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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

4122 Aberdeen Road

June 16, 2021

Application: Violation—Outbuilding

District: Cherokee Park Neighborhood Conservation Zoning Overlay

Council District: 24

Base Zoning: R8

Map and Parcel Number: 10308020100

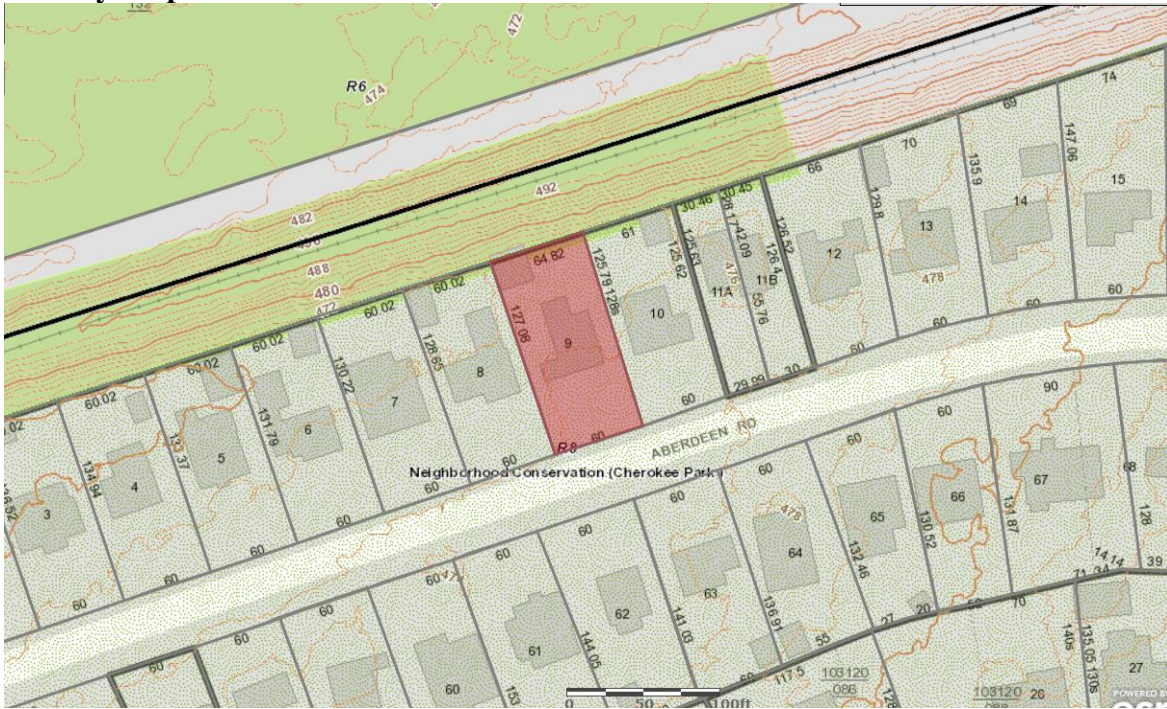
Applicant: Mark Gilliam, owner

Project Lead: Melissa Baldock, melissa.baldock@nashville.gov

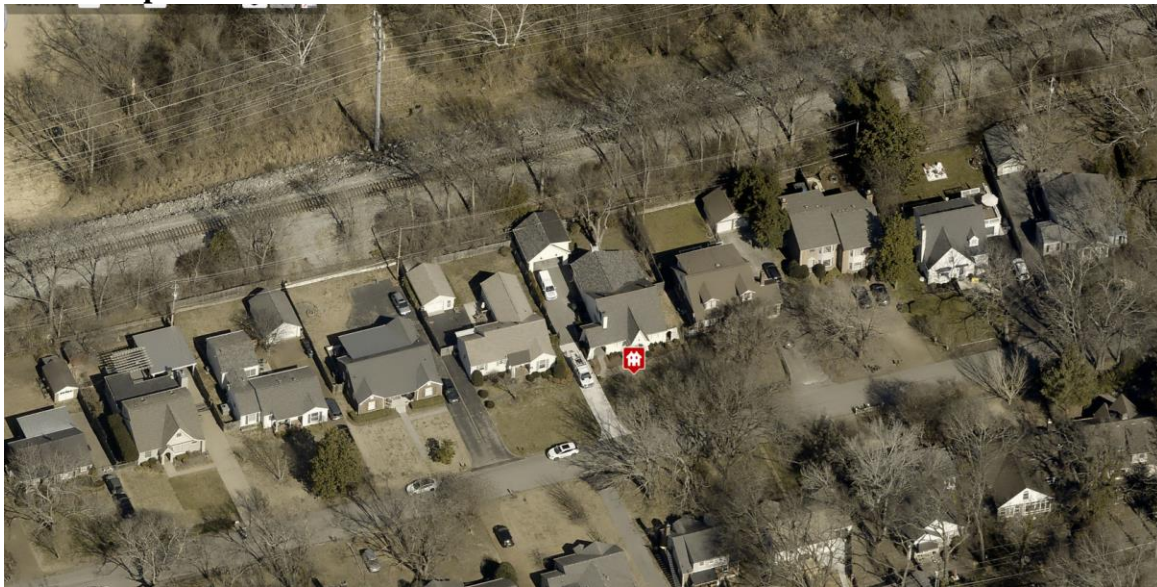
Description of Project: The applicant constructed an outbuilding in violation of the preservation permit. The construction included a wall dormer not included on the approved plans.

Recommendation Summary: Staff recommends approval of the dormer, finding that it meets Section VII.B. of Part I. of the Design Guidelines for Turn of the Century Districts.

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

VII. NEW CONSTRUCTION-DETACHED OUTBUILDINGS & GARDEN STRUCTURES

A. GENERAL PRINCIPLES

1. New free-standing buildings and structures that are less than 100 square feet, do not have a permanent foundation, and are located to the rear of the property, do not require a preservation permit.
2. Garden or play structures that do not have a permanent foundation, do not have sides, and are less than 200 square feet do not require a preservation permit.
3. Parameters provided by these design guidelines is per lot and should not be considered as a maximum per unit, in cases where zoning allows for more than one unit.
4. The Commission recognizes that new outbuildings cannot meet the scale and massing of historic outbuildings and still allow for modern uses so has created base dimensional requirements to ensure that new outbuildings and revisions to existing outbuildings still take into consideration the historic context.
5. How an outbuilding can be used is reviewed by the Metro Department of Codes & Building Safety.

B. Massing & Form

1. The footprint of an outbuilding should not exceed 750 square feet, except in the case of lots that exceed 10,000 square feet. In those cases, the footprint shall not exceed 1000 square feet.
2. Ridge heights shall not exceed 25' from existing grade for interior lots and shall not exceed the height of the primary dwelling for corner lots. The height of the historic building shall be determined based on the historic building and not ridge raises or tall additions. While an outbuilding may have a ridge height taller than the primary building for interior lots, a full two-story outbuilding is only appropriate behind a two-story primary building.
3. Maximum foundation height shall not exceed one foot from existing grade on the corner of the building that sits on the highest area of existing grade. (Grade may need to be adjusted for water runoff but should not be built up for the sole purpose of increasing building height.)
4. On outbuildings behind primary buildings that are one or one and one-half stories, wall heights of an outbuilding shall not exceed twelve feet and for an outbuilding behind a primary building that is two or more stories, wall heights of an outbuilding shall not exceed 17' from existing grade as measured from top of finished floor/slab. Measurements shall be taken from top of finished floor/slab to ridge or to where the sidewall and the roof intersect, regardless of whether the soffits are of an open or closed design.
5. Roof slope of the outbuilding shall be at least 4/12.
6. Stairs to another level, not counting stairs to access a porch or stoop, should be interior.
7. Eaves should not extend more than two feet.

C. SITING & SETBACKS

1. Generally new outbuildings should be placed in rear yards, close to the rear property line or in the original location of an historic accessory structure.
2. In many cases, outbuildings may be as close as 5' to a rear or side property line, with the following exceptions:
 - a. On corners lots the outbuilding should be a minimum of 10' from the street-side property line or 20' if the garage doors face the side street.
 - b. On double-frontage lots, the rear setback should match the historic context on the secondary street. If there is no context, it should be a minimum of 10' from the rear property line or 20' if the garage doors face the rear.
 - c. On lots where a rear property line abuts a side-property line and there is no rear alley to separate the two properties, the rear setback should be a minimum of 10'.
3. An outbuilding should be a minimum of 6' from any other building, even those that may be on neighboring properties.
4. When a setback determination is found to be appropriate, the "edge of the building" shall be considered the maximum of any protrusion beyond the footprint such as bays/oriels, balconies, awnings and hoods, and roof overhangs.

D: ADD-ON FEATURES

1. Add-on features are available for outbuildings that will not be calculated into maximum square footage but do need to meet setback requirements. Larger versions of the added features or features different than what is proposed in this section will be considered within the previous design requirements.
2. Hoods & Awnings
 - a. Hoods and awnings should not exceed 3' in depth.
 - b. Hoods and awnings should only be located over windows and doors.
 - c. Width shall not exceed the opening it covers by more than 2' on each side to allow for brackets and connections.
3. Stairwell Bay
 - a. All stairs should be enclosed. For forms that have a footprint of less than 500 square feet and that are 1.5 of 2 stories, a stairwell bay may be added.
 - b. No more than one per building.
 - c. A stairwell bay should not exceed 8' wide and 4' deep
4. Enclosed Vestibule
 - a. Vestibules are fully or partially enclosed stoops.
 - b. They should not exceed 5' wide and 4' deep.
 - c. Should not exceed one-story.
 - d. No more than one per building.
5. Projecting Balcony
 - a. Should not have a cover.
 - b. Should not exceed 30 square feet
 - c. No more than one per building.
6. Projecting Oriel

- a. Should not exceed a depth of 2'
 - b. No taller than 10'
 - c. No wider than 10'
 - d. No more than one per building.
7. Projecting Porch on the ground floor
- a. Should not exceed full width of the side of the building to which it is attached.
 - b. Should not exceed 6' in depth
 - c. Should be one-story only
 - d. No more than one per building.
8. Roof Dormer
- a. 14' wide total maximum
 - b. Front-face of each dormer should be primarily glazing
 - c. No more than one per roof plane
 - d. Inset a minimum of 2' from side walls and from wall below
 - e. Not appropriate for 2-story outbuildings
9. Wall Dormer
- a. 14' wide total maximum.
 - b. Front-face of each dormer should be primarily glazing.
 - c. No more than one per building.
 - d. Inset a minimum of 2' from side walls.
 - e. Not appropriate for 2-story outbuildings

Background: 4122 Aberdeen Road is a c. 1940 brick Tudor Revival style home that contributes to the historic character of the Cherokee Park Neighborhood Conservation Zoning Overlay (Figure 1).



Figure 1. Primary structure at 4122 Aberdeen Road.

In March 2016, MHZC staff issued an administrative preservation permit for the construction of a twenty foot by twenty-two foot (20' X 22') one-story outbuilding that would not be used as a DADU. The applicant subsequently constructed a dormer on the

outbuilding which was not part of the approved plans and which did not meet the design guidelines in size and scale at that time (Figures 2-6).

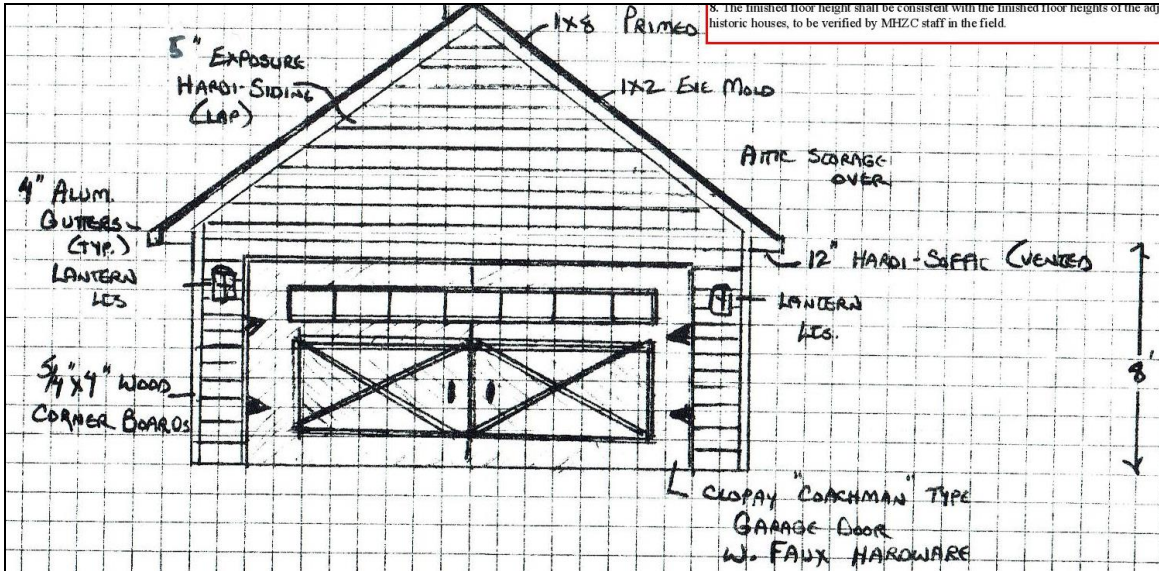


Figure 2. Front elevation approved as part of the preservation permit.

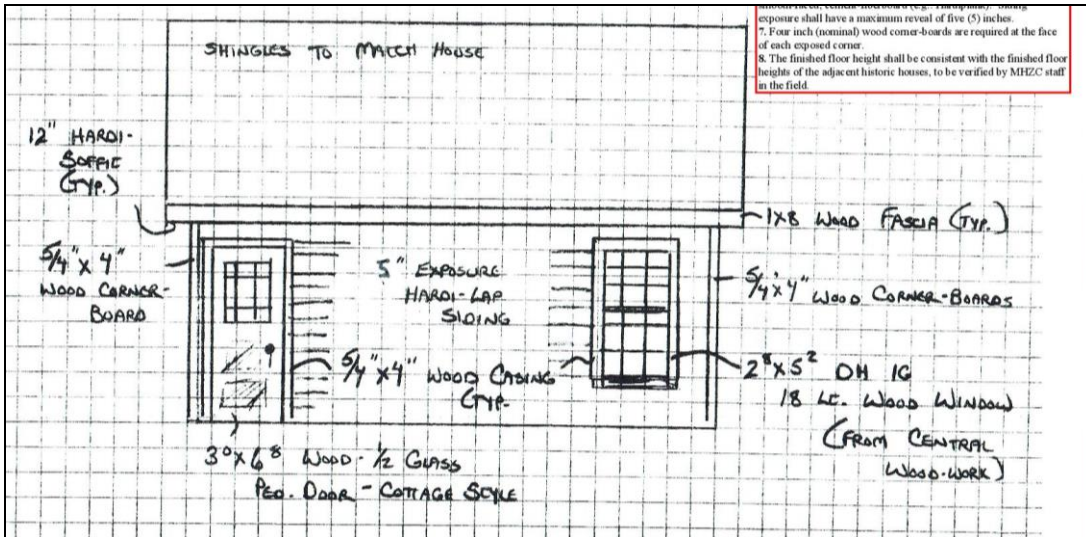


Figure 3. Side elevation approved as part of the preservation permit.



Figures 4 &5. The dormer constructed on top of the garage.



Figure 6. Dormer constructed on the garage.

In 2018, MHZC staff discovered the dormer, which did not meet the preservation permit, nor the design guidelines at that time. The owner then asked the Commission for permission to retain that dormer. Because the design guidelines for the Cherokee Park Neighborhood Conservation Zoning Overlay required that all dormers on outbuildings be inset two feet (2') from the wall below, the Commission determined that the dormer did not meet the design guidelines and should be removed. A key factor in its decision was that the Commission did not want other applicants to think that wall dormers are approvable under the design guidelines.

In May 2021, Cherokee Park's design guidelines were updated as part of the consolidation of the design guidelines for most Neighborhood Conservation Zoning Overlays. In the new design guidelines, outbuildings are permitted one wall dormer, limited to a width of fourteen feet (14'). Given the change in the design guidelines to allow for wall dormers, the owner requests that the Commission reconsider approving the wall dormer at 4122 Aberdeen Road.

Analysis: The garage is twenty feet by twenty-two feet (20' X 22'), or four hundred and forty square feet (440 sq. ft.). The wall dormer has a width of approximately twenty-one feet (21'). The design guidelines allow for each outbuilding to have a wall dormer with a maximum width of fourteen feet (14'). This wall dormer is wider than what is allowed under the design guidelines, but staff finds that it is still appropriate because the overall height and scale of the outbuilding is much smaller than what could be built under the design guidelines.

The design guidelines would allow an outbuilding to be up to seven hundred and fifty square feet in footprint (750 sq. ft.), with a twelve foot (12') wall height, and a maximum height of twenty-five feet (25'). By comparison, this garage is four hundred and forty square feet (440 sq. ft.), with a wall height of eight feet, six inches (8'6") and a maximum height of sixteen feet (16'). In addition, the design guidelines would allow for a second dormer, inset two feet (2') from the wall below, on the other slope of the roof, but this outbuilding just has one dormer. Because the over all height and scale of the outbuilding at 4122 Aberdeen is significantly smaller than what would be typically allowed under the design guidelines, staff finds that this dormer to be appropriate. Moreover, since the Commission's concern in not approving the dormer in 2018 was that it could make people think that wall dormers can be approved, now that wall dormers can be approved, that concern is moot.

Recommendation Summary: Staff recommends approval of the dormer, finding that it meets Section VII.B. of Part I. of the Design Guidelines for Turn of the Century Districts.