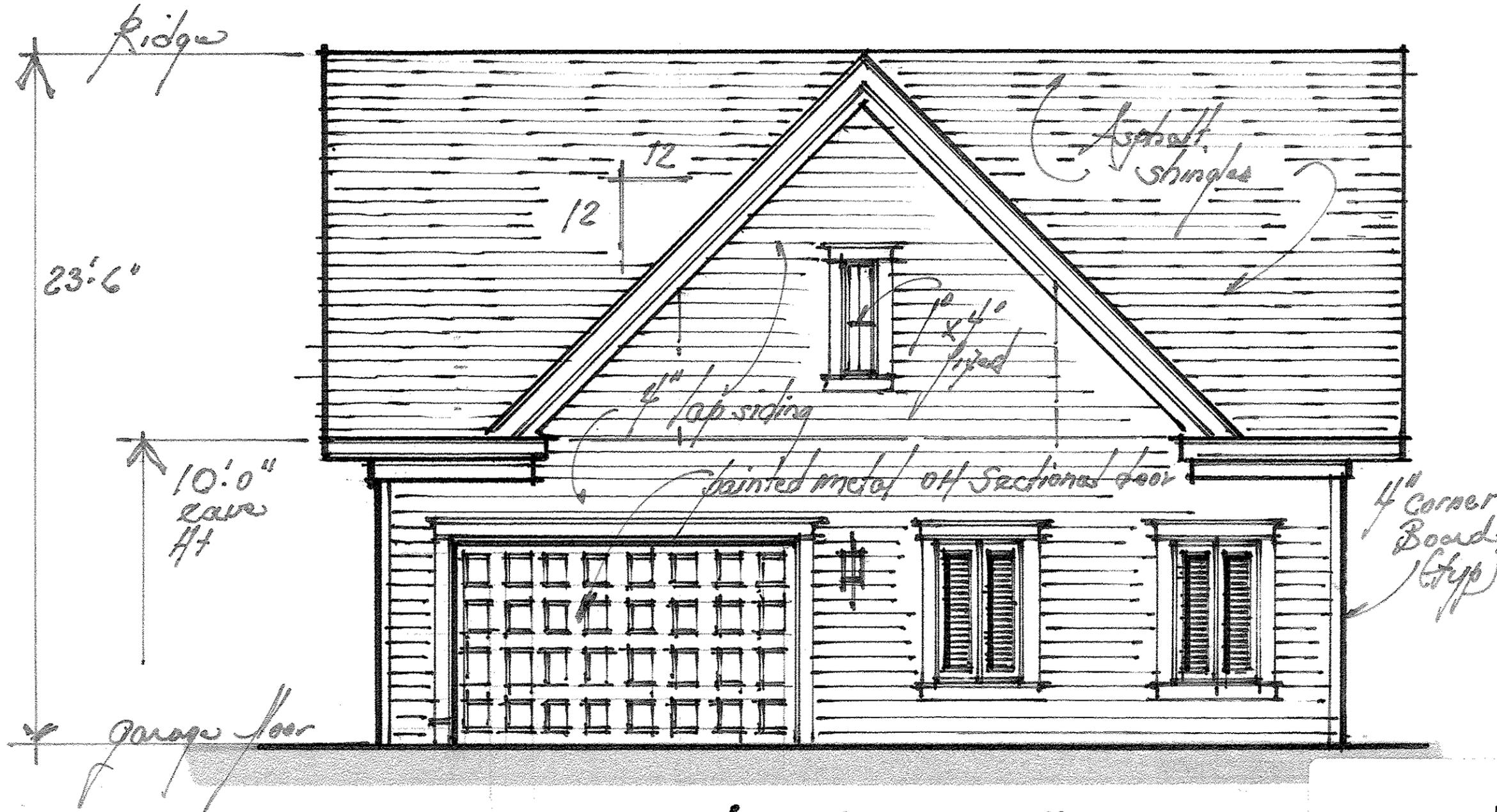


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6.9.2017



North Elevation

50:1/4"

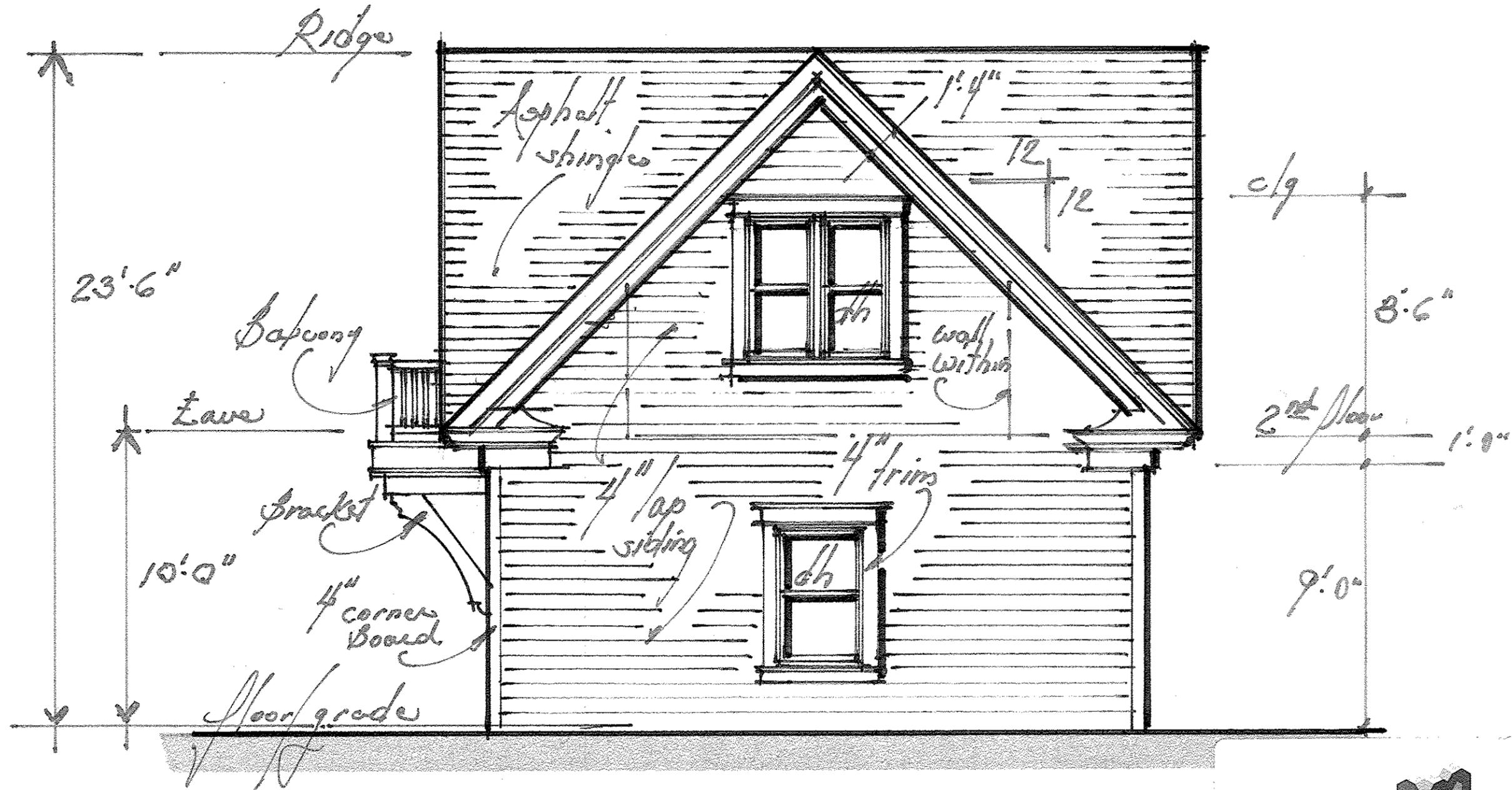


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6.9.2017



East View

sc: 1/4"

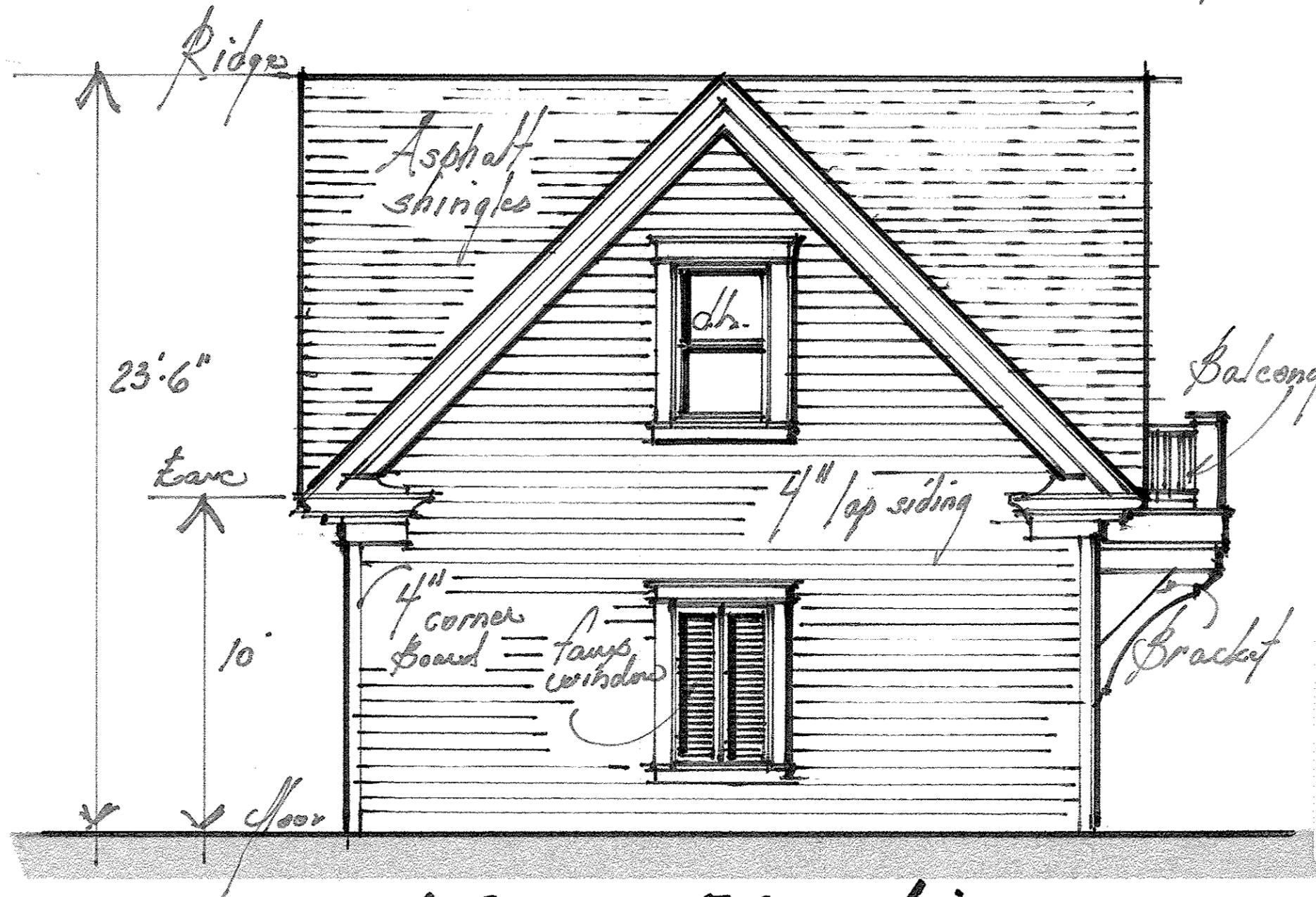


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6.9.2017



West Elevation

sc. 1/4" = 1'-0"

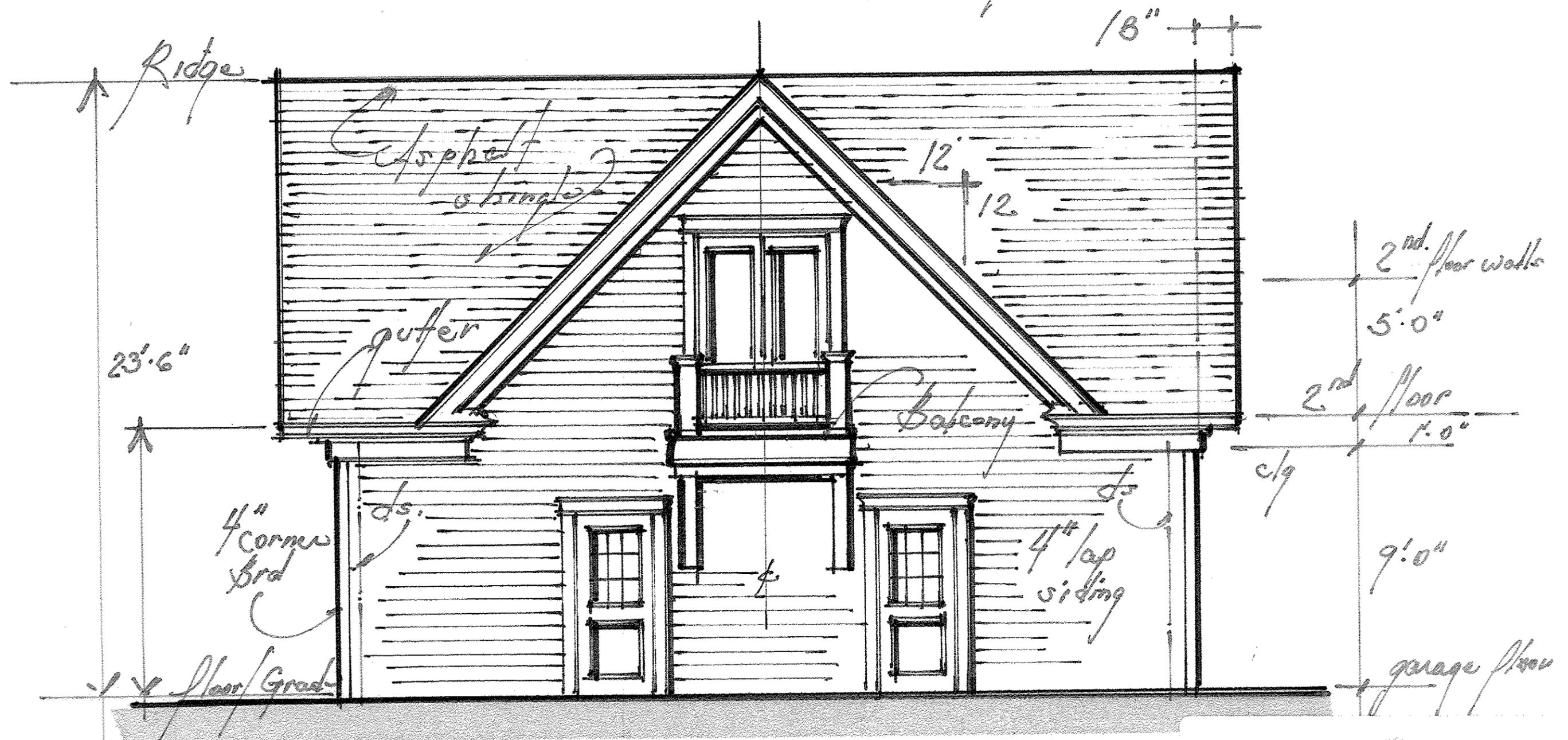


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6.9.2017



South Elevation

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



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