

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

STAFF RECOMMENDATION
Neighborhood Conservation Zoning Overlays
September 18, 2019

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

Project: Neighborhood Conservation Zoning Overlay Consolidation Project
Project Lead: robin.zeigler@nashville.gov

<p>Description of Project: The Historic Zoning Commission recently received funding from the Tennessee Historical Commission for a design guideline consolidation project. The project began in January 2019 and the grant period will end on September 30, 2019.</p> <p>This project is only for the existing 23 neighborhood conservation zoning overlays and does not affect other types of historic zoning overlays. No new overlays or boundary changes are a part of this proposal.</p> <p>Recommendation Summary: Staff recommends approval of the revised neighborhood conservation zoning overlay (Parts I-III) finding it is consistent with the National Historic Preservation Act of 1966, as amended.</p>	<p>Attachments</p> <ul style="list-style-type: none">A: Review of ChangesB: Public CommentC: Padlet DiscussionD: Draft Part IE: Draft Part IIF: Draft Part III
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Applicable Ordinance:

17.40.410 Powers and duties.

B.Establishment of Design Review Guidelines. The historic zoning commission shall adopt design guidelines for each historic overlay district and apply those guidelines when considering preservation permit applications. Design guidelines relating to the construction, alteration, addition and repair to, and relocation and demolition of structures and other improvements shall be consistent with the National Historic Preservation Act of 1966, as amended. A public hearing following the applicable public notice requirements of Article XV of this chapter shall precede the adoption of all design review guidelines by the historic zoning commission. Testimony and evidence material to the type of historic overlay under consideration may be considered by the commission in its deliberations.

Background:

The Historic Zoning Commission received funding from the Tennessee Historical Commission for a design guideline consolidation project. The project began in January 2019 and the grant period will end on September 30, 2019.

This project is only for the existing 23 neighborhood conservation zoning overlays and does not affect other types of historic zoning overlays. No new overlays are a part of this proposal and no boundary changes are proposed.

One goal is to provide clearer direction and address actions not contemplated when the guidelines were originally written. The revision also tightens up language that deals with form, massing, and scale while loosening restrictions for details.

Another goal is to address criticisms that the “formula” currently available in the design guidelines for outbuildings is too confusing and requires calculations based on existing conditions that some applicants don’t wish to tackle. If approved, applicants will have the choice of following the simplified formula provided in the text language or simply picking a form from the form options.

There are three parts to this project. Part I is a consolidation of all the neighborhood conservation design guidelines into one basic set of design guidelines, with Part II being individual chapters for each district. All the neighborhood conservation design guidelines are already very similar, but the consolidation will provide an opportunity to reorganize and add clarifying language. The third component is to create new design guidelines and a plans book for outbuildings, to provide more flexibility in terms of size and design and clearer guidance.

The process included monthly meetings with stakeholders, between February and August of this year. Council members appointed the stakeholders from each overlay that is located within their respective district. Two additional stakeholders were added to represent frequent applicants. Metro Historic Zoning Commissioner Kaitlyn Jones served as the MHZC rep, and the relative councilmembers were also included in the stakeholder list. Stakeholders provided regular information and updates to property

owners in their districts. They participated in the online discussion board and encouraged others to do so as well.

In addition to stakeholders being a communication link with the community, staff created an email list of every email available in Metro's permitting software program for the last two years that was linked to a preservation permit and collected emails from public comments sent via email on other projects in recent years. This list was used to inform about community meetings, encourage people to take part in the online discussion board, and to let interested parties know when revisions were available on the website. Community meeting dates were posted on the Metro Historical Commission's Facebook page and shared by our partners via social media. One community meeting and the public hearing were both noticed in these same ways but also with a mailed notice to more than 13,000 property owners. A Nashville.gov webpage dedicated to the project, which included a description of the project, links to the online discussion board, design guideline drafts and links to additional resources has been available throughout the project. A direct link to this page is available on the zoning commission's home page.

A community-wide meeting was held on July 11 to present an overview of the project and to collect feedback on the potential of a form book. First drafts were posted in July. Community-wide meetings were also held on August 14 and 19.

Online discussion was encouraged, beginning in February via Padlet, which allowed people to read comments, comment on comments, give a thumbs up or down on comments and add their own comments. A copy of that discussion board, as of September 10, is included in this staff report.

Analysis and Findings:

Design guidelines are a delicate balance between prescriptive language that provides specific "rules" and non-prescriptive so that the guidelines can address a multitude of scenarios. The goal of any set of design guidelines is to both provide applicants a planning tool and to provide a board or commission with a decision-making tool.

The proposed revisions come from staff's experience with applicants and councilmembers over multiple years, discussions with the stakeholder group, the online discussion board, research of other cities, a 2008 study of local historic garages, and advice from consultants, Smith Gee Studio and Nashville Civic Design Center.

It is not possible to provide a summary of every change in any meaningful way as each of the 23 design guidelines is slightly different. This analysis provides an overview of the critical revisions proposed.

Part I

The National Park Service has revised the Secretary of Interior's Standards for Rehabilitation, since the language was first included in the design guidelines; therefore, that section has been revised to reflect the Park Service's changes.

There is language to stress that in terms of new construction, the focus is on form, massing and scale, rather than style.

The section for demolition was moved to the beginning of the document to emphasize that the review of demolition is the most important role of the Commission. This section is currently unclear about demolition regarding non-historic buildings and demolition of features or "partial-demolition," so language was added to address those issues.

Included in the proposed sections for "partial-demolition" is removal of siding. In a neighborhood conservation zoning overlay, replacement siding, windows, doors and roofing are generally not reviewed; however, if more than two are being replaced, they have been considered "partial-demolition." However, when all those features or even just the siding and windows are removed, the result is the actual demolition of the building. Siding on historic buildings also often contributes to the structure of a building. There have been cases where the building has collapsed once the siding has been removed; therefore, staff proposes to add removal of siding as an action that is reviewed. The proposed language would not prevent replacement siding, just provide for a review.

The material section has been pulled out of "new construction" as its own section and been revised to provide a longer list of appropriate and inappropriate materials. Most of it remains italicized so that the Commission can easily address whatever new materials might become available in the future. It is not best-practices to include such a list as formal design guidelines but providing it as italicized information will allow the Commission flexibility in review while also providing guidance to applicants.

Staff is proposing that roofing color no longer be reviewed. No one has asked for a color that has been disapproved, to staff's memory. Historically asphalt shingle came in a multitude of colors. In addition, roofing materials are not a permanent change to a building.

Staff is proposing to no longer review siding reveal. The current practice is for all lap siding to have a reveal with a maximum of 5". There is no record as to how the requirement was initially determined but it may have been considered an average or a typical reveal. Since historic siding comes in a variety of reveals, Staff recommends no longer reviewing the reveal for new construction.

The section for "new construction" has been divided into sections for "infill," "additions," and "outbuildings" as there have been multiple comments that having them all together is unclear. This requires some duplication of guidelines but will hopefully provide better guidance for applicants.

The draft adds clarity for how “context” will usually be determined, which is the “block face.” Using context far away from a proposed project has been a concern voiced by numerous neighborhoods over multiple years. The commission will retain the ability to define “block face” in situations where that is unclear or expand the context beyond the block face where the immediate context is not considered relevant.

The draft provides guidance for porte cocheres and roof decks.

The draft provides clarity on how building types relate to zoning. The building types should be consistent with the types in the immediate vicinity, no matter how the lot might be zoned. For instance, a new building on a commercially zoned property in a neighborhood of residential building types should follow a residential building type.

The draft does not include the italicized guidance for multi-unit developments as staff found that, in most cases, multi-unit developments result in: encouragement of demolition of historic buildings; alterations and additions that are not appropriate for the historic building; or require infill that is not appropriate for the district. Where multi-unit developments are appropriate, the site is usually so unique that the italicized design guidelines are of little use. Staff recommends addressing each of these requests on a case-by-case basis.

Staff added language to stress that additions that are taller or wider are only appropriate if all other solutions have been exhausted and in certain conditions. When the first few such additions were approved, it was never the intent to allow all additions to be wider or taller, which is how applicants have interpreted the italicized language.

The drawing shown in Figure 1 is currently in all the neighborhood conservation zoning design guidelines. It is often read as showing the only place where an addition can be constructed, which is not the case. Instead it is meant to show that if an addition is small enough to fit into that triangular area, then the addition would not need to be reviewed.

A related concern is that the text portion of the design guidelines, which attempts to state what is reviewed, is confusing in that one section states that the design guidelines only apply to areas that are visible from the public right-of-way and the next section states that public facades are more carefully reviewed than others. Since the establishment of the first overlay, the Commission has interpreted these sections as a review of all sides of any new construction but

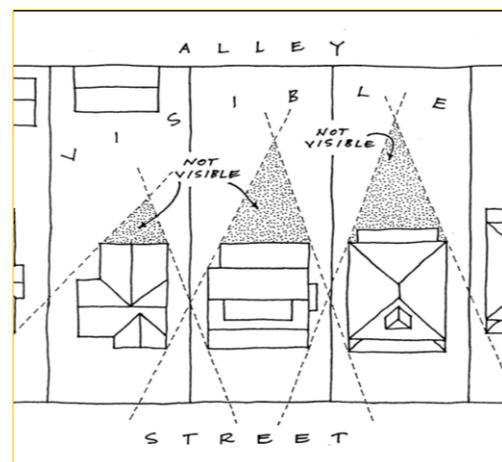


Figure 1: This image appears in all the NCZO design guidelines. *The caption reads: Image to the right shows the area in which new construction would not require a Preservation Permit. All construction outside of the area will be reviewed.*

applying a less stringent review of those facades that are not publicly visible.

The proposed solution to the image and the text is to remove the image (Figure 1) and replace it with a list of actions that would not require review. Removing the image is not likely to cause a hardship for applicants as the Commission only receives 1 or 2 requests a year for additions that would meet the conditions of Figure 1. By the time staff gathers enough information to determine a review is not needed, staff has enough information to just go ahead and issue the permit. Permits for small additions typically have been issued, and will continue to be issued, within a few days. We also recommend clarifying the text to meet the interpretation of the last several decades.

The proposed draft includes new and revised definitions. These are italicized and not officially part of the design guidelines.

Part II

Part II is all the individual chapters for each district, where language specific to each district was collected from the current design guidelines.

All the maps have been revised. The boundaries have not changed, just the graphics of the maps so that they all have a consistent look.

There are few changes recommended for individual districts. One is to clarify in both the Belmont-Hillsboro and Bowling House districts that if a two-story building is appropriate, then it should have a hipped roof. It's been a policy but not officially part of the design guidelines.

Recently, property owners in the Cherokee Park neighborhood asked that stone be included as a potential primary siding for infill. Currently the design guidelines only allow for brick.

New "short histories" have been added to Elmington, Greenwood and Maxwell house design guidelines. This doesn't change any actual design guidelines.

Recently the Greenwood neighborhood stated that they would like all infill to be capped at 1.5 stories so that has been added.

In the Lockeland Springs-East End design guidelines there were references to MDHA's design guidelines for Five Points, as a way to keep an applicant from having to reference two different documents when planning a project in Five Points. The language has been removed since the MDHA district will expire next year. The draft also includes some italicized information, that has been followed for about 8 years or more, as unitalicized guidance.

Recently, the Woodlawn neighborhood requested clarification on attached and detached garages and that has been added.

Part III

Part III is the form book proposed as an option to the formula provided in Part II.

Outbuildings have been problematic as they do not follow historic precedent. When reviewing infill, the historic context is used to determine appropriate scale and massing. Likewise, the existing building is used to guide the design of additions. Outbuildings are unique in that they historically were not necessarily scaled to the historic building or designed to complement the building with which they share a lot. Outbuildings affect overall historic character but not to the same extent as other types of new construction because of their minimal visibility at the rear of lots. For instance, for infill and additions, every lot and every building are different, so it's easy to explain why one property was given approval for an action that might not be appropriate on a different property. But when it comes to outbuildings, there are few physical factors that drive the design.

Outbuildings serve many more purposes than they once did and many now even serve multiple purposes. Although they have minimal visual impact on the district, they can still visually impact the district and so still need to be small in scale to be appropriate new construction in the neighborhood conservation zoning overlays. For years the applications the Commission was receiving were just somewhat larger buildings than historic examples to accommodate modern vehicles. But more and more, there is an expectation that an outbuilding will have multiple purposes: garage, home office, apartment, studios, and pool houses, for instance. The Urban Land Institute recently hosted a session called "Reclaim the Alley: A New Vision for Connections, Equity and More." In that discussion, speakers acknowledged that single-purposes are no longer relevant to current outbuildings.

Although the overlay does not dictate how a building can be used; the reality is that zoning may allow for many of these multiple uses, so we must address the massing and form that those uses dictate. The forms provided in Part III have the goal of serving multiple purposes expected today while controlling the overall height and mass to be appropriate to a district's history. The form options focus on form and mass rather than style and the scale in relation to the primary building, with the goal of providing multiple forms that would be compatible as outbuildings in all the neighborhood conservation zoning overlays and allowing for property owners to achieve flexibility in style and details.

Currently appropriate dimensions for new outbuildings is based on the historic building with which they share a lot. However, that has been problematic in multiple ways. In measuring eave heights and square footage do you include additions? If so, all additions or only historic ones? How do we determine which additions are considered historic? Does someone with a measurable drop in grade get a higher eave just because of the grade drop? Does a lot where the grade rises, only get a very short eave height?

It has also been a confusing calculation for applicants who are not designers. Typically, with additions and infills the applicants are designers and architects but less so with outbuildings.

Without a historic precedent to provide parameters and with the goal of meeting multiple modern purposes for outbuildings; Staff is recommending multiple form options, many of which could be appropriate on any lot on any of the neighborhood conservation zoning overlays. The goal is to provide a general volume that can be expressed in a one, one and one-half and two-story forms.

This may mean that an outbuilding is as tall or slightly taller than some primary buildings or match or have greater square footage than small historic buildings but allowing for these outbuildings might decrease the size of an addition. Attached new construction has a greater negative impact on historic buildings than appropriately scaled detached new construction. Also, outbuildings are generally far enough back on a lot, that any dimensions that might exceed the historic building would be minimal, as viewed from the street.

An applicant may choose one of the forms from Part III, based on their lot and needs and then they can style it in any way they want. Many features will not be reviewed and other more substantial features are provided as add-on options. The forms show maximum sizes so anything less than the maximum would also be appropriate. With flexibility in size and styling, outbuildings can be unique.

There is still text guidance as well in Part I of the design guidelines. The “form options” do not preclude someone from applying for something that doesn’t meet the form, any more than the existing design guidelines keep someone from applying for something that doesn’t meet the text design guidelines. Anyone can still apply for anything they want, but the form options will provide clear guidance and greater assurances as to what will be approved.

In addition, the text does not preclude the Commission from making decisions based on physical attributes of the lot. For instance, in 2018, 146 Ensworth requested an outbuilding to serve as a pool house. The lot is more than 61,000 square feet. Cumulatively all outbuildings, with the proposed pool house exceeded the 1000 square foot maximum of both the current design guidelines and the proposed design guidelines; however, do to the unusually large size of the lot, the pool house was approved. A precedent was only set for lots that exceed 60,000 square feet, which are few in the neighborhood conservation zoning overlays. We envision the same type of consideration would be given with the proposed text language and form book.

Parts I-III of the proposed design guidelines relate to the construction, alteration, addition, relocation and demolition of structures, as allowed by Section 17.40.410.B. of Metro Code. The proposed design guidelines are consistent with the National Historic Preservation Act of 1966, as amended, and include the Secretary of Interior Standards for Rehabilitation.

Recommendation:

Staff recommends approval of the revised neighborhood conservation zoning overlay (Parts I-III) finding it is consistent with the National Historic Preservation Act of 1966, as amended.

ATTACHMENT A

SUMMARY OF CHANGES FROM THE MOST RECENT DRAFT AVAILABLE ONLINE TO THE DRAFT INCLUDED IN THE 9/18/18 STAFF RECOMMENDATION

Corrections to typos and formatting have been made for all three parts.

The following changes were made to Part I:

Pg. 6	Referenced Part II in section II.B that previously only referenced Parts I and II.
Pg. 7	On awnings and hoods that are not reviewed, added that they should not extend more than 3' rather than just 2'
Pg. 8	Moved language regarding measurements from this page to the handbook
Pg. 14	Added to appropriate and inappropriate materials
Pg. 21	Added following sentence to section V.B.6.d. <i>It is not appropriate to add a new house in front a contributing house.</i> This has always been the Commission's interpretation of the design guidelines.
Pg. 25	Added the bullet point: <i>The portion that extends beyond the side wall does not exceed one-story</i> to section VI.B.4. regarding wide rear additions
Pg. 26 and Pg 31	Added language to explain that rooftop decks are not appropriate in conjunction with a ridge raise.
Pg. 25	Added the following sentence to VI.B.g.: <i>The addition does not create a front parking pad by preventing a driveway from extending to the rear of the addition.</i>
Pg. 25	Removed "sliding glass doors" as an inappropriate feature on new construction.
Pg. 26	Added "...such as a porch for a non-historic building..." to VI.3.a as an allowable type of front-addition for a non-historic building.
Pg. 32	Changed section VIII.A.1. to <i>In 2019, the Commission approved an outbuilding form book. (See Part III.). Most projects matching one of the "pre-approved" plans may receive an administrative permit. The following guidelines are for projects that do not follow one of the options in Part III.</i>
Pg. 33	Removed "should match historic context" from section C.1 for side setbacks of outbuildings.
Pg. 33	Changed "eave height" to "wall height" and changed 10' to 11' regarding how measurements are taken on outbuildings.
Pg. 33	Added the following sentence to VII.A.B.6: <i>Dormers should step back from the wall below by at least two feet.</i>
Multiple pages	Changed "eave height" to "wall height."

The following changes were made to Part II.

Pg. 10	Added Folk Victorian to building forms to the summary for Belmont-Hillsboro.
Pg. 86	Removed the following sentence as the Inglewood Place district is primarily zoned single-family and the same information is available in Part I. <i>Infill duplexes should have at least one primary entrance facing the street. In the case of corner lots, an entrance facing the side street is possible as long as it is designed to look like a secondary entrance.</i>

ATTACHMENT B:

PUBLIC COMMENT RECEIVED AS OF SEPTEMBER 10, 2019

From: William Smallman

Sent: Friday, September 6, 2019 2:59 PM

To: Historical Commission <historicalcommission@nashville.gov>

Subject: Please do not pass the Historic Guideline Consolidation

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Commissioners,

I'm writing to express my concern about the consolidation proposal. There are many items in the proposed guidelines that I believe significantly change the rules of what is allowed on properties that I own. I own properties in both conservation and historic overlays. I bought with an understanding of what the current guidelines allow for each district and I am not comfortable with the language of the proposed consolidation. Thank you for your service to our city and for taking the time to listen to the opinions of those against these changes.

Regards,

William Smallman

From: Mae Ambrose

Sent: Thursday, September 5, 2019 3:12 PM

To: Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov>

Subject: Public Meeting on Sept 18

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Robin,

Thank you for the letter about the upcoming meeting on the conservation design guidelines. I live at 330 Harvard Ave. in Richland West End and have been a resident since 1994.

My one thought/request is that brick should not be painted in any case. I am saddened to see our adorable red brick cottages being painted. These are beautiful bricks with a lot of texture and some are laid with specific design details. Other bricks are beige/yellow in color and so far no one has painted those that I know of.

I will be looking forward to the results of the project.

Mae Ambrose

Mae Ambrose
Account Representative

Lowe Graphics and Printing
220 Great Circle Rd. Su 122
Nashville, TN 37228

From: Mslarve

Sent: Thursday, August 8, 2019 2:28 PM

To: Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov>

Subject: Re: August 14th Community Meeting

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Mr Zeigler, I would like to propose what I feel is a solid option to the proposed overlay.. If there is new construction or remodel or any work that would require a permit the following would help the existing owners and at the same time enhance the flow and look of the neighborhood.. **If the proposed new construction or remodel etc has an historic home on either side of it.. then the new construction must reflect the design of the adjacent historic home... If the proposed new construction has on both sides newer designed buildings then the house in the middle has the ability to get a variance to choose styles to fit in with the surrounding dwellings... This will ensure that any new construction will be cohesive to the immediate surroundings... so you don't have new construction sandwiching an old style victorian, which is now the case.. it looks terrible and really out of place ... it will also stop new construction from creeping down the street lot by lot. simply put .. if the house on either side is historic style then the new construction has to match that general style...If your sandwiched between two new homes you can choose your style to look cohesive ... eventually this will lead to a contiguous very good looking neighborhood... thank you...**

From: Rachel Tapper Zijlstra

Sent: Friday, August 30, 2019 8:36 AM

To: Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov>

Subject: Re: design guideline consolidation project

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

While I know there will always be folks that claim they haven't heard of these changes, know that I've been so impressed by your efforts to both seek community involvement and to keep folks in the know.

Thank you.

All thumbs from my iPhone.

From: Seth Jennings

Sent: Tuesday, September 10, 2019 5:36 PM

To: Historical Commission <historicalcommission@nashville.gov>; Walker, Tim (Historical Commission) <Tim.Walker@nashville.gov>; Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov>

Subject: Historic Consolidation

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Dear Historic,

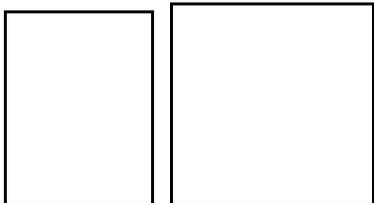
I'm writing this email to voice my concern over the upcoming proposed changes to the Historic Commission guidelines. I am not in favor of them. While I appreciate what the Historic Commission does for my neighborhood, I do not see the need to add more rules. I think there are already plenty of rules and guidelines in place, and to add any more just seems excessive. I also am concerned about homeowners losing more of their property rights. Please vote no on the proposed changes.

Thank you for your time and consideration.

--

Seth Jennings

REALTOR®



2206 21st Ave. S.

Nashville, TN 37212

September 5, 2019

Metropolitan Historic Zoning Commission
3000 Granny White Pike
Nashville, Tennessee 37204

Dear Commission Members:

As a property owner and resident at 2408 Belmont Blvd., *the purpose of this letter is to voice my opposition to the proposed new design standards for outbuildings as they are currently written.*

Let me start, however, by emphasizing my support for conservation zoning and the intent of the proposed standards. I earned my bachelor's degree many years ago in Historic Preservation, I have been a member of the National Trust for Historic Preservation since the 1970s, and I have served on the Board of Directors of organizations such as Preservation Action (the national preservation advocacy group) and the Tennessee Preservation Trust. As a planning and preservation consultant, I have written historic zoning ordinances, numerous historic district design guidelines, and several citywide historic preservation plans (I'm currently leading a citywide preservation plan for Conway, AR and a heritage tourism strategy for Holly Springs, MS). I have also staffed historic preservation commissions in communities such as Pensacola, FL when I was their downtown director and Natchez, MS when I was their city planning director. Lastly, I was one of the key advocates for the designation of conservation zoning here in my neighborhood. I not only created - in coordination with MHZC staff - a PowerPoint presentation promoting the merits of designation, but I also served as a block captain and co-hosted a party to sell the idea to my neighbors.

As a card-carrying preservationist, I never thought I would find myself objecting to any sort of preservation policies. However, I believe that the proposed outbuilding standards are simply too restrictive. I am hoping to build a two-story gable-roofed DADU with a roughly 735 sq. ft. building footprint, and the draft standards preclude that from happening. While my opposition is certainly self-serving at one level, it actually raises a much broader and more significant issue. The vast majority of people experiencing a historic area do so from the street. Consequently, when I work with preservation commissions, I always emphasize that their design guidelines and review process should focus on what is visible from a street. When guidelines and the review process become too restrictive for the rear of properties that are not visible from a street, that is when public push-back begins to occur. Such opposition can, in turn, put an entire preservation program in jeopardy. In fact, one of the strongest selling points that I pushed when persuading my neighbors to support conservation zoning was the relative freedom they would have in treating the rear portions of their properties.

In summary, I am a huge advocate for conservation zoning in my Belmont-Hillsboro neighborhood. I have a tremendous amount of respect for the MHZC and your excellent staff. I also think the concept of creating these proposed outbuilding standards is a great idea and, generally speaking, they have been very well-written. My only opposition is with the restrictiveness of the size limitations. Simply adding a few hundred square feet for the maximum footprint of some of the outbuilding types would transform a document that I am currently against to one that I could wholeheartedly support. Thank you for your consideration of these points.

Sincerely,



Philip L. Walker, FAICP
Principal

Design Guideline Consolidation

Thoughts on the consolidation of all neighborhood conservation zoning overlays

ROBIN_ZEIGLER JAN 03, 2019 09:08AM - 9-11-19

ROBIN_ZEIGLER SEP 11, 2019 07:43AM

Give us your comments

Start a new comment by clicking on the + in the bottom right corner or add your own comments to an existing comment. Please include the name of your neighborhood in your comments.

ANONYMOUS SEP 11, 2019 06:26AM

Too Restrictive

I understand that Historic is trying to preserve certain neighborhoods in Nashville. I certainly appreciate that, but I don't see the point in adding even more restricting guidelines. It seems excessive. Historic already has guidelines in place. I'm concerned about them adding more and more rules. What about property rights? The overlay was originally sold to us that it was going to help property values. Clearly, that is not what is happening. I don't want any more rules implemented when we don't need them, and I am greatly concerned with the power that we homeowners are losing.

ANONYMOUS SEP 10, 2019 06:27AM

New Guidelines are Too Restrictive

I appreciate Historic

ANONYMOUS SEP 10, 2019 06:27AM

Beware: Consolidation project

Many times an uninformed public falls victim to a bait and switch scheme by a government agency who politely sells a bill of goods, only to substitute a completely different package in the end. I believe this Design Guideline Consolidation project is one such scheme.

The fundamental appeal that a neighborhood that is considered historic and/or worthy of conservation has to homeowners is the understanding that the general character of neighborhood structures will remain mostly as they are today, with all new construction and renovations contributing to that general character. That does not mean that new construction or renovations must stop, but that seems to be the goal of many of the current guidelines. And now we are being told (sold) that consolidation will be a benefit, when I fear (bait and switch) that consolidation is merely just a power move.

Consolidation, in this case, seems to mean MORE guidelines and MORE RESTRICTIVE guidelines, not consolidation.

It has been my experience that current guidelines are not uniformly followed or enforced even in one Nashville neighborhood. Are we to expect that expanding the reach to a one-size-fits-all approach will somehow streamline the process and benefit homeowners, developers, and Nashville as a whole? Say NO now, before it is too late. Buyer beware!

WOW!!! This is the best summary statement I've read yet to represent how Historic operates. Spot on. Buyer Beware! — ANONYMOUS

ANONYMOUS SEP 06, 2019 06:30AM

Outbuilding Guide is too restrictive

As a card-carrying preservationist, I never thought I would find myself objecting to any sort of preservation policies. I'm a planning and preservation consultant who drafts preservation ordinances, historic district design guidelines, and preservation plans on a regular basis. However, I believe that the proposed outbuilding standards are simply too restrictive. I am hoping to build

a two-story gable-roofed DADU with a roughly 735 sq. ft. building footprint, and the draft standards preclude that from happening. While my opposition is certainly self-serving at one level, it actually raises a much broader and more significant issue. The vast majority of people experiencing a historic area do so from the street. Consequently, when I work with preservation commissions, I always emphasize that their design guidelines and review process should focus on what is visible from a street. When guidelines and the review process become too restrictive for the rear of properties that are not visible from a street, that is when public push-back begins to occur. Such opposition can, in turn, put an entire preservation program in jeopardy. In fact, one of the strongest selling points that I pushed when persuading my neighbors to support conservation zoning was the relative freedom they would have in treating the rear portions of their properties.

When they added our street to the overlay, we were promised that we would retain the same freedoms in the back of the property that we had prior to being added to the overlay. We were told that the restrictions were primarily for the front of the house. Obviously this turned out to be false. — ANONYMOUS

Had I known what it would lead to, I never would have supported my street being included in the conservation overlay. In fact I would have worked hard to prevent it. They sold it as the solution to stop tall skinnies from taking over. It was a Trojan horse. — ANONYMOUS

ANONYMOUS SEP 05, 2019 07:53AM

Outbuilding Guide Part 3

I apologize for just getting to my critique of this guide so late in the game. On page 10 the eve height top points don't match. I think this guide misses the two major points in my opinion. 1.) The outbuilding should be hidden behind the primary historical structure by being shorter and more narrow. I don't think Eve height needs to be part of the guidance. 2.) The size of the outbuilding should be dictated by the percent the lot is filled to avoid maxing out the lot. I don't like the idea dictated by the manual that makes taller buildings have a smaller footprint. The manual should focus on scale and massing and form does not need to be considered.

The regulations seem arbitrary and subject to the whims and tastes of those in charge. We are currently in a highly restrictive period. Ten or twenty years from now the rules will be completely different. — ANONYMOUS

MARTIN WIECK - NINE12 ARCHITECTS SEP 04, 2019 12:16PM

Restrictions on Sliding Glass Doors?

Why are sliding glass doors being included in this section? "When an addition includes garage, roll up, or sliding glass doors, the door(s) should be located on the rear. (See outbuildings for guidance on attached garages.) Garage, roll up, or sliding glass doors on the side of an addition may be appropriate if the wall that includes the door is stepped back from the primary side wall of the historic building by at least 4 feet" So a sliding patio door is no longer appropriate if it's visible from the street? The garage doors makes a little more sense, but even then if a client wants to use a garage door at a living room is that really such a problem? This seems like a restriction on more contemporary designs again. Having a garage on an addition is already covered in a section just above this, so it seems redundant to place restrictions on the use of door types as well.

MARTIN WIECK - NINE12 ARCHITECTS SEP 04, 2019 12:16PM

Ridge Raise Restrictions

The new section on ridge raises has added an additional restriction to where they are allowed. They are no longer considered appropriate if you are also including an addition that adds more than 50% of the original footprint. Ridge raises are most often used on smaller houses without enough height in the attic. These houses also tend to have smaller footprints, so their additions are already limited. Why are we punishing homeowners with smaller houses?

I wish historic would explain explain why they are adding all these restrictions. It's almost like you have to be an architect to realize how restrictive these new guidelines are. — ANONYMOUS

That is definitely not fair to homeowners with smaller houses. What is the justification for such a drastic change that will negatively affect so many people? — ANONYMOUS

MARTIN WIECK - NINE12 ARCHITECTS SEP 04, 2019 11:17AM

Multi-unit Development

There are no longer sections in the guidelines for multi-unit development. Having just spent a year working on an SP in Waverly-Belmont, even the small section that used to be in the guidelines was a helpful starting point.

I know these projects aren't as frequent, but how will they be looked at by the MHZC now? Will each building on the site be reviewed under infill guidelines?

MARTIN WIECK - NINE12 ARCHITECTS SEP 03, 2019 12:18PM

Two-Story Outbuilding Restrictions

The new draft of the outbuilding plan book shows 7 options for two-story outbuildings. 6 of them have footprints under 700 square feet, and the only one with a 750 square foot footprint is a box with a flat roof. Two of them show one story massings next to two-story portions but do not define how those should be broken up. With the current guidelines, someone with a two story house could build an outbuilding with a 750 square foot footprint and a 700 square foot apartment, allowing them 1,450 square feet of usable space. This new plan book seems to only allow that option if you design a box with a flat roof. Any other plan book option seems to limit you to 1,000 square feet or so of usable space, essentially removing 450 square feet from a homeowners options. This change has been brought up during each community meeting but still hasn't really been addressed. Why are the guidelines becoming more restrictive here?

ANONYMOUS SEP 03, 2019 09:23AM

Final proposed outbuilding rules

I have been at every meeting on this since this process started. I read the final draft yesterday for adoption by the commission. All I have to say is what happened to all the input from the public. Basically this final draft only allows the building of non-neighborhood consistent outbuildings but does nothing to make a DADU more usable. The one item I was pushing for is to have the DADU eave and roof peak heights to be allowed to be at least the height of the main structure. This was in the last draft I reviewed at the meeting by having a 13' allowable eave height on 1 & 1.5 story DADU's. Even though I was in favor of making the eave height max the same as the main structure from grade not 1st floor so the DADU cannot be higher than the main structure, I would accept the 13' max on the last proposal. Now in this draft they have retreated to a 10' max eave height from the 1st floor. This is too restrictive and makes the usable space in the 2nd floor of a DADU on a small lot almost unusable. I thought the reason that the city spent the money on Smith Gee was to come up with a

plan that changes and clarifies rules so the outbuildings can be more usable. All I see in this last version is that they have appeased Architects by allowing more modern designs that do not fit the neighborhoods. I guess my time I spent attending the public input meetings was a waste of my time. The fix was in from the beginning. Historical was never going to really make these rules workable for building outbuildings that are more usable for a purpose and still match the historic look of the neighborhoods.

It doesn't make any sense. It seems like there is no advocate looking out for the best interests of the homeowner. It appears that there is a small but vocal minority who would all but outlaw DADUs. And they have tremendous sway with the commission.

— ANONYMOUS

Agree. Seemed to me that the historical staff and Smith Gee personnel were in favor of the 13' Eave height. One of the Smith Gee people even said that it would allow for more usable space on the second floor on DADU's.

— ANONYMOUS

ANONYMOUS SEP 04, 2019 02:04PM

The consolidated guidelines should be called what they are....New More Restrictive Guidelines. This process feels like a bait and switch. I was sold the idea of consulting the guidelines, now after all the community meetings are done, we are seeing new guidelines. Consolidation is defined as combining. There should be no new language in the consolidated guidelines without starting the community input phase over again with the actual intent of informing owners of how this will impact them. It seem consistent from all the comments on this page that factual communication on these changes has been very lacking.

I have attended meetings as well. I was amazed at the inability to answer very straightforward questions. We have been researching the process in preparation for building a DADU. We have spoken to several experts on the subject, and nobody knows how these new guidelines are going to work. We don't know if we should get our plans approved before they go into effect or wait until after. No one we have talked to knows either. This entire process is a mess. — ANONYMOUS

I agree. Of course the HC staff is under time and budget pressure to get this job done, but it is troubling that there is a lack of transparency about what is being changed and why. These guidelines are essentially a new zoning ordinance for CZ neighborhoods, put into place through a non-legislative process.
— JOHN TESELLE--HILLSBORO-WEST END

JOHN TESELLE--HILLSBORO-WEST END AUG 24, 2019 06:07PM

Outbuildings no longer a Conservation Zoning issue?

Of course outbuildings / DADUs have been reviewed for years under existing Conservation Zoning guidelines. But perhaps they should not be, and more appropriately should be a part of base zoning regulation.

The new outbuilding regulations allow various "styles" of outbuilding (with size based only on lot size) to be constructed behind any existing house. And the Historic Commission staff have said in public meetings that since outbuildings of this size do not have a historic precedent in our neighborhoods, they are not reviewing them as a part of the historic context as they would review an addition to a house.

So why have the Historic Commission review them at all? Outbuilding regulations could be written into the Metro Zoning Ordinance (as some outbuilding rules already are) and the zoning department could handle them as part of the normal permitting process.

As the new guidelines for outbuildings stand, they do not have anything to do with preserving historic structures. It does not appear that they are based on the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, as by law all Conservation Zoning guidelines in the state are required to be.

JULIA GRISSETT AUG 20, 2019 05:37PM

Outbuilding Plans Book

Having attended the community meeting for outbuilding on August 19th - It seemed like there was confusion as to whether the outbuilding plans book should be used as a tool for understanding the volumes and footprints of outbuilding allowed for each site, or used as a prototype book of preapproved, full-fledged outbuilding designs. I agree that a tool for preliminary understanding of volumes and footprints for outbuildings for a given lot size would be useful for property owners looking to understand what size outbuilding they may be able to put on their lot, however, I strongly disagree with the notion of using this plans book as a series of preapproved designs. I agree with Nine12 Architects that this tool should be simplified to a basic illustration of massing forms that could be within a staff level approval process. Simplifying this "plans book" to a series of massing diagrams instead of developed plans and elevations could also help alleviate concerns about use of the building or limits of dwelling space within the building, neither of which are in MHZC's purview to review or suggest. These massing diagrams should follow a clearly defined set of design guidelines for outbuildings, so that there is no undue burden put on homeowners desiring a custom solution that differs from one of these prototype illustrations.

This is actually one of the bigger issues right now with how the plan book has been put together. They've mentioned several times in the meetings that applicants won't be able to simply pick a plan from the book and submit it to MHZC. There will be additional site plan and elevation drawings required for any plan book option. But the plan book doesn't explicitly say that yet. It seems like it starts to on page 7 of the draft under "How To Use This Plan Book", but then that section is just cut off. Based on that meeting information it seems like every applicant will need to have someone do drawings for any application. — MARTIN WIECK - NINE12 ARCHITECTS

Maybe they should do both. Not everyone wants to hire an architect to customize if there are approved plans already available. — ANONYMOUS

RAEKEO SEP 04, 2019 02:05PM

Outbuilding size and height

I am concerned about the loosening of requirements. I believe this idea of allowing any style, and siding takes away from the historic look of the neighborhoods. Why bother to have Historic conservation at all? I understand

property rights, but our infrastructure cannot take all these outbuildings housing people. We are having sewer issues because of the age of the system and increased usage. We all know these buildings for the most part are going to be used as STR and to have them right on top of neighbors in close quarters is going to be a problem. In addition, how are all these buildings going to impact runoff water, once the grass is covered it no longer absorbs water will this cause flooding in the event of heavy rains? This may impact the neighbor's property as well, we will have neighbors suing each other for compensation of the cost of flooding. I am concerned about where are the cars going to be parked, connected to these second homes on lots originally planned for 1 home. I think using Seattle and Vancouver as your "mentors" is not a good thing. We are quickly losing the uniqueness of Nashville this adds to escalate the process.

Historic's mission in a conservation overlay more about preserving the from of a time period. I understand some of your concerns, but that is more a zoning issue, not Historic. Historic doesn't do stormwater or STR's
— ANONYMOUS

ANONYMOUS AUG 20, 2019 06:30AM

Rob Benshoof

On the website inside the document labeled" Part II Summary of changes for Historic Districts" it states; Edgehill Clarify that two-stories is allowed for infill, see page 51 Clarify that DADUs may be sold separately, see page 52 . I couldn't find either of these changes in part II and I object to DADU's being sold separately for several reasons. 1.) this goes against what a DADU was designed to do. This is more like a HPR if you can sell it. 2.) This is not a question for the Historical Commission.

ANONYMOUS AUG 17, 2019 06:55AM

REQUEST: Clear tables on what can be done and under what circumstances.

Would hope that as an outcome of this process some tables are created which make it clear for all parties involved - homeowner, codes, permits, historic.... what should be done and in what situation. As is now, there are these long documents that are too interpretable...

and way too arbitrary. Would like this brought up at the meeting as I cannot attend. I would bet that 100% of people who care about this topic would agree, and based on the comments of others and architects... this is a problem. See Nine12 Architects comments on this Padlet. (also resolve some inconsistencies between departments .. as noted here about the 700 sq.ft. rule...)

Historic will never put out clear guidelines! If Historic had clear guidelines, they wouldn't be able to treat every house differently and thus be arbitrary. The vagueness is intentional and well thought out. — ANONYMOUS

ANONYMOUS AUG 16, 2019 06:21AM

Written Guidelines

When will written guidelines for out buildings be available for review?

ANONYMOUS AUG 16, 2019 06:21AM

Outbuilding size and height

Is it true that the proposed changes will exclude considering the main residence when determining size and height of DADU?

There are no examples of historic DADUs. They are new features and should be treated as such. If DADUs are supposed to conform to historic standards, than the only thing allowed to built in many neighborhoods would be a 10x12 shack. — ANONYMOUS

The outbuilding or DADU should be considered against the main residence and neighborhood architecture so as to fit into the historic nature of the neighborhood. That includes the size of the outbuilding. — ANONYMOUS

JOHN TESELLE--HILLSBORO--WEST END AUG 22, 2019 07:26AM

New Restrictions on Garages

It appears that there are several new restrictions in the proposed guidelines regarding construction of attached garages. As far as I know this has not been discussed specifically in the community meetings. The new restrictions are as follows:

- p. 20 - Prohibits attached garages on infill construction in almost all cases.
- p. 25 - Prohibits garages on additions in most cases except where access is via a rear basement.

Existing guidelines in many districts had a more lenient definition of when a garage could be attached to a historic structure or to a new one.

Although I'm not in favor of front-facing garages in conservation zoning districts, I wonder if these new restrictions are necessary and why they were not brought up in any of the community meetings. It seems like a fairly big change to what is allowed.

Good question. Why are the guidelines being changed anyway? — ANONYMOUS

MARTIN WIECK - NINE12 ARCHITECTS AUG 20, 2019 05:37PM

Outbuilding Book Draft

Thanks for posting the initial draft online. I noticed that the allowable footprints for lots above and below 10,000 s.f. was corrected, which is good, but there is a comment in that section that seems odd. It states that "2-story outbuildings may have a maximum of up to 750 sq ft footprint, with no more than 1000 total square feet between the 2 stories." This essentially limits you to a maximum 500 s.f. apartment and 500 s.f. footprint if you want a garage in your outbuilding. If you want the 750 s.f. footprint then you can only get 250 s.f. of usable space above it. This line just doesn't seem to make any sense. The DADU ordinance already places a 700 s.f. limit on the apartment. By removing DADU considerations from the outbuilding guidelines, you're having to create a new rule to try to limit the apartment, and it goes against the existing zoning ordinance already in place to control it. This is also putting a more restrictive rule in place than what we currently have for two-story outbuildings, which it seems like we are trying to avoid.

It's more a concern that zoning allows for a 700 s.f. maximum for an apartment in a DADU and the new guidelines would apparently make it impossible to reach that number in a two story structure. The current guidelines do not restrict design like that.

— MARTIN WIECK - NINE12 ARCHITECTS

I'm confused. Is there a scenario where we follow the new rules about lot size and allowable forms for a DADU that would then not be allowed by codes? — ANONYMOUS

KAITLYN SMOUS - NINE12 ARCHITECTS AUG 15, 2019 09:34AM

Community Meeting and Outbuilding First Draft Thoughts

As an architect in Nashville who works on outbuildings on a monthly basis I'm very excited about the variety of forms shown in the first draft. The ability to have taller eaves and more contemporary forms is something that is necessary with how outbuildings are being used in the 21st century. However, after seeing the first draft, I am concerned about how those forms will be translated into written guidelines. The desire for custom outbuildings will still be there for homeowners. How are these new forms going to be defined? If a custom outbuilding does not follow those forms exactly, will it have to go before the Commission? It seems like this will complicate the process if you want a custom design.

It also seems like the forms should be a simple diagram to show massing and footprint. Plans and openings should be left to the homeowner/designer.

GRENSHAW55 AUG 14, 2019 02:00PM

Should setback for new construction accommodate original structures

My understanding is that Metro Nashville has "bulk setback standards"--required setbacks are uniform in all neighborhoods. This creates an issue in neighborhoods like Cherokee Park, where some houses and garages were built BEFORE any setback requirements existed. Some houses are too close to the property line at a corner or on one side. Many original garages were constructed right on the property lines. With small lots, when a "non-conforming" house is demolished and replaced, a setback of 3 feet from the property line for a garage on the new property may be only 3 feet from an existing garage. Or the owner of a "conforming" house who wants to expand his house out the back may find that he can't, because his house is already too close to a neighbor's property line. One possible solution that would accommodate historic structures would be to establish a minimum distance between new and existing construction that would be applied in situations where structures are too close to the property line to make bulk setbacks workable. This may not fall into the purview of "Design Guidelines" or under the authority of the Historic Commission, but it's an issue that needs to be addressed to help preserve the character of old

neighborhoods and reduce tensions between neighbors who move into historic neighborhoods where such irregularities and encroachments exist.

ANONYMOUS AUG 17, 2019 06:56AM

GRENSHAW55 AUG 14, 2019 02:00PM

Ratio of yard to structures

My neighborhood, Cherokee Park, has small lots (between .15 of an acre and half an acre with the .4 to .5-acre lots being lot-and-a-halfs or 2 combined lots), no alleys, and no sidewalks. Many of the original houses have garages built in the early 1930s that are literally right on the property line or may even encroach on a neighboring lot. When "non-conforming" house is replaced, often, much of the lot is filled with house and garage/DADU. Is it possible for design guidelines to require a percentage of the lot remain yard so yards look more uniform and new construction doesn't overwhelm existing homes and garages?

Having gone through the process to design/build a DADU in the hillsboro village area ... from first engaging with the historic commission before any plans for a dadu were done.. to going through the whole process with metro, permitting, etc. (with our contractor).... this process today is broken --- with different people interpreting the current rules / guidelines differently ... you can talk to 3 people and get three views of what the historic overlay means, what you can do in terms of layout/footprint/setback, etc. Whatever happens with the current discussion, Metro, the historic commission and permitting need to be consistent in educating their people and consistent in the application of rules/guidelines. Today this is not happening based on our experience. We have seen tons of examples of things they dug their heels in for us, but clearly allowed others to do... and you can see this going through the neighborhood... We would ask for this to be part of this discussion as even with the rules today, there is such inconsistency in approvals, permits, application, as well as the historic commission input that it is not fair and can be simplified. People want to know how big a footprint they can build, can they put more than one story, what types of windows must they use, what siding, setback from property line, setback / distance from house, etc. This should be a simple table based on your lot size, existing

footprint of house, neighborhood type (with our without overlay, etc.). Hope this is helpful.

Agreed. There should be more definitions of what is allowed so when an outbuilding is designed there is a higher chance it will be approved and take less administrative time. The rules should be clearly stated and not up to interpretation unless you appeal it to the commission. — ANONYMOUS

ANONYMOUS JUL 29, 2019 06:53AM

Driveways

Are there any design changes or clarifications for driveways? We have a front driveway that needs replacing. It's currently existing and is made of concrete, but if we replace it, will we need to do a two track with grass in between? I don't know how the guidelines affect replacement of existing driveways. (Park-Elkins overlay)

Yes, there are new driveway restrictions. It's not clear how it will impact your situation. — ANONYMOUS

ANONYMOUS JUL 25, 2019 06:23PM

I think a big problem with historic overlays is who gets to define "character" exactly? We're saying generations past who valued certain aesthetics over what we now know are smarter engineering/design decisions get to dictate the foreseeable future. Why? Perhaps an unpopular opinion, but why not embrace change and define our own new character? In a hundred years from now will we still have rules requiring houses in the style of a certain time period? Shouldn't that time period be from a time of modern design and building techniques rather than pre-information era? It seems silly to me to tell a property owner what they can and can't do with their own property. Thoughts?

I agree. Many of the historic neighborhoods got pretty run down over time. The homeowner should be given as much flexibility as possible when bringing these properties back to life. We should embrace the juxtaposition of old and new. — ANONYMOUS

ANONYMOUS AUG 07, 2019 06:48AM

Equity

There should be an entity that would help preserve the social and historic character of the neighborhoods by buying groups of historic homes that might otherwise be tear-downs (or "luxury" residences) and rehabilitating them as affordable housing for local families. I worked for an architecture firm in Boston that specialized in this kind of work:

Historic South End Apartments (HSEA)

In 2013, an extensive rehabilitation was needed for the HSEA buildings as they were approaching the 150-year mark. This involved bringing the 32 buildings up to modern standards while retaining their original historic character and integrity, as well as ensuring affordability for the 146 families that are long-term residents.

DAVISSQUAREARCHITECTS



ANONYMOUS JUL 22, 2019 07:53AM

Will any of this affect the Primrose Overlay? - Michael Karb Belmont-Hillsboro

What is the impact on Primrose? — ANONYMOUS

The portions of Primrose that are in the Belmont-Hillsboro NCZO will be affected — ROBIN_ZEIGLER

ANONYMOUS JUL 20, 2019 09:17AM

Will any of this work affect the Primrose overlay?

The portions of Primrose that are in the Belmont-Hillsboro NCZO will be affected — ROBIN_ZEIGLER

MARTIN WIECK - NINE12 ARCHITECTS JUL 18, 2019 11:33AM

With the other comments on DADU eaves this morning I thought I'd note here that the commission made a ruling yesterday (7/17/19) about this. A project at 712 Fatherland was submitted and the applicant asked for 15' eaves to match those on the existing house. The commission decided that allowing the higher eaves and lower sloped roof form to match the existing house was more appropriate than forcing lower eaves and a higher pitched roof. I think we should keep this in mind as we start writing these new outbuilding guidelines in the next month here.

In this situation the eave height of the main residence was 15' from the 1st floor so it is an easier exception for the commission since it is measured from the 1st floor. I think the issue is that since a house can be 3 plus feet off the ground and an outbuilding will typically be slab on the ground that the eave height of the outbuilding should be allowed to be no higher than the absolute elevation of the main residence. — ANONYMOUS

ANONYMOUS JUL 18, 2019 06:28AM

DADU eave height restrictions

The rule concerning eave heights on DADU's should be changed. Currently the max eave height is limited by the number of stories. The rule should be not higher than the existing eave height on the main structure up to a max of 17" or whatever. Plus the eave height should be considered absolute elevation not from the 1st floor for example. I believe the intent is to not have a DADU higher than the main structure. So on level it he eave height is not higher than the main structure no matter the ground elevation it should be OK.

It sounds like the OP is looking for a loophole to be allowed higher eaves. Wouldn't it make more sense to simplify the rule so we wouldn't need loopholes or special exceptions and make the footprint and height be based on the size of the lot. Everybody's situation is unique and nobody should be denied a permit to build because the eaves and ridges aren't exactly the same. — ANONYMOUS

I think what this person is trying to say is that measuring the main residence eave height from the 1st floor is not fair since homes can be 3 feet or more off the ground. I think the intent of this rule is not to have an outbuilding that is higher than the main structure. If that is the case the outbuilding eave and ridge height should only have the requirement of not being higher than the main residence in absolute elevation. There could be exceptions for where the lot rises in the rear.

— ANONYMOUS

Wouldn't that punish those whose lots slope in the wrong direction. If one's lot slopes up in the back, they wouldn't be able to build. That doesn't sound fair. — ANONYMOUS

ANONYMOUS AUG 10, 2019 12:07PM

Sharing emailed comment:

Mr Zeigler, I would like to propose what I feel is a solid option to the proposed overlay.. If there is new construction or remodel or any work that would require a permit the following would help the existing owners and at the same time enhance the flow and look of the neighborhood.. If the proposed new construction or remodel etc has an historic home on either side of it.. then the new construction must reflect the design of the adjacent historic home... If the proposed new construction has on both sides newer designed buildings then the house in the middle has the ability to get a variance to choose styles to fit in with the surrounding dwellings... This will ensure that any new construction will be cohesive to the immediate surroundings... so you don't have new construction sandwiching an old style victorian, which is now the case.. it looks terrible and really out of place ... it will also stop new construction from creeping down the street lot by lot. simply put .. if the house on either side is historic style then the new construction has to match that general style...If your sandwiched between two new homes you can choose your style to look cohesive ... eventually this will lead to a contiguous very good looking neighborhood... thank you...

ANONYMOUS JUL 18, 2019 06:29AM

This concerns DADU's. I recently was in a Historic Commission meeting where my property was being reviewed. On the eave height there is not any rule for 1.5 story. So the eave height of existing structure or max of 10' applied as you interpret a 1.5 story as a 1 story. So my issue is why have the 10' rule. Why not just set the DADU eave cannot be higher than the main structure eave up to "X" max height no matter how many stories are in the main structure. The other issue is the staff measure the main structure eave height from the 1st floor elevation. That does not make sense. there is not a place where my 1st floor is less than 3' off the ground. The eave height rule should be not higher than the main structure eave height on level. So if the DADU floor is 5 feet below the main structure and the main structure has an eave height of 10' it should be allowed to have a 15' eave height from floor level. The intent should be to not be higher than the main structure.

ANONYMOUS JUL 18, 2019 06:28AM

I hope there will be more sidewalks. Odd enough when I moved here it was a shock that more of these bungalow homes did not have sidewalks. In other cities these types of homes do. It creates community. We live in a city not the county. Hoping for more support for sidewalks.

Summary of changes in the consolidated guidelines:

Please post the summary and include in the summary references in the consolidated draft.

Will someone from historic please respond to this? How can this be going to public hearing this month and they haven't even put out a layman's version of the changes. I'm not an architect and I don't work for the Historic Commission. Please post a clear summary of the new restrictions ASAP. — ANONYMOUS

I agree that a better summary of changes is needed. There is a document outlining the major changes but there are numerous smaller changes in language and recommendations throughout the proposed guidelines that are not explained anywhere. If this were a law making its way through Metro Council, all discussions and revisions would be publicly available. But as these are "guidelines" this public process is not followed -- even though the effect of these guidelines will be as significant as a new law. — JOHN TESELLE--HILLSBORO-WEST END

Where — ANONYMOUS

Posted — ROBIN_ZEIGLER

Outbuildings

I was not able to attend the community meeting regarding outbuildings. Can you please share a summary of information shared at that meeting? Thanks.

*Stay up to date and take the outbuilding survey here:
<https://www.nashville.gov/Historical-Commission/About/Historic-Zoning-Commission/Design-Guideline-Consolidation-Project.aspx> — ROBIN_ZEIGLER*

I'm also still uncertain on the guidelines for roof decks for both infill and new construction. For infill, it states "Roof decks are not appropriate on the front or side of infill but may be appropriate on the rear if the deck is surrounded on all sides by an appropriately pitched roof." I watched two roof decks be approved on infill construction at the commission meeting yesterday and neither had a pitched roof around it. One was on a side elevation and one was on the front. The addition guideline states "Rooftop decks are not appropriate on side additions but may be appropriate on rear additions if the deck is surrounded on all sides by an appropriately pitched roof." But again, in the past I have seen flat roof decks approved on additions. Our project at 1707 Blair just won a historic preservation award and the entire addition is a flat roof deck with no pitched roof. I don't think these lines should be in the guidelines at all, as a roof deck can be designed appropriately in a number of different ways. This seems like another line discouraging contemporary design styles and trying to force historic forms where contemporary styles can be just as appropriate.

Robin, will there be any response to these more restrictive guidelines being added? We have had multiple projects approved over the last few years with roof decks not surrounded by pitched roofs, and one of them won a historic award. What prompted this to be added? There doesn't seem to be any indication that roof decks are a problem in historic neighborhoods. — MARTIN WIECK - NINE12 ARCHITECTS

Right but if the commission is currently approving them without pitched roofs around them, why does that need to be changed? — MARTIN WIECK - NINE12 ARCHITECTS

The draft design guidelines do not exist yet so they are not yet being applied. — ROBIN_ZEIGLER

ANONYMOUS JUL 15, 2019 02:26PM

Conservation Zoning

Conservation of our neighborhoods should not restrict architectural design. Do we really want to create an architectural review board whose taste will determine what can be built? The best way to preserve the green space, the character and historic "feel" is to not allow subdivision of properties - creating two lots from one, for example - and to not allow encroachment on setback boundaries - and to restrict heights (volume restrictions based on lot size, while difficult to measure, would limit "massing") - so as to remain in conformity with current density. Being more flexible with outbuildings concerns me because there is a risk that flexibility with regard to outbuildings will not only increase density but also expand lot coverage, reduce green space and encroach on neighbors' privacy - thereby changing the fundamental character of our neighborhoods. I don't think we want to let that horse out of the barn.

F STABILE MAY 30, 2019 10:16AM

Take aways from "what other cities are doing"

1. Can have one detached and one attached accessory dwelling unit per principal dwelling.
2. 1 additional parking space is required IF more than 0.25 miles from a transit corridor;
no parking required IF within 0.25 miles of transit
3. Many cities are using incentive programs to encourage the construction and rental of D/ADUs at below-market rate.

Ouch, I'm not sure many people would want to own the middle house if they had no input on their own home style. — ANONYMOUS

ROBIN_ZEIGLER MAR 21, 2019 09:34AM

Roof Color

What are your thoughts on regulating roof color for new construction? Additions generally just match existing but what about infill? Should the color be regulated or not?

Agree - we did not buy in a cookie-cutter neighborhood for a reason. — ANONYMOUS

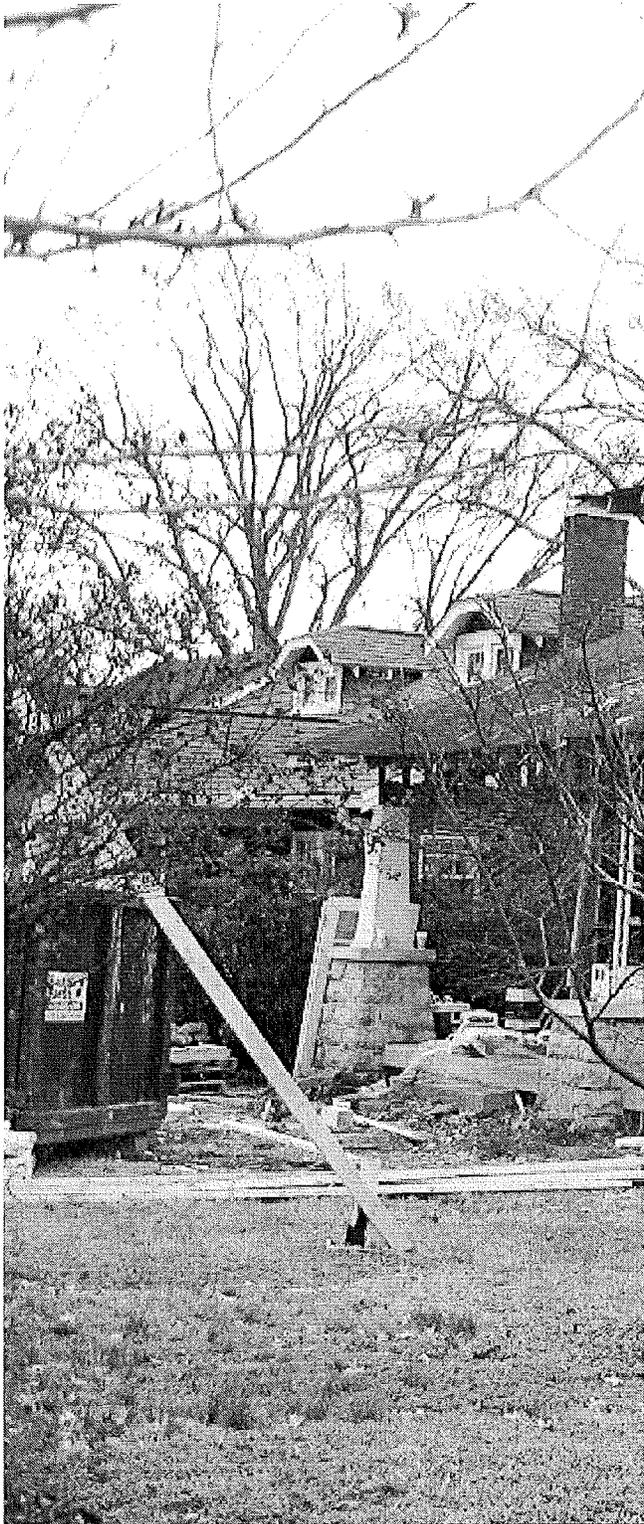
I don't think that roof color should be regulated. Material regulations, sure. But to me that's like saying, "you can only have black windows or white windows." Using windows as an example, I could understand regulating material (saying no to vinyl for example) but within material, color is just too subjective. — ANONYMOUS

THOMASON3 MAR 27, 2019 09:22AM

Demolition Definition

It seems that in the revision of the guidelines we need a clearer definition of what constitutes "demolition." Is demolition total removal of a building or is demolition deconstructing a contributing property all the way down to the studs leaving only the footprint of the foundation and a semblance of the roof? After such an elimination of original material is the dwelling still "contributing" in any real sense if 90% of the historic fabric has been removed?

Is this house in the Hillsboro-West End CZ Overlay a rehabilitation, deconstruction or demolition?



Great ideas, unfortunately, state law doesn't allow us to provide tax incentives and the grant program we tried to create had the funding pulled. We'll keep plugging away at it. :) — ANONYMOUS

Ira Chilton (ProjX) - Elmington Neighborhood - There is an opinion floating out there..... If you really want to save historic fabric a "carrot" rather than a "stick" might be better. Making funds available for persons owning property in historic overlays would provide incentive to keep and improve historic fabric (structures and property). Tax credit incentives and a potential Government Bond Funded State Preservation Grant program are two ideas that surfaced to provide the so called carrot. — ANONYMOUS

John has made this point several times and I think it's important to build on. There are two types of zoning overlays available to a neighborhood, the Historic Preservation Zoning Overlay (HPZO) and the Neighborhood Conservation Zoning Overlay (NCZO). The HPZO does exactly what is described above, preserving all materials on a historic structure and requiring an owner to have any exterior work reviewed by the commission. Areas like Germantown and 2nd Ave have this overlay. But for the majority of historic neighborhoods in Nashville we have an NCZO. This overlay is designed to preserve the overall feel of a neighborhood by requiring historic house forms and streetfront elevations to remain the same. It also allows for a homeowner to replace historic materials and windows that are often times falling apart and are more difficult to maintain and typically are less energy efficient. The overlay is designed to protect the historic forms of the neighborhood without placing a higher financial burden on homeowners who want to live in it. And as John has said, most of these neighborhoods passed these overlays with that expectation in place. To try to go back and tell current homeowners that they are no longer allowed to do reasonable maintenance on their house without approval first would be an uphill battle. Given the choice between an NCZO passing and an HPZO failing I think most of our historic neighborhoods would still prefer the former. Some houses will get stripped to the bones so that they can function at modern standards with new windows, siding, insulation, roofing, and everything that goes into a renovation. But their form still remains, and that is the purpose of the NCZO.

— MARTIN WIECK - NINE12 ARCHITECTS

When I see renovations that look like that, it further reinforces the notion that this entire process is arbitrary nonsense. You can do all that to the house, but if you wanted to move the front door two feet to the left to correct a flaw in the original design, it would not be allowed. — ANONYMOUS

This house is an interesting test case because so many people notice it and feel that something has gone too far. But given what it was before, my question is what should have been done instead? This house can be looked up on Google Earth and from that and from photos submitted with the Preservation Permit application (see https://www.nashville.gov/Portals/0/SiteContent/MHZC21-18/SR%202519%20Blair%20Blvd_March2018.pdf) it appears that the house was in fairly deteriorated condition. The roof was sagging, a porch column was missing, and the old siding appears to be vinyl (no idea what was under that, though). For the sake of discussion, let's say the wood siding underneath was rotten and the original windows were rotten. The plans for this renovation (and the appearance of the house now, after some work has been done) are for new Hardie lap siding to be installed and for new windows matching the original fairly closely to be installed. Also the front porch missing column will be reconstructed. My guess is that when it is all done, people will think it looks fine and many will think it is a well-preserved old house. So if the original house was in bad shape and the end result is a "restored" appearance (along with better insulation, weatherproofing, and new interior drywall) is it bad that for a few weeks it did look like a scary skeleton of a house? What Conservation Zoning accomplished in this case is still significant -- the foundation and framing of the house were not demolished and the original massing was preserved rather than a much larger house being built on the lot. — JOHN TESELLE--HILLSBORO-WEST END

ANONYMOUS MAR 04, 2019 10:12AM

Kudos and Good Luck!

Just want to say kudos to the commission and neighborhood representatives for taking this important job on. As an architect who lives in and does work in these neighborhoods, I welcome the consolidation and additional clarification. Many of my clients feel overwhelmed and concerned when considering taking on a building project to their historic home. I enjoy walking them through the process but concise information that I can relate to them easily is key. I also welcome any amount of flexibility that can be had with respect to outbuildings. Historically these were a big help to people during tough times, providing both additional income and a variety of living situations. If it is not abused I think these quirky structures are a real asset to the neighborhood.

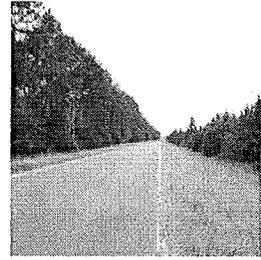
As a homeowner planning to build an outbuilding I hope there are no more restrictions than those already in place. I originally wanted to build a DADU and was not allowed due to zoning - despite all the already existing ones in the neighborhood. — AIDANHOYAL

GRENSHAW55 FEB 26, 2019 06:30AM

John TeSelle - Hillsboro-West End (jt28)

See all the wonderful things John TeSelle - Hillsboro-West End has made

PADLET



ANONYMOUS MAY 30, 2019 10:17AM

Structures caught in between zoning guidelines

We have a detached, two-story garage that was built before the historic overlay in Eastwood Neighbors. (I voted in favor of it.) We recently wanted to finish out the second story to use personally and for an owner-occupied STR. We hired a designer and found a builder. When the builder went to get the permit because our existing roofline doesn't comply with the historic overlay requirements. So currently we would need to demolish the second floor of the structure and rebuild to codes. This is such a waste of time and money. Today, in order to comply, we can even EXPAND the footprint of the second floor making it larger, which also doesn't make sense. Short version of this story: If we finished out our garage with a full one-bedroom apartment today it would look NO DIFFERENT than it does currently. Does that make any sense? (Note: We have off street parking next to the garage too.)

-Ron Snitker

JOHN TESELLE--HILLSBORO-WEST END MAR 28, 2019 08:58AM

Imitating the past

Most or all of the Conservation Zoning guidelines in the city have a statement such as this: "New buildings should not imitate past architectural styles; they should reflect the era of their own construction." I am not proposing that designs that do imitate past styles should be rejected. Just curious if that has ever happened -- has the staff or the Historic Commission asked a designer or owner of a house to revise so that a proposed addition or new construction does not look so historically accurate?

This is an excellent question, John. Many people who live in the conservation overlay do not understand this about the guidelines. Even people who have lived in Lockeland Springs since the inception of the overlay get offended at some of the new construction that is approved. I would also be curious about any plans that have been rejected or revised. — ELIZABETH SMITH

I'm very interested in this topic in general as well. I have always felt that the statement you quoted is very telling in terms of what the overlay is intended to do. Conserve. In an effort to conserve, it can be prescriptive but only so far it seems would be appropriate as it pertains to conserving the integrity of the historic structure. The way I like to think of it is that the historic portion of a house should be distinguishable from the newer portions and were someone to remove the addition(s) the original house could remain, basically intact. In that way you're conserving. Style of additions and outbuildings is pretty irrelevant if you look at it that way. Like you said in another thread, some people may want an addition to very closely mimic the historic structure and some may not. That's a matter of personal preference, separate from conserving the structure. — ANONYMOUS

ROBIN_ZEIGLER FEB 20, 2019 07:00AM

Lot Coverage

Several neighborhood reps expressed interest in a percentage of lot coverage that is more restrictive than current base zoning as a way to address storm water, the loss of old growth trees and incompatible outbuildings and additions. What do you think?

Lot coverage has nothing to do with trees. You can restrict lot coverage and people can still cut down trees. I wish historic would be clear about their agenda. They just want smaller houses are using trees to sell it. More bait and switch. — ANONYMOUS

I like the idea of not being able to chop down mature trees unless they're diseased or pose a danger to the primary structure. In Sylvan Park, the mature trees are a huge contributing factor to civic beauty. — ANONYMOUS

So glad that such thoughtful people are addressing thinking about this area. At first impression, I do think that think tree cover and green space are part of what makes our neighborhood historic and that those issues are thus relevant here. Would love to discuss further though.. — JBBUNTIN

I have to agree with John on this one. While I don't disagree with a lot coverage stipulation as a part of zoning regulations, it doesn't belong as a regulation with respect to conserving historic structures. A conservation overlay, by definition, has the intended purpose to conserve the historic structures that exist. I know this is outside of what this forum is trying to or going to achieve but it seems a more appropriate avenue would be to provide a separate zoning type for properties in historic overlays which then have building coverage stipulations tailored to historic areas. It should also be said (while I am not part of this camp), some people must like their overbuilt postage stamp lots. They're flying off the market at breakneck speed and insane prices. — ANONYMOUS

John, I understand your point about not addressing footprint vs. greenspace ratio in this important work, but I believe it should rightfully be included. The ratio does play greatly into the role of historic preservation in that, contextually, the sense of place and character of a neighborhood is part and parcel of its historic nature and are irrevocably altered when a lot is overbuilt (or even over-paved). The 1910s-to-1940s home-to-lots build ratios are often half of what we see today. I contend this sea change absolutely impacts the visual fabric and livability of our historic neighborhoods in terms of preserving historic character, scale, streetscape, navigability, walkability, safety, tree canopy, privacy, and the many decades of the quality of life inherent in each historic area, to name but a few features. Similarly, although not nearly as immediately critical an issue as footprint, the DADU question harkens back to the original, intentional purpose of many of our story-and-a-half Craftsman bungalows and other such originally multi-family residences. This issue could appropriately be addressed in a later phase of work. The Metropolitan Historical and Historic Zoning Commissions' stated mission is to "work together to preserve, protect, and document the history, historic places, buildings and neighborhoods of Davidson County through education, technical assistance, and advocacy.." [emphases added]. The important work the Committee is now undertaking squarely addresses such preservation and protection through its advocative work. Thank you so much for your hard work and for considering this input. Miriam Mimms — ANONYMOUS

I guess I'm just leery of over-reaching with Conservation Zoning and using it to implement regulations that may be worthy but that are outside of the mandate that neighbors and Metro Council approved when they voted for Conservation Zoning. Perhaps a separate overlay could be negotiated for neighborhoods that want to address lot coverage, green space, etc. in excess of what base zoning provides. That would keep the historic preservation concern distinct from other land planning issues that also deserve attention. — JOHN TESELLE--HILLSBORO--WEST END

John, I think you're correct that it's an issue in all neighborhoods, but some areas have zoning or HOAs that prohibit the sort of construction that fills the entire lot--the kind we are seeing more of in Cherokee Park. And how hard will it be to impose such a ratio on the entire city when areas that lack historic or conservation overlays are fighting specific plans and conflicting sets of overlays that permit various uses and tax schemes that have turned zoning into a moving target? Establishing a ratio of green space to structure might be particularly helpful for neighborhoods with conservation zoning and might serve as a model to implement stormwater/green space requirements elsewhere. I also wonder if structures built really close to one another--tall skinnies--that create shady zones where the sun never shines create or exacerbate issues such as mold or rot because the space between dwellings may stay damp so much longer.

— GRENSHAW55

This issue does not seem to be related to the historic character of a neighborhood. It is certainly a problem, but it should be addressed through base zoning and stormwater regulations that apply to all areas of the city. If different standards are needed for different areas, due to storm sewer capacity or other variations, then again it can be addressed via stormwater. Seems to me that we should avoid loading the Conservation Zoning guidelines with regulations that are not related to historic conservation issues.

— JOHN TESELLE--HILLSBORO-WEST END

One concern I have is loss of green space, both public and private, throughout the city. This is not just bad for residents; it's bad ecologically. — GRENSHAW55

GRENSHAW55 FEB 25, 2019 05:48PM

Neighborhoods that weren't originally designed for sidewalks

I recently submitted a request for traffic calming at the request of many neighbors. Several also mentioned having Metro install sidewalks. On one hand, that makes sense--Cherokee Park is between two greenways, and Aberdeen Road is the direct route for people from CP and Richland/West End to walk or cycle to the Richland Creek Greenway or over to the commercial area at the intersection of 46th and Murphy roads. However, CP was not originally designed for sidewalks. On some streets, front yards are already small, and the 9 feet required to install a sidewalk would constitute a third or more of the front yard. In addition, many people have landscaped and installed parking areas in front of their houses to provide guest parking that doesn't block the street or create muddy tire tracks in your front yard. I

want to encourage CP to explore alternatives to sidewalks given the fact that our neighborhood wasn't originally designed for them. (We don't have back alleys, either.) Any input or ideas, especially from others in similar neighborhoods built in the 1920s and 30s where lawns end at the roadway?

ANONYMOUS MAY 30, 2019 10:18AM

DADU comments from Neighborhood - 4 responses Elmington all very similar!

RESPONSE 3 OF 4 LEAVE AS IS FOCUSED ON EXTERIOR 4TH SEEMED TO SAY SAME THING BUT ASKED..... I'm not clear what would be entailed with interior inspections. I thought that as things stand now, the historical overlay requirements dealt only with exteriors.

GENERATED FROM Notes from April Session Guideline Committee / Elmington Overlay

ANONYMOUS MAY 30, 2019 10:18AM

DADU FEEDBACK:

1) Currently when a DADU is in place the Principal and Accessory structures must be owned by a single entity and the entity must occupy one of the structures as a principal residence. This said the primary owner is resident on the property in this situation. Should the DADU continue with this ruling or should ownership be allowed to be off-site?

4 OF 4 AGREED THAT MUST BE OWNED BY SINGLE ENTITY AND A PRINCIPAL RESIDENT ON SITE

2) As mentioned, the Principal and Accessory structures are on one lot and of a single ownership.

Should the DADU continue with this ruling or should the lot be allowed to be divided into two ownership positions?

4 OF 4 AGREED ONE LOT AND SINGLE OWNERSHIP

3) There was some discussion about expanding final inspection requirements of the Historic Commission to insure guidelines were being specifically followed. There were several that found the idea unfounded as they were not interested in having interior inspections made. Some felt like the Metro departments needed better cross communication to allow for the Building Inspectors to help enforce Guidelines. And some supported the idea. If you want to comment on this I am happy to report that back in the next meeting.

3 OF 4 AGREED EXTERIOR FOCUS ONLY AND 4 TH STATED.....On #3, I'm not clear what would be entailed with interior inspections. I thought that as things stand now, the historical overlay requirements dealt only with exteriors.

In order to divide ownership of DADU and principal residence, a Horizontal Property Regime (HPR) would need to be created with separate metering, sewer lines, electric, etc., along with rules for entrance and so on.
— ANONYMOUS

ROBIN_ZEIGLER JAN 03, 2019 09:15AM

Lap Siding

Currently the design guidelines require that new lap siding not exceed a reveal of 5". Do you think this is an important factor in making sure that new construction "fits into" the neighborhood?

Did you mean "encourage" vs discourage? I believe the whole issue of preservation zoning is ironic in that it is trying to preserve the "Disneyworld" view of Main Street USA. Change will come one way or the other. Look to other countries and realize the value here lies in the land and its location. Japan, LA, and most European countries land value is now 70% of the value of a residence. New materials, techniques, dwelling sizes are critical to Urban housing. Otherwise we go all the way back and live in Yerts. ● — ANONYMOUS

I agree with your thoughts on this. Although the guidelines discourage replicating historic styles, for many owners and developers that is more or less what they want (a historic looking house) — and in those cases some guidance on siding reveals and other things would be helpful. Some other owners want a more modern design and in those cases stipulating a 5" siding reveal is an irrelevant detail when issues of form are really more important. — JOHN TESELLE--HILLSBORO-WEST END

No, I think form is most important, but I'd love to seem some variation in the materials to visually distinguish contemporary from traditional and allow for artistic expression. — BETSY LITRELL

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