

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

1417 Russell Street

August 18, 2021

Application: New Construction-Infill; Violation/Show Cause

District: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Council District: 06

Base Zoning: R6

Map and Parcel Number: 08313028200

Applicant: Matthew Nelson, Katy Austin, Legacy South

Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov

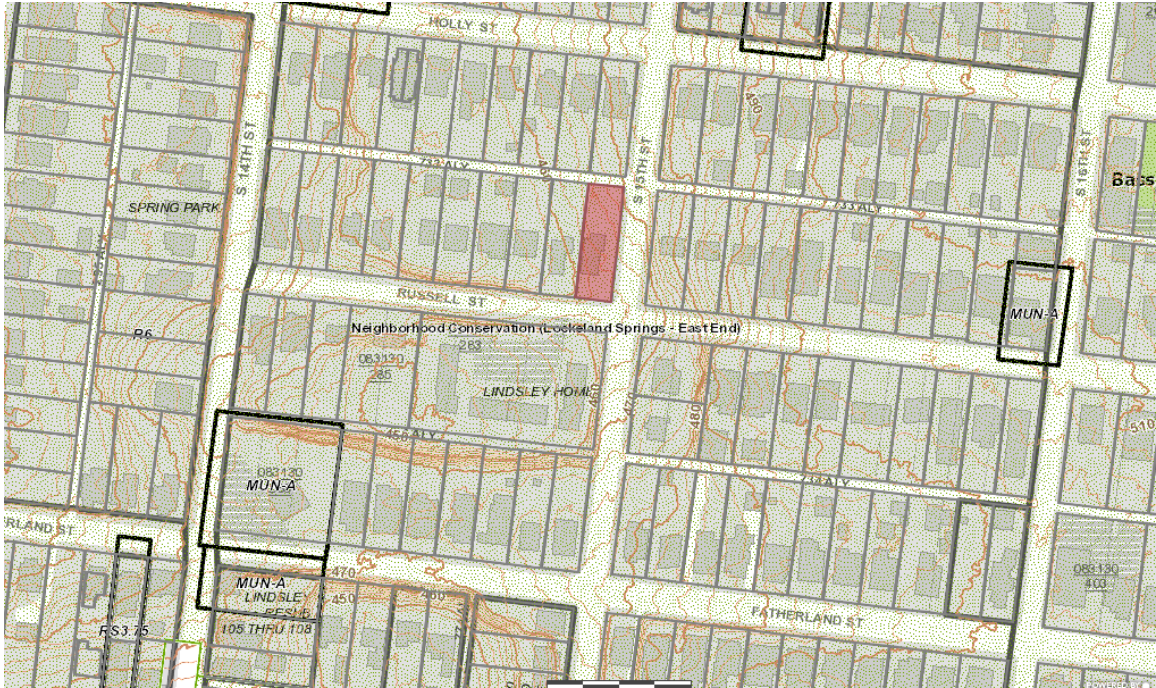
Description of Project: The applicant requests to retain work done differently than permit #2021006638. The front foundation is higher than what was shown on the plans and approved with the permit. Staff requests a show-cause hearing for permit #2021006638.

Recommendation Summary: Staff recommends disapproval of the foundation height as constructed and the proposed solution finding that the height and the proposed solution do not meet Section V(A)(1) of the guidelines for foundation height. Staff recommends that the foundation be lowered by at least four blocks within the next sixty (60) days.

Attachments

- A:** Photographs
- B:** Elevation and Streetscape Drawing
- C:** Permit #2021006638

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

V. New Construction- Infill

A. MASSING & SCALE

1. The height of the foundation wall, porch roof(s), walls, and ridges, and the width of a new building should be compatible with surrounding historic buildings of the same building type and on same the block face. Where there are block faces with little historic context, the adjoining blocks may be used.

Background: 1417 Russell Street is located in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. The original home was contributing to the district, but the home was approved for demolition in October 2020, due to storm damage. The MHZC approved infill and a DADU on February 21, 2021. Permits HCP2021-006638 and HCP2021-006648 were issued in March of 2021. The applicant requested revisions, and the permits were revise in July 2021.

Analysis and Findings:

Height & Scale: The original permitted plans and the revised plans show the foundation sitting at 3’ 9” with some additional grading below. The permit for infill states the following: *The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field.*

A site visit showed the front foundation as being significantly higher than what was approved in the permit. The applicant proposes building up the grade to the location shown on the additional plans submitted recently and to install a retaining wall on the southwest corner of the home. While some minor buildup of grading is common, this solution would result in the foundation and the overall height being too tall for the historic context. The project as-is and the proposed solution does not meet design guideline V(A)(1).

The applicant was advised to remove four rows of block but prefers to request the construction as-is. The applicant was told to cease work, at the time of the foundation inspection; however, they constructed some framing anyway. This framing will need to be removed in order to lower the height of the foundation.



Figure 1: Foundation as built.



Figure 2: Foundation compared to neighboring building.



Figure 3: Staff recommends removing four rows of block.

Recommendation:

Staff recommends disapproval of the foundation height as constructed and the proposed solution finding that the height and solution do not meet Section V(A)(1) of the guidelines for foundation height. Staff recommends that the foundation be lowered by at least four blocks within the next sixty (60) days.

ATTACHEMENT A: PHOTOGRAPHS







3921244
3921244

METRO HISTORIC ZONING COMMISSION

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

HISTORICAL COMMISSION PERMIT - 2021006638

Entered on: 01-Feb-2021

Site Address

1417 RUSSELL ST
NASHVILLE TN, 37206

Revised 7.23.21 MS

Historic District: Lockeland Springs-East End

Parcel Owner

GERINGER, COLEMAN B
1417 RUSSELL ST
NASHVILLE, TN 37206

Purpose: Construct Infill (previous house on the lot was significantly damaged in the March 3 2020 tornado).See HCP 2021006648 for garage permit.

CLADDING & TRIM

All/any trim, railings, vents and associated type elements are to be wood or cement fiberboard. Clad material is not approved. Wood or cement fiberboard shall be a smooth face material void of any simulated wood grain pattern or rough, unfinished appearance. All exposed exterior lumber should be grade number #1 or #2. Lower grade lumber is unsuitable for exterior work.

WINDOWS

Windows on clapboard structures shall not have brick-mold and shall have 4" nominal wood casings. In the case of additions, only those windows marked on the attached scaled plans are approved for replacement.

DOORS

In the case of additions, only those doors marked on the attached scaled plans are approved for replacement. Doors on clapboard structures shall not have brick-mold and shall have 4" nominal wood casings.

ROOF

In the case of additions and rehab, removal of roof rafters, ridge board, struts, ceiling joists or other structural roof members is not approved. Removal of chimney, dormers, decorative trim, or other roof details is not approved.

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 façade.

GENERAL

The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field.

MHZC Staff may have added notes to submitted drawings that are a part of this permit. Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken or materials being purchased.

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.

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.

THIS IS NOT A BUILDING PERMIT nor does it permit any particular type of use. 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: Agynes Chrzan, Legacy South

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

INSPECTIONS REQUIRED:

FIELD STAKING INSPECTION - HZ
FOUNDATION CHECK INSPECTION - HZ
ROUGH FRAMING INSPECTION - HZ
PROGRESS INSPECTION – HZ
FINAL INSPECTION - HZ

Issued Date: 22-Mar-2021

Issued By: Melissa Baldock

MHZC INSPECTIONS & FINAL APPROVALS
CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

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 - After the building footprint has been field staked
 - After the foundation wall has been constructed
 - After the first floor system has been constructed
 - After the rough framing has been completed
- The following must be submitted for final approval before purchase:
 - Windows and doors
 - Roof color
 - Masonry

This permit is for the infill only. See HCP 2021006648 for the DADU permit.

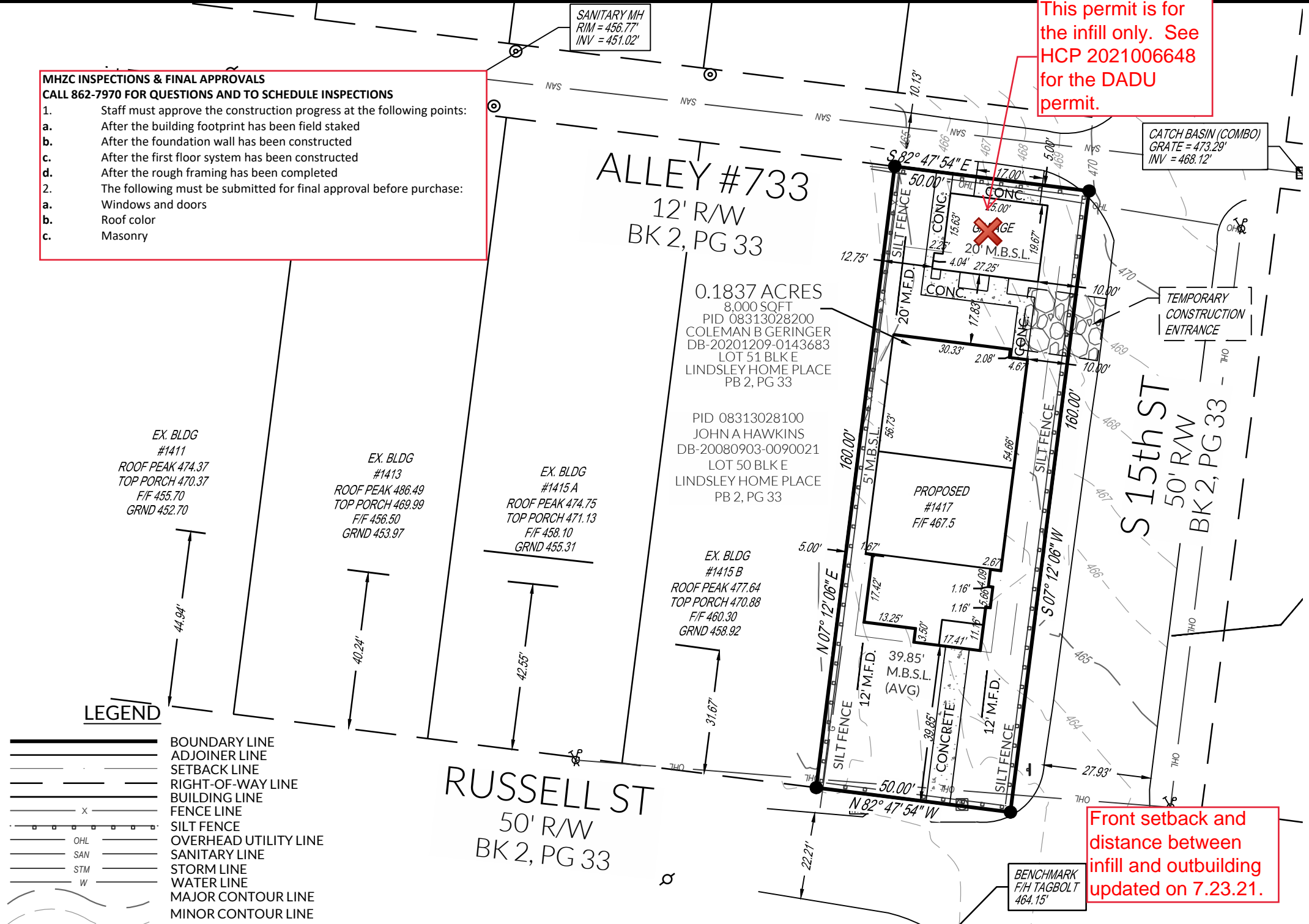
SURVEY NOTES

- NORTH AND BEARING SYSTEM BASED UPON THE TENNESSEE STATE PLANE COORDINATE SYSTEM NAD83 AND REFERENCED TO THE T.D.O.T. - C.O.R.S. NETWORK AND COLLECTED UTILIZING A SPECTRA SP80 RECEIVER DURING A SURVEY CONDUCTED BY B A LAND PROFESSIONALS, LLC. ON JANUARY 04, 2021.
- VERTICAL DATUM IS REFERENCED TO NAVD88 AND REFERENCED TO THE T.D.O.T. - C.O.R.S. NETWORK AND COLLECTED UTILIZING A SPECTRA SP80 RECEIVER DURING A SURVEY CONDUCTED BY B A LAND PROFESSIONALS, LLC. ON JANUARY 04, 2021.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO THE PARCEL SHOWN HEREON WERE OBTAINED THROUGH STANDARD RESEARCH.
- ALL UTILITIES ARE SHOWN TO THE BEST OF OUR KNOWLEDGE AND ARE BASED ON LOCATIONS TAKEN FROM OBSERVED EVIDENCE ONLY. NO CERTIFICATION IS MADE OR IMPLIED THAT THE UTILITIES SHOWN ARE CORRECT OR THAT ALL UTILITIES ARE SHOWN.
- UTILITIES IN THE FORM OF STORM SEWER, ELECTRIC, TELEPHONE, CABLE, NATURAL GAS, AND DOMESTIC WATER ARE ALL LOCATED EITHER ON THE SUBJECT PROPERTY OR WITHIN THE PUBLIC RIGHT-OF-WAY ADJOINING SAID PARCEL.
- THIS IS NOT A RECORDABLE DOCUMENT FOR TRANSFER OF TITLE.
- ALL DATA SOURCES, DOCUMENTS AND RECORDS SHOWN HEREON ARE ON FILE IN THE DAVIDSON COUNTY RECORDER'S OFFICE LOCATED IN NASHVILLE, TN
- ACCESS TO THE SUBJECT PARCEL IS AVAILABLE VIA RUSSELL SR., S 16TH ST. AND ALLEY # 733, ALL BEING OPEN, PUBLIC RIGHTS-OF-WAY.
- SETBACKS SHOWN ARE BASED ON DISTRICT BULK TABLES IN 17.12.020 OF THE ZONING CODE OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY TENNESSEE
- CURRENT ZONING
 - R6 PER ORDINANCE 073-650
 - OV-UZO PER ORDINANCE BL2007-1426
 - OV-NHC PER ORDINANCE BL2003-1369
- FRONT SETBACK SHOWN (21.83') IS AN AVERAGE OF THE NEIGHBORING 4 HOMES
- THIS SURVEY MEETS ALL OF THE ACCURACY REQUIREMENTS FOR BOUNDARY SURVEY PURSUANT TO TCA 820-03.00.
- PROPERTY IS LABELED "ZONE X", PER FIRM MAP PANEL NUMBER 47037 C0361H (REV APRIL 5, 2017). DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.
- PER METRO SIDEWALK REQUIREMENT MAP, SIDEWALKS ARE REQUIRED FOR THIS PROPERTY.
- CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
- SILT FENCE TO BE INSTALLED AROUND PERIMETER OF PROPERTY PRIOR TO CONSTRUCTION (408' SHOWN)



SIGNED _____ DATE 03/04/2021
 DONOVAN BENSON
 TN RLS #3046
 BENSON@BALANDPROFESSIONALS.COM
 937.286.5043

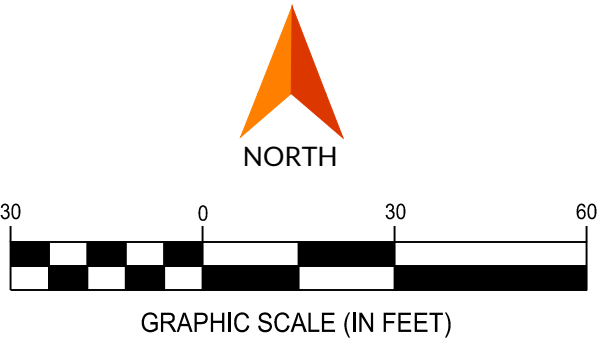
Front setback and distance between infill and outbuilding updated on 7.23.21.



LEGEND

- BOUNDARY LINE
- ADJOINER LINE
- SETBACK LINE
- RIGHT-OF-WAY LINE
- BUILDING LINE
- FENCE LINE
- SILT FENCE
- OVERHEAD UTILITY LINE
- SANITARY LINE
- STORM LINE
- WATER LINE
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE

- BENCHMARK
- FOUND 5/8" IRON PIN - NO CAP
- FOUND IRON PIPE (1")
- SET 5/8" X 30" IRON PIN WITH YELLOW CAP
- STAMPED "BA LAND PROFESSIONALS"
- POWER / LIGHT POLE
- POWER / TELEPHONE POLE
- MAIL BOX
- SANITARY SEWER
- DECIDUOUS TREE
- WATER VALVE



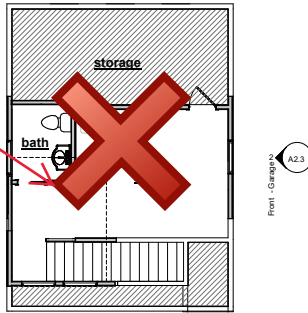
SURVEYOR
 BA LAND PROFESSIONALS, LLC
 8534 YANKEE STREET
 DAYTON, OH 45458
 937.535-0855
 WWW.BALANDPROFESSIONALS.COM
 info@balandprofessionals.com

SITE PLAN	
LEGACY SOUTH BUILDERS	
1417 RUSSELL ST NASHVILLE	6TH COUNCIL DISTRICT DAVIDSON COUNTY, TENNESSEE
SCALE: 1"=30'	DATE: 03/04/2021
DESIGN: N/A	JOB NO.: 20-0464
DRAWN: DPB	SHEET NO.:
CHECKED: JBA	1 OF 3

MHZC NOTES; CALL 862-7970 IF 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. This permit does not permit use.
4. Exterior finish materials shall be trim grade (smooth and square). Stud wall lumber or embossed wood grain is not appropriate.
5. 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.
6. 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.
7. The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters shall be located on the side of the building, within 5' of the front corner. Alternative mechanical and utility locations must be approved prior to an administrative sign-off on building permit(s).
8. For non-masonry buildings, siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). Siding exposure shall have a maximum reveal of five (5) inches.
9. Four inch (nominal) wood corner-boards are required at the face of each exposed corner
10. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field.
11. The front setback should be consistent with the buildings to either side, to be verified by MHZC staff in the field.

This permit is for the infill only. See HCP 2021006648 for the DADU permit.



① 2ND FLOOR
3/16" = 1'-0"



MHZC INSPECTIONS & FINAL APPROVALS

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 - a. Windows and doors
 - b. Roof color
 - c. Masonry



**1417 Russell
Nashville, TN**

It is the responsibility of the owner and/or contractor to verify that the plans meet any and all codes in the area in which the structure will be built prior to construction.

Owner and/or contractor to verify all dimensions prior to beginning construction.

All structural components to be verified by supplier and/or engineer prior to beginning construction.

Contractor shall verify site and report any conditions that may conflict with design to designer.

Contractor shall assume responsibility for any discrepancies not reported.

Floor Plan

Drawing Status	CONSTRUCTION DOC.
Date	01/15/21
Drawn by	A.CHRZAN
A1.3	
Scale	3/16" = 1'-0"

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2305 Cruzen Street,
Nashville, TN, 37211
(615) 861-1669

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1417 Russell St.
Nashville, TN
Legacy South

Front Elevation

A2.0

PROJECT: PRELIMINARY
DATE: 11.30.2020
D.D. SET
DRAWN BY: A. CHRZAN

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**1417 Russell St.
Nashville, TN
Legacy South**

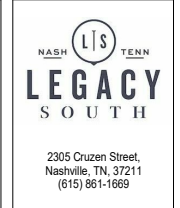
Rear Elevation

A2.1

PROJECT : PRELIMINARY
 DATE : 11.30.2020
 D.D. SET
 DRAWN BY : A. CHRZAN

MHZC NOTES; CALL 862-7970 IF QUESTIONS

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1417 Russell St.
Nashville, TN
Legacy South

Side Elevations

A2.2

PROJECT: PRELIMINARY
DATE: 11.30.2020
D.D. SET
DRAWN BY: A. CHRZAN

It is the responsibility of the owner and/or contractor to verify that the Plans meet any and all codes in the area in which the structure w

- to construction.
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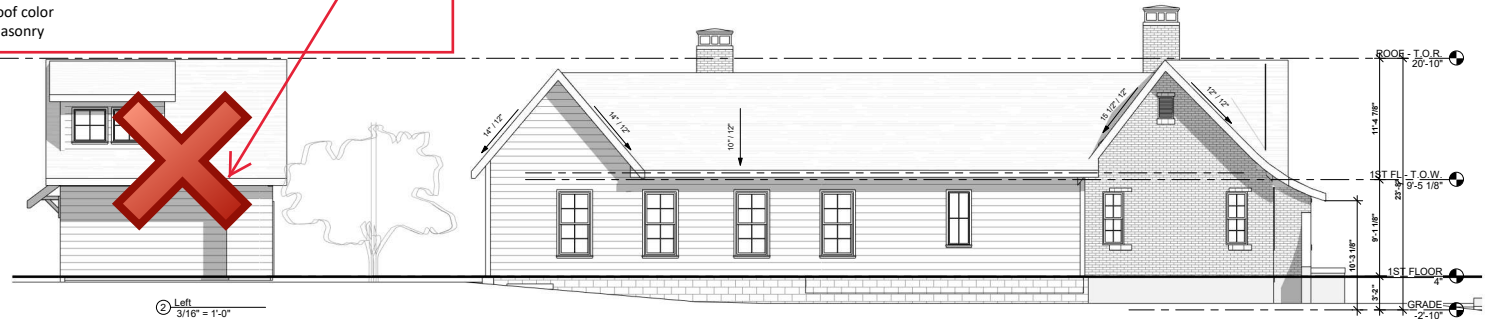
- MHZC INSPECTIONS & FINAL APPROVALS**
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These architectural plans Those in violation will be



Right
3/16" = 1'-0"



Left
3/16" = 1'-0"