

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES June 19, 2019

Commissioners Present: Vice-chairman Stewart, LaDonna Boyd, Leigh Fitts, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, David Price

Zoning Staff: Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Robin Zeigler (historic zoning administrator), Susan Jones (legal counsel)

Applicants: Brad Sayers, Scott Morton, Matthew DeVries, Stephen Light, Ellen Mrazek and Dan Slattery, Kent Basile, Scott Templin, Eric Russell

Councilmembers: None

Public:

Vice-chairman Stewart called the meeting to order at 2:02 p.m.

Vice-chairman Stewart read information about the amount of time people have to speak, the process of the consent agenda and the process for appeals.

I. ADOPTION OF AGENDA

NOTICE TO THE PUBLIC: Items on the agenda may be removed or moved at this time.

Staff member, Robin Zeigler, requested that 1417 Roberts be removed from the agenda as the applicant was able to work out a solution that meets the design guidelines and requested that 1824 5th Ave N be moved to the consent agenda as the applicant agrees with all conditions. She also stated that the applicant for 1309 Woodland St has requested a deferral. This is their first deferral request.

Motion:

Commissioner Price moved to approve the revised agenda. Commissioner Jones seconded, and the motion passed unanimously.

II. RECOGNITION OF COUNCILMEMBERS

There were no councilmembers in attendance.

III. APPROVAL OF MINUTES

a. May 15, 2019

Motion:

Commissioner Jones moved to accept the minutes as presented. Commissioner Mayhall seconded and the motion passed unanimously.

IV. CONSENT AGENDA

Staff member, Melissa Sajid, presented the cases for the consent agenda.

b. 404 N 17TH ST

Application: New Construction--Outbuildings (DADU and Carport)
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2019033697 and T2019013551

c. 265 W LINDEN AVE

Application: New Construction--Addition; Partial Demolition
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2019033744

d. 1623 SUMNER AVE

Application: New Construction--Infill (Revision to Previously Approved Plan)
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2019033837

e. 1503 CLAYTON AVE

Application: New Construction—Addition; Partial Demolition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2019033849

f. 2020 10TH AVE S

Application: New Construction—Addition; Demolition-Partial
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov

g. 1403 SHARPE AVE

Application: New Construction—Outbuilding/Detached Accessory Dwelling Unit; Setback Determination
Council District: 6
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander, sean.alexander@nashville.gov
PermitID#: T2019034263

h. 2700 OAKLAND AVE

Application: New Construction—Addition and Outbuilding
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman
PermitID#: T2019033215

i. 2129 BELMONT BLVD

Application: New Construction – Addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren jenny.warren@nashville.gov
PermitID#: 2019020225

Motion:

Commissioner Price moved to approve all consent items with their applicable condition with the addition of 1824 5th Avenue North. Commissioner Jones seconded, and the motion passed unanimously.

V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

None

VI. PREVIOUSLY DEFERRED ITEMS

The items below were deferred at a previous MHZC meeting at the request of the applicant.

j. 1612 DOUGLAS AVE

Application: New Construction – Infill and Outbuilding
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren jenny.warren@nashville.gov
PermitID#: T2019025750, T2019025757

Staff member Melissa Sajid presented the case for infill and an outbuilding at 1612 Douglas Avenue. The house located at 1612 Douglas Ave was constructed in 1945, after most historic houses in the surrounding area were constructed, and so does not contribute to the historic character of the Eastwood neighborhood. Staff issued an administrative permit to demolish the house in May 2019.

The proposal is to construct a new two-family infill and an outbuilding on the lot. The outbuilding cannot have a dwelling unit. As proposed, the duplex is oriented to Douglas Ave. Both the duplex and the outbuilding meet all setbacks.

The historic context of this block is 1 and 1.5 story homes. While the proposed infill has 1.5 story eave heights, staff recommends that the front dormer be reduced in width so that the side walls are no wider than the roof peaks of the entries below, which will help the house read as 1.5 stories. In addition, the infill appears to be slab on grade. Staff recommends that a foundation be added similar in height to what is typical for the immediate historic context and that the overall height, with foundation, not exceed 27'. The applicant has already submitted revisions satisfying these recommended conditions of approval.

The outbuilding meets all the design guidelines except for the width of the dormers, which as shown here exceed 50% of the roof plane. The applicant has already submitted revisions reducing the width of the dormers. Staff recommends approval of the project with conditions.

Brad Sayers, applicant for the project, said that they have agreed to all the conditions.

There were no requests from the public to speak.

Motion:

Commissioner Mayhall moved to approve the proposal, with the following conditions:

- 1. The dormer be reduced to fit between the ridges of the porch entries (maximum of twenty-two feet (22') wide);**
- 2. There shall be no dividing wall on the front porch;**
- 3. Staff review and approve the final material selections including: foundation material, siding material, roofing, trim, walkway material, final windows and both pedestrian and garage doors;**
- 4. The dormers on the outbuilding be no wider than fifty percent (50%) of the width of the roof plane;**
- 5. The front setback be reviewed and approved by MHZC staff in the field, at field staking;**
- 6. A foundation be added, and the finished floor height be consistent with adjacent historic houses, verified by MHZC staff in the field;**
- 7. The maximum ridge height, incorporating the foundation, be twenty-seven feet (27') from grade; and**
- 8. The HVAC be located on the rear, or on a side elevation, beyond the midpoint of the building;**

finding that it meets section II.B.1 of the design guidelines for the Eastwood Neighborhood Conservation Zoning Overlay. Commissioner Price seconded, and the motion passed unanimously.

VII. PRELIMINARY & FINAL SP REVIEW

k. 930 MCFERRIN AVE & 907 WEST EASTLAND AVE

Application: Preliminary SP Review

Council District: 5

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander, sean.alexander@nashville.gov

PermitID#: T2019034261

Staff member, Sean Alexander presented the case for an SP development at the corner of McFerrin and West Eastland Avenues, an application to develop a site comprising two lots, total approx. area of two and a half acres.

The lot fronts on two streets, with an historically residential context, and has a large interior component without any street-related character. This interior lot component, labeled ZONE 2 on the site plan will include twenty-one structures. These buildings will be two-stories tall with gabled roofs. They will be thirty-one and one-half feet tall, with footprints 22 x 41, or 902 sf.

The buildings in the interior of the lot were not compared to the context directly since they do not visually relate to either street. Due to the location on an interior lot without street frontage, Staff finds that the impact and visibility of these buildings on the character of the surrounding area will be minimal.

Building 5 at the bottom end of ZONE 2, will be in the context of West Eastland Avenue, so staff did look at it more like a typical infill. This proposed building will be one and one-half story with a height of twenty-seven feet, and a footprint of approximately twelve hundred square feet. The house is shown on the section drawings with a three-foot-tall foundation, whereas nearby historic houses have a floor level only one or two steps above grade. Staff recommends that the foundation is lowered to match the adjacent historic house. Additionally, the house is shown without a front porch. To strengthen the relationship to the nearby residential character, staff recommends that a projecting porch matching the depth of the adjacent house's porch is added, and that the front setback matches the adjacent house.

The width of twenty-five feet is narrower than the typical historic house by five foot on average, our recommended revisions to emphasize the historic character staff finds that the width will not be entirely out of character. The reason for the narrower building is because the project is required to provide room for walkways and a wide driveway into the lot to allow for emergency vehicle access, which limits the possible width of the proposed building.

The component of the project labeled as Zone 1 comprises two mixed-use buildings oriented toward McFerrin Avenue.

The front building will have a one and one-half story gabled form with dormers. The building will be twenty-seven feet tall overall with a thirty-three-foot-wide main component, which is compatible with the surrounding context.

The plans show a front-gabled form with a side-porch and side dormers. Staff recommends there would also be a front porch and that the primary entrance is clearly oriented toward McFerrin Avenue because the block has an historically residential character, and that the building's front setback is the average of a planned structure to the right and the typical setback of the block.

Behind this building will be a two-story flat-roofed building, separated from the building in front by a "pedestrian alley". The height of the building will be a little over twenty-nine feet tall, and the building will be thirty-feet wide.

There are one-story commercial buildings on the next block south on McFerrin, but not in the immediate context and none are two-story. Although the form and height exceed the context, staff found that although the building will be visible it will be fully behind the residential form on a deep lot and it will sit back far enough on the lot that its impact will be reduced.

Across the front of the adjacent lot at 928 McFerrin Avenue there is a stone wall, that extends approximately thirty feet into the 930 McFerrin Avenue lot. Staff recommends that this stone be evaluated for the possibility of reconstructing the wall on the south side of the McFerrin's interior lot line.

Additionally, some sidewalk improvements will likely be required as part of the SP, which may further impact the historic stone wall, therefore staff asks that all street and sidewalk improvements, and any stone walls to be demolished or constructed would be indicated on the final site plan to be resubmitted for MHZC review.

Staff recommends approval of the forms, massing and scale with the following conditions:

1. The front building in zone 1 have a front porch of at least six feet (6') in depth with a primary entrance clearly oriented toward McFerrin Avenue;
2. The front setback of the McFerrin-facing building in zone 1 be the average of the (planned) adjacent building to the right and the predominant setback of historic houses on the street, approximately fourteen feet (14') to front of the porch; and
3. The foundation height of building 5 in zone 2 be lowered to be consistent with nearby historic houses;
4. Building 5 in zone 2 have a front porch of at least six feet (6') in depth with a primary entrance oriented toward West Eastland Avenue;
5. The front setback of building 5 in zone 2 match the historic house to the right;
6. The stone wall be reconstructed on the south interior lot line of the McFerrin facing lot, if deemed feasible after a staff analysis of the existing wall;
7. All street and sidewalk improvements, and any stone walls to be demolished or constructed are to be indicated on the final site plan to be resubmitted for MHZC review; and
8. If the SP is approved by the Planning Commission, the applicant shall return to the MHZC with for review of detailed plans complete with site plan, floorplans, and elevations showing all dimensions, details, materials, proportion and rhythm of openings, paving and other appurtenances, and utility locations.

With these conditions, staff finds the massing and scale of the project to meet the design guidelines for new construction in the Greenwood Neighborhood Conservation Zoning Overlay.

Commissioner Price asked about the design guidelines regarding multi-family and Ms. Zeigler said that the multi-family guidance was really for a different type of development than contemplated with this very uniquely shaped and sized lot.

Commissioner Mayhall asked about flooding concerns noted by the public and Sean agreed that it was not in their purview.

Commissioner Jones asked why the central cottages were not evaluated in the same manner as other projects. Mr. Alexander explained that they do not have street-frontage and the Seymour lots are deeper than typical and that is what backs up to the denser portion of the development.

Scott Morton, representing Paragon development, said that they have attended two neighborhood meetings, and have used their input to revise the project. He acknowledged that there are still concerns from some neighbors. The vision was to create a residential neighborhood with an emphasis on urban agriculture and a community atmosphere. He explained the intent behind the design and how lot conditions affected the design.

Commissioner Boyd arrived at 2:30pm.

There were no requests from the public to speak.

Commissioners and staff clarified what was in the commission's purview to review.

Commissioner Jones expressed concern about the number of buildings and the two-story forms being appropriate for the district. Commissioner Fitts said it was a well-designed project but was not sure it was appropriate for the area. Vice-chairman Stewart asked if the character and massing is in keeping with the context. Commissioner Mayhall felt like the developer has already cut the project down and has worked well with the staff.

Commissioner Mayhall moved to approve staff's recommendation but the motion failed for lack of a second.

Commissioner Price said the project does not fit the historic context. Commissioner Jones agreed that the overall massing and number of structures is inappropriate for the district and doesn't fit into the historic context.

Motion:

Commissioner Price moved to disapprove, and Commissioner Jones seconded. The motion passed with Commissioner Boyd recusing, Commissioner Mayhall voting against the motion and Vice-chairman Stewart voting in favor of the motion, providing four concurring votes.

VIII. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS

I. 111 4TH AVE SOUTH

Application: Show Cause—Addition

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Paul Hoffman paul.hoffman@nashville.gov

PermitID#: 2018063543

MHZC's legal counsel, Susan Jones, provided information about a show-cause hearing and its process.

Staff member Paul Hoffman presented the case for 111 4th Ave South. This is an application for work done differently than permitted, including the removal of an historic feature, and installation of exterior lighting. Staff has issued a show cause hearing for the work. A rooftop addition was presented to the Commission and disapproved in May 2017. That decision was appealed, and in April 2018, a Chancery Court decision determined that the application be remanded to the Commission for issuance of a Preservation Permit. In December 2018, during construction of the rooftop addition, the cornice was removed. Staff contacted the contractor and was told that it had been removed for reinstallation. On May 2, 2019, Staff observed that the cornice had not been returned, and notified the applicant. On May 21, staff saw that a new cornice was under construction. A stop-work order was issued May 22, but the new cornice was finished that week.

Removal of the historic cornice was not permitted as seen in the permit elevation. Removing an original feature from the building does not meet section II.G.1 of the design guidelines, stating that original cornices and other detailing should be retained.

When the new cornice was under construction, staff was informed that the original one fell apart during removal. In that case, a new decorative element should follow sections II.G.2 and II.G.3 calling for appropriate materials and a replication of the original design. The cornice as built does not include the details or proportion of the historic one. The original cornice had a distinctive molding over the fascia and was mitered to include the gabled element. The replacement is a new fascia with different molding, and a sort of gable applied to the top, so does not include the details that made the historic one distinctive.

Additionally, no exterior lighting was permitted. The string lighting and poles were not shown on submitted plans, and the permit notes that the rooftop deck shall not have any overhead features such as lighting, canopies, tents or awnings, and no features shall be attached to the railing of the rooftop deck, such as lighting, heaters/coolers, A/V equipment or signage.

It is staff's review that these conditions of the permitted work have not been met. Staff recommends the applicant submit measured drawings that can be approved by staff within 30 days of this hearing. The drawings shall show the measurements and detailing of a new cornice to match the original using historic photographs as a guide. Staff further recommends that the cornice be constructed of wood, within 60 days of approval of drawings. Staff recommends the removal of rooftop lighting and the associated poles within 30 days of the date of this hearing.

Matthew DeVries, attorney for the applicant, shared a photograph and story regarding his daughter. He said that the lighting has been removed. It was their intent to preserve the cornice, but it was in bad shape. They have a different perspective from the staff and do not believe the cornice contributed to the historic character of the building. Mr. DeVries said his client would do whatever the Commission told them to do.

Commissioner Mayhall expressed her disappointment that the lighting was only removed yesterday. Commissioner Price said that the cornice was a character defining feature to a significant building in the district and the replacement does not match the original. Commissioner Jones agreed, adding that the photographs show that the new cornice does not match the original and that the applicant admits that it doesn't match and was done without a permit.

Motion:

Commissioner Jones moved to require the following:

- 1. the applicant submits measured drawings that can be approved by staff, within 30 days of the date of this hearing. The drawing shall show the measurements and detailing of a new cornice to match the original using historic photographs as a guide;**
 - 2. the cornice be reconstructed of wood, within 60 days of approval of the drawings; and,**
 - 3. The rooftop lighting and associated poles be removed within 30 days of the date of this hearing;**
- finding that the current cornice does not match the original and that the lighting was not included in the permit. Commissioner Price seconded, and the motion passed unanimously.**

Commissioner Mayhall left the meeting at 3:10pm.

m. 1313 5th Av N, Unit 1

Application: Violation—Addition

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov

PermitID#: 20190025731

Staff member Melissa Baldock presented the case for a violation at 1313 5th Avenue North. 1313 5th Avenue North, Unit 1, is an application to retain a roof-top pergola constructed without a preservation permit. The townhouse development at 1313 5th Avenue North was approved by the Metro Historic Zoning Commission in 2015 and was completed in 2017. The property is located within the National Register for Historic Places Historic District and zone, but because it is new construction, it is non-contributing to the district.

For further background, the development was approved and constructed under the previous design guidelines for the Germantown Historic Preservation Zoning Overlay. In September 2017, MHZC adopted revised design guidelines for the Germantown Historic Preservation Zoning Overlay; these revised guidelines reduced the maximum height of new development in much of the district and prohibited rooftop decks on new construction within the National Register of Historic Places Historic District.

This pergola is highly visible from 5th Avenue North.

Staff finds the rooftop pergola to be inappropriate for several reasons. The existing townhouse was approved to be two-and-a-half to three stories tall, with an overall height of approximately thirty-nine feet (39') from grade, which was the maximum height allowed by the previous design guidelines. The revised design guidelines from 2017 limit new construction within the National Register district to two-stories and thirty-five feet (35') from grade. This development, therefore, is currently larger than what is allowed under the design guidelines. The addition of the rooftop pergola only further adds to the height and scale of the townhouses, making it over three stories to almost four stories in height, which is not appropriate. Staff therefore finds that the pergola does not meet Section III.D.1.c. of the design guidelines.

The 2017 revisions to the Germantown design guidelines prohibit new rooftop decks within the National Register zone, where 1313 5th Avenue North is located. Because this development was approved prior to the 2017 revisions, its roof top deck is grandfathered. Where rooftop decks are allowed, the design guidelines specifically stipulate that they "shall not have...permanently installed structures such as pergolas, other than the access structure, or permanently installed furniture and appurtenances." Staff therefore finds that the rooftop pergola does not meet Section III.E.9.i. of the design guidelines.

The design guidelines, in Section III.E.17.g., further state that pergolas or gazebos can be appropriate on rear or side yards, implying that they are not appropriate on rooftops or at the front of a building.

Staff recommends disapproval of the request to keep the rooftop pergola, finding that the pergola does not meet Sections III.D.1.c for height, III.E.9.i. for rooftop decks, and III.E.17.g. for appurtenances of the Germantown Historic Preservation Zoning Overlay design guidelines. Staff further recommends a requirement that the structure be removed within 60 calendar days of the Commission's decision.

Baldock pointed out that the Commission received comments from the Historic Germantown Neighborhood Board opposing this pergola.

Stephen Light, property owner, asked how a non-contributing building can be in the overlay and he explained that he was not provided any information about the overlay when he purchased the building. He claimed that removal of the pergola will devalue the home and the district overall.

Commissioner Jones said new construction must meet the design guidelines and she explained the process. She noted that the design guidelines do not allow for pergolas and the project is very visible.

Motion:

Commissioner Jones moved to disapprove the request to keep the rooftop pergola, finding that the pergola does not meet Sections III.D.1.c for height, III.E.9.i. for rooftop decks, and III.E.17.g. for appurtenances of the Germantown Historic Preservation Zoning Overlay design guidelines and requires that the structure be removed within 60 calendar days from today. Commissioner Fitts seconded and the motion passed unanimously.

n. 1313 5th Av N, Unit 6

Application: Violation—Addition

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov

PermitID#: 20190027427

This application is like the application you just reviewed, only the pergola was constructed on Unit 6 of the development at 1313 5th Avenue North, which is located on the interior of the development.

The Germantown design guidelines state that alleys are considered a “public façade,” and that public facades shall be more carefully reviewed than non-public facades. Although this unit is towards the rear of the development, the gazebo is still readily visible from the alley.

Ms. Baldock said she would not repeat the design guidelines, noted in the previous similar case, unless the Commission would like for her to do so.

Staff recommends disapproval of the request to keep the rooftop pergola, finding that the pergola does not meet Sections III.D.1.c for height, III.E.9.i. for rooftop decks, and III.E.17.g. for appurtenances of the Germantown Historic Preservation Zoning Overlay design guidelines. Staff further recommends a requirement that the structure be removed within 60 calendar days of the Commission’s decision.

Baldock again pointed out that the Commission received comments from the Historic Germantown Neighborhood Board opposing this pergola.

Ellen Mrazek and Dan Slattery, property owners, provided a power point presentation explaining the reason for the pergola, how they came to choose that design, and provided images of other pergolas. They suggested painting the pergola, adding greenery or reconfiguring the location as solutions that would not require removal.

Ellen Mrazek, in response to the letter sent from the neighborhood association, stated the letter was not actually true.

There were no requests from the public to speak.

Commissioner Jones clarified that the issue isn’t with pergolas but this pergola’s location. The design guidelines are specific, and the project does not meet them.

Motion:

Commissioner Jones moved to disapprove the request to keep the rooftop pergola, finding that the pergola does not meet Sections III.D.1.c for height., III.E.9.i. for rooftop decks, and III.E.17.g. for appurtenances of the Germantown Historic Preservation Zoning Overlay design guidelines and requires that the structure be removed within 60 calendar days from today. Commissioner Boyd seconded, and the motion passed unanimously.

Vice-chairman Stewart recommended that for any options, obtaining a building permit prior to constructing the option, will prevent violations.

o. 1417 ROBERTS AVE

Application: Violation—Outbuilding

Council District: 6

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander, sean.alexander@nashville.gov

PermitID#: T2019034265

Removed from the agenda as the applicant was able to work out a solution that meets the design guidelines.

IX. MHZC ACTIONS

p. 503 and 505 BUCHANAN ST

Application: New Construction--Infill and Outbuilding

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov

PermitID#: T2019033761 and T2019033787

Staff member, Melissa Baldock, presented the case for new construction at 503 and 505 Buchanan, two vacant lots. The lots are unusually shallow at less than 100 feet in depth. The Commission has previously approved different infill designs for these two lots, but those designs were never constructed. The application is for one infill and one carport on each lot. The applicant is proposing the same design for each lot, although they may alter some material details to differentiate the two. Minor changes like materials may be made, but those can likely be approved at staff level.

As previously mentioned the lot is unusually shallow at less than 100 feet in depth. Typically, MHZC requires a minimum of twenty feet (20') of space between the back of the house and any outbuilding. However, in this case, the applicant is proposing just eight feet, eight inches (8'8"). Staff finds this reduced distance to be appropriate, in this instance, because the lot is fifty to one hundred feet (50'-100') less than the standard lot depth within the Salemtown Neighborhood Conservation Zoning Overlay. In fact, MHZC previously approved for these sites infill designs that contained attached garages, due to the shallowness of the lot.

The infill and carports will meet all base zoning setbacks. Staff notes that the front porch is only 5' deep, and the design guidelines require a minimum depth of 6' for front porches. Staff therefore recommends that a condition of approval be that the front porches be at least 6' deep. Staff also notes that the site plan doesn't include the setbacks of the structures on either side of the lot and requests a revised site plan showing the infills in relation to the front setbacks of the two neighboring structures.

The new buildings will be two stories tall with a maximum height of thirty-three feet, ten inches (33'10") from grade to the peak of the roof, with an eave height of twenty-one feet, six inches (21'6") above grade and a floor height of two feet (2'). The design guidelines for the Salemtown NCZO allow new construction to be two stories and up to thirty-five feet (35') tall. Staff recommends as a condition of approval that the compatibility of the floor height be verified by an inspection at the start of construction.

The houses are thirty-four feet, one inch (34'1") wide at the front, which is in keeping with other infills approved by MHZC in Salemtown. The front porch posts are drawn as if they are rough wood. Staff recommends that the wood posts be milled smooth and painted. Staff also notes that the front façade, second level is siding, but the side façade shows brick. Although brick and siding are appropriate cladding materials, staff notes that the change in materials typically happen at the floor line. The type of material transition shown on the drawings is not something you see historically and can create an awkward material change. Staff recommends that any material change happen at the floor level rather than from one façade to the next. Staff recommends that the horizontal windows on the right façade be made vertical or square.

The roofs of the infill houses have various roof forms. On the right-hand side is a 12/12 hipped form. The main form of the left-hand side is a side gable with an 8/12 pitch. Also, on the right side is a long, 3/12 shed roof. The shed roof conceals the rear rooftop deck, as MHZC has required that rear rooftop decks be surrounded by roof on at least three sides. Staff finds that while the roof form does meet the design guidelines, it could use some simplification, particularly on the left side. Staff is willing to work with the applicant on simplifying the roof design while still meeting the design guidelines.

Staff recommended approval of the project with the following conditions:

1. The finished floor heights be consistent with the finished floor heights of the adjacent structures, to be verified by MHZC staff in the field;
2. The front setbacks be verified by MHZC staff in the field;
3. The front porches be a minimum of six feet (6') deep;

4. All changes in materials happen at the floor level;
5. The front porch wood posts be milled smooth and painted;
6. Staff approve brick and stone samples;
7. Staff approve the roofing color, windows and doors;
8. The horizontal window openings be square or vertically oriented and at least four-square feet (4 sq. ft.) in size;
9. A site plan be submitted that shows the adjacent houses and their front setbacks; and
10. The HVACs be located behind the houses or on either side, beyond the mid-point of the house.

With these conditions, staff finds that the proposed infills meet Section III for New Construction in the Salemtown Neighborhood Conservation Zoning Overlay design guidelines.

Kent Basile, applicant, said that he has worked with staff on most of the conditions and has already sent some examples of a revised roof form.

Motion:

Commissioner Price moved to approve the project with the following conditions:

- 1. The finished floor heights be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. The front setbacks be verified by MHZC staff in the field;**
- 3. The front porches be a minimum of six feet (6') deep;**
- 4. All changes in materials happen at the floor level;**
- 5. The front porch wood posts be milled smooth and painted;**
- 6. Staff approve brick and stone samples;**
- 7. Staff approve the roofing color, windows and doors;**
- 8. The horizontal window openings be square or vertically oriented and at least four-square feet (4 sq. ft.) in size;**
- 9. A site plan be submitted that shows the adjacent houses and their front setbacks; and**
- 10. The HVACs be located behind the houses or on either side, beyond the mid-point of the house;**

finding that with these conditions, the proposed infills meet Section III for New Construction in the Salemtown Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Boyd seconded, and the motion passed unanimously.

q. 1309 WOODLAND ST

Application: New Construction—Outbuilding/Detached Accessory Dwelling Unit
 Council District: 06
 Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
 Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
 PermitID#: T2019033833

Application was deferred.

r. 1911 RUSSELL ST

Application: New Construction - Addition and Outbuilding; Setback Determination
 Council District: 06
 Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
 Project Lead: Jenny Warren Jenny.Warren@nashville.gov
 PermitID#: T2019033402, T2019033436

Staff member, Melissa Sajid, presented the case for new construction at 1911 Russell.

The house located at 1911 Russell St is a c. 1910 Victorian cottage that contributes to the historic character of the Lockeland Springs-East End NCZO. The application is to demolish an existing outbuilding, construct an addition, and construct a DADU.

The outbuilding does not contribute to the historic and architectural character of the district and is not visible from the ROW. Staff finds that demolition of the existing outbuilding to be appropriate.

As proposed, the project meets all setbacks except for the distance between the house and the outbuilding. The design guidelines require at least 20' between the house and any outbuilding. The applicant proposes a separation of approximately 17'. At 160' deep, the lot is not shallow and does not meet any other conditions under which the commission has approved separation of less than 20'. Staff recommends that the depth of the addition and/or the outbuilding be shortened by a total of approximately 3' to meet the minimum separation per the design guidelines.

The addition is located at the rear and sets in from both rear corners appropriately. On the right side, the addition steps back out 2' wider than the historic house. Staff finds that a wider rear addition is appropriate in this case since the house is shifted on the lot and the addition is single-story.

The addition will be no taller than the historic house. The addition will be clad in smooth wood or cement fiberboard siding on the right side and rear. The left side will be clad in metal siding, which has been approved previously for additions in conservation overlays.

The DADU meets all of the design guidelines except for 20' separation between the house and outbuilding. As proposed, the outbuilding will be approximately 17' from the addition. Since the lot is not considered a shallow lot, staff recommends that the project meet the 20' separation per the design guidelines.

Staff recommends approval of the project with conditions, finding that it can meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Sean Templin stated that they can make the changes to meet the conditions, but he is asking to keep it as presented.

There were no requests from the public to speak.

Commissioner Fitts agreed with the staff recommendation that the twenty-foot needs to be maintained, due to the depth of the lot.

Motion:

Commissioner Fitts moved to approve with the following conditions:

- 1. There be a minimum of twenty feet (20') in between the back of the house/addition and the DADU;**
 - 2. Staff approve roofing and metal siding color, the chimney material, the porch floor material, the DADU foundation material and all windows and doors prior to purchase and installation; and**
 - 3. The HVAC be located behind the house or on either side, beyond the mid-point of the house;**
- finding that with these conditions, the project meets Sections II.B. and III.B. of the design guidelines and the DADU Ordinance, 17.16.030. G. Commissioner Jones seconded, and the motion passed unanimously.**

s. 1821 5TH AVE N

Application: New Construction--Addition

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov

PermitID#: T2019033732

Staff member, Melissa Baldock presented the case for 1821 5th Avenue North, which is a c. 1930 bungalow. It is a contributing structure to the Salemtown Neighborhood Conservation Zoning Overlay. Application is to construct an addition to the historic house. The addition will more than double the footprint of the historic house.

The existing house has a footprint of approximately one thousand, four hundred, and twelve square feet (1,412 sq. ft.). This includes the front porch. The addition, including the two-story deck at the rear has a footprint of approximately one thousand, six hundred, and ninety square feet (1,690 sq. ft.). The footprint of the addition more than doubles the footprint of the historic house, which is not something that has been approved recently, except in cases of exceptionally small historic houses.

Staff has suggested to the applicant that he could remove the two-story deck at the rear to meet the requirement that the addition's footprint should not more than double the footprint of the historic house. Staff does not object to the two-story deck at the rear, per se. If the addition were to be reduced in size so that the two-story deck element remains, staff would be okay with that.

The addition is inset properly at the back corners of the house. The connection to the house is minimal, thereby preserving much of the back wall of the historic house.

On the right side, there is a small portion of the addition that is wider than the historic house. A wider addition may be appropriate for this house and lot because the house is less than thirty feet (30') in width at twenty-eight feet (28') wide, and it is shifted on the lot. The wider portion of the addition will just be one-story in height and will only extend to be four feet, eight inches (4'8") wider than the historic house.

The proposed addition will be one-and-a-half stories and two feet (2') taller in ridge and eave height than the historic house. The design guidelines allow for two-foot (2') ridge raises for side gables houses. A hipped roof like the one at 1821 5th Avenue North is not eligible for a ridge raise, but staff does find that an addition that is two feet (2') taller than the historic house could be appropriate if the rest of the addition's scale is subordinate to the historic house. The addition is designed so that no part of the addition is any taller than two feet (2') taller than the outline of the roof. The one-story part of the addition that extends wider than the historic house.

The addition will be one-and-a-half stories in height, with dormers on the second level that are inset the required two feet (2') from the wall below. Staff finds this to be appropriate, as the existing house is also one-and-a-half stories in scale and it does have a front dormer. The addition takes advantage of the slope of the lot, and the foundation and floor line of the addition sit lower than those of the historic house.

Staff finds that the larger footprint is not appropriate in this case since the house's footprint is not unusually small. In addition, the addition is already taller and wider than the historic house and having a footprint that is larger than the footprint of the historic house makes the overall height and scale of the addition inappropriate. Staff recommends that the addition, including all covered porches and uncovered decks, have a footprint no larger than one thousand, four hundred, and twelve square feet (1,412 sq. ft.), which is the footprint of the historic house.

Staff recommends approval of the project with the following conditions:

1. The footprint of the addition, including all covered porches, covered decks, and two-story decks, be no larger than one thousand, four hundred, and twelve square feet (1,412 sq. ft.), which is the footprint of the historic house;
2. A walkway be added from the sidewalk to the new, secondary entry to the rear unit;
3. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
4. Staff approve the roof shingle color and texture prior to purchase and installation;
5. The HVAC be located behind the house or on either side, beyond the mid-point of the house; and
6. Utility meters be located on the sides or rear of the building. Alternative mechanical and utility locations must be approved prior to an administrative sign-off on the building permit(s).

With these conditions, staff finds that the proposed addition meets Sections III. and I.V. of the Salemtown Neighborhood Conservation Zoning Overlay design guidelines.

Eric Russell, applicant, presented a power point making the argument that the deck was not visible. He provided background on his family, their renovation project, and information on context. He argued that the rear porch is less than the size of a garage that they would be allowed to construct.

There were no requests from the public to speak.

Commissioner Jones said that care needs to be given to additions for historic buildings and that they are different from new construction of infill. It more than doubles the footprint, which is in violation of the design guidelines. Commissioner Price agreed, stating that requiring the size of the addition to not more than double the historic home is consistent with past decisions. If they approve it here, they will have to approve it for everyone.

Motion:

Commissioner Price moved to approve the project with the following conditions:

- 1. The footprint of the addition, including all covered porches, covered decks, and two-story decks, be no larger than one thousand, four hundred, and twelve square feet (1,412 sq. ft.), which is the footprint of the historic house;**
- 2. A walkway be added from the sidewalk to the new, secondary entry to the rear unit;**
- 3. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- 4. Staff approve the roof shingle color and texture prior to purchase and installation;**
- 5. The HVAC be located behind the house or on either side, beyond the mid-point of the house; and**
- 6. Utility meters be located on the sides or rear of the building. Alternative mechanical and utility locations must be approved prior to an administrative sign-off on the building permit(s);**

finding that with these conditions, the proposed addition meets Sections III. and I.V. of the Salemtown Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Fitts seconded and the motion passed unanimously.

t. 1824 5TH AVE N

Application: New Construction—Addition and Outbuildings; Setback Determination

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

Project Lead: Paul Hoffman paul.hoffman@nashville.gov

PermitID#: T2019033216

Moved to consent agenda.

u. 1224 VILLA PL

Application: New Construction—Infill and Outbuilding

Council District: 17

Overlay: Edgehill Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander, sean.alexander@nashville.gov

PermitID#: T2019034262

[Public comment was received via email and forwarded to the Commission prior to the meeting.]

Staff member, Sean Alexander, presented the case for new construction at 1224 Villa Place.

The proposal is to construct a new house. The lot is only twenty-eight feet wide, but Codes determined it's a legal buildable lot. The new house will be two stories with a maximum height of thirty feet. Although taller than the immediate neighbors, there are comparable houses in the nearby context.

The house will only be twenty-two feet wide, it's not compatible with the context but because the lot is only twenty-eight feet wide it can't be any wider. The building will only have three-foot setbacks rather than the standard five. No setback determination is needed because substandard sized lots are allowed the three-foot setback.

The materials will be brick and stone, staff asks to approve samples as well as roof colors and window and door selections.

The infill is shown on the proposed site plan as having a twenty-eight-foot (28') front setback, which is five feet (5') shorter than the adjacent house to the left and one foot (1') shorter than the house to the right. In general, the front

setback for infill should be the average of the two adjacent buildings. Staff recommends that, as a condition of approval, the front setback of the new house shall be the average of the front setbacks of the two adjacent historic houses, approximately thirty-one feet (31'), to be verified by MHZC staff at the start of construction.

The proposal includes a two-story outbuilding. The height scale, and materials are appropriate. Because staff is requesting a deeper front setback, pushing the house back would give there less than the typical twenty feet between the house and garage. Staff finds the shorter separation appropriate here, as it's an effect of the unusual lot size.

Staff recommends approval of the proposed infill and new construction with the following conditions:

1. The front setback of the new house shall be the average of the front setbacks of the two adjacent historic houses, approximately thirty-one feet (31'), to be verified by MHZC staff at the start of construction
2. The height of the finished floor level shall be consistent with adjacent historic houses, to be verified by MHZC staff at the start of construction
3. All brick and stone selections, roof colors, window and door selections, and paving materials shall be administratively approved prior to construction.
4. The front porch stairs shall be concrete, as is typical of other houses in the neighborhood.

Meeting those conditions, staff finds that the proposal meets the Edgehill Neighborhood Conservation Zoning Overlay design guidelines.

The applicant was not present and there was no public comment.

Commissioner Boyd noted it was a great solution for the narrow lot.

Motion:

Commissioner Boyd moved to approve the infill and new construction with the following conditions:

1. **The front setback of the new house shall be the average of the front setbacks of the two adjacent historic houses, approximately thirty-one feet (31'), to be verified by MHZC staff at the start of construction;**
2. **The height of the finished floor level shall be consistent with adjacent historic houses, to be verified by MHZC staff at the start of construction;**
3. **All brick and stone selections, roof colors, window and door selections, and paving materials shall be administratively approved prior to construction; and,**
4. **The front porch stairs shall be concrete, as is typical of other houses in the neighborhood;**

finding that with those conditions, the proposal meets the Edgehill Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Jones seconded and the motion passed unanimously.

X. OTHER BUSINESS

v. ADMINISTRATIVE ACTIONS & UPDATES

Ms. Zeigler updated the Commission on the design guideline consolidation project. With grant funding from the Tennessee Historical Commission we have hired the team of the Civic Design Center and Smith Gee Studios to look at the design guidelines for outbuildings. The first community meeting will be July 11th. Details are still being worked out regarding time and location. The purpose of this meeting is to introduce the team and start to gather some input.

Ms. Zeigler explained that staff member, Jenny Warren is not present because the office's basic operating expenses are over budget and the MHC's budget is so tight there is nothing left to cut but salaries. She will return in July.

w. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

Meeting adjourned at 4:08 p.m.

RATIFIED BY THE COMMISSION ON 7/17/2019