

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
Telephone: (615) 862-7970

STAFF RECOMMENDATION

1020 Seymour Avenue

October 21, 2020

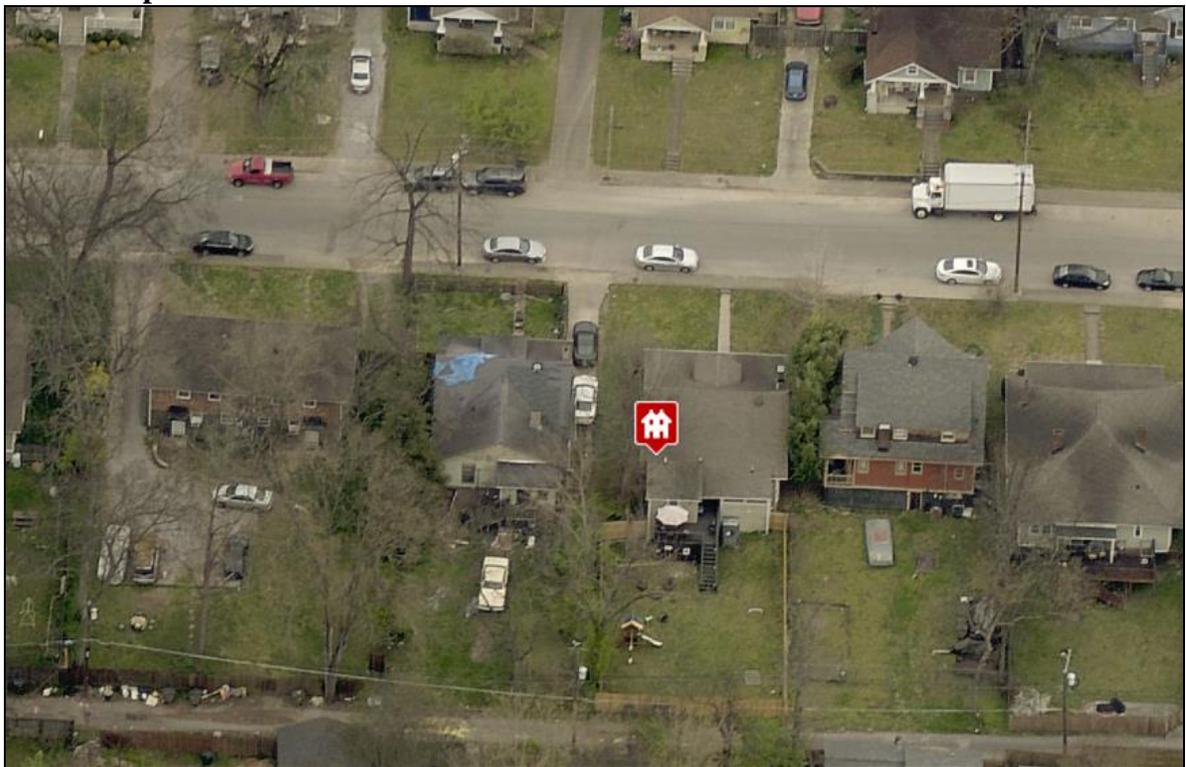
Application: New Construction-Addition/ Violation
District: Greenwood Neighborhood Conservation Zoning Overlay
Council District: 05
Base Zoning: RS5
Map and Parcel Number: 08305002800
Applicant: Ethan Spencer, property owner
Project Lead: Melissa Sajid, Melissa.sajid@nashville.gov

<p>Description of Project: The request is for a rear dormer that was constructed without a preservation permit. The project does not meet the design guidelines and the applicant is requesting to retain the project as-is.</p> <p>Recommendation Summary: Staff recommends that the dormer be inset a minimum of two feet (2') on each side in order to meet Section II.B.2. for additions, or the dormer may be removed, reconstructing previous conditions. Staff recommends that the correction be completed within sixty (60) days of the date of decision.</p>	<p>Attachments A: Photographs B: Letter from applicant</p>
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Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

II.B.1 New Construction

B. GUIDELINES

a. Height

The height of the foundation wall, porch roof(s), and main roof(s) of a new building shall be compatible, by not contrasting greatly, with those of surrounding historic buildings.

b. Scale

The size of a new building and its mass in relation to open spaces shall be compatible, by not contrasting greatly, with surrounding historic buildings.

Foundation lines should be visually distinct from the predominant exterior wall material. This is typically accomplished with a change in material.

c. Setback and Rhythm of Spacing

The setback from front and side yard property lines established by adjacent historic buildings should be maintained. Generally, a dominant rhythm along a street is established by uniform lot and building width. Infill buildings should maintain that rhythm.

The Commission has the ability to determine appropriate building setbacks and extend height limitations of the required underlying base zoning for new construction, additions and accessory structures (ordinance no. 17.40.410).

Appropriate setbacks will be determined based on:

- The existing setback of the contributing primary buildings and accessory structures found in the immediate vicinity;*
- Setbacks of like structures historically found on the site as determined by historic maps, site plans or photographs;*
- Shape of lot;*
- Alley access or lack thereof;*
- Proximity of adjoining structures; and*
- Property lines.*

Appropriate height limitations will be based on:

- Heights of historic buildings in the immediate vicinity*
- Existing or planned slope and grade*

In most cases, an infill duplex should be one building, as seen historically in order to maintain the rhythm of the street. Detached infill duplexes may be appropriate in the following instances:

- There is not enough square footage to legally subdivide the lot but there is enough frontage and width to the lot to accommodate two single-family dwellings in a manner that meets the design guidelines;*
- The second unit follows the requirements of a Detached Accessory Dwelling Unit; or*
- An existing non-historic building sits so far back on the lot that a building may be constructed in front of it in a manner that meets the rhythm of the street and the established setbacks.*

d. Materials, Texture, Details, and Material Color

The materials, texture, details, and material color of a new building's public facades shall be visually compatible, by not contrasting greatly, with surrounding historic buildings. Vinyl and aluminum siding are not appropriate.

T-1-11- type building panels, "permastone", E.F.I.S. and other artificial siding materials are generally not appropriate. However, pre-cast stone and cement fiberboard siding are approvable cladding materials for new construction; but pre-cast stone should be of a compatible color and texture to existing historic stone clad structures in the district; and cement fiberboard siding, when used for lapped siding, should be smooth and not stamped or embossed and have a maximum of a 5" reveal. The reveal for lap siding should not exceed 5". Larger reveals may be possible but should not exceed 8" and shall have mitered corners.

Shingle siding should exhibit a straight-line course pattern and exhibit a maximum exposure of seven inches (7").

Four inch (4") nominal corner boards are required at the face of each exposed corner.

Stud wall lumber and embossed wood grain are prohibited.

Belt courses or a change in materials from one story to another are often encouraged for large two-story buildings to break up the massing.

When different materials are used, it is most appropriate to have the change happen at floor lines.

Clapboard sided chimneys are generally not appropriate. Masonry or stucco is appropriate.

Texture and tooling of mortar on new construction should be similar to historic examples.

Asphalt shingle is an appropriate roof material for most buildings. Generally, roofing should not have strong simulated shadows in the granule colors which results in a rough, pitted appearance; faux shadow lines; strongly variegated colors; colors that are too light (e.g.: tan, white, light green); wavy or deep color/texture used to simulate split shake shingles or slate; excessive flared form in the shingle tabs; uneven or sculpted bottom edges that emphasize tab width or edges, unless matching the original roof.

e. Roof Shape

The roof(s) of a new building shall be visually compatible, by not contrasting greatly, with the roof shape, orientation, and pitch of surrounding historic buildings.

Roof pitches should be similar to the pitches found in the district. Historic roofs are generally between 6/12 and 12/12.

Roof pitches for porch roofs are typically less steep, approximately in the 3-4/12 range.

Generally, two-story residential buildings have hipped roofs.

Generally, dormers should be located on the roof. Wall dormers are not typical in the historic context and accentuate height so they should be used minimally and generally only on secondary facades. When they are appropriate, they should be no wider than the typical window openings and should not project beyond the main wall.

f. Orientation

The orientation of a new building's front facade shall be visually consistent with surrounding historic buildings.

Porches

New buildings should incorporate at least one front street-related porch that is accessible from the front street.

Side porches or porte cocheres may also be appropriate as a secondary entrance, but the primary entrance should address the front.

Front porches generally should be a minimum of 6' deep, have porch racks that are 1'-3' tall and have posts that include bases and capitals.

Parking areas and Driveways

Generally, curb cuts should not be added.

Where a new driveway is appropriate it should be two concrete strips with a central grassy median. Shared driveways should be a single lane, not just two driveways next to each other. Sometimes this may be accomplished with a single lane curb cut that widens to a double lane deeper into the lot.

g. Proportion and Rhythm of Openings

The relationship of width to height of windows and doors, and the rhythm of solids (walls) to voids (door and window openings) in a new building shall be compatible, by not contrasting greatly, with surrounding historic buildings.

Window openings on the primary street-related or front façade of new construction should be representative of the window patterns of similarly massed historic structures within the district.

In most cases, every 8-13 horizontal feet of flat wall surface should have an opening (window or door) of at least 4 square feet. More leniencies can be given to minimally visible side or rear walls.

Double-hung windows should exhibit a height to width ratio of at least 2:1.

Windows on upper floors should not be taller than windows on the main floor since historically first floors have higher ceilings than upper floors and so windows were typically taller on the first floor.

Single-light sashes are appropriate for new construction. If using multi-light sashes, muntins should be fully simulated and bonded to the glass, and exhibit an interior bar, exterior bar, as well as a spacer between glass panes.

Four inch (nominal) casings are required around doors, windows and vents on non-masonry buildings.

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 buildings.

Generally front doors should be 1/2 to full-light. Faux leaded glass is inappropriate.

2. ADDITIONS

- a. Generally, an addition should be situated at the rear of a building in such a way that it will not disturb either front or side facades.

Placement

Additions should be located at the rear of an existing structure.

Connections to additions should, as much as possible, use existing window and door openings rather than remove significant amounts of rear wall material.

Generally, one-story rear additions should inset one foot, for each story, from the side wall.

Additions should be physically distinguished from the historic building and generally fit within the shadow line of the existing building.

Additions that tie into the existing roof should be at least 6" off the existing ridge.

In order to assure that an addition has achieved proper scale, the addition should:

- *No matter its use, an addition should not be larger than the existing house, not including non-historic additions, in order to achieve compatibility in scale. This will allow for the retention of small and medium size homes in the neighborhood. The diversity of housing type and size is a character defining feature of the historic districts.*
- *Additions which are essentially a house-behind-a-house with a long narrow connector are not appropriate, as the form does not exist historically. Short or minimal connections that do not require the removal of the entire back wall of a historic building are preferred.*

· Additions should generally be shorter and thinner than the existing building. Exceptions may be made when unusual constraints make these parameters unreasonable, such as:

- An extreme grade change
- Atypical lot parcel shape or size

In these cases, an addition may rise above or extend wider than the existing building; however, generally the addition should not be taller and extend wider.

When an addition needs to be taller:

Whenever possible, additions should not be taller than the historic building; however, when a taller addition is the only option, additions to single story structures may rise as high as 4' above the shadow line of the existing building at a distance of 40' from the front edge of the existing building. In this instance, the side walls and roof of the addition must set in as is typical for all additions. The portion of the roof that can be seen should have a hipped, side gable or clipped gable roof to help decrease the visual mass of the addition.

When an addition needs to be wider:

Rear additions that are wider than an existing historic building may be appropriate when the building is narrower than 30' or shifted to one side of the lot. In these instances, a structural alcove or channel must separate the existing building from the new addition. The structural alcove should sit in a minimum of 1' and be at least twice as long as it is deep.

In addition, a rear addition that is wider should not wrap the rear corner.

Ridge raises

Ridge raises are most appropriate for one-story, side-gable buildings, (without clipped gables) and that require more finished height in the attic. The purpose of a ridge raise is to allow for conditioned space in the attic and to discourage large rear or side additions. The raised portion must sit in a minimum of 2' from each side wall and can be raised no more than 2' of total vertical height within the same plane as the front roof slope.

Sunrooms

Metal framed sunrooms, as a modern interpretation of early green houses, are appropriate if they are mostly glass or use appropriate cladding material for the district, are located at the rear in a minimally visible location, are minimally attached to the existing structure, and follow all other design guidelines for additions.

Foundation

Foundation walls should set in from the existing foundation at the back edge of the existing structure by one foot for each story or half story. Exception: When an addition is a small one-room deep (12' deep or less) addition that spans the width of the structure, and the existing structure is masonry with the addition to be wood (or appropriate substitute siding). The change in material from masonry to wood allows for a minimum of a four inch (4") inset.

Foundation height should match or be lower than the existing structure.

Foundation lines should be visually distinct from the predominant exterior wall material. This is generally accomplished with a change in materials.

Roof

The height of the addition's roof and eaves must be less than or equal to the existing structure.

Visually evident roof slopes should match the roof slopes of the existing structure, and roof planes should set in accordingly for rear additions.

Skylights should not be located on the front-facing slope of the roof. Skylights should be flat (no bubble lenses) with a low profile (no more than six inches tall) and only be installed behind the midpoint of the building).

Rear & Side Dormers

Dormer additions are appropriate for some historic buildings as they are a traditional way of adding ventilation and light to upper stories.
The addition of a dormer that would require the removal of historic features such as an existing dormer, chimneys, cupolas or decorative feature is not appropriate.

Rear dormers should be inset from the side walls of the building by a minimum of two feet. The top of a rear dormer may attach just below the ridge of the main roof or lower.

Side dormers should be compatible with the scale and design of the building. Generally, this can be accomplished with the following:

- New dormers should be similar in design and scale to an existing dormer on the building.*
- New dormers should be similar in design and scale to an existing dormer on another historic building that is similar in style and massing.*
- The number of dormers and their location and size should be appropriate to the style and design of the building. Sometimes dormer locations relate to the openings below. The symmetry or lack of symmetry within a building design should be used as a guide when placing dormers.*
- Dormers should not be added to secondary roof planes.*
- Eave depth on a dormer should not exceed the eave depth on the main roof.*
- The roof form of the dormer should match the roof form of the building or be appropriate for the style.*
- The roof pitch of the dormer should generally match the roof pitch of the building.*
- The ridge of a side dormer should be at least 2' below the ridge of the existing building; the cheeks should be inset at least 2' from the wall below or adjacent valley; and the front wall of the gable should setback a minimum of 2' from the wall below. (These minimum insets will likely be greater than 2' when following the guidelines for appropriate scale.)*
- Dormers should generally be fully glazed and aprons below the window should be minimal.*
- The exterior material cladding of side dormers should match the primary or secondary material of the main building.*

Side Additions

- b. When a lot width exceeds 60 feet or the standard lot width on the block, it may be appropriate to add a side addition to a historic structure. The addition should set back from the face of the historic structure and should be subservient in height, width and massing to the historic structure.

Side additions should be narrower than half of the historic building width and exhibit a height of at least 2' shorter than the historic building.

To deemphasize a side addition, the roofing form should generally be a hip or side-gable roof form. Commercial buildings that desire a covered open-air side additions generally should not enclose the area with plastic sides. Such applications may be appropriate if: the addition is located on the ground level off a secondary facade, is not located on a street facing side of a building, has a permanent glass wall on the portion of the addition which faces the street, and the front sits back a minimum of three (3') from the front or side wall, depending on placement of the addition.

- c. The creation of an addition through enclosure of a front porch is not appropriate. The creation of an addition through the enclosure of a side porch may be appropriate if the addition is constructed in such a way that original form and openings on the porch remain visible and undisturbed.

Side porch additions may be appropriate for corner building lots or lots more than 60' wide.

- d. Contemporary designs for additions to existing properties are not discouraged when such additions do not destroy significant historical, architectural, or cultural material; and when such design is compatible, by not contrasting greatly, with the size, scale, color, material, and character of the property, neighborhood, or environment.

e. A new addition should be constructed in such a manner that if the addition were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.

Connections should, as much as possible, use existing window and door openings rather than remove significant amounts of rear wall material.

f. Additions should follow the guidelines for new construction.

Background: The house located at 1020 Seymour Avenue is a c. 1910 bungalow that contributes to the historic character of the Greenwood Neighborhood Conservation Zoning Overlay (Figure 1).



Figure 1. 1020 Seymour Avenue, April 2019, Google maps.

A rear dormer was added to the historic house without a preservation permit or a building permit (Figure 2). According to City Works, the Codes Department issued a “stop work order” on June 8, 2020. The dormer as constructed does not meet the Greenwood design guidelines, but the owners would like to request to keep it as constructed.



Figure 2. Rear dormer addition, September 2020.

Analysis and Findings:

Design, Location & Removability: The location of the addition at the rear of the existing building is in accordance with the design guidelines. The rear dormer, however, is not inset two feet (2’) from the side walls as required by the design guidelines. The two foot (2’) inset is a standard requirement that helps differentiate the addition from the historic house, ensures that if the addition were to be removed in the future the historic character of the house would still be intact, and prevents an addition from overwhelming the historic building. Staff does not find that there are any conditions that make this project unique which would warrant not requiring the two-foot (2’) inset.

The project does not meet Section II.B.2.a of the design guidelines.

Height & Scale: The rear dormer as constructed does not increase the footprint of the house and is neither taller nor wider than the historic house. While the addition meets the design guidelines for height, it does not for scale, as the dormer is not set in from the side walls as required by the design guidelines.

The project does not meet Section II.B.1.a and b.

Materials:

	Proposed	Color/Texture/ Make/Manufacturer	Approved Previously or Typical of Neighborhood	Requires Additional Review
Cladding	Fiberboard lap siding	Smooth with reveal to match	Yes	No

		house		
Roofing	Architectural Shingles	Match house	Yes	
Trim	Cement Fiberboard	Smooth faced	Yes	No
Windows	Double hung	More information is needed	Unknown	Yes

With approval of the windows, the project could meet Section II.B.1.d

Roof form: The addition has a shed roof form with a pitch that is likely 3/12 or 4/12. A lower pitched shed roof form can be appropriate for a rear dormer addition that meets the design guidelines.

The project meets Section II.B.1.e.

Proportion and Rhythm of Openings: The rear dormer includes four double-hung windows that are appropriate for this type of addition. No openings were altered on this historic house. Staff finds the project’s proportion and rhythm of openings to meet Section II.B.1.g.

Recommendation:

Staff recommends that the dormer be inset a minimum of two feet (2’) on each side in order to meet Section II.B.2. for additions, or the dormer may be removed, reconstructing previous conditions. Staff recommends that the correction be completed within sixty (60) days of the date of decision.

Attachment A: Photos (Submitted by Applicant)









9/17/20

**PRESERVATION PERMIT APPLICATION –
1020 Seymour Ave. Nashville, TN 37206**

DESCRIPTION OF WORK:

A dormer placed on back roof of house, expanding children's bedrooms upstairs.

BACKGROUND:

My wife and I refinanced our home in May 2020, getting funds to expand our two sons' bedroom to make room for our 3rd child, arriving 9/30. We discussed the project with three different contractors, settling with American Services of TN, LLC, and Uzi Shmueli (office: (931) 548-0873; cell: (615) 496-0716). We informed the contractor that we live in a Historic neighborhood, discussing with him the permit process and required renderings. He promised us he would handle everything, and told us not to worry. The construction began in late May 2020, and was completed in early July 2020.

On September 2, 2020, we received the letter from the MHZC, dated 8/28/20, which stated that our rear addition was completed without a permit, and was thus in violation. This was the first we had heard of any violation and the lack of permits, as we were told by our contractor he would handle this with the city. Upon seeking further clarification, we discovered a complaint was made to MHZC on 6/2/20, and that a stop work order was made on 6/8/20. However, no sign was ever posted at our home stating that construction should stop. We were never notified by MHZC, were still under the impression that our contractor had followed proper protocols, and had no reason to think there were any issues until receiving the letter on 9/2/20, two months after construction had completed. Had we been notified, or if any notice had been posted, we would have promptly and emphatically told our contractor to cease construction, and demand he follow the proper protocols before continuing. Unfortunately, this did not occur. As consumers we were misled by our contractor, and as citizens of Metro Davidson Co., information that could now financially devastate us after the fact, was withheld. I work as a school psychologist in Wilson County Schools, and my wife works in retail. We are upstanding city citizens and neighbors who gladly follow the rules and laws of our community, and would happily have intervened on 6/8/20 had we been properly informed.

Our addition is tasteful, only adds value to our neighborhood, and does not disrupt the historic integrity of our house. We now understand that aspects of it do not follow MHZC's parameters, but we beseech you not to punish us for being deceived by our contractor and unapprised through your agency.

Respectfully,



Ethan Spencer

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