

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
Fax: (615) 862-7974

STAFF RECOMMENDATION
1710 Linden Avenue
June 16, 2021

Application: Demolition; Show Cause
District: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Council District: 18
Base Zoning: R8
Map and Parcel Number: 104160158
Applicant: CJ Sabia, Sabia Construction
Project Lead: Melissa Sajid, Melissa.sajid@nashville.gov

Description of Project: The applicant requests demolition of a contributing building, demolished without a permit. Staff requests a show-cause hearing for Permit #2020074352, issued on December 17, 2020.

Recommendation: Staff recommends the consideration of three votes.

Demolition: Staff recommends disapproval of demolition; finding that demo does not meet Section III.B.

Show Cause: Staff recommends that Preservation Permit #2020074352 for an addition be rescinded, finding that demolition took place outside of the scope of the permit.

Reconstruction: Staff recommends the building be fully documented and reconstructed using original materials and historic images following the detailed direction of this report and with the following conditions:

1. Plan for removal, storage and reuse of salvage materials be submitted with 15 days;
2. Dimensions of all features be submitted within 15 days;
3. Plans for reconstruction of the house with details on its features and the results of conditions 1-2 be submitted prior to issuance of demolition and new construction permits; plans shall not include the addition permitted by #2020074352 if that permit is rescinded; and; and,
4. No additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building;

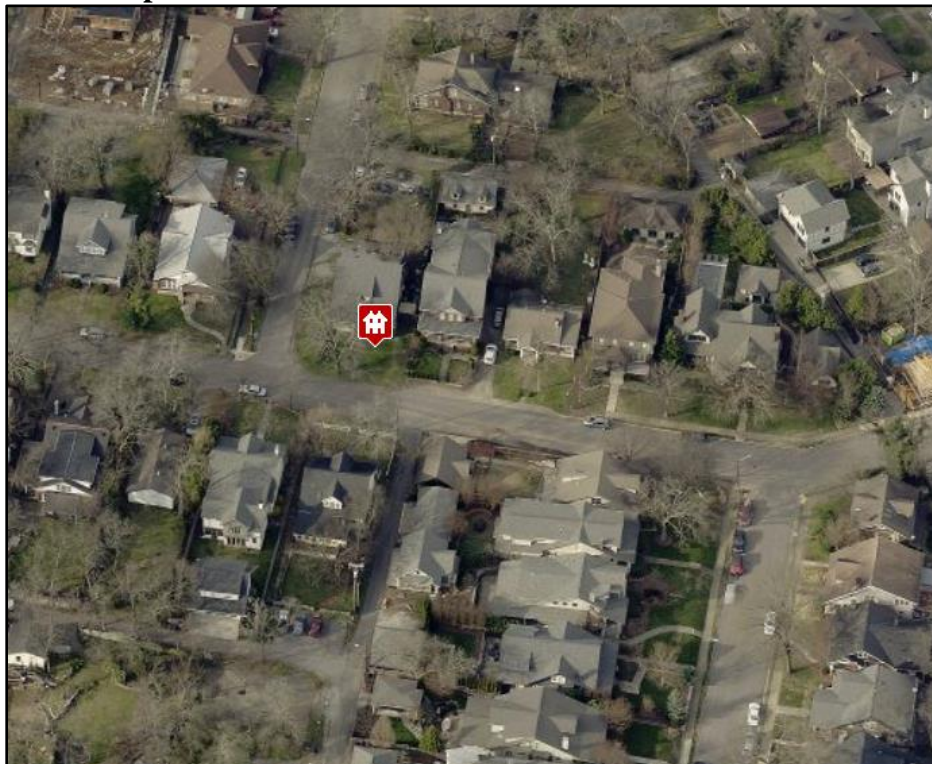
Staff finds that reconstruction meets Section II.A.4. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Attachments
A: Preservation Permit #2020074352

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

II. NEW CONSTRUCTION AND ADDITIONS

A. PRINCIPLES

4. Reconstruction may be appropriate when it accurately reproduces a no-longer existing building on its original site, if the building (1) would have contributed to the historic and architectural character of the area; (2) will be compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding it; and (3) is accurately based on documentary, physical, or pictorial evidence.

III.B DEMOLITION GUIDELINES

Demolition is not appropriate

- a. if a building, or major portion of a building, contributes to the architectural or historical significance or character of the district.
- b. if a building, or major portion of a building, is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense.

Demolition is appropriate

- a. if a building, or major portion of a building, does not contribute to the architectural or historical character or significance of the district; or
- b. if a building, or major portion of a building, has irretrievably lost its physical integrity to the extent that it no longer contributes to the district's architectural or historical character or significance; or
- c. if the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with section 17.40.420, as amended, of the historic zoning ordinance.

Applicable Ordinances:

17.40.420 Preservation permit.

- D. Determination of Economic Hardship. In reviewing an application to remove an historic structure, the historic zoning commission may consider economic hardship based on the following information:
- 1. An estimated cost of demolition and any other proposed redevelopment as compared to the estimated cost of compliance with the determinations of the historic zoning commission;
 - 2. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the subject structure or improvement and its suitability for rehabilitation;
 - 3. The estimated market value of the property in its current condition; its estimated market value after the proposed undertaking; and its estimated value after compliance with the determinations of the historic zoning commission.
 - 4. An estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure.
 - 5. Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.
 - 6. If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
 - 7. Any other information considered necessary by the commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.
 - 8. Hardship Not Self-Imposed. The alleged difficulty or hardship has not been created by the previous actions or inactions of any person having an interest in the property after the effective date of the ordinance codified in this title.

(Ord. BL2012-88, § 1, 2012; Ord. 96-555 § 10.9(C), 1997)

Applicable Rules of Order and Procedure:

X. ENFORCEMENT PROCEDURES

In cases of non-compliance with historic zoning regulations and preservation permits the staff will follow these general steps as appropriate until compliance has been reached.

- A. Request the Department of Codes Administration to post, a Stop Work Order if work is in progress.
- B. Notify the owner of the violation in writing through US mail, email or hand-delivery, and provide the opportunity for the owner to appear before the Commission on the issue of the violation within 30 days.
- C. If the violation remains and the matter is not brought into compliance, Staff shall cite the applicant to a court of competent jurisdiction or issue a Show Cause Order on behalf of the Commission.
- E. Show Cause Hearing. In cases where violations persist and a Show Cause Order has been issued, the applicant shall be required to appear before the Commission and show cause as to why any original Preservation Permits should not be revoked by the Commission.

Background: The house at 1710 Linden Avenue was constructed c. 1920 and contributes to the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. It has a bungalow form that the National Register nomination for Belmont-Hillsboro calls out as the most common building form in the district. The nomination states that the bungalow form “helps to impart the middle-class ambiance” of the district. The nomination also notes that the bungalows come in a variety of designs but provides a consistency of scale that visually ties the area together.



Figures 1 and 2: 1710 Linden Avenue in 1968 and December 2020.

According to Metro records, an upper level addition and deck that did not change the building footprint were permitted in 1994 (#199406954). A permit was issued by the Codes department on December 8, 2020 to “demo the interior of the home down to the framing” (#2020072741). It is not uncommon for applicants to pull interior only demolition permits before approval is granted for exterior work. Interior alterations or demolition is not reviewed in conservation overlays unless the work involves change to the exterior. On December 16, 2020, the Commission approved the request for an addition that included a setback determination for the subject property, and the preservation permit (#2020074352) was issued the following day.

On May 20, 2021, a neighbor contacted MHZC staff concerned about the level of demolition. MHZC staff confirmed that all the house had been demolished, except for the front wall and porch, and a stop work order was issued since the work exceeded the scope of all issued permits.



Figure 3: The front of the house as seen on May 20, 2021.



Figure 4: The rear of the house as seen on May 20, 2021.



Figure 4: The side of the house from Oakland Avenue as seen on May 20, 2021.

Analysis and Findings:

Demolition

The house at 1710 Linden Avenue contributed to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. (See “Background.”) For that reason, demolition meets Section III.B (c) for inappropriate demolition and does not meet Section III.B (a) for appropriate demolition.

Staff recommends disapproval of demolition; finding that demolition does not meet Section III.B.

Show-Cause

No information was submitted by the applicant detailing reasons for the demolition. All Preservation Permits include the following sentence. “Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken.” If staff had been notified there may have been portions of the building that could be saved and there could have been materials salvaged.

Since the demolition was accomplished outside the scope of work for the permit and a revision of the permit was not requested, staff recommends that permit #2020074352, for an addition, be rescinded.

Reconstruction

If demolition is found to be inappropriate, then the violation still exists and needs to be addressed. Staff recommends the building be fully documented and reconstructed using original materials and historic images. Documentation should not include the addition if the Commission rescinds permit #2020074352. Section II.A.4. of the design guidelines allows for reconstruction if the building was contributing, it had an appropriate massing and scale for the neighborhood and is based on documentary evidence. The building was contributing and was an appropriate massing and scale for the district. There is photographic evidence of earlier conditions and there is an opportunity to fully document at least the front wall and porch. The design guidelines also assume that a building is “no longer existing” as a condition for allowing reconstruction and all that remains is the front wall and porch. Staff recommends the following conditions:

All features of the building be documented with photographs and measurements of their dimensions and locations, including, but not limited to:

- depth and slope of overhang
- porch pedestals and posts
- lap siding reveal
- heights from grade (at multiple points) for foundation, eave, and ridge

Staff recommends that the dimensions of existing features be submitted within 15 days of the decision.

Historic materials shall be salvaged and reused.

Reconstruction shall follow historic documentation in the following ways:

- The most recent railing and the one from the 1960s were not original so a new railing of a simple design shall be included on plans.

Staff further recommends no additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building.

Recommendation:

Staff recommends the consideration of three votes.

Demolition:

Staff recommends disapproval of demolition; finding that demolition does not meet Section III.B.

Show Cause:

Staff recommends that Preservation Permit #2020074352 for an addition be rescinded, finding that demolition took place outside of the scope of the permit.

Reconstruction:

Staff recommends the building be fully documented and reconstructed using original materials and historic images following the detailed direction of this report and with the following conditions:

1. Plan for removal, storage and reuse of salvage materials be submitted with 15 days;
2. Dimensions of all features be submitted within 15 days;
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4. No additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building;

Staff finds that reconstruction meets Section II.A.4. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.



METRO HISTORIC ZONING COMMISSION

Sunnyside at Sevier Park
3000 Granny White Pike
Nashville TN 37204
(615) 862-7970
historicalcommission@nashville.gov

HISTORICAL COMMISSION PERMIT - 2020074352

Entered on: 30-Nov-2020

Site Address

1710 LINDEN AVE
NASHVILLE TN, 37212

Historic District: Belmont-Hillsboro NCZO

Parcel Owner

SANSIVERI DEVELOPMENT LLC
1710 LINDEN AVE ATTN ADAM SANSIVERI
NASHVILLE, TN 37212

Purpose: Construct Rear Addition; Side setback determination

ROOFING

- Roofing material shall be asphalt composite shingles. Color shall match existing or if not, it shall be approved by the MHZC prior to purchase.
- Gutters shall be simple metal gutters.

WINDOWS & DOORS

- Windows shall have single-light or fully-simulated, divided-light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin, and a spacer within the double-paned glass. Window manufacturer and type must be approved by MHZC staff prior to installation. Double and triple windows shall have a 4" to 6" mullion between.
- Door manufacturer and type must be approved by MHZC staff prior to installation.
- Four (4) inch (nominal) wood casings are required around doors, windows, and vents within clapboard walls.
- Windows on clapboard structures shall not have brick-mold.

SIDING & TRIM

- Siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). If siding exposure is not matched to that of the existing house, then it shall have a maximum reveal of five (5) inches.
- 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.

HVAC

- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.

GENERAL SPECIFICATIONS

- Alterations to be constructed in accordance with attached elevations. Any deviation from the approved plans could result in changes being reversed to reflect the approved drawings. Please note: MHZC staff may have added notes to the submitted drawings.
- All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
- Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken.
- The work items listed are approved in accordance with the adopted design guidelines and are NOT applicable beyond the unique

facts and circumstances of this particular application.

- This permit becomes invalid TWELVE months after issue date. Expired permits must be reissued prior to work being undertaken.
- Removal of cladding, windows and roofing on the existing building all-together is "partial-demolition" and must be reviewed by the MHZC prior to work taking place.

Approval of design should not be considered approval of a particular use. - THIS IS NOT A BUILDING PERMIT. No work can begin without the appropriate review and approval by the Metropolitan Department of Codes Administration: Howard School Building Campus (615) 862-6500.

APPLICANT: Allard-Ward Architects

Activities to be Completed - Call: (615) 862-7970 or Email: historicalcommission@nashville.gov

REVIEWS REQUIRED:

ROOFING COLOR APPROVAL PRIOR TO INSTALL - HZ

WINDOWS APPROVAL PRIOR TO INSTALL - HZ

DOOR APPROVAL PRIOR TO INSTALL - HZ

MASONRY APPROVAL PRIOR TO INSTALL - HZ

HVAC LOCATION - HZ

FINAL INSPECTION - HZ

INSPECTIONS REQUIRED:

FIELD STAKING INSPECTION - HZ

FOUNDATION CHECK INSPECTION - HZ

ROUGH FRAMING INSPECTION - HZ

DORMER INSPECTION - HZ

PROGRESS INSPECTION - HZ

Issued Date: 17-Dec-2020 **Issued By:** Jenny Warren

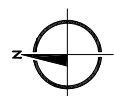
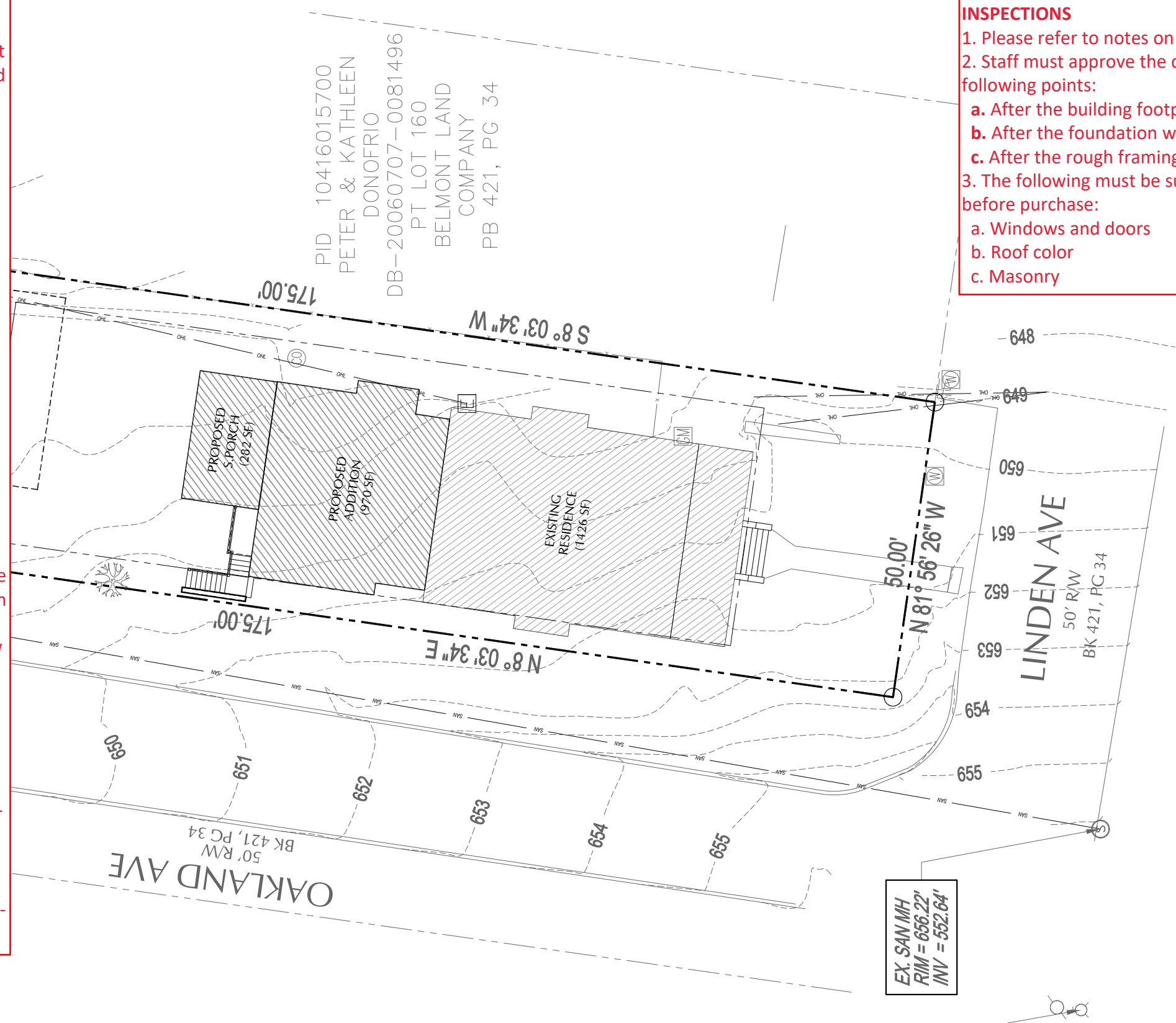
MHZC NOTES; CALL (615) 862-7970 FOR QUESTIONS

1. Structure to be constructed in accordance with attached scaled site plan and elevations. Any deviation from the approved plans could result in **changes being reversed** to reflect the approved drawings. Any alterations, whether or not approved by other Metro Departments, must be communicated to MHZC for a revision of the permit prior to construction or material purchase.
2. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
3. Exterior finish materials shall be trim grade (smooth and square). Stud wall lumber or embossed wood grain is not appropriate.
4. Windows shall be single-light or fully simulated, divided light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin and a spacer bar within the double paned-glass. Snap-in or between the glass muntins are never appropriate. Double and triple windows shall have 4" to 6" mullions between.
5. Four (4) inch (nominal) wood casings are required around doors, windows and vents within clapboard walls. Windows on clapboard structures shall not have brick-mold.
6. Removal all of the cladding, windows, doors and roofing on a contributing house is considered partial demolition and must be reviewed by the MHZC. Removal of one of these items alone, in a neighborhood conservation zoning overlay, is not reviewed.
7. Retention of original casings and replacement of just window sashes is encouraged where window replacement is necessary.
8. Alteration of original windows sizes is considered partial demolition and must be reviewed by the MHZC.
9. HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.
10. For non-masonry buildings, siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). If siding exposure is not matched to that of the existing house, then it shall have a maximum reveal of five (5) inches.
11. For non-masonry buildings, 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.

MHZC INSPECTIONS & FINAL APPROVALS

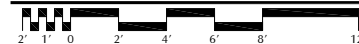
CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on page 1.
2. Staff must approve the construction progress at the following points:
 - a. After the building footprint has been field staked
 - b. After the foundation wall has been constructed
 - c. After the rough framing has been completed
3. The following must be submitted for final approval before purchase:
 - a. Windows and doors
 - b. Roof color
 - c. Masonry



1

Site Layout Plan



Scale: 1/8"=1'-0"

Addition and Renovations to:

1710 Linden Avenue

1710 Linden Ave.
Nashville, Tennessee 37212

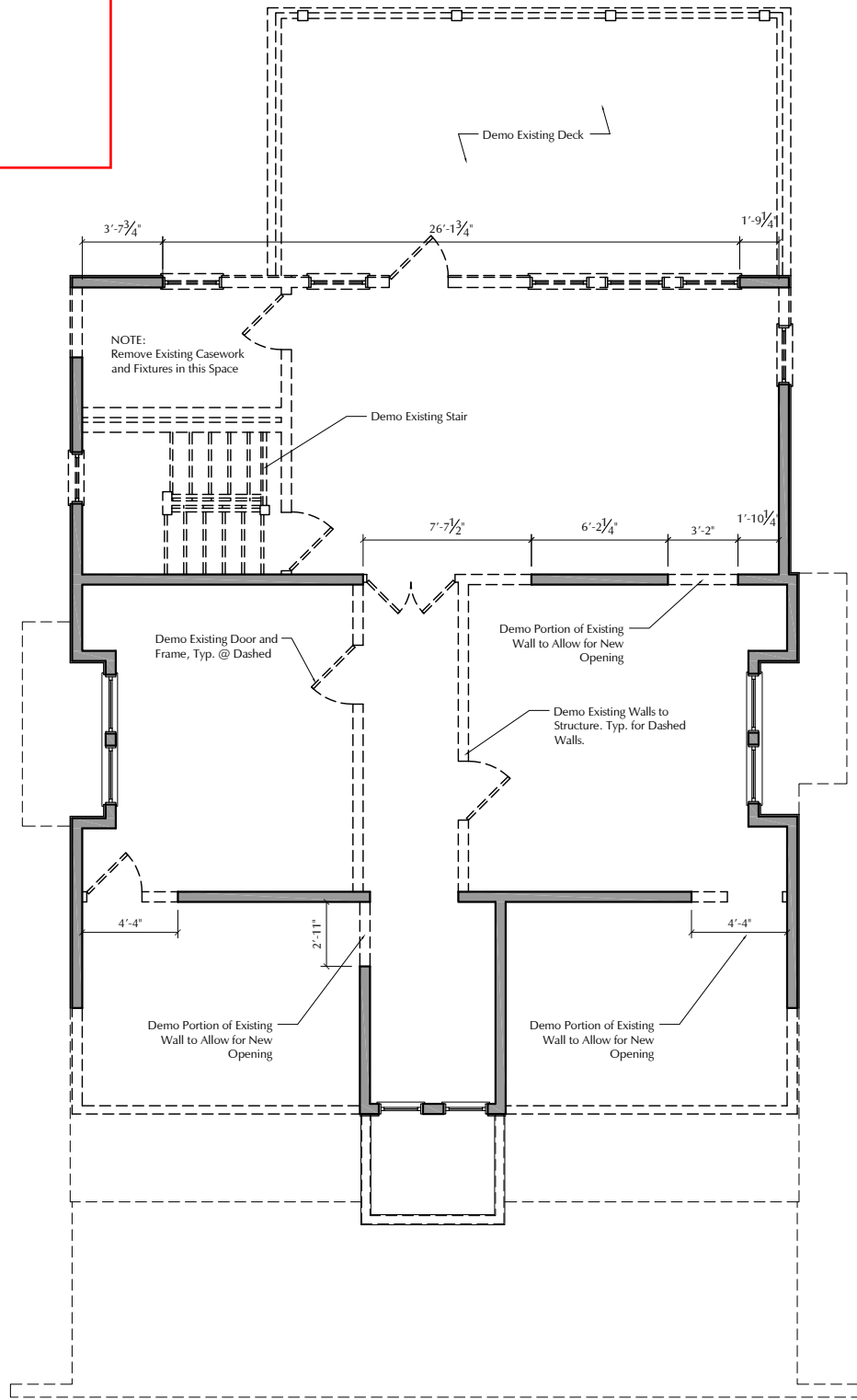
ALLARD WARD ARCHITECTS
 1618 Sixteenth Avenue South
 Nashville, Tennessee 37212
 Tel: 615.345.1010
 Fax: 615.345.1011

Drawings:
 Site Layout Plan
 Date:
 11.24.20

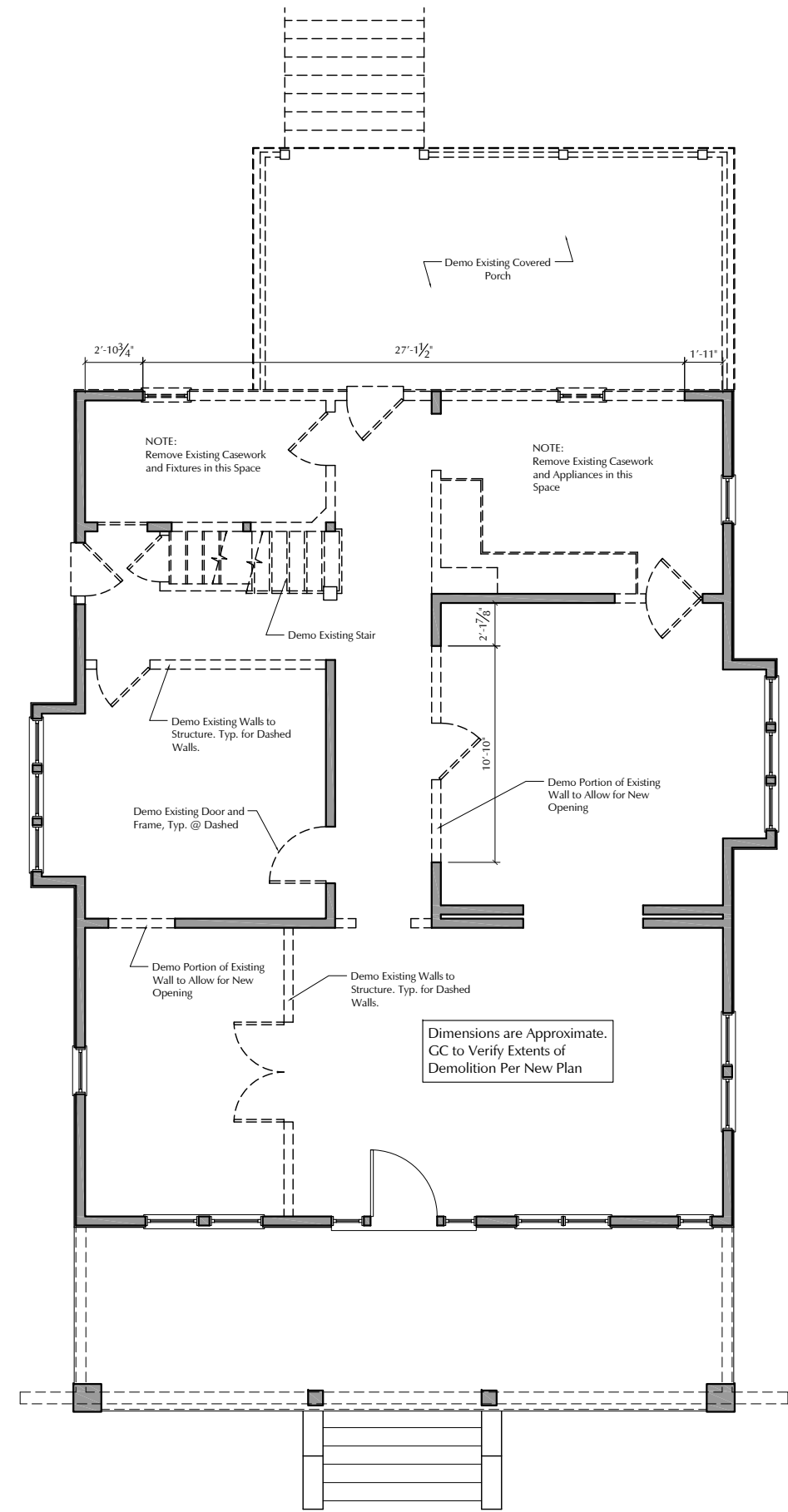
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MHZC PRESERVATION PERMIT APPLICATION

SEE PLANS AND INSPECTION NOTES, PAGE 1



1 Second Floor Demo. Plan Scale: 1/8"=1'-0"

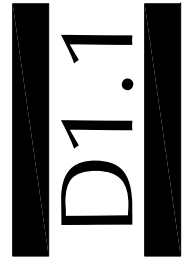


1 First Floor Demo. Plan Scale: 1/8"=1'-0"

Addition and Renovations to:
1710 Linden Avenue
 1710 Linden Ave.
 Nashville, Tennessee 37212

ALLARD WARD ARCHITECTS
 1618 Skewen Avenue South
 Nashville, Tennessee 37212
 Tel: 615.345.1010
 Fax: 615.345.1011
 allardward.com

Drawings:
 Demolition Plans
 Date:
 11.24.20



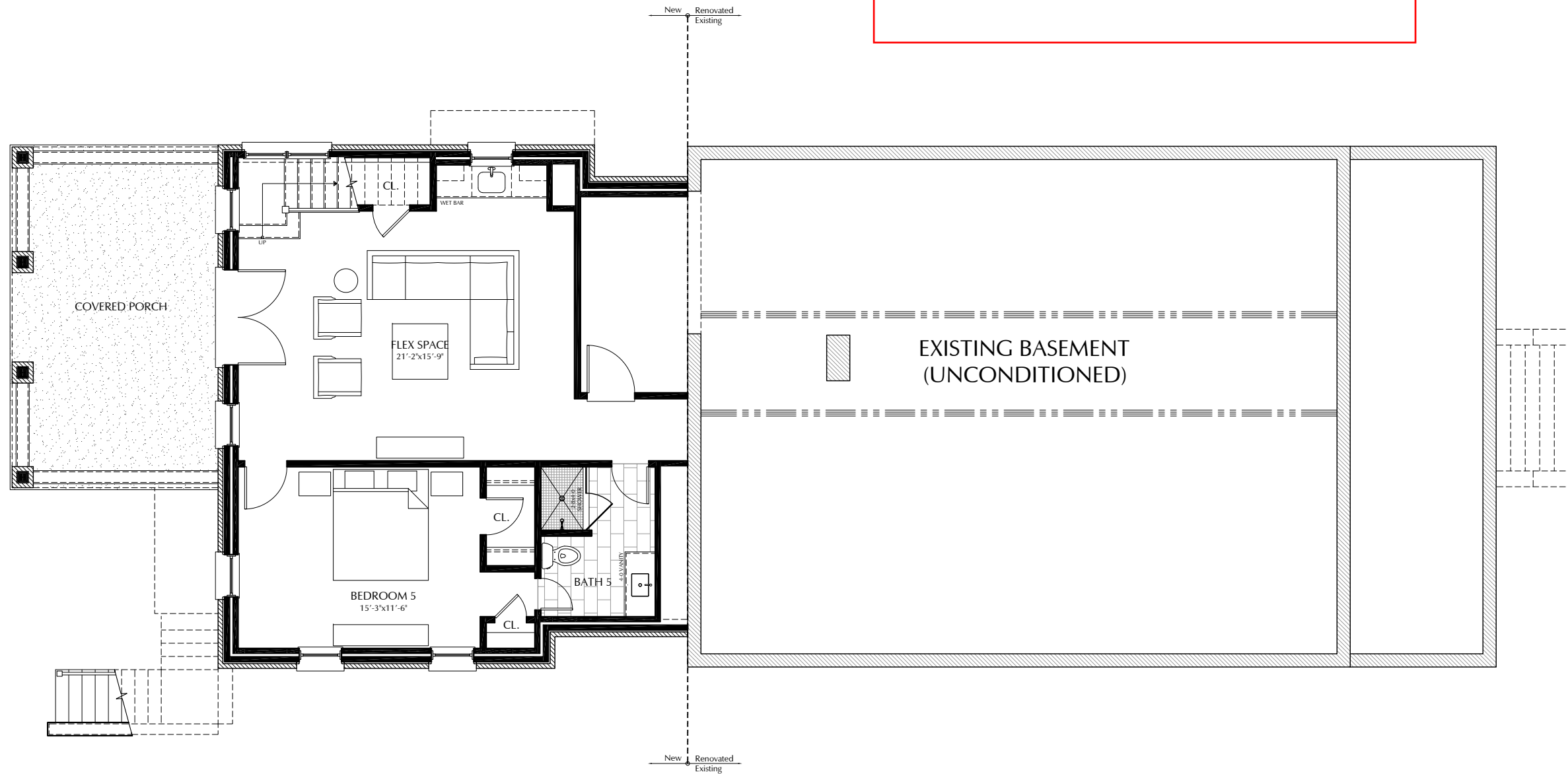


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Basement Floor Plan



Scale: 1/8" = 1'-0"



SEE PLANS AND INSPECTION NOTES, PAGE 1

Addition and Renovations to:

1710 Linden Avenue

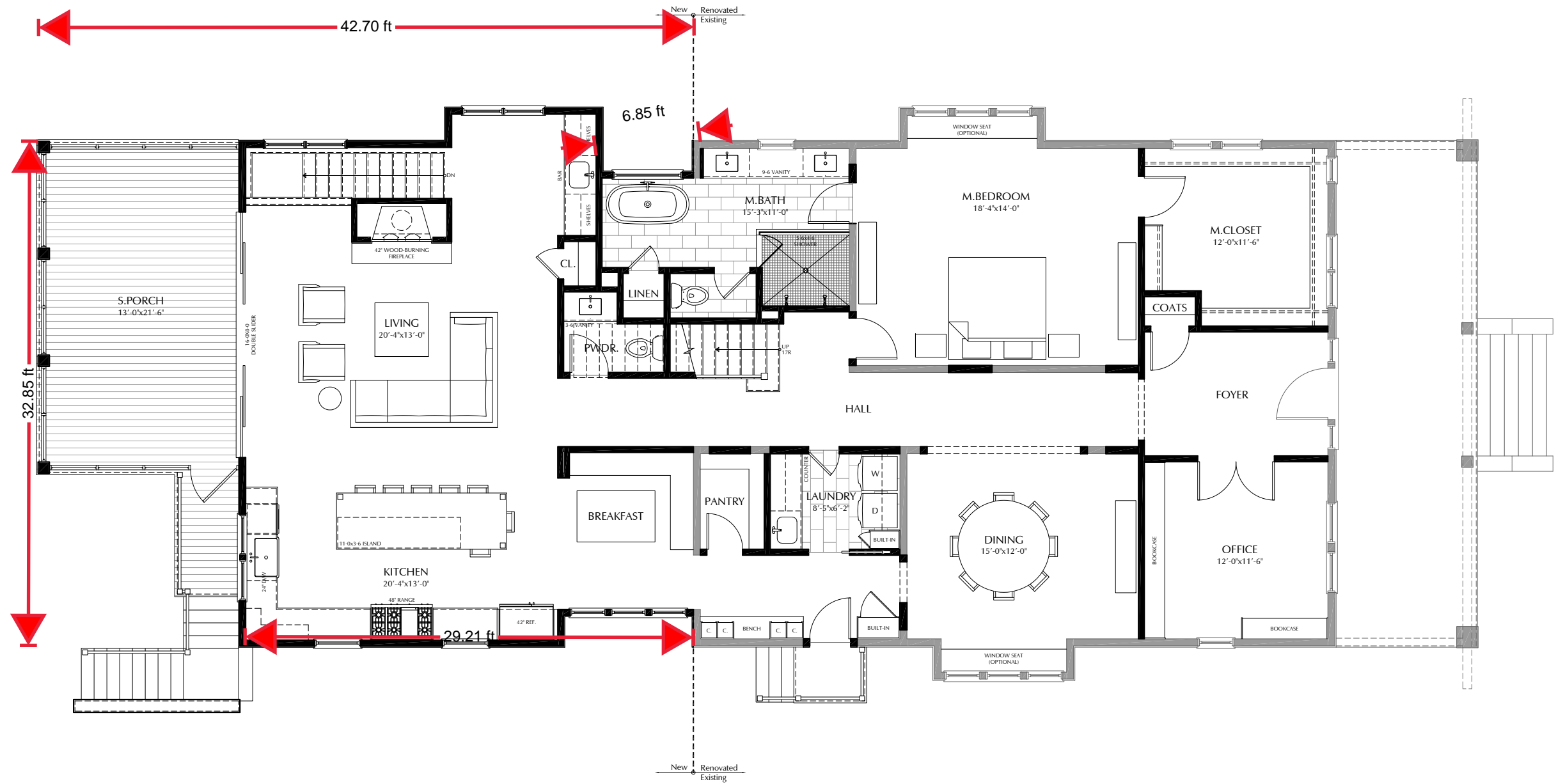
1710 Linden Ave.
Nashville, Tennessee 37212

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 1618 Sixteenth Avenue South
 Nashville, Tennessee 37212
 Tel: 615.345.1010
 Fax: 615.345.1011
 allardward.com

Drawings:
 Basement Floor Plan
 Date:
 11.24.20

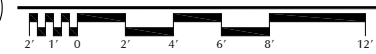
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SEE PLANS AND
INSPECTION NOTES, PAGE
1



1

First Floor Plan



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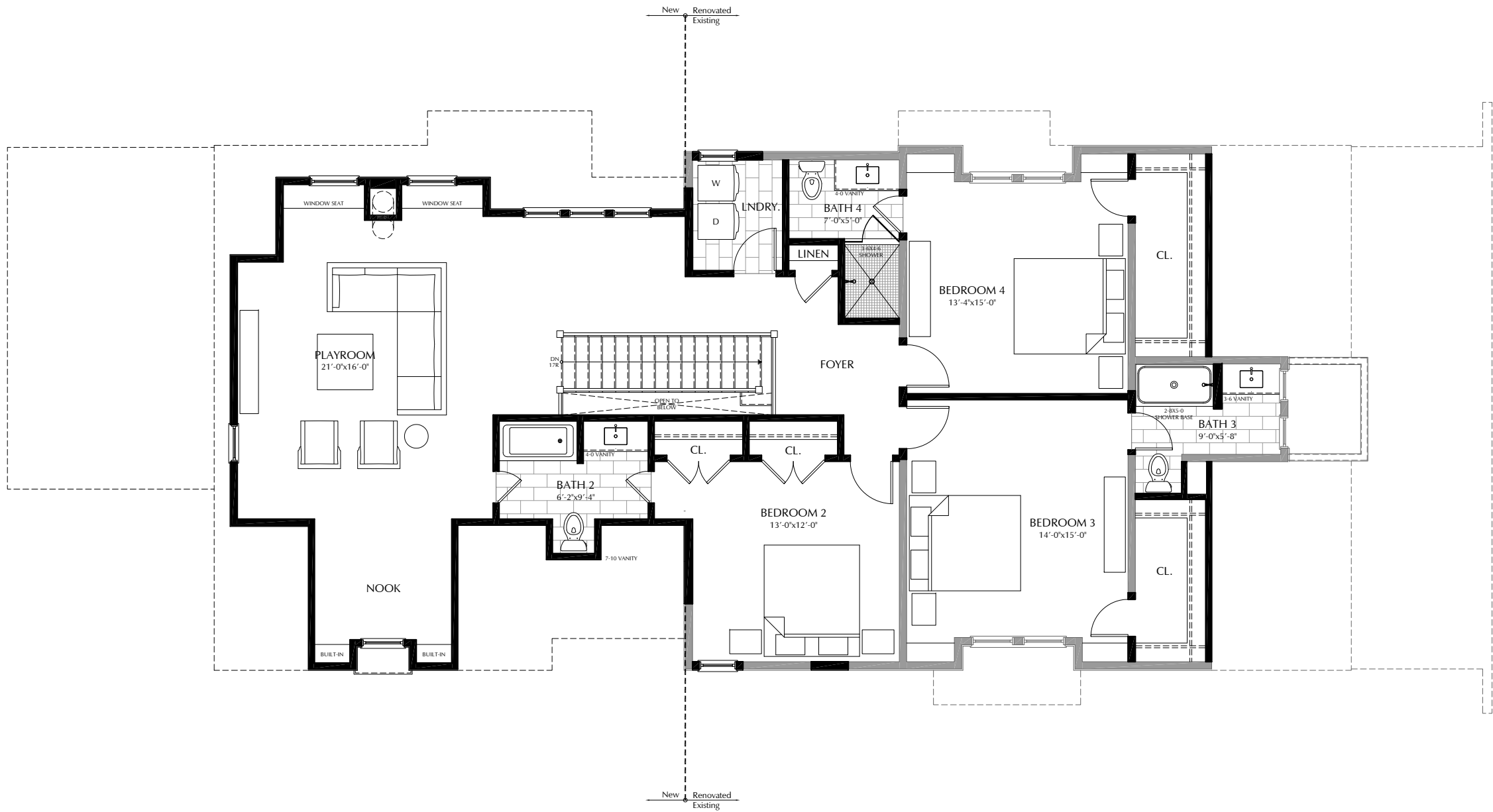
Drawings:
First Floor Plan
Date:
11.24.20

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Addition and Renovations to:
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A1.1

SEE PLANS AND INSPECTION NOTES, PAGE 1



Addition and Renovations to:
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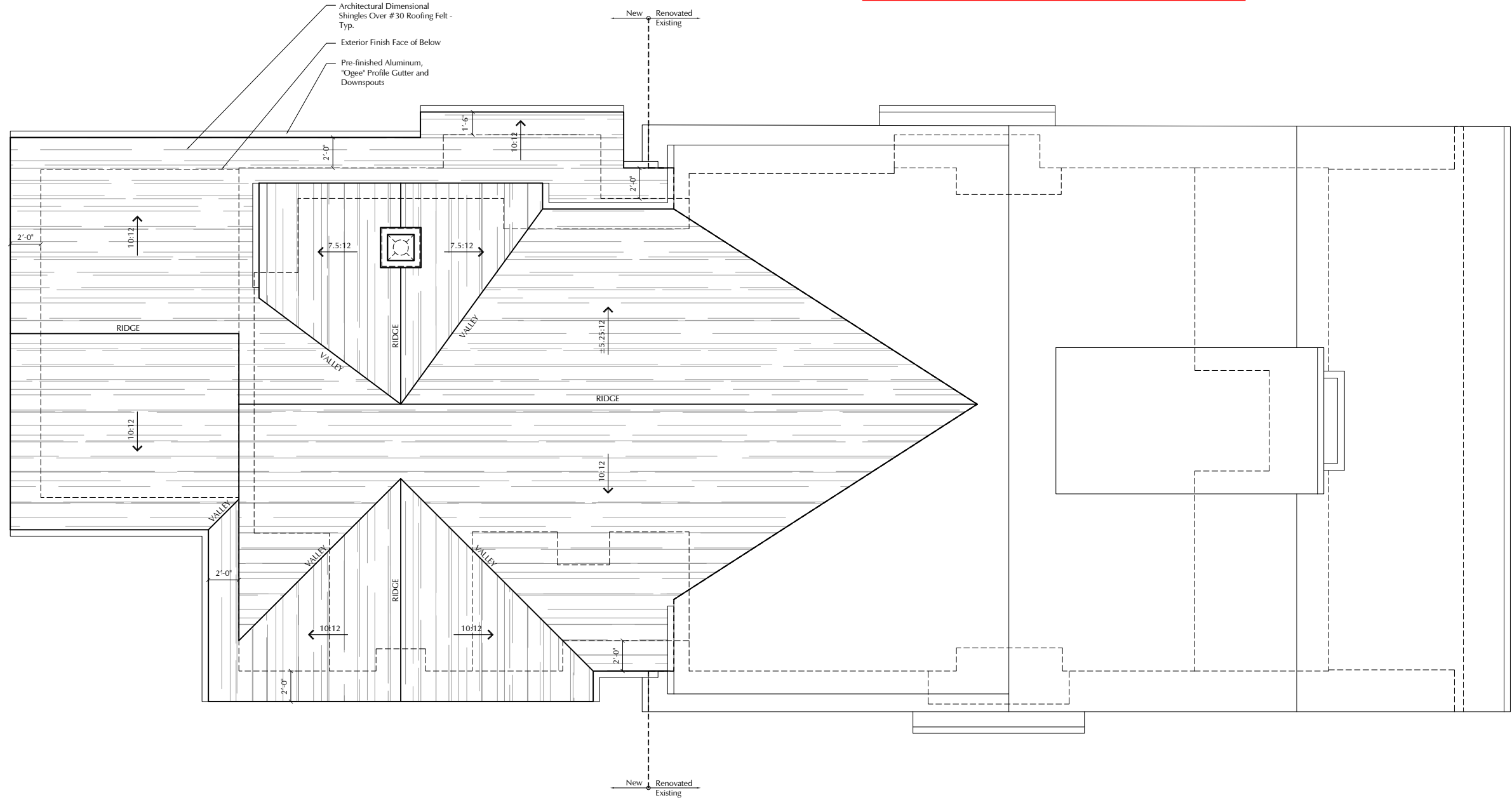
Drawings:
 Second Floor Plan
 Date:
 11.24.20

A1.2

1 Second Floor Plan

Scale: 1/8" = 1'-0"

SEE PLANS AND
INSPECTION NOTES
PAGE 1



1

Roof Plan



Scale: 1/8" = 1'-0"

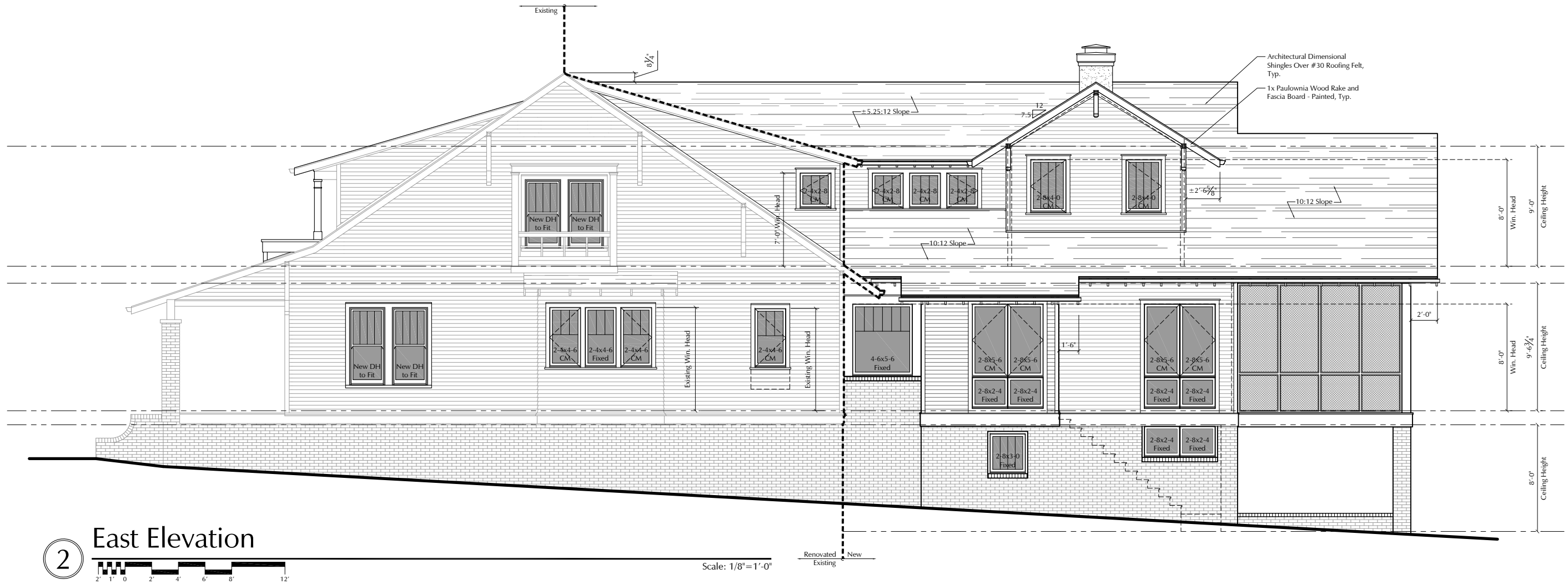
Drawings:
Roof Plan
Date:
11.24.20

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Addition and Renovations to:
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A1.3



2 East Elevation
 Scale: 1/8"=1'-0"

SEE PLANS AND INSPECTION NOTES, PAGE 1



1 South Elevation
 Scale: 1/8"=1'-0"

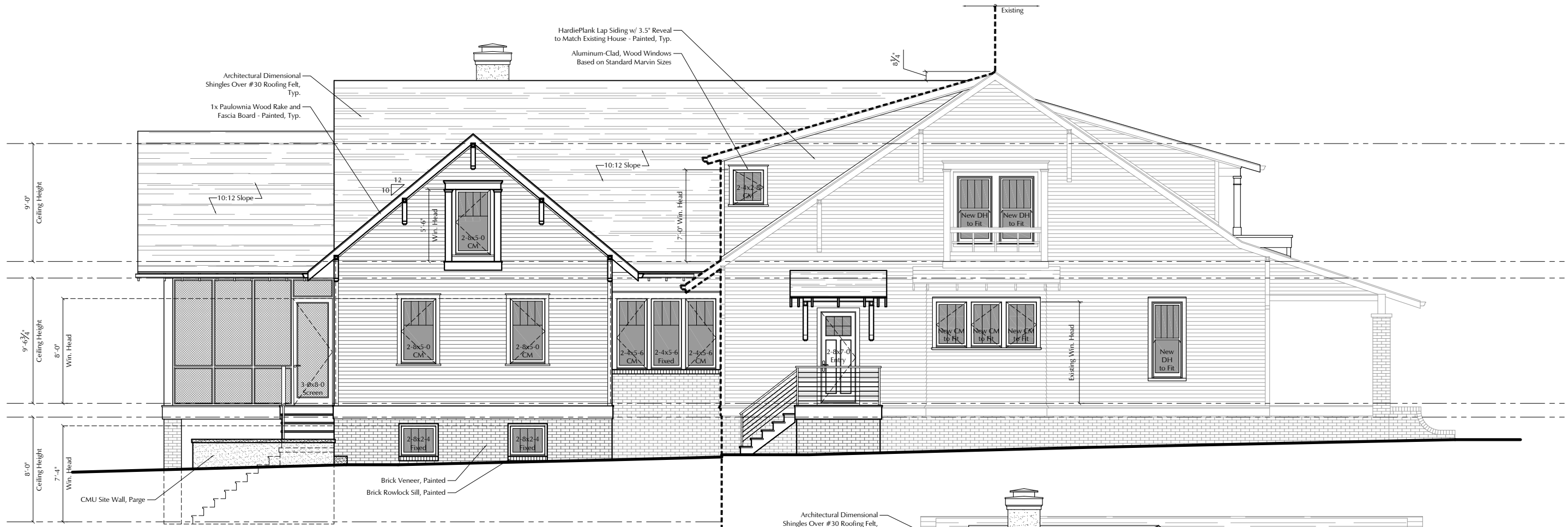
Exterior Elevations May Not be Representative of Actual Site Conditions. Verify and Coordinate All Drawings w/ Grading in Field.

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 Nashville, Tennessee 37212

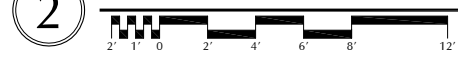
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 Fax: 615.345.1011

Drawings:
 Elevations
 Date:
 11.24.20

A2.1



2 West Elevation

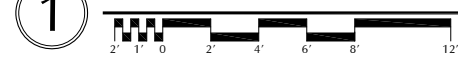


Scale: 1/8"=1'-0"

SEE PLANS AND
INSPECTION NOTES,
PAGE 1



1 North Elevation



Scale: 1/8"=1'-0"

Exterior Elevations May Not be Representative of Actual Site Conditions. Verify and Coordinate All Drawings w/ Grading in Field.

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Nashville, Tennessee 37212

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Tel: 615.345.1010
Fax: 615.345.1011

Drawings:
Elevations
Date:
11.24.20

A2.2