

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
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Nashville, Tennessee 37204
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STAFF RECOMMENDATION 1703 Primrose Avenue July 19, 2017

Application: New construction-setback determination
District: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Council District: 18
Map and Parcel Number: 1170805300
Applicant: Van Pond Architects
Project Lead: paul.hoffman@nashville.gov

<p>Description of Project: A new detached accessory dwelling unit (DADU) was approved in March with a setback determination of five feet (5') from the rear property line. The applicant requests a setback determination to locate the new outbuilding on the rear property line.</p> <p>Recommendation Summary: Staff recommends disapproval of the setback determination. Staff finds that the proposed setback determination would not meet section II.B.1 of the design guidelines.</p>	<p>Attachments A: Site Plan</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

i. 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 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) cornerboards and casings around doors, windows, and vents within clapboard walls is required. 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.

- 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: 1703 Primrose Avenue is a contributing building dating to 1930 in the Belmont- Hillsboro Neighborhood Conservation Zoning Overlay.

Analysis and Findings: MHZC approved construction of the detached accessory dwelling unit (DADU) in March, with a rear setback determination of five feet (5'). The applicant requests further reduction of the rear setback, proposing to locate the new DADU on the rear property line.



Setback: Previously the Commission approved a reduced setback from ten feet (10') to five feet (5'). The lot is unusual, being shorter than other lots in the district, and with the rear property line abutting the street right-of-way for Oakland Avenue. Outbuildings located near the rear property line are common historically. However, Staff finds that the already-approved rear setback is as close as should be recommended. Staff finds locating the outbuilding closer than five feet (5') or on the rear property line would not meet section II.B.i of the design guidelines for location. Typically outbuildings were close to the rear property line but they were not necessarily on the property line. Since the proposed outbuilding is much larger than historic buildings, staff recommends that the building be no closer than five feet (5') from the rear property line. The Commission has approved outbuildings with garage doors facing the rear as close as five feet (5') to the rear property line, but no closer. Metro Public Works reviewed this specific request and does not support a structure immediately adjacent to the right-of-way.

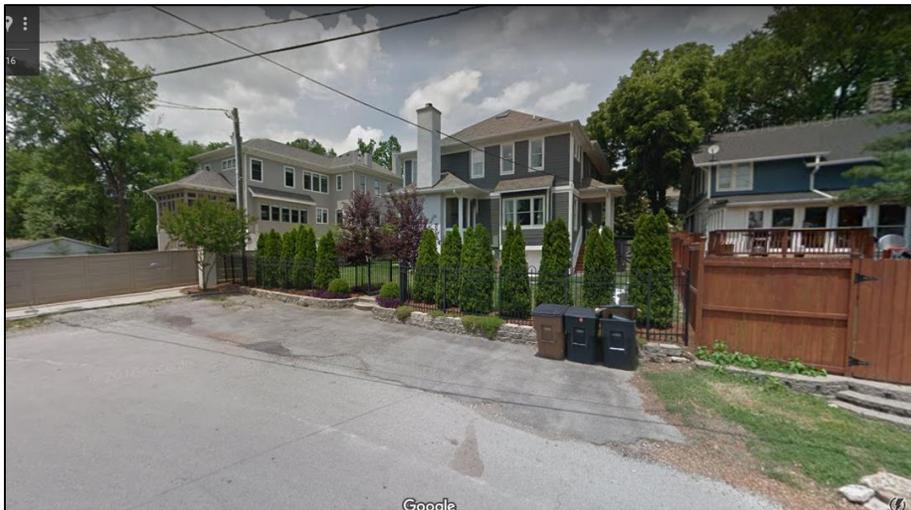


Figure 1. Buffer area behind the house

Recommendation Summary: Staff recommends disapproval of the requested setback determination, finding that further reduction would not meet section II.B.1 of the design guidelines for the Hillsboro-West End Neighborhood Conservation Zoning Overlay.

Project Property Information + Contacts

OWNER:
VAN POND & PARTNER ARCHITECTS
1703 PRIMROSE AVENUE
NASHVILLE, TENNESSEE 37212

PROPERTY INFORMATION:
DAVIDSON COUNTY PARCEL ID# 171708003300
ADDRESS: 1703 PRIMROSE AVENUE
NASHVILLE, TENNESSEE 37212

DESCRIPTION: PT LOTS 43 & 44 BELMONT TERRACE

LOT AREA: 8,667 S.F. / 0.19 AC +/-

ZONING: OVA-MHC - HIGH-RISEHOOD CONSERVATION OVERLAY

OVA-MDZ - URBAN ZONING OVERLAY

RS - SINGLE + TWO FAMILY 8,000 SQUARE FOOT LOT

PROJECT CONTACTS:

ARCHITECT: VAN POND, JR., AIA
VAN POND ARCHITECT, P.L.L.C.
2729 SILCOO DRIVE
SUITE 105
NASHVILLE, TENNESSEE 37204

PHONE: (615) 499-4387

EMAIL: VPOND@VANPONDARCHITECT.COM

Area Calculations

BUILDING FOOTPRINT AREAS:

EXISTING BUILDING FOOTPRINT AREA (GSF): 1,561 S.F.

NEW GARAGE FOOTPRINT AREA (GSF): 1,223 S.F.

TOTAL FOOTPRINT AREA (GSF): 2,783 S.F.

HEATED AREAS:

NEW GARAGE MAIN FLOOR HEATED AREA (GSF): 560 S.F.

TOTAL GARAGE HEATED AREA (GSF): 560 S.F.

UNHEATED AREAS:

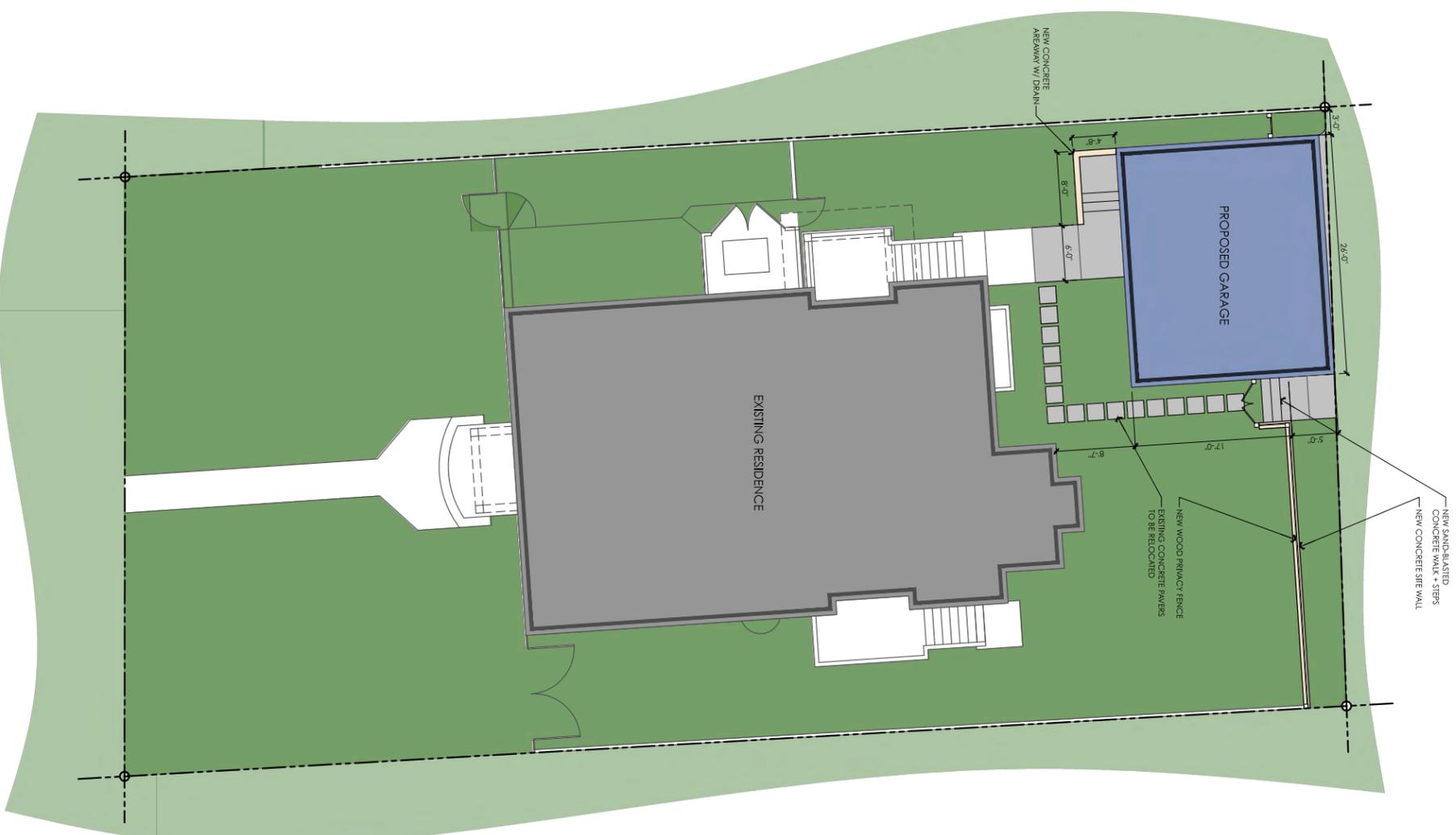
NEW GARAGE UNHEATED AREA (GSF): 540 S.F.

TOTAL GARAGE UNHEATED AREA (GSF): 540 S.F.

BUILDING COVERAGE CALCULATIONS:

EXISTING BUILDING COVERAGE (GS.FI): 3,600 S.F.

NEW GARAGE COVERAGE (GS.FI): 2,677 S.F. / 31%



1 Proposed Site Plan