

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  
Fax: (615) 862-7974

### STAFF RECOMMENDATION

622 Shelby Avenue

February 21, 2018

**Application:** New construction—detached accessory dwelling unit

**District:** Edgefield Historic Preservation Zoning Overlay

**Council District:** 06

**Map and Parcel Number:** 09304004300

**Applicant:** Joshua Goldman

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

**Description of Project:** Application is to make alterations to a residential outbuilding structure installed on the site without a permit. The alterations include adding a covered deck around the structure's rear and right façade. The structure is currently one hundred and sixty square feet (160 sq. ft.), and with the addition of the covered deck, the structure will be two hundred and thirty-four square feet (234 sq. ft.).

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

1. The windows be replaced with windows that meet MHZC standards for materials and configuration;
2. Battens be installed over the scoring of the cladding;
3. The applicant provide drawings showing the design of the new covered deck; and
4. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit.

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 Overlay design guidelines.

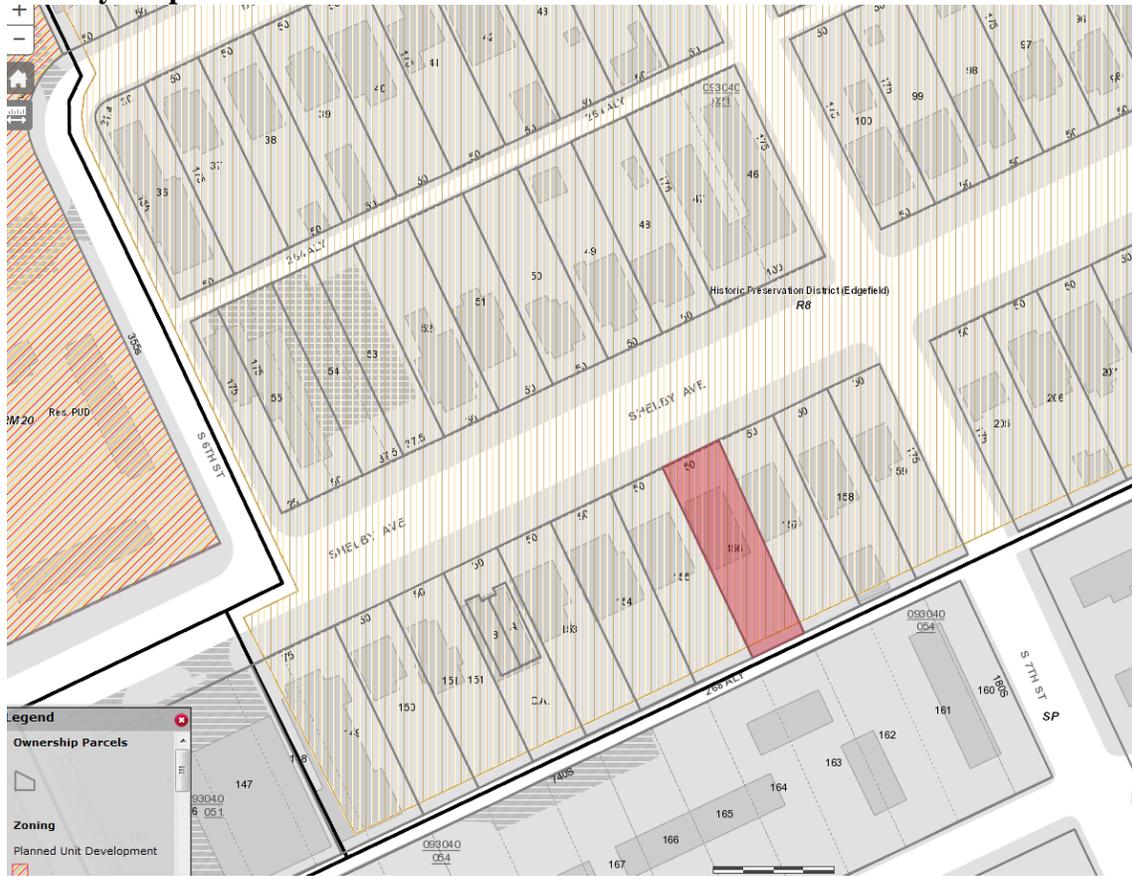
The Commission does not have the authority to approve the use. This recommendation is for the design of the building based on the proposed use.

#### 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.

**Background:** 622 Shelby Avenue is a c. 1920 Brick bungalow that contributes to the historic character of the Edgefield Historic Preservation Zoning Overlay (Figure 1). In December 2017, Historic Zoning Commission staff learned that the owner had purchased an installed a pre-made residential outbuilding structure on the lot without a preservation permit (Figure 2).



Figure 1. 622 Shelby Avenue



Figure 2. The pre-made residential structure installed without a preservation permit.

**Analysis and Findings:** Application is to make alterations to a residential outbuilding structure installed on the site without a permit. The alterations include adding a covered deck around the structure’s rear and right façade. The structure is currently one hundred and sixty square feet (160 sq. ft.), and with the addition of the covered deck, the structure will be two hundred and thirty-four square feet (234 sq. ft.).

In general, the height, scale, and location of pre-made residential structure meet the design guidelines and the DADU ordinance. However, the materials do not meet the design guidelines and the design of the deck is unknown.

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

Roof Shape:

| Proposed Element   | Proposed Form | Typical of district? |
|--------------------|---------------|----------------------|
| Primary form       | Gambrel       | Yes                  |
| Primary roof slope | 6/12 to 12/12 | Yes                  |

Since the form and slopes are similar to historic outbuildings, 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, utilitarian 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 rear of the historic structure. The structure’s overall footprint and size is subordinate to the historic structure. The outbuilding’s 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 |
|------------------------|-------------------------------------|-------------------------------------|------------------------------------------------|
| <b>Foundation</b>      | No foundation                       | N/A                                 | N/A                                            |
| <b>Cladding</b>        | Vertical Board                      | Rough                               | No*                                            |
| <b>Roofing</b>         | Standing seam metal                 | Red                                 | Yes                                            |
| <b>Porch floor</b>     | Unknown                             | Unknown                             | Needs Approval                                 |
| <b>Porch Posts</b>     | Unknown                             | Unknown                             | Needs Approval                                 |
| <b>Porch Railing</b>   | Unknown                             | Unknown                             | Needs Approval                                 |
| <b>Porch Roof</b>      | Unknown                             | Unknown                             | Needs Approval                                 |
| <b>Windows</b>         | Vinyl with grills between the glass | Vinyl with grills between the glass | No**                                           |
| <b>Pedestrian Door</b> | Matches rest of structure           | Matches rest of structure           | Yes.                                           |

\* MHZC has not approved T-1-11 siding like what this structure has. In the past, MHZC has required applicants in similar situations to install battens over the scoring that is intended to make the material look like vertical board. (Figures 3 & 4). Staff recommends that the applicant be required to install battens over the scoring.



Figures 3 & 4 are outbuildings in the Richland West-End Neighborhood Conservation Zoning Overlay where battens were installed in between vertical boards.

\*\*The windows in the outbuilding do not meet MHZC's standards for windows. The windows are vinyl, and MHZC does not typically approve vinyl windows. In addition, the windows have grills between the glass, and MHZC typically requires that windows with a grid pattern have fully simulated divided lights. MHZC recommends that the windows be replaced with windows that meet MHZC standards.

The applicant intends to add a covered deck to the exterior of the outbuilding. The site plan shows that the deck will be three feet (3') along the rear of the structure and two feet (2') deep along the right/east side. The applicant did not submit elevation drawings for the porch, but provided a photograph of how he envisioned the porch will look (Figure 5). Staff recommends receipt of elevations drawings that show the dimensions and design of the covered deck.



Figure 5. Deck example submitted by the applicant.

With the installation of battens in between the vertical boards, the replacement of the windows with windows that meet MHZC standards, and the submission of elevation drawings showing the covered porch, staff finds that the materials meet Section III.B.2.h.of the design guidelines.

Appurtenances & Utilities: The new outbuilding did not alter the site's appurtenances.

General requirements for DADUs:

|                                                                                                                                      | <b>YES</b> | <b>NO</b> |
|--------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|
| <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        |           |

Staff finds that the outbuilding 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:

|                                                                                                                                                                              | <b>YES</b> | <b>NO</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|
| <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?</b>                                                                                                    |            | No        |

Staff finds that the outbuilding 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:

|                                                         | <b>MINIMUM</b>                      | <b>PROPOSED</b>  |
|---------------------------------------------------------|-------------------------------------|------------------|
| <b>Space between principal building and DADU/Garage</b> | 20'                                 | 50'              |
| <b>Rear setback</b>                                     | 3'                                  | 15'              |
| <b>L side setback**</b>                                 | 3'                                  | 24'              |
| <b>R side setback**</b>                                 | 3'                                  | 8'               |
| <b>How is the building accessed?</b>                    | From the alley or existing curb cut | No vehicle door. |

The outbuilding meets all base zoning setbacks and meets Section III.B.2.h.2. of the design guidelines and 17.16.30.G. 4 of the ordinance.

Massing Planning:

|                     | <b>Existing conditions</b> | <b>Potential maximums</b> | <b>Proposed</b> |
|---------------------|----------------------------|---------------------------|-----------------|
| <b>Ridge Height</b> | 24                         | 24'                       | 12'             |
| <b>Eave Height</b>  | 12                         | 10'                       | 8'              |

|                        | Lot is less than 10,000 square feet | 50% of first floor area of principle structure | Proposed footprint                                    |
|------------------------|-------------------------------------|------------------------------------------------|-------------------------------------------------------|
| Maximum Square Footage | 750 sq. ft.                         | 912 sq. ft.                                    | 160 sq. ft. (existing); 234 sq. ft. with covered deck |

Staff finds the structure's massing and planning meet 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:

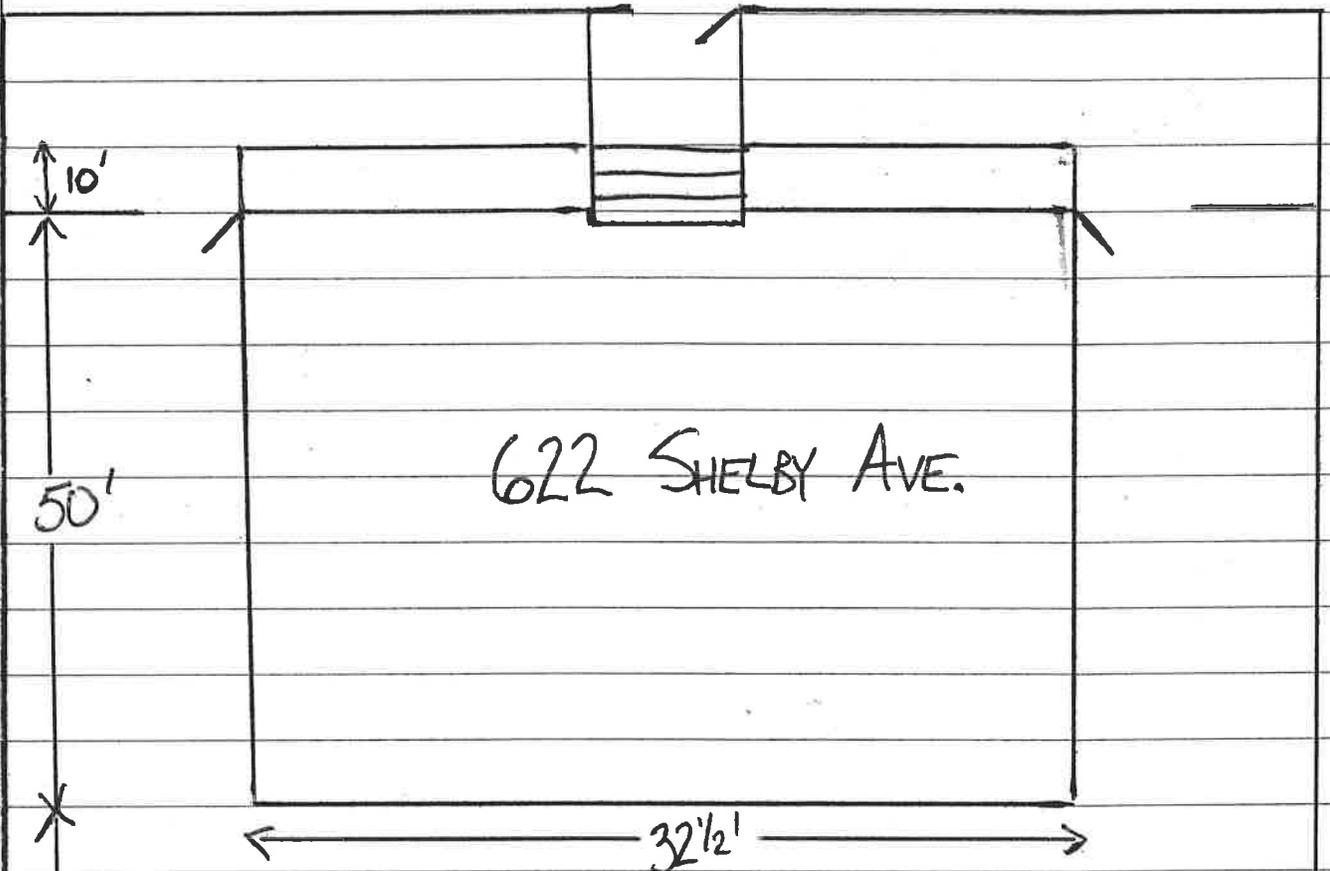
1. The windows be replaced with windows that meet MHZC standards for materials and configuration;
2. Battens be installed over the scoring of the cladding;
3. The applicant provide drawings showing the design of the new covered deck; and
4. Staff receive a copy of the filed restrictive covenant for the detached accessory dwelling unit prior to issuance of a permit.

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 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.

SHELBY AVE.

50'



622 SHELBY AVE.

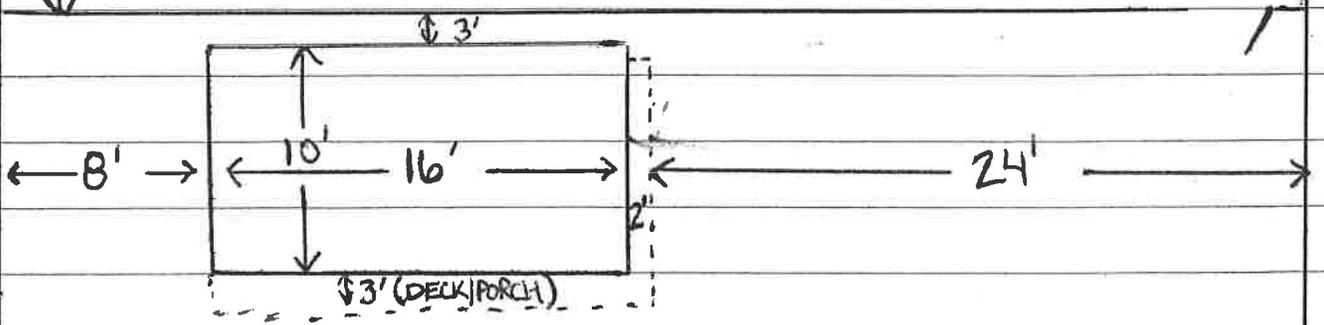
10'

50'

32 1/2'

175'

47'



3'

8'

10'

16'

24'

3' (DECK/PORCH)

18'

(TO BE LANDSCAPED)

BACK ALLEY