

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

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

**1628 Shelby Avenue
December 18, 2019**

Application: Violation—Outbuilding Constructed Without a Permit; Setback Determination

District: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Council District: 06

Base Zoning: R6

Map and Parcel Number: 08314036100

Applicant: Charles Carver

Project Lead: Melissa Sajid, melissa.sajid@nashville.gov

Description of Project: Application is for an outbuilding that was constructed prior to obtaining a preservation permit or building permit. The project includes a setback determination request to reduce the street side setback from ten feet (10') to five feet (5').

Recommendation Summary: Staff recommends disapproval of the application and setback determination, finding that the project does not meet Sections II.B.2. (Scale), II.B.8.a. (Roof Shape), and II.B.8.b. (Setbacks) of the *Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines*.

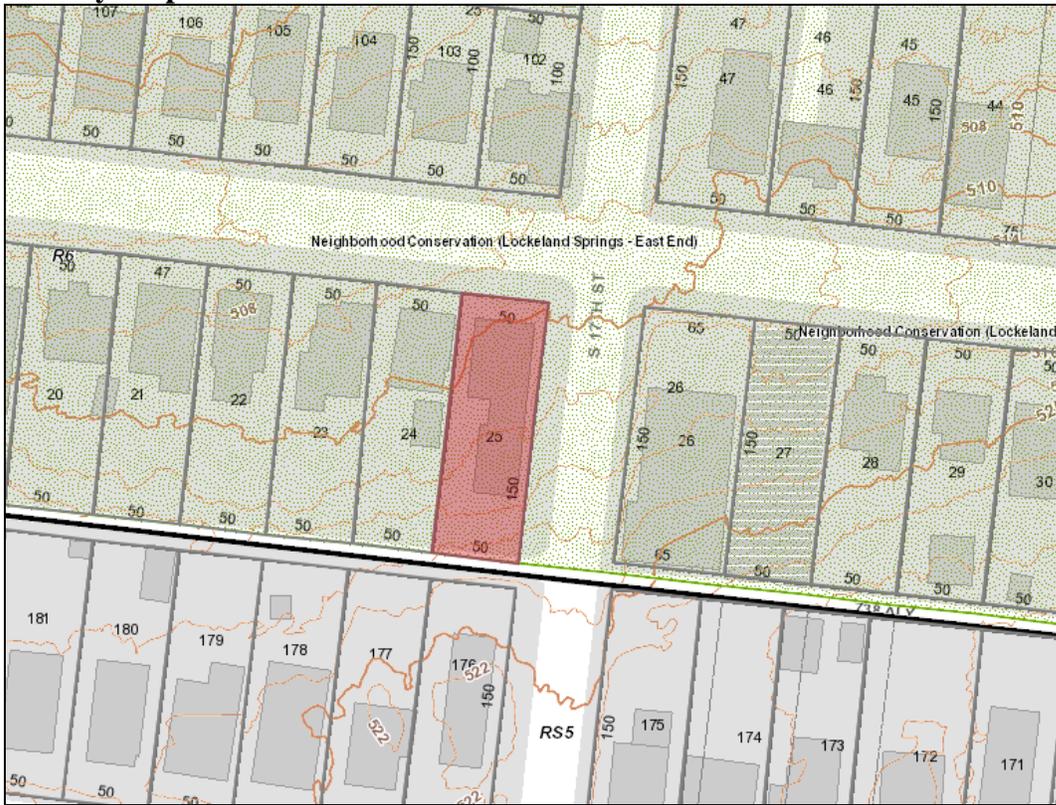
Attachments

A: Photographs

B: Site Plan

C: Elevations

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

II.B. New Construction

2. Scale

The size of a new building and its mass in relation to open spaces; and its windows, doors, openings, and porches should be visually compatible with surrounding historic buildings.

8. Outbuildings

(Although the MHZC does not review use itself there are additional ordinance requirements for buildings that are or have a Detached Accessory Dwelling Unit (DADU) required by ordinance 17.16.030 that are reviewed by the MHZC. This information is provided for informational purposes only and does not replace ordinance 17.16.030.)

- a. Garages and storage buildings should reflect the character of the existing house and surrounding buildings and should be compatible in terms of height, scale, roof shape, materials, texture, and details.

Outbuildings: Height & Scale

- *On lots less than 10,000 square feet, the footprint of a DADU or outbuilding shall not exceed seven hundred fifty square feet or fifty percent of the first floor area of the principal structure, whichever is less.*
- *On lots 10,000 square feet or greater, the footprint of a DADU or outbuilding shall not exceed one thousand square feet.*
- *The DADU or outbuilding shall maintain a proportional mass, size, and height to ensure it is not taller or wider than the principal structure on the lot. The DADU or outbuilding height shall not exceed the height of the principal structure, with a maximum eave height of 10' for one-story DADU's or outbuildings and 17' for two-story DADUs or outbuildings. The roof ridge height of the DADU or outbuilding must be less than the principal building and shall not exceed 25' feet in height.*

Outbuildings: Character, Materials and Details

- *Historically, outbuildings were either very utilitarian in character, or (particularly with more extravagant houses) they repeated the roof forms and architectural details of the houses to which they related. Generally, either approach is appropriate for new outbuildings. DADUs or out buildings located on corner lots should have similar architectural characteristics, including roof form and pitch, to the existing principal structure.*
- *DADUs or outbuildings with a second story shall enclose the stairs interior to the structure and properly fire rate them per the applicable life safety standards found in the code editions adopted by the Metropolitan Government of Nashville.*

Outbuildings: Roof

- *Roof slopes on simple, utilitarian buildings do not have to match the roof slopes of the main structure, but generally should maintain at least a 4/12 pitch.*
- *The DADU or outbuilding may have dormers that relate to the style and proportion of windows on the DADU and shall be subordinate to the roof slope by covering no more than fifty percent of the roof plane and should sit back from the exterior wall by 2'.*

Outbuildings: Windows and Doors

- *Publicly visible windows should be appropriate to the style of the house.*
- *Double-hung windows are generally twice as tall as they are wide and of the single-light sash variety.*
- *Publicly visible pedestrian doors must either be appropriate for the style of house to which the outbuilding relates or be flat with no panels.*
- *Metal overhead doors are acceptable on garages when they are simple and devoid of overly decorative elements typical on high-style wooden doors. Decorative raised panels on publicly visible garage doors are generally not appropriate.*

- For street-facing facades, garages with more than one-bay should have multiple single doors rather than one large door to accommodate more than one bay.

Outbuildings: Siding and Trim

- Brick, weatherboard, and board-and-batten are typical siding materials.
 - Exterior siding may match the existing contributing building's original siding; otherwise, siding should be wood or smooth cement-fiberboard lap siding with a maximum exposure of five inches (5"), wood or smooth cement-fiberboard board-and-batten or masonry.
 - Four inch (4" nominal) corner-boards are required at the face of each exposed corner.
 - Stud wall lumber and embossed wood grain are prohibited.
 - Four inch (4" nominal) casings are required around doors, windows, and vents within clapboard walls. Trim should be thick enough to extend beyond the clapboard. Double or triple windows should have a 4" to 6" mullion in between.
- Brick molding is required around doors, windows, and vents within masonry walls but is not appropriate on non-masonry clad buildings.

- b. Garages, if visible from the street, should be situated on the lot as historically traditional for the neighborhood.

Generally new garages should be placed close to the alley, at the rear of the lot, or in the original location of an historic accessory structure.

Lots without rear alleys may have garages located closer to the primary structure. The appropriate location is one that matches the neighborhood or can be documented by historic maps.

Generally, attached garages are not appropriate; however, instances where they may be are:

- Where they are a typical feature of the neighborhood; or
- When the location of the attached garage is in the general location of an historic accessory building, the new garage is located in the basement level, and the vehicular access is on the rear elevation.

Setbacks & Site Requirements.

- To reflect the character of historic outbuildings, new outbuildings for duplexes should not exceed the requirements for outbuildings for the entire lot and should not be doubled. The most appropriate configurations would be two 1-bay buildings with or without parking pads for additional spaces or one 2-bay building.
- A DADU or outbuilding may only be located behind the principal structure in the established rear yard. The DADU or outbuilding is to be subordinate to the principal structure and therefore should be placed to the rear of the lot.
- There should be a minimum separation of 20' between the principal structure and the DADU or outbuilding.
- At least one side setback for a DADU or outbuilding on an interior lot, should generally be similar to the principle dwelling but no closer than 3' from each property line. The rear setback may be up to 3' from the rear property line. For corner lots, the DADU or outbuilding should match the context of homes on the street. If there is no context, the street setback should be a minimum of 10'.

Driveway Access.

- On lots with no alley access, the lot shall have no more than one curb-cut from any public street for driveway access to the principal structure as well as the detached accessory dwelling or outbuilding.
- On lots with alley access, any additional access shall be from the alley and no new curb cuts shall be provided from public streets.
- Parking accessed from any public street shall be limited to one driveway for the lot with a maximum width of twelve feet.

- c. The location and design of outbuildings should not be visually disruptive to the character of the surrounding buildings.

Background: The house located at 1628 Shelby Avenue was constructed c. 1904 and contributes to the historic character of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay (Figure 1).



Figure 1. 1628 Shelby Avenue (December 2019).

Several rear additions to the house were constructed prior to the 2014 expansion of the overlay that included this property (Figure 2). In 1984, a building permit was issued for an attached garage and carport (permit #198412781). Storage lofts were added above that addition in 1985 (permit #198522095), and the additions were enclosed and converted to living space in 1986 (permit #198605684).



Figure 2. Rear additions constructed prior to inclusion in Lockeland Springs-East End Neighborhood Conservation Zoning Overlay (Google maps, June 2015).

Analysis and Findings: The application is for an outbuilding that was constructed prior to obtaining a preservation permit (Figure 3). The project includes a setback determination request to reduce the street side setback from ten feet (10') to five feet (5'). The carport is located five feet (5') from the rear of the house, not including the eave overhangs.



Figure 3. Carport constructed without a preservation permit (December 2019).

Outbuildings:

Massing Planning:

The lot is less than 10,000 square feet, at seven thousand, four hundred, ninety-six (7,496) square feet.

The lesser of these two numbers is the maximum square footage allowed for the footprint:

	50% of first floor area of primary structure	Lot is less than 10,000 square feet	Proposed
Maximum Square Footage	1,282 sq. ft.	750 sq. ft. max	700 sq. ft.

The proposed square footage meets the guidelines for a lot of this size.

	Potential maximums under Ordinance	Existing House	Proposed DADU, as measured from grade
Ridge Height	25' unless existing building is less	~20'	~13'-3"
Eave Height	10'	~10'	~8'6"

As constructed, the footprint, ridge height, and eave height meet Section II.B.8.a of the design guidelines.

Roof Form:

Proposed Element	Proposed Form	Typical of district?
Primary form	Gable	Yes
Primary roof slope	3/12	No

The primary roof form is gabled, which could be appropriate. However, the roof pitch is 3/12, and the design guidelines for outbuildings state that the roof slope should typically be a minimum of 4/12. Staff finds that the proposal does not meet Section II.B.8 of the design guidelines for roof shape.

Design Standards

The structure has a simple side gabled form (Figure 2) that could be appropriate if the outbuilding met all of the design guidelines. As constructed, however, the carport has a shallower roof pitch than recommended by the design guidelines and does not meet the required setbacks. For these reasons, staff finds that the outbuilding does not meet Section II.B.8 of the design guidelines.

Materials:

	Proposed	Color/Texture	Needs final approval?
Foundation	Concrete slab	Natural	No
Roofing	Metal	Corrugated	No
Posts/Trim	Wood	Smooth	No

The carport was constructed over a concrete slab with wood framing and a corrugated metal roof. Corrugated metal roofing, while not typical, could be an appropriate material for an outbuilding. Staff finds that the materials meet the design guidelines.

General requirements for Outbuildings/DADUs:

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

Is the building located towards the rear of the lot?	Yes	
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Site Planning & Setbacks:

	MINIMUM	PROPOSED
Building located towards rear of lot	-	Yes
Space between principal building and garage	20'	5'
Rear setback – garage doors do not face alley	5'	9'
Interior side setback	5'	10'
Street side setback	10'	5'
How is the building accessed?	-	From alley
Two different doors rather than one large door (if street facing)?	-	N/A

As constructed, the carport does not meet the left-side street-setback from South 17th Street and does not meet the minimum separation from the principal buildings. The bulk zoning standards require a minimum side setback of 10' from a local street. The structure, however, was constructed five feet (5') from the left-side property line along South 17th Street. The applicant has requested a setback determination to reduce the left-side setback from ten feet (10') to five feet (5'). Staff does not recommend approval of the setback determination since the outbuilding could be shifted closer to the right-side property line and meet both side setbacks.

According to the site plan, the carport is located five feet (5') from the upper level covered porch/landing (Figure 3). The structure is much closer to the rear addition when factoring in eave depth. The purpose of the separation requirement is to meet Section II.B.2 for open space and to prevent the appearance of an attached garage. Since the subject property is mostly flat and has a typical lot depth, an attached garage would not meet the design guidelines at this location. In this case, the proximity of the carport to the primary structure creates the look of an addition that does not meet the design guidelines for new construction. Also, while the previous rear additions were constructed prior to the overlay, they more than doubled the footprint of the historic house and included both an attached garage and carport before those elements were converted to living space. The two existing curb cuts along the South 17th Street frontage were likely in the locations of those elements.

Staff finds that the carport as constructed does not meet Section II.B. of the design guidelines for new construction and outbuildings.

Recommendation: Staff recommends disapproval of the application and setback determination, finding that the project does not meet Sections II.B.2. (Scale), II.B.8.a. (Roof Shape), and II.B.8.b. (Setbacks) of the *Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines*.

PROJECT #: 19067

PROPOSED CARPORT ADDITION
 1628 SHELBY AVE.
 NASHVILLE, TN 37206

ISSUE DATE: 11.25.19

REV	DATE	DESCRIPTION
△		
△		
△		

MHIC REVIEW
 DRAWINGS

PLOT TO FULL SCALE
 ON 11" X 17" PAPER

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

A100

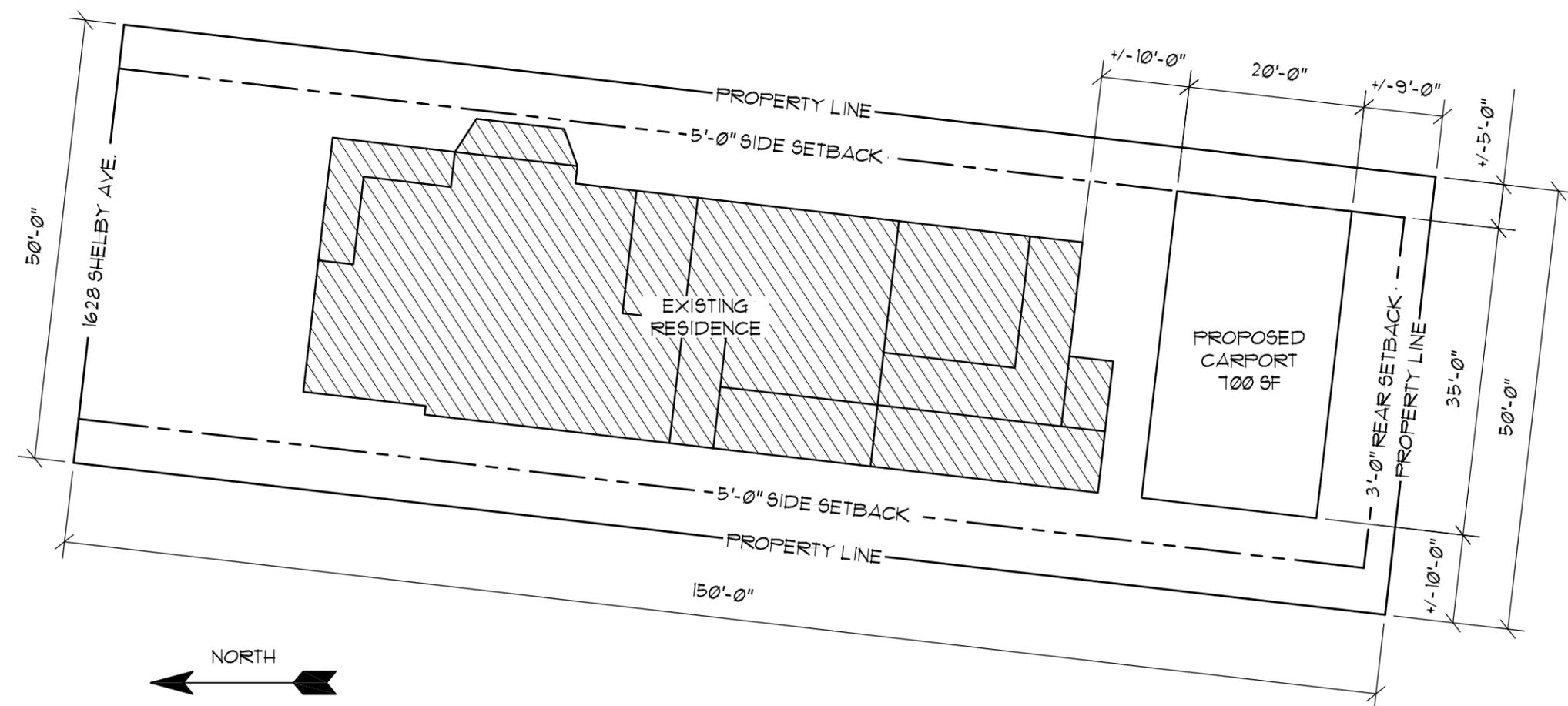
SITE PLAN

SITE PLAN NOTES

THIS SITE PLAN WAS SCALED AND CREATED FROM THE NASHVILLE PLANNING DEPARTMENT ONLINE PARCEL VIEWER. THE PROPERTY LINES AND EXISTING HOME LOCATION ARE ONLY APPROXIMATE.

THE SOLE PURPOSE OF THIS SITE PLAN IS TO SHOW THE APPROXIMATE LOCATION OF THE PROPOSED STRUCTURE AS IT RELATES TO THE BUILDING SETBACK AND PROPERTY LINES AND SHOULD NOT BE USED FOR CALCULATING IMPERVIOUS AREAS.

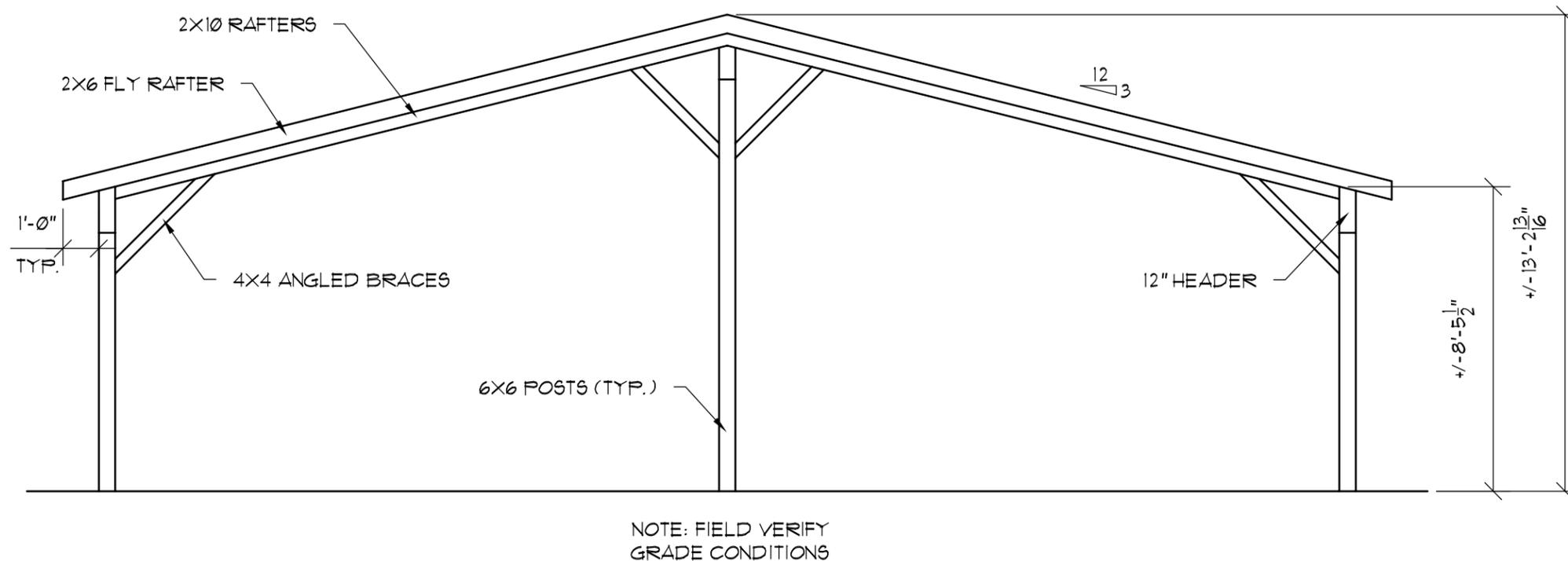
A BOUNDARY AND TOPOGRAPHICAL SURVEY WAS NOT PERFORMED AND IF REQUIRED FOR PERMITTING PURPOSES IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER OR CONTRACTOR TO HIRE A LICENSED LAND SURVEYOR TO PERFORM THESE DUTIES.



01 SITE PLAN

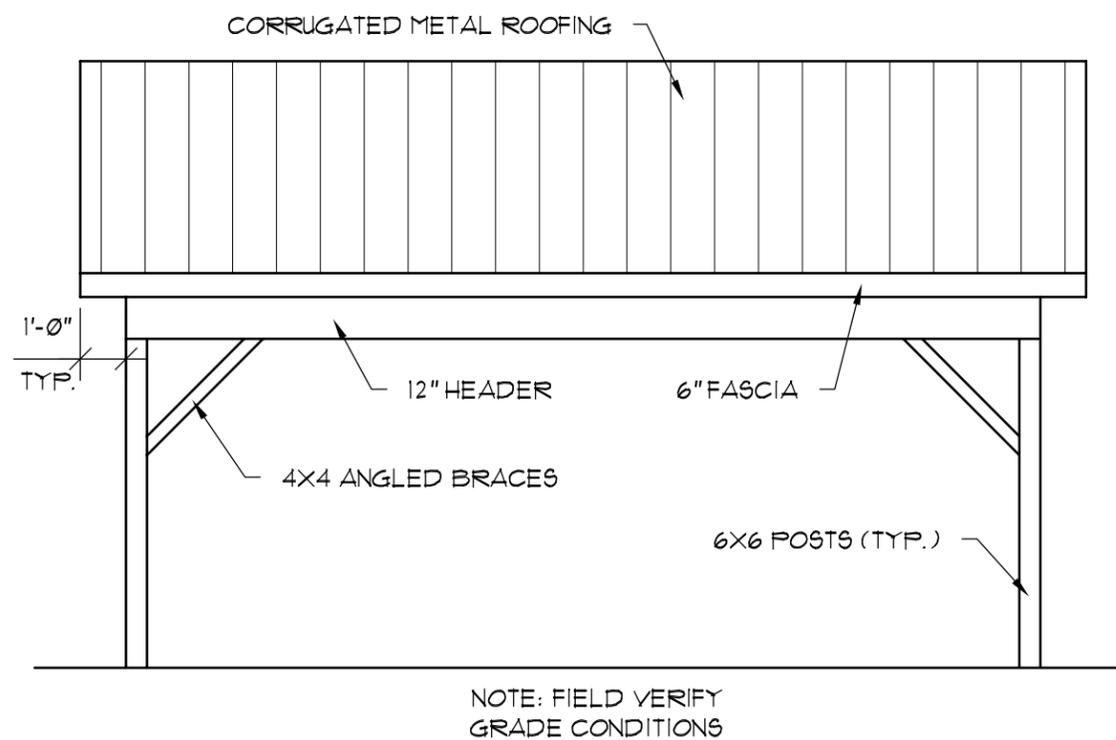
Scale: 1/16" = 1'-0"

PROJECT #: 19067



01 FRONT/REAR ELEVATIONS (NORTH/SOUTH)

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



02 SIDE ELEVATIONS (EAST/WEST)

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

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PLOT TO FULL SCALE
 ON 11" X 17" PAPER

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

A101

EXT. ELEVATIONS