

JOHN COOPER  
MAYOR



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

## METRO HISTORIC ZONING COMMISSION (MHZC)

### MINUTES

October 21, 2020

**Commissioners Present:** Chairperson Bell, Leigh Fitts, Mina Johnson, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, David Price, Dr. Lee Williams

**Zoning Staff:** Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Alex Dickerson (legal counsel)

**Applicants:** Alexandra Lamb, Chris Bra dstreet, David Langgle-Martin, Brian Layton, Sandy Moss, Lynn Taylor, Shawn Henry, Troy Harper, Benjamin Katz, Will Jenner, Van Pond, Cheyenne Smith, Lucas Chesnut, Andrew Heideman, Randall Gilberd, Michael Ward, Chris Goldbeck

**Councilmembers:** Tom Cash

**Public:** Ann McGauran, Amy Corbin, Carlos Alcaine

Chairperson Bell called the meeting to order at 2:02 p.m. She explained that out of an abundance of caution, and pursuant to recommendations from federal, state and local health agencies regarding a voiding group gatherings due to the COVID-19 Coronavirus this meeting is a teleconference meeting. Advance public comments have been possible through email, mail, fax and voicemail and will be read or played at the time of their relevant case. We will also take comments via phone. The number is 629-255-1911. Please do not call until the project you wish to speak about is announced.

Chair Bell took a roll call to confirm attendance.

Chairperson Bell explained that the Commission must vote on the record that the COVID-19 pandemic requires us to hold a telephonic meeting as permitted under the Governor's Executive Order number 16.

#### **Motion:**

**Commissioner Mosley moved that the meeting agenda constitutes essential business of this body and meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak. Commissioner Jones seconded and the motion passed unanimously.**

Chairperson Bell read information regarding appeals and the process for the public hearings.

Chairperson Bell asked if there were any proposed changes to the agenda.

Ms. Zeigler, historic zoning administrator, asked that the design guideline consolidation project be deferred until the Commission can meet again in-person, that 816 Russell be moved to consent as the owner agrees to the conditions, the project is a good fit with the design guidelines and so far, staff is not aware of any opposition. Public comment was also received in support of the proposal. She also requested that 801 Russell be removed from the agenda as the application was incomplete. 1020 Seymour would like to defer. The applicant for 1905 Holly would like to defer the request for an outbuilding but continue with their request for in-fill.

#### **Motion:**

**Commissioner Price moved to revise the agenda by deferring the design guideline consolidation project, 1020 Seymour, and an outbuilding for 1905 Holly; moving 816 Russell to consent and removing 801 Russell from the agenda. Commissioner Mosley seconded and the motion passed unanimously.**

**I. ADOPTION OF MINUTES**

**MOTION:**

**Commissioner Johnson moved to ratify the minutes for February, April, May, June, July, August, and September with the revision that the July minutes reflect Commissioner Johnson as being in attendance. Commissioner Fitts seconded and the motion passed unanimously.**

**II. CONSENT AGENDA**

Staff member Melissa Sajid read the consent agenda.

**a. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH**

**b. 1200 7<sup>th</sup> AVE N (608 B MADISON ST)**

Application: New Construction—Infill (Revisions to Previously-Approved Plans)  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov  
PermitID#: T2020062922

**c. 1215 7TH AVEN**

Application: New Construction—Addition; Setback Determination  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2020063851

**d. 1111 SHELBY AVE**

Application: New Construction—Addition and Outbuilding; Setback Determination  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2020063852

**e. 138 BLACKBURN AVE**

Application: New Construction—Outbuilding  
Council District: 23  
Overlay: Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren Jenny.Warren@nashville.gov  
PermitID#: T2020063371

**f. 1933 20TH AVE S**

Application: New Construction—Addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren Jenny.Warren@nashville.gov  
PermitID#: T2020063271

**g. 816 RUSSELL ST**

Application: New Construction—Addition  
Council District: 06  
Overlay: Edgefield Historic Preservation Zoning Overlay  
Project Lead: Jenny Warren, jenny.warren@nashville.gov  
PermitID#: T2020063384

Commissioner Mosley moved to approve the items on consent with their applicable conditions. Commissioner

Williams seconded and the motion passed with Commissioner Fitts recused.

### III. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

#### q. CONSOLIDATION OF NEIGHBORHOOD CONSERVATION ZONING OVERLAY

[Deferred]

#### r. 3048 LEBANON PK

Application: Historic Landmark

Council District: 14

Project Lead: Robin Zeigler, [robin.zeigler@nashville.gov](mailto:robin.zeigler@nashville.gov)

Staff member, Robin Zeigler, began the presentation by providing some background on the process. This proposal is going in tandem with an SP request. The Councilmember requested it, as they often do, when there is a request to rezone a property with a historic building. In this case the owner is in opposition of Landmarking and the developer is not, as it was their plan to preserve the building as an amenity for the new development anyway. The rezoning was deferred at the last Planning Commission meeting. It is likely that this designation will be held up or even cancelled, depending on what happens with the SP request but your decision today will just be a recommendation based on whether or not the property qualifies, it does not change property rights—it is not a final decision. You received an email from the property owner noting her opposition of Landmarking.

The property at 3048 Lebanon Pike (c. 1925) is significant in both architecture and in the community planning and development history of Nashville. Designed by prominent architect W.N. Meredith, the dwelling exhibits a unique blend of Neoclassical and Arts and Crafts style.

Built for Clover Bottom Farm owner and preeminent Nashville real estate developer R.D. Stanford, the house is one of the few remnants of several early 20<sup>th</sup> century mansions built in this part of Donelson, including nearby Millionaire's Row which Stanford and Meredith developed. The land on which this dwelling sits was historically part of Clover Bottom Farm, one of the largest and most important farms in Nashville's early history. The property meets section 17.36.120 (1) for its role in the development of Donelson and (3) for its architecture. The property is eligible for listing in the National Register of Historic Places.

Staff suggests that the Metro Historic Zoning Commission recommend approval of the historic landmark to the Planning Commission and Metro Council and recommends the adoption of the existing Historic Landmark Design Guidelines to apply to exterior alterations. Staff finds property meets sections 17.36.120.B (1) and (3) for the ordinance.

#### **Motion:**

**Commissioner Mayhall moved to recommend approval of the Historic Landmark to Metro Council and the adoption of the existing Landmark design guidelines to apply to exterior alterations. Commissioner Jones seconded and the motion passed with Commissioners Price and Fitts in opposition.**

### IV. PRELIMINARY & FINAL SP REVIEW

None

### V. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS/SHOW CAUSE

#### s. 714 SHELBY AVE

Application: Alteration—Front Porch

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Paul Hoffman [paul.hoffman@nashville.gov](mailto:paul.hoffman@nashville.gov)

PermitID#: T2020053654

Staff member Melissa Sajid presented the application for 714 Shelby Avenue. The applicant has built a dividing wall on the porch between two units, differently than what was permitted for this infill in 2017.

Section III.B.2.e of the Edgefield Design Guidelines on Orientation states “The orientation of a new building's front facade shall be visually consistent with surrounding historic buildings.”

Historically, duplexes had one open porch or had two separate porches or stoops. Since a porch dividing wall is not seen historically, was not a part of the original permit, and is not consistent with past decisions of the Commission, staff finds that the new construction does not meet Section III.B.2.e.

Staff therefore recommends disapproval of the new construction, finding that the project does not meet Section III.B.2 of the design guidelines for the Edgefield Historic Preservation Zoning Overlay. Staff recommends that the wall be removed within sixty (60) days of the Commission's decision

Alexandra Lumb, owner of 714 A Shelby Ave apologized for not applying to add the wall. She constructed a fence and the wall for security reasons. She could put in on legs to make it a piece of furniture.

Commissioner Mosley explained that porch walls are not historically seen on duplexes and do not meet the design guidelines.

Commissioner Williams said he struggled with the definition of a wall. Ms. Zeigler explained that staff called it a wall because it is a permanently installed divider and that the solution of turning it into a piece of furniture would correct the violation.

**Motion:**

**Commissioner Johnson moved to disapprove the new construction, finding that the project does not meet Section III.B.2 of the design guidelines for the Edgefield Historic Preservation Zoning Overlay; requiring that the wall be removed within sixty (60) days of the Commission's decision. Commissioner Mosley seconded and the motion passed unanimously.**

**t. 2007 EASTLAND AVE**

Application: New Construction—Addition; Show Cause

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Paul Hoffman [paul.hoffman@nashville.gov](mailto:paul.hoffman@nashville.gov)

PermitID#: 2020031856

Staff member, Melissa Sajid, presented the Show Cause order for a materials violation on an approved addition. The applicant clad the chimney in siding instead of brick as requested and permitted.

The approved permit indicated the new chimney to be clad in brick. On a progress inspection, staff observed the unapproved chimney cladding and contacted the homeowner. Section II.B.1.d for Materials states that materials, textures, details, and material color shall be visually compatible with and similar to those of adjacent buildings or shall not contrast conspicuously. Similar cladding violations have been required to be corrected.

Staff finds that the chimney cladding as installed does not meet Section II.B.1.d for Materials or II.B.2 for Additions of the Eastwood Neighborhood Conservation Zoning Overlay Design Guidelines. Staff recommends the chimney be corrected to meet the permit within sixty (60) days from the Commission's decision.

Chris Bradstreet, owner, apologized for not following the permit. They chose a different material because of the cost of brick. He noted several buildings that looked similar.

Commissioner Johnson asked about the photographs presented by the applicant. Mr. Hoffman confirmed the examples were not historic examples. She also asked if sixty (60) days was enough time to correct with brick. Mr.

Hoffman explained that stucco was another option that would meet the design guidelines. Ms. Zeigler said that if the applicant found that more time was needed, staff could work with them on a new deadline.

Commissioner Mosley asked if a thin brick veneer would be acceptable as he was concerned about the weight of true brick. Mr. Hoffman said it would be.

**Motion:**

**Commissioner Mosley moved to disapprove the chimney cladding as installed as it does not meet section II.B.1.d for Materials or II.B.2 for Additions of the Eastwood Neighborhood Conservation Zoning Overlay Design Guidelines; requiring that the chimney be corrected within sixty (60) days from the Commission's decision. Commissioner Fitts seconded and the motion passed unanimously.**

**u. 120 S. 10<sup>th</sup> ST**

Application: Alteration—Painted Brick

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

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

PermitID#: T2020036406

Staff member Jenny Warren presented the case for painted masonry at 120 South 10<sup>th</sup> Street. The applicant painted these non-contributing structures white without a permit from the Metro Historic Zoning Commission. The applicant seeks to retain the paint color.

The design guidelines state that “Generally, the use of paint, stain, water repellent, or any other type of coating on brick is not appropriate.” For new construction and non-contributing buildings, the guidelines state that materials should be visually compatible with historic materials. The Commission, to date, has required that paint for an existing building, historic or not, be a historic red brick color and that new brick for new construction also be a historic red brick color.

The white paint does not meet the design guidelines, in terms of the immediate historic vicinity but could be appropriate in this particular location because the paint color minimally impacts the historic character of the district and is similar to the only historic building on the street. The historic building is not in the immediate vicinity but rather located approximately a quarter mile south of the subject property.

The historic building is not brick; however, a stucco veneer is often considered a “masonry” treatment. Historic brick buildings in the immediate vicinity are red but are not oriented to South 10<sup>th</sup> Street. 120 South 10<sup>th</sup> Street is a non-contributing building, oriented to South 10<sup>th</sup> Street and located at the edge of the Edgefield Historic Preservation Zoning Overlay. The opposite side of South 10<sup>th</sup> is located in a neighborhood conservation zoning overlay, where paint color is not reviewed

Staff recommends a approval for the following reasons:

- The only historic building on South 10<sup>th</sup> Street and within the Edgefield Historic District is painted white;
- The property is non-contributing and located on a street with only one historic building;
- The building is oriented towards South 10<sup>th</sup> Street and the opposite side of this street is located in a neighborhood conservation zoning overlay, where paint color is not reviewed.

For these reasons, staff finds the project meets the design guidelines for Edgefield Historic Preservation Zoning Overlay.

Ms. Zeigler noted that Councilman Withers sent an email in support of the project, which was previously forwarded to the Commission.

David Langgle-Martin, representative of the owner, explained the use of the building and apologized for not obtaining a permit prior to the work taking place.

Chair Bell and Commissioner Mayhall reminded the public of the importance of obtaining permits prior to work to minimize violations.

Commissioner Mosley said that this project is unique because of its location and therefore he agrees with staff's analysis.

**Motion:**

**Commissioner Fitts moved to approve the project finding the project meets the design guidelines for Edgefield Historic Preservation Zoning Overlay. Commissioner Jones seconded and the motion passed unanimously.**

**v. 1817/1819 SWEETBRIAR AVE**

Application: New Construction—Infill; Show Cause

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

PermitID#: 2018079296

Staff member Melissa Baldock presented the case for a show cause hearing at 1817 and 1819 Sweetbriar Avenue. Staff has ordered a Show Cause hearing for front yard parking pads added to the driveway of the infill.

The Preservation Permits issued for the new residences shows a central shared driveway, twelve feet (12') wide, leading to rear garages and does not show front-yard parking pads. The site plan also included a detached accessory dwelling unit (DADU) behind each unit, but these have not yet been reviewed or permitted.

As installed, the driveway is eighteen feet (18') wide and stops at the front of the structure, with the parking pad in front of each residence.

Because front-yard parking is not typical of the orientation of buildings in the district, they have not been allowed in most cases. In the past, they were allowed on a street with no rear alley and a severe increase in grade from the street to the rear of the lot that would not allow for a driveway. There is one note to correct, the parcel map indicates a rear alley, which does not in fact exist.

Staff finds that the driveway width and length and the parking pads, as built, do not meet Section II.B.1.f for Orientation and is inconsistent with past decisions in like situations. Staff recommends that the front-yard parking be removed, the driveway be narrowed not to exceed twelve feet (12') in width and the driveway continued to at least the mid-point of the houses.

Staff finds that the driveway and front-yard parking do not meet Section II.B.1.f of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay Design Guidelines. Staff recommends disapproval of the proposal and that the violation be corrected within sixty (60) days of the Commission's decision.

Brian Layton, representative provided photographs of a circular driveway on Sweetbriar, installed after closing out the permit. He provided additional photographs via email of other examples.

Commissioner Mayhall asked Mr. Layton why they did not follow the design they created. Mr. Layton explained that the manager on the project made a mistake. Commissioner Johnson said she was disturbed that the applicant plans to put in what they want after the fact, even if they have to correct the violation at this time. Ms. Zeigler explained that for infill, the Commission reviews all aspects, including driveways; however, after the permit is closed out it will be an "existing house" and in a neighborhood conservation zoning overlay, a driveway would not be reviewed.

Councilmember Cash stated that he wants fairness across properties and trusts the staff's analysis.

**Motion:**

**Commissioner Price moved to disapprove the driveway and front-yard parking as they do not meet Section II.B.1.f of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay Design Guidelines; requiring that the violation shall be corrected within sixty (60) days of the Commission’s decision. Commissioner Williams seconded and the motion passed unanimously.**

**w. 1020 SEYMOUR AVE**

Application: New Construction—Addition  
Council District: 05  
Overlay: Greenwood Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid melissa.sajid@nashville.gov  
Permit ID#: T2020064053

[Deferred]

**VI. MHZC ACTIONS**

**x. 4909 ELKINS AVE**

Application: Demolition  
Council District: 24  
Overlay: Park and Elkins Neighborhood Conservation Zoning Overlay  
Project Lead: Paul Hoffman Paul.Hoffman@nashville.gov  
Permit ID#: T2020008667

Staff member, Melissa Baldock, presented the case for demolition of the historic building at 4909 Elkins Ave. The applicant requests demolition of 4909 Elkins Avenue arguing for economic hardship. The Horace. H. Hooper House is a contributing building in the Park and Elkins overlay, built in 1925.

The engineer’s reports on the structure note poor construction and damage to the roofing structure and particularly the foundation that require repair or replacement. Mr. Rhodes summarizes his report that “demolition of the entire structure may be warranted.” He states that the house will soon be unsafe and should be repaired or replaced. However, he also notes that cost of repairing the structural issues is likely to be high.

Mr. Bassett also observed some basic deficiencies of the structure’s construction and subsequent deterioration. The support lacks footers, and the foundation was lightly built at the time and has naturally deteriorated since. The undersized components of the roof structure are also noted, with the observation that the rafters have deflected and cracked and were insufficiently connected to the house’s framing.

Staff inspected the building twice. Our inspections confirmed that the condition of the structure needs to be addressed. The foundation and support system need repair or replacement in areas. Individual beams and joists have deteriorated and ought to be replaced. The roofing structure is based on 2x4 rafters and has weakened over time and should be addressed. These conditions are not unusual for a home of this age. Issues such as these have been routinely addressed on rehabilitation and addition projects.

Since it is the Commission’s primary goal to ensure the preservation of historic buildings, demolition requests are reviewed by staff in detail providing not only an analysis of the information given but an analysis of what questions remain. It is the responsibility of the applicant to prove hardship rather than for staff to disprove hardship. According to articles published by the National Trust for Historic Preservation and the National Alliance of Preservation Commissions, economic hardship requires a property owner to establish that disapproval of demolition denies them all reasonable beneficial use or return on the property. In this case, the building is currently occupied and functioning as a family home.

Not all of the expenses noted in the three rehabilitation estimates provided by the applicant are ones that are considered in an economic hardship case, as they are not needed in order to provide use of the property. In addition, the estimates are unclear as to whether or not they represent full replacement of every feature or some repair. In staff’s inspection, not all features need to be fully replaced in order for the building to be safe for occupancy.

What all documentation concludes is that the foundation, roof and front porch are in need of repair to the extent that full replacement is likely warranted. In reviewing the cost of those features that require replacement and significant repair—foundation, roof and front porch—staff does not find that the costs outweigh the potential post-rehabilitation value of the property.

Staff recommends disapproval of the application for full demolition, finding that there is a reasonable use of the property. The proposed demolition meets Section III.B.1 for inappropriate demolition as it is a historic building and it does not meet section 17.40.420 D for economic hardship as there is a reasonable use for the property.

Sandy Moss, owner, explained that their initial plan was to rehab the project but found that that was not possible. If the application is denied she will be left with an unsafe dwelling that is not feasible to rehab.

Lynn Taylor, designer, explained documents presented as part of the application and expressed her concerns with staff's analysis. She said that the foundation cannot be repaired without new duct work. The porch requires repair.

Shawn Henry, attorney for the applicant, said the concept of reasonable use is not found in the ordinance. He explained their handouts and read some of the engineer's comments.

Ann McGauran, state architect for Tennessee, described how the house has changed over time. She claimed that it is not of the same caliber as other housing because it was constructed as work-force housing. She requested approval.

Amy Corbin, 4500 Elkins Avenue, said that her neighbor reconstructed their house and she knows the Moss family would like to construct a new bungalow.

Carlos Alcaine, Santa Fe, CA, said he has known the family for forty (40) years and been their financial advisor for more than thirty (30) years. The value should be what the cost-basis is.

In rebuttal, Ms. Moss said that staff's analysis was incorrect.

Commissioner Price said that they were bombarded with a lot of information at the last minute including conflicting numbers and reports. He asked staff to respond to the accusations that information was ignored. Ms. Zeigler explained that everything given to them by the applicant and everything that they found on their own was given to the commission. Mr. Hoffman explained that staff reviews estimates line-by-line to determine which costs might be over-estimated or are not relevant to a hardship case. He acknowledged that there were structural issues but not to the point of recommending demolition. He added that it is normal procedure to include a previously submitted permit with a staff recommendation.

Chair Bell said she visited the property in March.

Commissioner Mayhall expressed how difficult it is to approve demolition and its difficult to receive information at the last minute. She said that she drove by today to see the property.

Commissioner Price agreed that it is a lot of information and demolition of historic buildings, is their number one task.

Applicant requested deferral.

**Motion:**

**Commissioner Mosley moved to defer. Commissioner Mayhall seconded and the motion passed unanimously.**

[Commission took a break at 4:03p.m. returning at 4:12pm.]



y. **924 B S DOUGLAS AVE**  
Application: New Construction—Outbuilding  
Council District: 17  
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid [Melissa.Sajid@nashville.gov](mailto:Melissa.Sajid@nashville.gov)  
Permit ID#: T2020063045

Staff member, Melissa Sajid, presented the case for an outbuilding proposal at 924 B South Douglas Ave. The house located at 924 B South Douglas Avenue was constructed in 2007 before the Waverly Belmont Neighborhood Conservation Zoning Overlay was adopted. Given the recent date of construction, the house does not contribute to the historic character of the neighborhood. An application for an outbuilding was disapproved by the Commission at the September meeting. This application has been revised so that the outbuilding meets all guidelines except for the footprint.

The lot is subject to a Horizontal Property Regime or HPR and includes a detached duplex, 924A and 924B South Douglas Avenue. An outbuilding associated with Unit A was permitted by the Codes department in 2014; this was also prior to the overlay. According to the building permit, the footprint of the existing outbuilding on the lot is six hundred-seventy-two square feet (672sqft).

Since the lot is greater than ten thousand square feet (10,000sqft), the maximum total footprint for outbuildings on the lot is one thousand square feet (1000sqft). The proposed outbuilding has a footprint of seven hundred (700 sqft). Together with the existing outbuilding, the total footprint of outbuilding would be one thousand-three hundred-seventy-two square feet (1372sqft), which exceeds the maximum of one thousand square feet (1000sqft).

As proposed, the outbuilding meets the design guidelines for ridge and eave heights and setbacks, but not the footprint. In conclusion, staff recommends disapproval of the project, finding that the proposed outbuilding does not meet Section III.H.1.b (footprint) of the design guidelines for the Waverly-Belmont Neighborhood Conservation Zoning Overlay.

Troy Harper, designer, explained that everything developed on the property was done prior to the overlay. The owner is parking on a busy road, and it will be safer to park in the rear. The requirements do not inspire growth. To meet the guidelines would be hurtful to the community.

Melissa Sajid, in answer to Commissioner Johnson's question, agreed that the guidelines differ from base zoning.

Commissioner Mosley said it is unique since there is an outbuilding in existence constructed prior to the overlay. The limit on outbuildings is to disincentivize where you have both a duplex and two large garages all on one lot.

Commissioners Fitts and Jones said they understand the applicant's argument but based on the guidelines, she agrees with the staff recommendation.

**Motion:**

**Commissioner Price moved to disapprove the project, finding that the proposed outbuilding does not meet Section III.H.1.b (footprint) of the design guidelines for the Waverly-Belmont Neighborhood Conservation Zoning Overlay. Commissioner Williams seconded and the motion passed unanimously.**

z. **1415 4TH AVE N**  
Application: New Construction—Addition  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock, [melissa.baldock@nashville.gov](mailto:melissa.baldock@nashville.gov)  
Permit ID#: T2020062831

Staff member, Melissa Baldock, presented the case for an addition at 1415 4<sup>th</sup> Ave N. 1415 4<sup>th</sup> Avenue North was constructed c. 2010 and is a part of a seventeen (17)-structure development known as Germantown Station. MHZC

approved the project in 2010. The development was constructed under the existing MUN development and is not part of a Specific Zoning Plan. The house at 1415 is #13 on this plan and is the last house in the development along 4<sup>th</sup> Ave North.

The applicant proposed to construct a side porch on the left side of the house.

Although the house is non-contributing, staff finds that the side addition does not meet the design guidelines and the historic context because the house is part of a larger development. At the time the Commission approved the plan for the overall development, the project was already large, and the structures closely located. Increasing the size of these structures, particularly to the side where the additions will be highly visible, is not appropriate because the development is already dense. While MUN does not have a required side setback, the Commission approved the existing left side setback of ten feet (10') in 2010 so that there could be a adequate space between the dense townhouse development and the historic houses to the left of the development along 4<sup>th</sup> Avenue North (Figure 3). Staff finds it is not appropriate to reduce the side setback further with this proposed side porch addition.

In addition, if the addition is approved for this house at 1415 4<sup>th</sup> Avenue North, it could open the door for the other houses in the development to seek to increase their footprints beyond what the Commission approved in 2010.

Because the proposed addition increases the scale of the overall development beyond what the Commission found to be appropriate in 2010, staff finds that the addition does not meet Section V.B. of the design guidelines.

Staff recommends disapproval of the side porch, finding that its location, setback, and scale do not meet Section V.B. of the design guidelines.

Benjamin Katz, owner, explained he now works from home, often from his small front porch which is why he would like the side porch. His neighbor and his HOA are supportive of the idea so he hired a designer. He claimed, if the house were on its own lot it would be appropriate. In his opinion, the porch will improve the streetscape and would not change the view. He presented an image of several historic homes with side porches. He pointed out that no other homes have room to increase their footprint, so his project will not set a precedent.

Commissioner Jones said the original intent was to have some space between the dense new development and the historic home, so she agrees with the staff recommendation.

Commissioner Mosley said he remembered this project when it first came to the Commission. The unit was pushed back and only had a one-story porch, rather than the two-story porches elsewhere in the development, with the intent to lessen the impact of the development on the historic district. For that reason, a side porch would not have been approved as part of the original application and is not in keeping with the design guidelines. It will be too tight to the property line.

Commissioner Price said he appreciated Commissioner Mosley's institutional knowledge of the project.

**Motion:**

**Commissioner Price moved to disapprove the side porch, finding that its location, setback, and scale do not meet Section V.B. of the design guidelines. Commissioner Mayhall seconded and the motion passed unanimously.**

**r. 1906 BLAIR BLVD**

Application: New Construction—Infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

Permit ID#: T2020064048

Staff member, Sean Alexander, presented the case for infill at 1906 Blair Boulevard. A proposal to demolish a non-contributing house and construct a two and one-half story duplex on this lot was approved with conditions in August. The applicant has revised and is proposing to build a new single-family house. The proposal meets the

design guidelines. An outbuilding is shown on the site plan but is not a part of this request. Staff recommends approval of the proposed infill with the conditions listed in the report.

Will Jenner, applicant, stated that he was in agreement with the staff recommendations.

**Motion:**

**Commissioner Price moved to approve the proposed infill construction with the following conditions:**

- 1. 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;**
  - 2. The front setback shall be consistent with the setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;**
  - 3. The window and door selections and roof color shall be approved prior to purchase and construction;**
  - 4. The front porch columns shall be finished with capitals and bases; and,**
  - 5. The HVAC units shall be located on the rear of the building or on the side behind the midpoint;**
- finding that with these conditions, the proposal will meet the design guidelines for new construction in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Commissioner Johnson seconded and the motion passed unanimously.**

**s. 801 RUSSELL ST**

Application: New Construction—Infill and Outbuilding  
Council District: 06  
Overlay: Edgefield Historic Preservation Zoning Overlay  
Project Lead: Sean Alexander  
Permit ID#: T2020063854

[Removed from the agenda due to an incomplete application.]

**t. 4100 ABERDEEN ROAD**

Application: New Construction—Infill  
Council District: 24  
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
Permit ID#: T2020063858

Staff member, Sean Alexander, presented the case for infill at 4100 Aberdeen Road. This is a proposal to demolish a non-contributing house and replace it with a new house. The project meets the design guidelines except for the width.

The house will comprise a forty-two-foot (42') wide central component flanked by one story wings; each eleven feet (11') wide. At just under sixty-four feet (64') wide, the total width is wider than the adjacent buildings and (unlike the height) is not within the range of widths of other historic houses nearby. The house to the left is sixty-one feet (61') wide, on a lot that is thirty-five feet (35') wider than 4100 Aberdeen, and the house to the right is fifty-seven feet (57') wide on a lot that is fifteen feet (15') wider than it. Based on the size of this lot, compared to comparable houses and lots, staff recommends that the width of the new house shall be reduced to fifty-six feet (56').

Van Pond, architect for the project said he agreed with all conditions, except for the width. He explained that the existing house sits on a water main, which is the reason for moving the new house and that the lot is really more of a lot and a half. He made the argument that the proposal is appropriate when considering the proportion of house to lot within the context.

There were no requests from the public to speak.

Mr. Alexander, in answer to Commissioner Johnson's question, explained staff's reasoning behind the recommendation. The majority of lots are sixty feet (60') but on the outside bend the lots are wider. He did not

include the sixty foot (60') wide lots in his comparison of the historic context since the lot is wider. The lots were not wider by the same proportion.

Commissioner Fitts said she was compelled by the applicant's argument as there are various ways to calculate the width. The footprint is larger than what is there, but the width will be the same as what is there.

Commissioner Mosley saw value in both the staff and the applicant's calculations but just looking at the solids-to-voids, the proposal is appropriate and does not contrast greatly with the context.

Commissioner Jones agreed with Commissioners Fitts and Mosley.

**Motion:**

**Commissioner Fitts moved to approve the proposed infill construction with the following conditions:**

- 1. The foundation material shall be different from that of the primary wall material;**
- 2. All materials shall receive final approval from staff prior to purchase and installation: foundation material, window and door selections, roof colors; driveway and walkway; and**
- 3. The HVAC units shall be behind the midpoint of the building;**

**finding that with these conditions, the proposal meets the design guidelines for new construction in the Cherokee Park Neighborhood Conservation Zoning Overlay. Commissioner Jones seconded and the motion passed unanimously.**

**u. 1905 HOLLY ST**

Application: New Construction—Infill and Outbuilding; Setback Determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid [Melissa.Sajid@nashville.gov](mailto:Melissa.Sajid@nashville.gov)

Permit ID#: T2020063209 and T2020063087

Staff member, Melissa Sajid, presented the proposal for infill at 1905 Holly St.

Prior to this meeting you received an email from a neighbor who expressed concerns about the proposed setback determination for the outbuilding. The applicant has requested to defer the outbuilding and setback determination to work with the neighbors. As proposed, the infill meets all the design guidelines, and the height and scale are appropriate for the historic context. Here are the front and right-side elevations.

In conclusion, staff recommends approval of the proposed infill with the conditions outlined in the staff recommendation.

Cheyenne Smith, applicant, was present but chose not to present.

Commissioner Price, said he is impressed with the high-quality and sensitive designs that are being proposed for replacement construction, due to the tornado.

**Motion:**

**Commissioner Price moved to approve the proposed infill at 1905 Holly Street with the following conditions:**

- 1. 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;**
- 2. The front setback shall be consistent with the setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 3. MHZC staff shall review the final selections for the windows, doors, roof colors, and porch columns prior to purchase and installation; and,**
- 4. The utility connections and HVAC units shall be located behind the midpoint of the building on a non-street facing façade;**

**finding that with these conditions, the project meets the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay. Commissioner Johnson seconded and the motion passed unanimously.**

**v. 521 ACKLEN PARK DR**

Application: New Construction—Infill and Outbuilding

Council District: 24

Overlay: Richland-West End Addition Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock [Melissa.Baldock@nashville.gov](mailto:Melissa.Baldock@nashville.gov)

Permit ID#: T2020062887 and T2020062894

Staff member, Melissa Baldock, presented the case for infill and outbuilding at 521 Acklen Park Drive.

Acklen Park Drive does not contain any contributing houses, and there has been a lot of infill on the street, some approved prior to the overlay but many approved by MHZC. Staff looked to nearby Murphy Road and Greenway Avenue for context. The project for infill and a garage meets all the design guidelines, for this area of low historic context. Staff recommends approval with the conditions noted in the staff report.

The applicant was not present and there were no public comments.

**Motion:**

**Commissioner Mayhall moved to approve the proposed infill duplex and outbuilding with the following conditions:**

- 1. The finished floor height shall be consistent with the finished floor heights of the adjacent historic house, to be verified by MHZC staff in the field;**
  - 2. Staff approve the roof color, porch floor and steps, windows, doors, driveway material, and walkway material 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 infill and outbuilding meet Section II.B.1 of the design guidelines for the Richland-West End Addition Neighborhood Conservation Zoning Overlay. Commissioner Price seconded and the motion passed unanimously.**

**w. 117 BOWLING AVE**

Application: New Construction—Infill and Outbuilding

Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock [Melissa.Baldock@nashville.gov](mailto:Melissa.Baldock@nashville.gov)

Permit ID#: T2020062900 and T2020062910

Staff member, Melissa Baldock presented the case for 117 Bowling Ave. The infill proposal meets the design guidelines. Here are some context photos. The houses in the immediate vicinity are largely one and one-and-a-half stories in scale. The project includes a one-and-a-half story outbuilding that does not contain a dwelling unit. The outbuilding meets the design guidelines. Staff recommends approval with the conditions noted in the staff report.

Lucas Chesnut, applicant and Chris Goldbeck, designer, agreed to the conditions and there were no requests from the public to speak.

**Motion:**

**Commissioner Jones moved to approve the project with the following conditions:**

- 1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. Staff approve a masonry sample, the roof shingle color, all windows and doors, and the driveway material prior to purchase and installation;**

**3. The project include a front walkway from the sidewalk to the front porch, and staff approve the material of the walkway; and**

**4. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house; finding that with these conditions, the proposed infill and outbuilding meet Section II.B. of the design guidelines for the Richland-West End Neighborhood Conservation Zoning Overlay. Commissioner Fitts seconded and the motion passed unanimously.**

**x. 918 ACKLEN AVE**

Application: New Construction—Infill and Outbuilding

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock [Melissa.Baldock@nashville.gov](mailto:Melissa.Baldock@nashville.gov)

Permit ID#: T2020062913 and T2020062916

Staff member, Melissa Baldock, presented the case for 918 Acklen Ave. 918 Acklen is currently a vacant lot. In February 2020, the Metro Planning Commission approved the subdivision of the lot into four lots. The Commission has already reviewed infill for some of these lots, and this project is a new design. The infill will meet all base zoning setbacks and its front setback is compatible with the immediate historic context. The house is two-stories, which staff finds to be appropriate because there are several two-story historic houses in the immediate vicinity. Staff finds that the infill's height, scale, roof form, orientation, materials, setbacks and overall design meet the design guidelines. The garage's height, scale, and overall design meets the design guidelines. Staff recommends approval of the project with the conditions noted in the staff report.

Andrew Heideman, applicant, requested a approval.

**Motion:**

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

- 1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
  - 2. Staff approve the masonry samples, all windows and doors, the roof shingle color and texture, and the driveway material 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 proposed infills meet Section III. of the design guidelines.**

**Commissioner Mayhall seconded and the motion passed unanimously.**

**VII. OTHER BUSINESS**

**y. RULES OF ORDER REVISION**

Ms. Zeigler explained that staff was recommending three revisions to the rules. One is to simplify the language around the commission's required annual continuing education. Another is to delete a sentence that only allows commissioner to visit sites one at a time. If we follow all the other requirements for site visits, already included in the Rules, we should be fine to meet as a group. And lastly, she recommended removing the definitions which are duplicates of what can be found in the ordinance and/or design guidelines.

**Motion:**

**Commissioner Mosley moved to approve the revised Rules of Order. Commissioner Jones seconded and the motion passed unanimously.**

Ms. Zeigler let the Commissioners know that staff had created a series of 3-5-minute videos to give an overview of the consolidation project, in the hope of bringing the project back to the Commission after the first of the year.

Meeting was adjourned at 5:28 p.m.

RATIFIED BY COMMISSION ON 11/18/2020