

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**

**1406 A & B Boscobel Street**

**August 19, 2020**

**Application:** New Construction--Addition; Setback Determination

**District:** Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

**Council District:** 06

**Base Zoning:** R-6

**Map and Parcel Number:** 083130J00100 and 083130J00200

**Applicant:** Brittney Blanton

**Project Lead:** Jenny Warren, jenny.warren@nashville.gov

**Description of Project:** Application for the construction of a rear deck which will encroach five feet (5') into the rear setback.

**Recommendation Summary:** Staff recommends disapproval of the setback determination, finding that it does not meet Section II.B.3 of the *Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines*.

**Attachments**

**A:** Photographs

**B:** Site Plan

**C:** Elevations



## Applicable Design Guidelines:

### II.B. New Construction

#### 3. Setback and Rhythm of Spacing

The setback from front and side yard property lines established by adjacent historic buildings must be maintained. When a definite rhythm along a street is established by uniform lot and building width, infill new buildings should maintain that rhythm.

*The Commission has the ability to reduce 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 setback reductions 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*

*Infill construction on the 1400 - 1600 blocks of Boscobel Street may have widths up to 40'.*



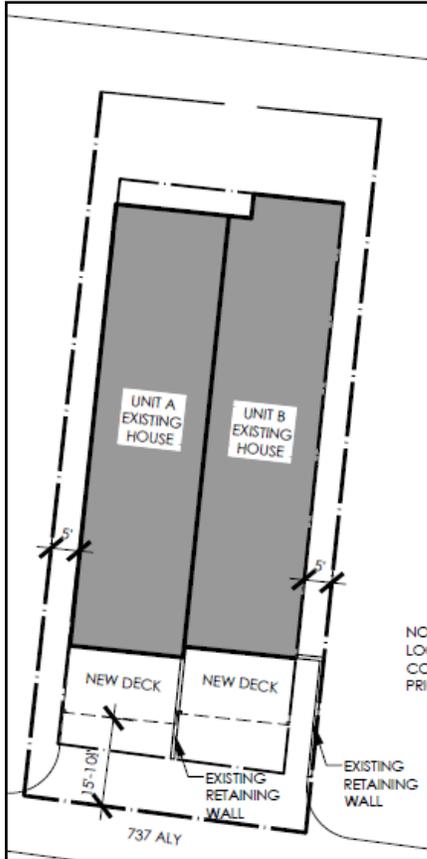
Figure 1: 1406 A & B Boscobel Street

**Background:** The duplex at 1406 Boscobel Street was constructed in 2014, shortly before the Lockeland Springs -East End Neighborhood Conservation Zoning Overlay was expanded to include this block, so the MHZC did not review this infill. As constructed, the rear decks were twenty feet (20') from the rear property line. These decks were recently damaged by a truck and need to be repaired. The applicant would like to extend the depth as well.

**Analysis and Findings:** The decks do not require review as they are a rear addition that cannot be seen from the street and are located within the triangular area, shown in the design guidelines, as not requiring a permit. However, they may need a setback

determination and it is the Commission's role to determine appropriate setbacks in the historic overlays.

The application is for the repair and expansion of the decks, such that they will extend four feet, two inches (4'2") into the rear setback.



As background, there is some confusion regarding whether or not these decks are allowed to encroach into the rear setback and staff has asked for clarification from the Codes Department. By one reading of the Code, uncovered decks should be allowed to be within ten feet (10') of the rear property line. If this is the final decision by Codes, then MHZC review is not needed.

However, if Codes determines that the decks need to comply with base zoning, then MHZC has the authority to reduce that required setback. In an effort to expedite the process for the applicant, staff is presenting this setback determination request to you now, without the final determination from the Zoning Examiner.

Setback & Rhythm of Spacing: The only concern with this proposal is that the new decks will encroach into the rear setback. The base zoning rear setback is twenty feet (20'). The new deck, at its deepest point, will be only fifteen feet, ten inches (15'10") from the rear property line.

Figure 2: Proposed site plan

Section II.B.3 of the design guidelines addresses the appropriateness of reducing setbacks:

*Appropriate setback reductions 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.*



Figure 3. Current condition of rear decks

This particular block of Boscobel Street has very little remaining historic context; however, the few contributing houses nearby sit well within the twenty foot (20') rear setback, as do the newer infill structures. This property already sits closer to the rear setback than the surrounding houses and is quite close to the alley already without an additional five feet (5') of depth. (Figure 4)



Figure 4: Aerial of block. On far left is 1400 Boscobel, the only contributing house. Note that 1406 Boscobel already sits closest to the rear setback of all the houses on the block.

The purpose of the Commission having the ability to reduce setbacks is so that it can easily address historic conditions. This property has no existing historic conditions. Staff does not see a compelling reason for the decks to be allowed within the setback and finds that the proposal does not meet Section II.B.3. of the design guidelines.

**Recommendation:** Staff recommends disapproval of the setback determination, finding that it does not meet Section II.B.3 of the *Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines*.

**LOCKELAND SPRINGS RESIDENCE**

1406 BOSCOBEL ST. UNITS A & B  
 NASHVILLE, TN 37206

ISSUE	DATE
HISTORIC	7.2.20

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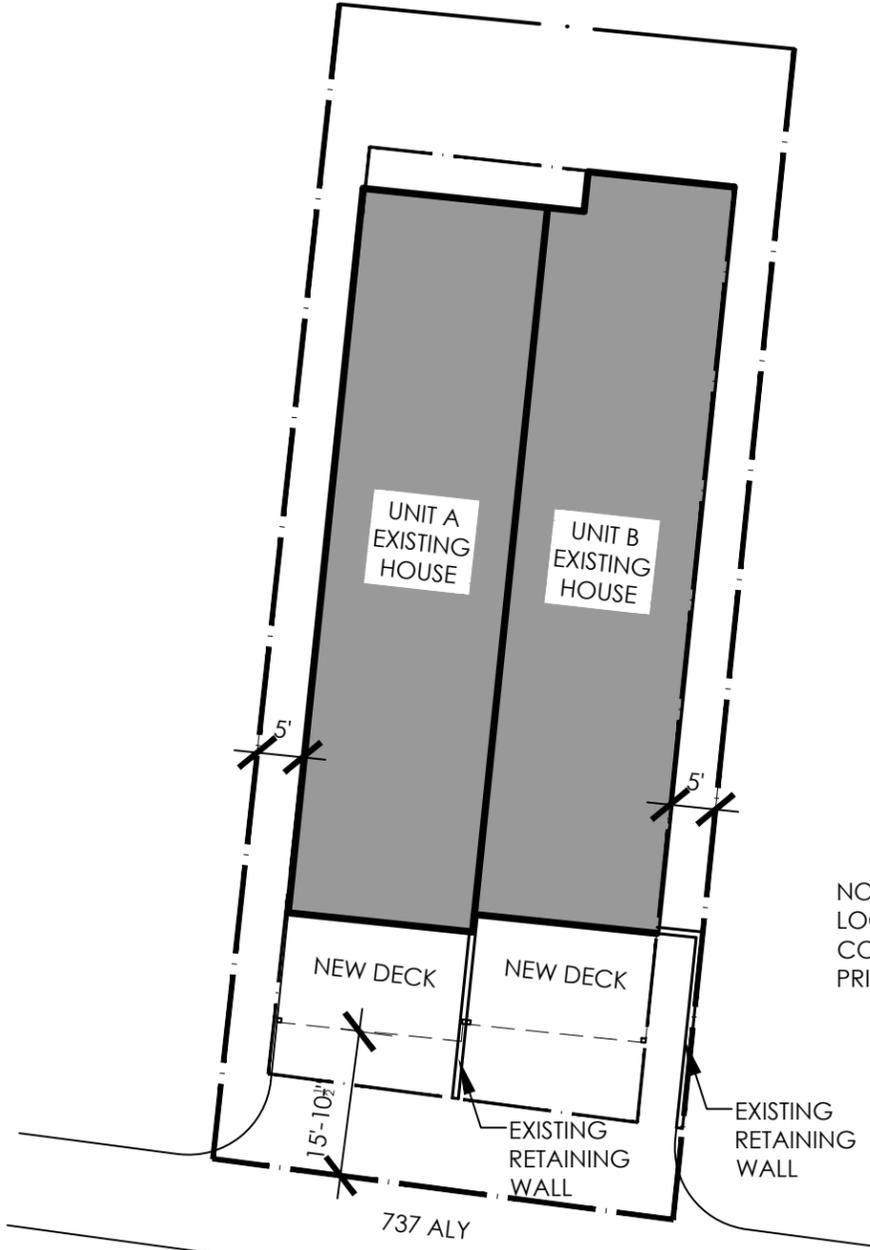
PROJECT: 2008

SCALE: AS NOTED DRAWN BY: BB

SHEET TITLE: SITE PLAN

H0.0

BOSCOBEL ST.



NOTE: PROPERTY LINES AND HOUSE LOCATION BASED OFF OF DAVIDSON COUNTY GIS. CONFIRM ACCURACY PRIOR TO CONSTRUCTION.

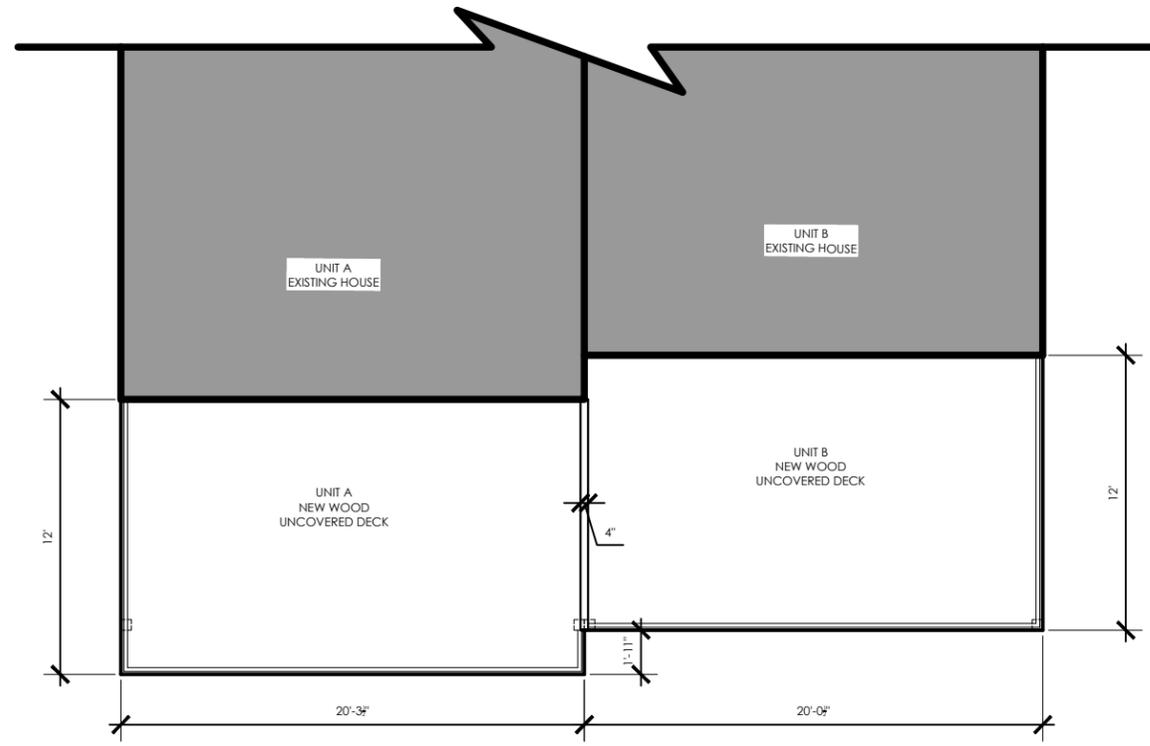


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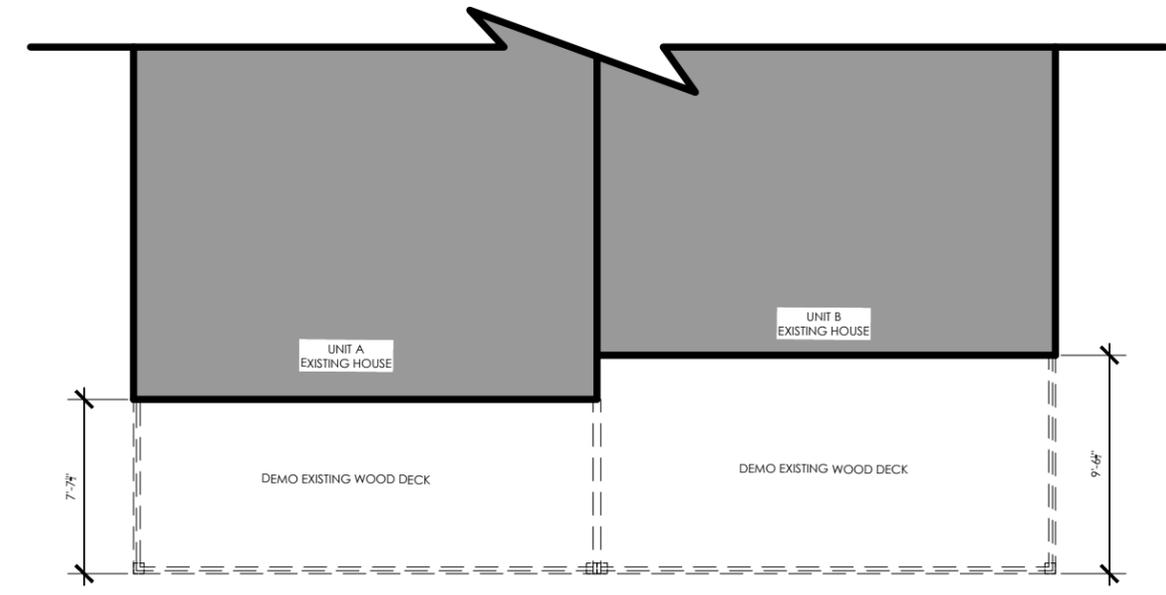
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**LOCKELAND SPRINGS RESIDENCE**

1406 BOSCOBEL ST. UNITS A & B  
NASHVILLE, TN 37206



2 FLOOR PLAN  
H1.0 1/8"=1'-0"



1 DEMO PLAN  
H1.0 1/8"=1'-0"

ISSUE	DATE
HISTORIC	7.2.20

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PROJECT:	2008
SCALE: AS NOTED	DRAWN BY: BB
SHEET TITLE: DEMO PLAN/FLOOR PLAN	

H1.0

