

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

January 18, 2017

Commissioners Present: Chairman Brian Tibbs, Sam Champion, Kaitlyn Jones, Aaron Kaalberg, Ben Mosley, Ann Nielson, Cyril Stewart

Zoning Staff: Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Robin Zeigler (historic zoning administrator), Macy Amos (city attorney)

Applicants: Allen Thomas, Sean Henry, Michael Rhodes, David Drake

Councilmembers: Burkley Allen, Brett Withers

Public: Richard Moore, Kevin Wisniewski, Michael Kreyling, Christine Kreyling, Rich McCoy,

Chairman Tibbs called the meeting to order at 2:09 p.m.

I. RECOGNITION OF COUNCILMEMBERS

None

II. APPROVAL OF MINUTES

a. December 21, 2016

Motion:

Commissioner Stewart moved for the consent agenda to be heard before the overlay recommendation.

Commissioner Mosley seconded and the motion passed unanimously.

Chairman read notes about the meeting procedure and process for appeals.

III. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTION

b. 2808 BELMONT BOULEVARD

Application: Historic Bed & Breakfast

Council District: 18

Project Lead: ROBIN ZEIGLER

Staff member, Robin Zeigler, presented the request for a Historic Bed and Breakfast overlay at 2808 Belmont Blvd. It is a Bungalow style home built in 1928 at the corner of Belmont Blvd and Kirkwood Avenue. The full history is provided in the staff report. The building is listed as a contributing building to the Belmont-Hillsboro National Register District and therefore meets criterion 4 of section 17.36.120 of the zoning ordinance.

Finding that the property qualifies as a historic building and because no exterior alterations or signage is requested, staff advises the Commission to recommend approval of the proposed home to the Metro Council with the condition that the applicant obtain a permit for the new use from the Codes Department.

Councilman Allen said that there will be a neighborhood meeting to talk about the project in a broader perspective but from a historic standpoint the project meets the criteria.

There were no requests from the public to speak.

Motion:

Commissioner Stewart moved to approve the recommendation. Commissioner Nielson seconded and the motion passed unanimously.

621 A HILL ROAD

Application: Historic Landmark
Council District: 04
Project Lead: ROBIN ZEIGLER

The owners of 621 Hill Road are requesting a Historic Landmark as a condition of their SP request with the Planning Commission.

This property is part of an early rural homestead. The principle building was constructed in the early 1800s and the log outbuildings were moved to the site in the 1920s. The property also includes an early 1800s cemetery.

The full history is in your report. The property is an outstanding example of an early Middle Tennessee rural estate that developed into an increasingly suburban neighborhood. The property also has an association with several prominent Tennesseans who influenced the social, economic, and built environments of Nashville, including John Alford and James May. The property is eligible for listing in the National Register of Historic Places and therefore meets part 5 of section 17.36.120 of the zoning ordinance.

Staff suggests that the MHZC recommend to Council approval of a Historic Landmark overlay for 621 Hill Road and to use the existing design guidelines for Historic Landmarks to guide future alterations, finding the building meets criterion 5 of ordinance 17.36.120.

Councilmember Swope could not attend but wanted commissioners to know that he supports the request.

Allen Thompson, representing client/applicant Turnberry Homes, requested to move forward as conditioned in report.

Richard Moore, 625 Hill Road, asked about the new development. Ms. Zeigler explained that the property will be split into two sections. One will be the new development and the other will be the Landmark. Any new construction on the Landmark site would be required to meet the design guidelines. The new development on the other half of the property will not be reviewed.

Motion:

Commissioner Stewart moved to recommend approval of the Historic Landmark to Council and to adopt the existing Historic Landmark design guidelines to guide future changes. Commissioner Nielson seconded and the motion passed unanimously.

IV. CONSENT AGENDA

c. 1116 BOSCOBEL STREET

Application: New construction-addition; Outbuilding
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

d. 3711 WHITLAND AVENUE

Application: New construction-addition and setback determination
Council District: 24
Overlay: Whitland Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

e. 926 WALDKIRCH AVENUE

Application: New construction-addition

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member Paul Hoffman read the items on consent.

Motion:

Commissioner Nielson moved to add 2115 Westwood Ave to the consent agenda. Commissioner Champion seconded and the motion passed unanimously.

Motion:

Commissioner Nielson moved to approve all consent agenda items, including 2115 Westwood, which was under “previously deferred items” with their applicable conditions. Commissioner Champion seconded and the motion passed unanimously.

V. PREVIOUSLY DEFERRED ITEMS

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

f. 2115 WESTWOOD AVENUE

Application: New construction-outbuilding

Council District: 18

Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid

Project was moved to consent.

VI. MHZC ACTIONS

g. 1102 FORREST AVENUE

Application: New construction-addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Robin Zeigler

Staff member, Robin Zeigler explained that this was a case the Commission reviewed and denied last month (December 21, 2016); however, this is a new request with a new design. The purpose of the request is to correct and mitigate work that was done without the proper permits. After last month’s hearing staff and Commissioner Mosley met with the applicants, (staff met with them multiple times) to provide some alternatives and direction.

The principle difference from what you saw last month is that the building now has a cross-gable roof rather than a flat roof. The location meets the design guidelines and additional information is needed regarding materials.

The overall height is approximately 26’. The commission typically doesn’t allow more than 24’ but this is shorter than the existing house. The square footage is greater than the principle house and is wider than the house, which the commission also typically doesn’t allow, therefore staff recommends capping any future additions to the house to 125 square feet.

Because of the desire to have a roof pitch similar to the existing, the fact that the building will be subordinate to the principle building, and the CS zoning with its associated bulk standards, Staff finds that the project meets the design guidelines.

Staff recommends approval with the conditions that:

- Any future addition of the historic building not exceed 125 square feet;

- Staff review materials; and,
- The HVAC is located at the rear of the building.

With these conditions, staff finds the project to meet section II.B.8 of the design guidelines for outbuildings.

Sean Henry, legal representative of the restaurant owners, stated that he agrees with the staff recommendation. He said that the outbuilding had a commercial use since the 1970s until at least 1993, according to codes. He submitted documentation for the record to support that claim. Only two of the properties zoned CS in the immediate vicinity have outbuildings that are larger than what the design guidelines call for, so there should be no concern about setting a precedent. This parcel is one lot off 11th Street. The corner building has an outbuilding that is larger than this one so they want to add on to this building for the purpose of kitchen and bathrooms. The space is going to be used for service and public health. He provided an aerial that shows the location of multiple restaurants and the proximity of this lot to those. This one is also unique in that it backs up to a gas station.

Kevin Wisniewski (1108 Gartland Ave), stated he is not opposed to the project but he is angry about how the process has been handled. The staff has failed them by not applying the design guidelines and thereby forcing the neighborhood into being the bad guys. The addition will be double what is normally allowed and doesn't meet the established setbacks. The addition should be allowed to stay as long as it doesn't set a new policy for other CS properties and the roof is now allowed over the addition.

Rich McCoy, East End Neighborhood Association, read a prepared statement which he provided to staff to include in the minutes. *Thank you for the Commission for hearing us today. I am here representing East End Neighborhood Association who shares these guidelines with the Lockeland Springs Neighborhood. I would like to thank the MHZC staff and property owners /tenants for continuing to work together on this matter regarding the design of this outbuilding in an attempt to meet the guidelines for outbuildings as it applies to LSEE Conservation Overlay. We as a neighborhood want to see this project succeed.*

MHZC staff states in the report that the addition to the outbuilding that now exists on the property at 1102 Forrest was constructed without a Preservation Permit as well as the appropriate Building Permit. Which by the Metro Charter of Ordinances makes this a building codes violation and illegal structure. Proper conservation overlay review or plans review seemingly did not occur prior to the construction of this now existing structure. This was also stated at the previous hearing in December.

(As a side note, I would ask that the staff review the statement that the heights of the original structure on this project are unknown. An application to add a sloped roof to the original outbuilding should be on file from 1997, as well as there being plenty of clear images on Google Maps, street view)

In December the concern of the neighborhood was three-fold. First was a request to the staff to discern why the matter of overlooked plans review occurred in the first place. Second, if the staff and commission are not going to ask the owners/tenants to demolish the unpermitted structure, that they work with staff to bring the design of the structure as close to compliant with the guidelines as possible. Third, to remove the policy and precedent setting language from the report, basically references to the base CS zoning as an excuse for allowing variances from the very clear outbuilding guidelines.

Here we are at the January commission meeting. The neighborhoods still do not know where this process failed or been given any indication that the staff has made any attempt to find out. Second, the MHZC staff and owners/tenants have seemingly worked together to produce a design that is closer to the guidelines for outbuildings, we thank you for doing that. And finally the language that sets policy and precedent has not been removed from the recommendation or report.

When we were here in December there was clear discussion among the commissioners that the language references to the property base zoning to allow variances within the guidelines was creating policy that had not been introduced or reviewed by the neighborhoods who created this conservation tool and are protected by these guidelines.

According to the recommendation for 1102 Forrest the staff has referenced the CS base zoning to excuse variances from the guidelines in regards to: Height & Scale, Massing in relation to the primary structure, Setbacks & Roof Form. That's not just one variance based on a hardship; it's basically the entire structure. And remember these

variances are not due to timely requests or consideration by the Commission they are a product of an unpermitted construction and mistakes made at the plans review level. Issues the neighborhood has no control over. The commission and staff are aware of this but I want to remind them that numerous projects with similar context have been through this process within the LSEE Overlay. Those that I refer to are single-family developed properties within commercial base zoning which allow for greater bulk standards including CS, CN, MUL and MUN. In no prior case has the base zoning been used to justify variances from specific guidelines in the overlay. Nor have guideline variances been afforded these exceptions by the existence of the base zoning.

What we are asking is that the Commission remove the base CS zoning language from the recommendation. If there is truly a desire to legislate the differences of how the base zoning applies to the LSEE guidelines then I would encourage the commission and staff to contact the councilperson and appropriate neighborhood forums to make sure this policy is amended with the proper guidance by the neighborhoods they are in place to protect and the appropriate input from all of the stakeholders who live in and use these neighborhoods.

Christine Kreyling, 1201 Holly street, stated that staff has failed by not answering the questions sent to the commission the day prior. The form of the building is residential, even if it is zoned CS and to treat it any differently is highly problematic. Most of Mr. Henry's remarks were not based on architecture but zoning but the Commission deals primarily with design. Use of the word subordinate is questionable.

Michael Kreyling, also of 1201 Holly street, said they are here because someone in Metro screwed up the first time and no one went to find out the answers. The neighborhood will have to rise with the zombies and other properties where the commercial zoning takes precedent. If you allow this flawed and corrupt deal then you will have crossed the line and will become a part of the problem.

Mr. Henry rebutted that there is no record of the building being used for a residential purpose, which is confirmed with the handout submitted. The structure is non-contributing. The original applicant submitted an affidavit regarding the permitting process. There are facts and circumstances here that give you the ability to approve the project without setting a precedent.

Councilman Withers said there is a lot of will on the part of the neighborhood to work with the applicant. There is a degree of irony if the commission disapproved a building last month and then approved a larger building the next month; however, the new design is a better fit for the neighborhood. There has been a lot of discussion with community leaders. Metro failed in the permitting process. He agrees with the neighborhood that decisions have not been made based on zoning. There is a concern that it sets up an alternate set of design guidelines. If there a desire to revise the design guidelines he would be happy to convene public meetings regarding that. Any reference to base zoning as affecting design guidelines is unprecedented and not something that they want to see happen. The building is not subordinate to the principle building. The form and design aesthetic is an improvement. The roofing should not continue over the addition and that may help to reduce the massing. He is supports if the upstairs massing is reduced and there is no reference to base zoning.

Commissioner Nielson expressed concern about compromising the design guidelines, even if it doesn't set a precedent.

Commissioner Mosley asked legal for clarification of their role in setting appropriate setbacks.

Commissioner Kaalberg said as always we have our design guidelines that are broad and vague and allow for discretion. The italicized information is there to memorialize past decisions. If approved they are approving a new policy and that needs to be stated. It has a larger footprint and it's taller than what is typically allowed. It specifically says that they shouldn't be more than 3' to the property line. There has been no discussion with the adjacent property owner. They have reminded applicants in the past that the base zoning doesn't matter to their review process and the entire staff opinion relies on the base zoning. There have been a number of applicants that have not been able to get something like this and they will want to understand what has changed. What changed is there was a disaster in the permitting process and they are now asked to compromise.

Commissioner Champion said he finds it problematic that codes competes with the design guidelines. It had nothing to do with the project but with the permitting process. Commissioner Kaalberg said there need to be discussion about the particulars of the project. Champion said that the decision today will not change the policy.

In answer to multiple comments and questions regarding the permitting process, Ms. Zeigler explained that Codes told her that the project was broken up because the applicant wanted to get started right away yet not all elements of the proposal were possible to be permitted immediately; therefore a rehab permit was issued for interior work. It was that permit that was brought to historic staff. Since the commission does not review interior work, the permit was signed off with an “ignore,” which means no historic review required. Then work began that was beyond the scope of the issued permit.

Commissioner Stewart said he walked the property and recognized what the design guidelines were written for, which is more of a residential property, so he understands the struggle.

Commissioner Kaalberg said if approved it needs to be on a basis for distinguishing this particular lot and not on the base zoning. Overall it is a good process. It might be different if the applicant hadn't already started construction. Immediacy to commercial district might be a reason as there are many structures in the immediate vicinity that are not residential in form. It is half a block from Five-points. The design guidelines didn't contemplate that tiny piece of a much larger project.

Commissioner Mosley noted that the house, as it is, is preserved and this isn't as egregious as some projects that they have approved that include large outbuildings and large additions, which is not the case here. This may be better than a large addition to the house that causes more changes to the historic building.

Commissioner Kaalberg said there is real value in the fact that the original house isn't getting a large addition. Maybe the condition shouldn't be a limit to 125 square feet but should be that no addition is allowed. There was discussion with legal on how such a condition could be upheld and it was agreed that a filed restrictive covenant would accomplish the goal.

Motion:

Commissioner Kaalberg moved to approve based on plans submitted and Staff's recommendation with the conditions that:

- **Applicant records a restrictive covenant that there will not be any future additions to the historic building;**
- **Staff review materials; and,**
- **HVAC be located on the back.**

Commissioner Champion seconded. Commissioner Stewart moved to add to the motion that the decision is based on the uniqueness of the lot and not based on its zoning. Commissioner Mosley seconded the amendment. The amendment passed unanimously. The motion passed with Commissioner Nielson in opposition.

1906 BERNARD AVENUE

Application: New construction-infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Melissa Baldock presented the case for infill at 1906 Bernard Avenue. The lot is currently vacant. MHZC staff issued an administrative permit for the demolition of the non-contributing structure formerly on the lot in October 2016. There is a substantial cross slope on the lot so that the left side of the lot is higher up than the right side. 1906 Bernard is the only lot on this section of Bernard Avenue that is oriented towards Bernard. All other lots have side lot lines that face Bernard. There is a side alley along the right side of the property.

The lot is zoned R8, which typically means that two residential units are permitted on lots larger than eight thousand square feet (8,000 sq. ft.). This lot is seven thousand, five hundred square feet (7,500 sq. ft.), which means it is a

substandard lot size. Even though the lot is substandard in size, the Codes Department has determined that a new duplex can be built at this location because the former structure on the lot was a non-conforming duplex. The Commission does not have the authority to approve the use. This recommendation is for the design of the building based on the proposed use.

Showing photos of the immediate context, Ms. Baldock noted that the contributing houses in the immediate vicinity are one to one and a half stories, with heights ranging from 22 to 30'. The proposed duplex will be a front to back duplex, with one unit in the front and another at the back. The house is approximately thirty-two feet (32') wide at the front, which is appropriate. The house's depth and overall footprint, however, do not meet the historic context. The house will have a depth of over 102' and a footprint of approximately 3,100 sq. ft. The house is over 40' deeper than typical historic houses in the immediate vicinity, and it is on a shallower lot than most.

The proposed duplex has one primary entrance facing Bernard Avenue, giving the front facade the appearance of a single family house. The proposed infill is two stories at the front. Although there is a one-story bay at the front, the predominant form of the house is that of a two-story structure. The infill has an eave height of over twenty-three feet (23') and a ridge height of thirty-one feet (31'), measured from grade at the front.

Staff finds that the proposed height does not meet the historic context. Historic houses in the immediate vicinity are predominantly one-and-a-half stories in height, with heights between twenty-two and thirty feet (22'-30'). Although there is a three-story apartment building across the street, staff finds that the new infill at 1906 Bernard Avenue should fit in with the historic character and scale of the single family and duplex houses in the immediate vicinity. In addition, because the lot is smaller in area than surrounding lots, the infill should maintain a modest size. Any infill on this site should be one-and-a-half stories and around twenty-five feet (25') tall – or 6' shorter than what is proposed. The two-story form of the house, its overall height of thirty-one feet (31') at the front, and the large depth and overall footprint combine to make the proposed infill out of scale for the immediate context.

The entrance to the rear unit is on the left side elevation, towards the rear. It has a porch that is six feet, six inches (6'6") deep. Because the side porch and entrance is all the way at the rear, it is not highly visible and reads as a secondary entrance, which is appropriate. Because of the slope of the site, the right side of the house is 3 stories and 40' tall, which staff finds to be too large for the historic context. This right facade contains two attached garages, at basement level, accessed via the alley.

Staff has some concerns about the proposed materials. The applicant is proposing a brick foundation with brick walls above. Typically, the Commission has asked for a change in material at the foundation line to differentiate the foundation from the wall above. The continuous brick wall accentuates the height of the house, which is already out of scale, particularly on this right facade. In addition, the front bay is partially clad in stone, and the change in material from brick to stone occurs about three feet (3') above the floor line. It is more typical for the change in material to occur at the foundation line. The reveal of the lap siding was not called out on the elevations, but it measures to be six inches (6") or larger. The design guidelines state that lap siding should have a maximum reveal of five inches (5"). In order for the project to meet Section II.B.1.d. of the design guidelines, there would need to be a change in material from the foundation to the wall above, the change in material on the bay would need to occur at floor level, and the lap siding would have to have a maximum reveal of five inches (5").

The proposed fenestration pattern does not meet the design guidelines on this right facade. There are several high, horizontal windows, which do not meet the historic proportion of window openings. In addition, because the windows on the main level are so high up, there are perceived distances of twenty-one feet (21') and forty-two feet (42') of wall space without a window and door opening. Staff finds that the windows do not meet the design guidelines.

In conclusion, Staff recommends disapproval of the project, finding that the height, scale, proportion and rhythm of openings, and foundation material do not meet Section II.B. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Michael Rhodes, applicant, said that they made all requested changes except for the size of the building. He feels it is appropriate because of the apartment building across the street. He has used less than 45% of the lot.

Councilmember Allen appreciated the willingness to make the façade changes. Over the 5 years she has represented this district she has heard repeated concern that the Commission was allowing projects that are out of scale. She appreciates Staff upholding the design guidelines and feels like “ya’ll have come home.” They are seeing a need for homes to be of modest affordable sizes. This is a neighborhood of 1.5 to 2 story historic homes and she hopes that that will be considered in the decision. It is a strong desire of the neighborhood that the massing be given equal weight to windows and façade alterations.

In his rebuttal, Mr. Rhodes stated that the lot is the only lot that faces Bernard in this area except for the 3-story apartment building across the street. He said he took pictures of homes in the neighborhood. *Photographs were not presented to the Commission.*

Commissioner Stewart said he drove and walked the neighborhood and agreed that the massing proposed would drastically change the context of the neighborhood and be highly visible. There is a great opportunity for appropriate rebuilds that express the wishes of the neighborhood and meet the design guidelines.

Motion:

Commissioner Stewart moved to disapprove. Commissioner Nielson seconded and the motion passed unanimously.

h. 1409 ASHWOOD AVENUE

Application: New construction-addition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the case for an addition at 1409 Ashwood Ave.

1409 Ashwood Avenue is a contributing house, Craftsman style circa 1925. From the front it has a one and one-half story bungalow form, with a semi-saltbox roof that gives it a two-story form from the right side and rear. The applicant is proposing to enlarge the house with a rear addition.

Mr. Alexander gave an abbreviated background of the project.

An addition was first designed in June of 2015 to be essentially one proper story with a basement-level garage, with a partially enclosed deck area above. The addition stepped from the sides of the house and below the roof. Staff found the addition appropriate and approved it administratively.

Within a year revisions were made to make it deeper, wider, and taller with a more substantial 2nd story porch. Instead of a railing the deck got a 3’ tall half-wall with an open rail. Staff found that it still met the design guidelines and the revisions were approved administratively.

In November of last year this was revised again to be wider and deeper still, increasing the height of the half-wall to six feet, and adding an open stair along 15th Avenue façade. Staff found that the increased scale warranted the Commission’s review, and with Staff’s recommendation to do so it was approved.

The plans have been revised again, and these changes constitute the 11th distinct version that has been submitted, and Staff finds that the increased scale is not appropriate.

This history was provided to show that gradually growing from one change to the next is not a big change per se, but having looked back like this, it’s easier to see how much larger it has gotten.

MHZC has approved additions to be taller than an historic house before, but on this lot with such a significant drop in grade, the already tall house gains a very large and tall basement. To add more height above the roof of the house is not subordinate or compatible. The width of the addition has also increased, where it had been stepped in on both sides there is now an alcove after which the addition aligns with the left side of the house, and there are stairs on the

right side that match the width of the house. This in and of itself may be appropriate, but in combination with the expanded depth and additional height, together the scale of the addition is too great.

This photo shows additions next door at 1407 Ashwood, and four doors down at 1401 Ashwood, with elevations below. 1407 was approved to add 19' of depth whereas the one proposed at 1409 would add 36'.

Further into the block at 1401 is an addition that was approved to be 19" taller, but that taller wing is only 21' deep and 19' wide. Again, this applicant is asking for 36' of depth, 34' of width, and 23" taller than the house. It's important to note that this is on a corner lot whereas those lots are 50' and 200' in from the side street. Also, the guidelines require additions to be subordinate, and seeing them constructed one might argue that we could have been more conservative in that regard.

Staff recommended approval with conditions considering the context, location on a corner lot, the effect of the grade of the lot, visibility, and relation of the proposed addition to the historic house.

Commissioner Mosley asked for clarification of foundation material. Staff asked for the wider reveal of siding at the foundation level as its reveal is more akin to the height of stone.

David Drake, 2003 Riverside Drive, first addressed the number of times the project has been reviewed, which was based on his designer and his changing needs. He removed a decayed tree. He had a presentation showing other additions in the neighborhood and describing his plan. He is interested in the additional height to capture the view.

Commissioner Stewart asked if there was a hardship that would justify the additional height. Mr. Drake said he did not have a reason other than he will live there full time.

Commissioner Mosley stated the railing proposed will impede the view more than lowering the height of the addition. Commissioner Mosley noted that they have approved other projects that include additional height; however, this addition will be highly visible because it is a corner lot and even the back will be readily visible.

Commissioner Stewart said that the bump-up will detract from the historic home and there was no hardship presented.

Motion:

Commissioner Stewart moved to approve with the conditions that:

- **The roof of the addition shall be lowered to be no taller than the ridge of the existing roof;**
 - **Staff shall approve the windows, skylights, doors, garage doors, roof material and color, porch screen, and any other materials not yet identified; and,**
 - **Staff shall approve the material of the driveway and location of HVAC unit prior to permitting;**
- finding the project to meet the design guidelines. Commissioner Nielson seconded and the motion passed unanimously.**

Commissioner Champion left the meeting at 3:52pm, as the staff presentation for 910 Sharpe Avenue was beginning, and returned at 3:55, before the end of the staff presentation.

i. 910 SHARPE AVENUE

Application: New construction-infill

Council District: 5

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member Melissa Baldock presented the case for new construction at 910 Sharpe Avenue. 910 Sharpe Avenue is an application to construct two detached houses on one lot. The current house on the site is a non-contributing structure that dates from c. 1951. In November 2016, MHZC staff issued an administrative permit to demolish the house.

The lot is steeply sloped so that the back of the lot is approximately 22' higher up than the front of the lot. The lot, which faces Ellington Parkway, is unusually wide at eighty-six feet (86'). It is also relatively shallow at between 103' – 124' deep. 910 Sharpe Avenue is directly across from the Ellington Parkway. It is the only house that is oriented to face Sharpe Avenue. All of the other houses face streets like Manila, Granada, or McFerrin Avenues. In addition, most of the houses in the immediate vicinity are non-contributing. Those that are contributing are small and one-story.

The applicant is proposing to construct two detached residential units on the lot. The lot at 910 Sharpe Avenue is zoned RS5 for single family. However, the Codes Department has determined that since there is an existing duplex on the lot, the applicant can construct two new units. MHZC does not have the authority to approve the use. This recommendation is for the design of the buildings based on the proposed use.

In most cases, when a lot is zoned to allow two units and an applicant wants to construct duplex infill, MHZC requires that the duplex be one structure, fully attached. In this case, however, staff finds that the peculiarities of the lot at 910 Sharpe make two, small, detached units more appropriate than one larger duplex structure. Whereas typical lots in the neighborhood are fifty feet (50') wide, this lot is unusually wide at eighty-six feet (86'). The lot is nearly double the width of a typical lot in the area. In addition, there is little historic context in the immediate vicinity. Directly across the site is the Ellington Parkway, and most of the houses nearby are non-contributing, and those houses and the nearby contributing ones are generally small, one-story cottages. Because of the width of the lot and the lack of historic context, staff finds that in this particular case, two, one-story detached cottages are more appropriate than one larger duplex structure.

The two duplex structures will be identical in height and scale. They will be twenty-five feet (25') wide at the front and sixty-six feet (66') deep. They will be one story, with a maximum height of twenty-feet (20') above the foundation. The foundation is drawn as approximately one foot (1') high at the front, and the elevations indicate that the lot slopes down towards the back. However, the site plan and the images from the site clearly indicate that the lot slopes higher towards the back. Staff recommends that the applicant submit new drawings showing the correct slope of the lot and the foundation height. Staff also recommends that the houses be constructed as mirror images of each other so that the gabled bay for each unit faces the exterior of the lot, where they will be most visible. This will enable the longer façade that has fewer window openings to be less visible and therefore appropriate.

In conclusion, Staff recommends approval of the project with the conditions laid out in the staff recommendation.

The applicant was not present and there were no requests from the public to speak.

Motion:

Commissioner Nielson voted to approve the project with the conditions that:

- **The applicant submit revised drawings showing the correct slope of the lot and the foundation height;**
- **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;**
- **The floor plan and side elevations for Unit B be a mirror image of Unit A, so that the cross gable bay for Unit A faces north and the cross gable bay for Unit B faces south;**
- **Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation; and,**
- **The HVAC shall be located behind the house or on either side, beyond the mid-point of the house; and**
- **Staff approve the roof color and masonry color, dimensions and texture;**

finding the project to meet Section II.B. of the design guidelines. Commissioner Mosley seconded and the motion passed unanimously.

VII. PRELIMINARY SP REVIEW

There are no requests for a preliminary SP review.

VI. OTHER BUSINESS

VIII. ADMINISTRATIVE ACTIONS

j. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

RATIFIED BY COMMISSION ON 2/15/17.