

MEGAN BARRY  
MAYOR



## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

### METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

May 17, 2017

**Commissioners Present:** Chairman Brian Tibbs, Vice-Chair Menié Bell, Kaitlyn Jones, Aaron Kaalberg, Elizabeth Mayhall, Ben Mosley, Ann Nielson, Cyril Stewart

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

**Applicants:** Bill Purcell, John TeSelle and Brian Neal, Jason Quiram, Jackie Daniel, Remick Moore, Charlie Cortis, Michael Ward, John Root, Cheyenne Smith, Andrew Sky

**Councilmembers:** None

**Public:** Burdell Campbell, Sonya Link

Chairman Tibbs called the meeting to order at 2:04 p.m.

#### I. ADOPTION OF AGENDA

Ms. Zeigler noted the items that had been deferred and a request to remove a project from the consent agenda.

#### II. RECOGNITION OF COUNCILMEMBERS

No councilmembers were present.

#### III. APPROVAL OF MINUTES

##### a. April 19, 2017

Motion:

Vice-Chairman Bell moved to approve the minutes. Commissioner Stewart seconded and the motion passed unanimously.

Chairman Tibbs read information about the consent agenda and appeals and provided information about how much time was available for applicant and public comments.

#### IV. CONSENT AGENDA

**NOTICE TO THE PUBLIC:** Items on the Consent Agenda will be voted on at a single time. No individual public hearing will be held, nor will the Commission debate these items unless a member of the audience or the Commission requests that the item be removed from the Consent Agenda.

##### b. 104 5<sup>th</sup> AVE SOUTH

Application: Sign

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Sean Alexander

- c. **602 MCFERRIN AVE**  
 Application: New construction-addition  
 Council District: 05  
 Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay  
 Project Lead: Melissa Baldock
  
- d. **1103 MCKENNIE AVE**  
 Application: New construction-addition and outbuilding (detached accessory dwelling unit), Setback determination  
 Council District: 06  
 Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
 Project Lead: Melissa Baldock
  
- e. **1611 FATHERLAND AVE**  
 Application: New construction-outbuilding (detached accessory dwelling unit), Setback Determination  
 Council District: 06  
 Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
 Project Lead: Jenny Warren
  
- f. **2034 10<sup>TH</sup> AVE S**  
 Application: New construction-addition and outbuilding (detached accessory dwelling unit)  
 Council District: 17  
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay  
 Project Lead: Melissa Baldock
  
- g. **2105 9<sup>TH</sup> AVE S**  
 Application: New construction-addition  
 Council District: 17  
 Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay  
 Project Lead: Melissa Baldock
  
- h. **1608 16<sup>TH</sup> AVE S**  
 Application: New construction-addition; Setback determination  
 Council District: 17  
 Overlay: South Music Row Neighborhood Conservation Zoning Overlay  
 Project Lead: Sean Alexander
  
- i. **2006 WHITE AVE**  
 Application: New construction-outbuilding (detached accessory dwelling unit)  
 Council District: 17  
 Overlay: Woodland-in-Waverly Neighborhood Conservation Zoning Overlay  
 Project Lead: Sean Alexander
  
- j. **1504 PARIS AVE**  
 Application: New construction-addition and outbuilding (detached accessory dwelling unit) and Setback determination  
 Council District: 18  
 Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
 Project Lead: Sean Alexander
  
- k. **2509 BELMONT BLVD**  
 Application: New construction-outbuilding (detached accessory dwelling unit) and Setback determination  
 Council District: 18  
 Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
 Project Lead: Sean Alexander

**l. 1239 6<sup>TH</sup> AVE N**

Application: Demolition-addition; New construction-addition  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock

**m. 3633 RICHLAND AVE**

Application: New construction-infill and outbuilding, Setback determination  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

**n. 4412 ELKINS AVE**

Application: New construction – addition and outbuilding, Setback determination  
Council District: 24  
Overlay: Park & Elkins Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander

**Motion:**

**Commissioner Stewart moved to approve all the items on consent with their applicable conditions and with the exception of 1239 6<sup>th</sup> Ave South. Commissioner Nielson 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.

**o. 500 32<sup>ND</sup> AVE S**

Application: Material violation  
Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

Staff member, Melissa Baldock presented the case for 500 32nd Ave South. 500 32<sup>nd</sup> Avenue South is located at the corner of 32<sup>nd</sup> Avenue South and Blakemore Avenue. In January 2016, the Historic Zoning Commission reviewed and approved infill construction on this lot. An MHZC inspection in late January 2017 revealed that the siding reveal and the foundation material were not installed as per the approved plans. Application is to retain materials installed in violation of the approved permit for infill construction.

The applicant installed the lap siding to have a reveal of approximately seven inches. The design guidelines state that *“cement fiberboard siding, when used for lapped siding, should be smooth and not stamped or embossed and have a maximum of a 5” reveal.”* The preservation permit for the project included drawings, submitted by the applicant, that showed lap siding that measures five inches (5’). In addition, the preservation permit has text, added by MHZC staff, noting that all siding reveal must be five inches or less.

Both the text and the drawings that are part of the preservation permit contain language that states that if changes are made during construction, the applicant must seek approval from MHZC staff.

The design guidelines require siding to have a maximum reveal of five inches (5”) because historically, siding typically had a narrower reveal. Although there are some instances where historic structures have a wider reveal, the more typical historic siding reveal is less than five inches (5”). Even on outbuildings, MHZC has required that siding have a maximum reveal of five inches (5”).

Until approximately 1950, lap siding in Nashville generally had a narrow reveal of between three and five inches (3"-5") with corner boards. Some forms had wider reveals of approximately six to eight inches (6"-8"), but in those cases they had mitered corners. Pressboard (i.e. Masonite) siding, although available much earlier, did not take off as a siding material until the 1950s. This type of siding often had wider reveals of between eight and ten inches (8"-10"). Because the historic context of this neighborhood is primarily buildings constructed prior to 1950, and because the wide reveal with corner boards is generally associated with later time periods than the period of significance for this neighborhood, staff finds the narrow reveal with corner boards to be more appropriate than the wide reveal installed. Staff recommends that the siding reveal be a maximum of five inches.

The drawings for the preservation permit show a brick foundation. Instead of brick, the applicant used a cut veneer limestone for the foundation material. As stone was used historically for foundations and is typically approved by MHZC for foundations, staff finds the stone to be appropriate. However, the foundation line and placement of the infill changed during construction.

On the front façade, facing 32<sup>nd</sup> Avenue, the approved drawings show a consistent foundation line extending from the front porch over across the façade. However, as constructed, the foundation line to the right of the porch is lower. Staff recommends that the foundation line be raised to the right of the porch to provide a consistent line.

The approved Blakemore side façade drawings show that foundation line steps up after the porch for the two story bay and then steps back down. This stepping of the foundation helps to decrease the perceived height of the structure, specifically the projecting bay. The site slopes significantly towards the back, making this area highly visible. However, as constructed, the foundation height is lower, which increases the perceived height and scale of the infill. Staff recommends that the applicant bring the foundation line up and step it to be more in keeping with the approved plans.

Because this is a corner lot, the rear façade is highly visible from Blakemore. It also contains an attached garage, which was approved because the slope of the lot allows for the garage to be at the basement level. The approved drawings show that the foundation material continues around the rear of the building and extends up above the garage doors. However, as constructed, the foundation material at the rear is only eighteen to twenty-four inches (18"-24") above the ground. The siding on this façade extends down nearly to the ground, which increases the perceived height of the rear façade. Because attached garages are only approved at the basement level, it is important for the garage doors to be surrounded by foundation material. In addition, stopping the stone at the rear corner with a corner board is a "give-away" that the stone is a thin veneer and not actual stone. The purpose of continuing the stone fully around the building creates the illusion of a full stone foundation. The foundation line changed during construction and so no longer matches the elevations; therefore, Staff recommends that the stone veneer be stepped down to just below the rear awning and continue at the line around the back of the building, which will keep it just above the garage doors, as originally designed.

Mr. Purcell, attorney for the applicant, explained that the issue regarding the stone on the rear façade was worked out with staff to be at the height of the rear/interior side retaining wall. He believes that the regulation for a 5" reveal is wrong and arbitrary. There is no such restriction on other types of materials such as wood or Masonite. The rule begins in Edgefield and is included in all other design guidelines with the exception of Inglewood district. Inglewood is similar to this extension of the neighborhood and the Inglewood design guidelines are a more modern interpretation.

Mr. Harris explained that he has owned 8 homes placed in the National Register. He purchased a house that was in poor condition and rented to students until he could afford to demolish the building and construct his own home. He admits he didn't pay attention to his permit beyond placing the building permit in the window. He changed the materials based on what his neighbors had. He presented photographs of buildings in the neighborhood and a map showing all the homes that had a 7" reveal. He has not removed it because of the associated cost.

Mr. Purcell asked for approval of the foundation compromise, approval of the siding reveal or to defer the decision until a discussion can be had with the neighborhood and Councilmember Allen. He believes that they will find that the rule should be more in keeping with the Inglewood design guidelines.

Mr. Walker, director, explained that the 5" policy has been in place for more than twenty years, when the commission was looking at substitute materials. As each district has been established there was a review of the historic context and found that the 5" reveal to be compatible. That being said, each decision is on a case-by-case basis and there have been times where a wide siding reveal has been approved as a secondary material or for an addition where the existing building had a wide siding reveal.

Mr. Stewart asked about the legality of the rule. Legal counsel, Macy Amos, encouraged the commission to follow the italicized requirement as their guiding point.

Ms. Zeigler explained that the applicant had agreed to carry the existing stone foundation around the back of the house, as originally approved, at the level of interior-lot line retaining wall. Staff believed that to meet the original intent of the Commission's initial approval with conditions. Commissioner Mosley asked for an extension of the foundation with a 16" wing wall so that the stone is believable as blocks of stone and doesn't look like a thin veneer.

Commissioner Kaalberg asked about the period of significance of this neighborhood compared to the Inglewood neighborhood mentioned by the applicant. Ms. Zeigler and Mr. Walker explained that the two neighborhoods have different periods of significance and different historic context, which is the reason for the different design guidelines.

Chairman Tibbs confirmed that the notes about the 5" were on the permit. Ms. Zeigler said it was and that in addition, the project was drawn with a 5" reveal and so staff assumed that that was their request.

Commissioner Stewart suggested a deferral, in keeping with the applicant's request, and to ask the Staff to confirm that the multiple addresses noted by the applicant as having a wider reveal were actually historic materials.

Chairman Tibbs reminded the Commission that they have had the same requirement for 20 years and so they need to be careful about setting a precedent, if they change the policy. Commissioner Nielson agreed. Ms. Zeigler explained that to review all the buildings in the district to measure the siding reveal is not something that the department has the staff or the funding to accomplish and would not happen in 30 days. She reminded the Commission that what was before them was a violation and that they not try to change the rules in the middle, without proper discussion and research.

Commissioner Stewart said that almost every house on Blakemore is stone or brick and the siding is only in the upper gable fields. In this instance, the siding is highly visible and it is the only house on Blakemore that is fully lap siding.

Chairman Tibbs explained that this is a different situation because it is not a request but a violation. Commissioner Kaalberg said that it is a well-established rule and there have been other applicants who have been made to remove the inappropriate siding. He doesn't see anything about this case that is different from those cases. If they can show that the contributing homes historically had wider reveals, that could potentially change the outcome, but the list provided doesn't specify which siding is original or not.

Commissioner Nielson asked if Staff could provide the applicants with a list of contributing buildings. Ms. Zeigler said that they could, but that wouldn't answer the siding question as you may have a historic building with replacement siding. What would be needed is an architectural historian who would know if a siding is original or based on the form and style of the building.

Commissioner Jones noted that the approval was 5" and the house stands out in the context and she doesn't see a reason for an exception. Commissioner Bell noted that the communication break-down could have been between the owner and the contractor, which they don't have control over.

Commissioner Kaalberg brought up asking the applicant for a deferral. Ms. Zeigler asked that if a deferral is granted that staff be given direction as to what is to take place during that 30 days and she reminded the commission that it has already been deferred. Commissioner Kaalberg asked if the applicant could hire a consultant. Ms. Zeigler said yes that they had names of people who met the Secretary of Interior Standard's but that it was unlikely to happen in 30 days because the study involves hundreds of properties. She also reminded the Commission that in

past cases, all applicants have been required to remove the siding. She has a list of 11 properties, that they could remember off the top of their heads, that had to remove the inappropriate siding. There are more but there is no way to search for just that issue.

Chairman Tibbs said he would feel differently if it was the original request along with a comprehensive study, but in this case, the project was approved and permitted as 5". They need to be careful with their violations.

Commissioner Stewart recognizes the hardship on the owner but it is not based on the hardship of the lot or structural issues. They cannot make exceptions based on a lack of following the permit. Commissioner Nielson informed everyone that there was a great deal of discussion amongst commissioners when hardiplank was first reviewed and that is the product he chose to use.

**Motion:**

**Commissioner Stewart moved to disapprove the lap siding reveal and require that it be replaced with siding with a 5" reveal and to approve the foundation line to continue around the back of the building at the height of the interior/side retaining wall and with a 16" wing wall be added to the corner at the pedestrian door; finding the decision to meet Section II.B. of the Hillsboro-West End Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Mosley seconded and the motion passed unanimously.**

**p. 111 4<sup>TH</sup> AVE S**

Application: New construction-addition

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the case for a rooftop addition at 111 4<sup>th</sup> Ave south.

This is a two-story commercial building, constructed prior to 1897. The building is brick with a hipped roof, which is rare for buildings of this type downtown but it appears to be original.

The applicant is proposing to construct a rooftop addition with a roof deck. The railing on the deck would begin 8' back from the front of the building and the enclosed addition would begin 30'.

These setbacks are the minimums required for rooftop additions for many buildings, however, the project here would require the removal of the original hipped roof.

Demolition of original historic features is not appropriate under the sections of the guidelines for additions or demolition.

The application also includes extending an existing external stair up to the third level. In looking through the files to put this presentation together, it seems like that side stair showed up after the MHZC approved a rear addition, but it's not clear if the stair itself was actually approved by the MHZC.

Commissioner Kaalberg asked if there are roof forms other than the typical flat roof in the district. Mr. Alexander said that there are three with a gable roof.

John TeSelle, architect for the project, said that they do not think that the roof form is original. It has a low pitch and is not very visible. The lot is not as deep as other lots in the area where there is more flexibility to have both a rear and rooftop addition.

Brian Neal, attorney for the project, provided examples of other projects that had been approved that he felt was similar to their request. They have revised the plan in the last couple of days to keep 2 of the 5 chimneys, since submitted the current design. The roof cannot be seen from the street, in a close vantage point so they claim that the roof is not a character defining feature. He provided other examples of projects that were approved that he finds to be similar and explained them. They submit that character-defining features have been loosely defined and to not approve this project would be an arbitrary decision.

There were no requests from the public to speak.

Commissioner Nielson reminded the Commission that the state historic preservation office warned them recently that the National Register designation was in jeopardy because the new construction that has been allowed.

Commissioner Mosley said this one gets back to the Secretary of Interior Standards that states a character defining feature should not be removed and the roof form is character defining feature and significant. Commissioner Jones agreed and stated that the roof form is very visible from the street and the chimneys are also significant. Commissioner Mosley added that because the design guidelines permit a rooftop use doesn't mean that it is appropriate for every building and removing the roof doesn't meet the design guidelines in any way.

**Motion:**

**Commissioner Jones moved to disapprove the rooftop addition, finding that the request does not meet the design guidelines for rehabilitation (II.L.), additions (III.H.3) or demolition (V.1). Commissioner Stewart seconded and the motion passed unanimously.**

**q. 714 SHELBY AVE**

Application: New construction-infill

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Paul Hoffman

Staff member, Paul Hoffman, presented the case for new construction at 714 Shelby Avenue, an application for new construction of a two-family residence on this vacant lot. The proposed building is a story and a half with a height of 27 feet from grade. It is 40 feet wide. The height and width are within the range established by neighboring buildings. It has a split-face block foundation, a shingled roof, and fiber-cement siding as the primary cladding. Staff finds that the proposal meets the design guidelines for Setback & Rhythm of Spacing, Materials, Orientation, and Proportion & Rhythm of Openings. However Staff did not find that the proposal meets the section on Building and Roof Shape due to the projecting bay at the front. There are examples of a projecting front bay in the district, but these are normally offset to one side of the porch and are subordinate to the main roof form of the house. As submitted, Staff does not find that the building meets the design guidelines for compatibility of building shape and roof form. Staff and the applicant went over different options, but as redesigning this portion of the building constitutes multiple alterations to it, Staff's recommendation is for disapproval, finding that the application does not meet Sections III.B.2.c and III.B.2.d of Edgefield's design guidelines.

Jason Quiram, explained that he thought the project would be approved by the Commission. He would like to have approval with conditions worked out by staff. He provided photographs showing the inspiration for his design.

He presented another option that includes a full width porch. Commission Nielson noted that they have to rule on the option proposed in the application and cannot review a new design at the meeting since they haven't had a recommendation by staff or time to review the proposal in advance.

There were no requests from the public to speak. [Email from the neighborhood was forwarded to the Commission prior to the meeting.]

Commissioner Kaalberg discussed other approvals and the historic context.

Commissioner Mosley applauded the applicant for the scale of the duplex. A solution for the privacy issue could be solved by removing the hierarchy of the two-story form and providing the front entrances more prominence, as seen historically. Having a full-width porch, as shown in option B, is more in keeping with the context.

**Motion:**

**Commissioner Mosley moved to disapprove, finding that it does not meet Sections III.B.2.c and III.B.2.d for compatibility of building shape and roof form. Commissioner Nielson seconded and the motion passed unanimously.**

**r. 300 BROADWAY**

Application: Alteration-lighting  
Council District: 19  
Overlay: Broadway Historic Preservation Zoning Overlay  
Project Lead: Robin Zeigler

The application was deferred by the applicant prior to the meeting.

**VII. VIOLATIONS**

**s. 144 WINDSOR DR**

Application: New construction-addition  
Council District: 23  
Overlay: Belle Meade Links Triangle Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for 144 Windsor Drive. 144 Windsor Drive is located within the Belle Meade Links Neighborhood Conservation Zoning Overlay. The site backs up to an area that is not part of the neighborhood conservation zoning overlay. 144 Windsor Drive was constructed in 1991 and is considered to be non-contributing to Conservation Zoning Overlay. In 2011, MHZC approved a rear addition and alterations to the house.

In April, the Codes Administration notified MHZC staff of construction taking place without a building permit and without a preservation permit. The work was the construction of a green wall system. At the April 19, 2017, MHZC public hearing, the Historic Zoning Commission disapproved the applicant's request to keep the green wall structure in its entirety without any changes to it. This current request is a revision to the disapproved plans.

She showed multiple images of existing conditions.

The part of the green roof system that is most visible, along the right perimeter of the house is to be removed. Staff finds that the other sections are only minimally visible from the street and therefore appropriate. In our analysis, staff notes that 144 Windsor backs up to an area that is not in the neighborhood conservation overlay and includes a new home that is significantly taller than any homes in the area. Staff's greatest concern is that a similar wall may be proposed for the many rooftop decks the Commission has approved in recent years. Staff suggests that keeping the rear green wall is appropriate only because the building is non-contributing, the proposed wall only minimally exceeds the existing eave height on the rear and the property backs-up to an area outside of the overlay.

Staff recommends approval of the work with the condition that the applicant remove the portion of the green wall along the right side façade.

Commissioners asked for clarification of the recommendation.

Property owner, Jackie Daniel, apologized for not applying for the permit. She presented photographs of examples of what she is proposing. She agrees with the staff recommendation.

There were no requests from the public to speak.

**Motion:**

**Commissioner Nielson recommended approval of the work with the condition that the applicant remove the portion of the green wall along the right side façade. Vice-chair Bell seconded and the motion passed unanimously.**

*Commissioner Mosley left the meeting at 3:37pm and returned at 3:38, prior to the completion of the staff report.*



## VIII. MHZC ACTIONS

### I. 1239 6<sup>TH</sup> AVE N

Application: Demolition-addition; New construction-addition  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock

Staff member Melissa Baldock presented the case for an addition at 1239 6<sup>th</sup> Avenue North, which is a c. 1890s brick commercial structure that contributes to the historic character of the Germantown Historic Preservation Zoning Overlay (Figure 1). It is located at the corner of 6<sup>th</sup> Avenue North and Monroe Street, and until recently housed the Mad Platter restaurant. Application is to alter the storefront, demolish an existing addition, and construct a new addition.

The applicant is proposing to demolish the existing rear extension. The date of construction of the rear addition is not known, but the 1914 and 1957 Sanborn maps show that there were rear extensions to the structure historically, but their size and depth are different now than they were then. Staff finds that the rear extension's materials, form, roof slope, fenestration pattern, and date of construction do not contribute to the historic character of the historic commercial structure. Staff therefore finds that its removal meets the design guidelines.

The site plan, shows the footprint of the existing addition and the proposed addition at the rear. On the left side, the addition extends out beyond the side wall of the historic structure to be four feet (4') wider than the historic structure. Staff finds that this wider portion is appropriate because it will only be minimally visible from the street and will not denigrate the existing structure's historic character.

The applicant is proposing few changes to the historic structure. The wood trim will be painted, and the brick will remain unpainted. The existing storefront will remain, and the tiles underneath the storefront will either be retained or replaced in kind. The existing storefront awning will be repaired and repainted as necessary.

The addition will be two stories and will match the height of the lower parapet part of the historic structure, which is appropriate. There will be a six inch by six inch (6" X 6") deep channel separating the addition from the historic structure on the Monroe façade. Because the existing addition that is to be removed did not inset from the Monroe wall of the historic structure, and because there is a change in materials from the brick historic structure to the paneled new addition, staff finds that a larger inset is not necessary and that the proposed inset is appropriate.

The ground floor of the proposed addition has a series of four square windows that replicate the look of the storefront transom windows. Because the addition is modern in design and because the side street facades of commercial structures historically had minimal and utilitarian window openings, staff finds these four square window openings to be appropriate.

On the upper level of the addition is a larger picture window opening that will not be operable and an open-air covered space within the walls of the addition. Staff finds the second story open-air feature to be a modern interpretation of historic rear two-story porches. The Sanborn maps indicate that historically, the rear of the brick structure was a two-story porch extension. Staff therefore finds that the open second story is appropriate for the addition.

The primary cladding material for the addition is fiber cement rain screen. Staff finds that cement fiberboard panels meet the design guidelines for new construction and the staff recommendation states that staff will want to approve the installation method for the rain screen. However, the Germantown neighborhood has asked the applicant to consider another material. Staff will want to review and approve the final material choice for the cladding.

Remick Moore, architect for the project, said that they understand the importance of the building and have been working with the neighborhood development community.

Sonya Link (4437 Jackson Road), co-chair of the Germantown Development Community, said that they appreciate many aspects of the design but they are concerned about the use of panels and the lack of detail on the current design. They recognize that the panels have been used on infill but not on additions to historic buildings. She noted

that the applicant is willing to meet these concerns so she asked for a condition that a more appropriate material be used for the addition and details of the addition be provided.

Burdell Campbell (5<sup>th</sup> Ave N), explained the uniqueness and significance of the building, as a gateway into old Germantown. She agreed with the issues presented by Ms. Link.

Commissioner Mosley stated that he is a member of the development community but has not discussed the project with the committee. Commissioner Bell also disclosed that it is her neighborhood but she does not have any financial interest in the project. She noted that original materials should be retained.

Commissioner Stewart agreed that it is a landmark building. He stated that the addition is appropriate and meets the Secretary of Interior Standards. He encouraged the applicant to work with the neighborhood and the staff on the materials. Commissioner Kaalberg agreed that a contemporary design is appropriate.

The commission discussed how to address the material question.

**Motion:**

**Commissioner Stewart moved to approve the project with the conditions that:**

- 1. The applicant meet with the neighborhood to hear their concerns about materials and detailing;**
- 2. Staff approve the final choice for the cladding material and detailing;**
- 3. Applicant provide drawings showing an addition with greater detail;**
- 4. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- 5. Staff approve the material and design of the balcony railing;**
- 6. Staff approve the material and design of the awnings;**
- 7. MHZC approve the location of the HVAC units and other utilities; and**
- 8. The applicant return to MHZC for final approval of all permanent landscape features, including fencing, and for all signage.**

**Commissioner Nielson seconded, finding that the proposed project meets Sections 1.0., 2.0., 4.0., and 7.0. of the Germantown Historic Preservation Zoning Overlay design guidelines. The motion passed unanimously.**

**t. 300 BROADWAY**

Application: Signage  
Council District: 19  
Overlay: Broadway Historic Preservation Zoning Overlay  
Project Lead: Robin Zeigler

The applicant deferred the project prior to the meeting.

**u. 120 3<sup>rd</sup> AVE S**

Application: New construction-addition and Alterations  
Council District: 19  
Overlay: Broadway Historic Preservation Zoning Overlay  
Project Lead: Paul Hoffman

The applicant deferred the project prior to the meeting.

*The Commission took a five-minute break, reconvening at 4:13pm.*

**v. 927 GILMORE AVE**

Application: New construction-addition  
Council District: 17  
Overlay: Waverly Belmont Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the case for 927 Gilmore Ave.

The applicant proposes to construct a rear addition to the house. The addition will match the roof height of the existing house, with the majority of the eaves below the eave height of the existing house. A portion of the addition will step out wider than the historic house to the right side.

The house is a circa 1900 Victorian with a hipped roof, with hipped dormers on the front and side slopes.

The proposed addition will tie into the rear of the roof, stepped in from the main roof and extending back with a cross-gable and side dormers. The addition adds 40 feet of depth, of which about half is a rear screened porch. The total added is less than 50% of the house.

Again the roof of the addition is not taller than the existing roof at the peak, but because the addition has a cross-gable it will be visible behind the pyramid roof on the historic house, but the Commission has found this can be compatible if the addition is situated far enough back from the front.

This addition does have a component that is 8' wider, however, but only at the first story so the wider portion is not the same as the portion of roof visible beyond the silhouette of the existing house. For this reason, and because the primary width of the house is less than 28 feet, staff finds that this meets the guidelines for widths of additions.

Commissioner Mosley asked if the existing second level was habitable, which Mr. Alexander said it was.

Mr. Charlie Cortis, property owner, stated that he agrees with the recommendation.

There were no requests from the public to speak.

**Motion:**

**Commissioner Stewart moved to approve the proposed addition to 927 Gilmore Avenue with the condition that masonry materials and the window and door selections are approved by MHZC Staff prior to purchase; finding the project to meet the applicable design guidelines for the Waverly-Belmont Neighborhood Conservation Zoning Overlay. Commissioner Bell seconded and the motion passed unanimously.**

**w. 1213 LINDEN AVE**

Application: New construction-addition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren

Staff member, Jenny Warren, presented the case for 1213 Linden Ave. The applicant is proposing a rear addition that is 2ft taller than the historic house. This circa 1920 home contributes to the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. There is an existing non-historic addition off the rear, sided in yellow. The existing addition will be removed for the construction of the new, larger addition.

The applicant is proposing a rear addition, inclusive of a screened porch. The site plan creates the appearance that the new addition is wrapping the side of the house. However, please see the first floor demo plan – the entire non-historic addition is being demolished, so although 81sq ft are being added to the side of the existing footprint, this will not be a side addition, rather a portion of the rear addition. Note that the addition will be recessed where it ties into the original house on both sides. One window will be closed in on the ground level, right side. Staff finds the removal to be appropriate as the window is not likely historic and is minimally visible.

The side elevations show that the addition will have a side-gabled roof, parallel to the existing roof, though the new ridge will be two feet higher. A third ridge will connect the two. Due to the change in grade, the addition will be a

full two stories tall with a small walk-out basement level, but still only two feet higher than the original house. Staff finds that the project is appropriate with regards to height and scale.

The roof plan includes a side dormer off the back of the original roof, which is set in two feet from the side of the primary roof, as per the guidelines.

Notice that from the front, the addition appears somewhat like a ridge-raise, though it will be recessed. Also, note that on the back elevation, there will be a deck which is not detailed in the plan. Staff recommends that the design and materials of the deck be approved by Staff prior to permitting.

In conclusion, staff finds that the proposed addition meets Sections II.B.1 and II.B.2 of the Belmont- Hillsboro Neighborhood Conservation Zoning Overlay design guidelines.

Applicant for the project, Michael Ward, agreed with staff conditions.

There were no requests from the public to speak.

**Motion:**

**Commissioner Stewart moved to approve the proposed addition, with the following conditions:**

- 1. Staff approve the design and materials of the proposed rear deck;**
- 2. Staff approve the color of roofing material, and final details, dimensions and materials of windows, doors and skylights prior to purchase and installation; and,**
- 3. HVAC and other utilities shall be located on the rear façade, or on the non-street-facing side of the house;**

**finding the project meets sections II.B.1 and II.B.2 of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Nielson seconded and the motion passed unanimously.**

**x. 110 LINDSLEY PARK DR**

Application: New construction-infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren

Staff member, Jenny Warren, presented the case for 110 Lindsley Park Drive. This application is for infill on a vacant lot in Lockeland Springs. The applicant is proposing a total of three infill homes on vacant lots. The Commission reviewed earlier proposals for these homes in March and approved the proposal at 106 Lindsley Park Drive. The applicant is back today with revisions for #110 and #114.

As a reminder, these building sites are vacant with double frontage on Lindsley Park Drive and South Fifteenth Street. In addition, the lots slope down significantly from Lindsley Park Drive to South Fifteenth Street. The historic context on Lindsley Park Drive is 1-1.5 story homes with overall heights that range from 16'-26'. At 104 Lindsley Park Drive is infill that was approved eight years ago in 2009 and is non-contributing.

The design for 110 Lindsley Park Drive has been revised significantly. The height along Lindsley Park Drive has been reduced from 30' to 27' while the primary eave height has been reduced from approximately 20ft from the front grade to 13ft. The lot is slightly wider at the street than other lots with historic homes on Lindsley Park Drive. Historic buildings in the immediate vicinity on slightly narrower lots range from thirty to thirty-three feet (30'-33') wide. Given the width of the lot, staff finds the proposed width of thirty-four feet (34') could be appropriate at this location. The form of the house mimics a 1.5 story home, mitigating the overall massing.

The overall height on the rear elevation, facing South 15<sup>th</sup> Street, has been reduced significantly since the previous application. In the proposal from March, the height from grade was 41ft. In the current proposal the height is 33ft.

Due to the slope of the site; the rear is three stories tall. The attached garage is accessed from a proposed driveway off South Fifteenth Street at the rear - this meets the criteria for when attached garages may be appropriate.

The proposed infill is oriented toward Lindsley Park Drive and meets all base zoning setbacks. The front setback will be consistent with the infill at 104 & 106 Lindsley Park Drive, both previously approved by this Commission. This is appropriate as there are no historic homes on this side of Lindsley Park Drive.

On the first floor, north elevation, there is a significant section of blank wall (approximately 23ft). Staff recommends that a window be added in this area.

In conclusion, staff finds that the proposed massing and overall height of the proposed infill at 110 Lindsley Park Drive is compatible with the scale of the immediate historic context, which includes one and one-and-one-half (1-1.5) story homes that range from 16'-26' in height. Staff finds that the infill meets sections II.B. 1 and 2 for height and scale of new construction.

She noted that public comment was received from the councilmember.

The commission asked for clarification of the proposed conditions. Commissioner Kaalberg noted that the condition of 5' below the street, made on the previously approved of the 3 homes, may not be as relevant here because of the change in slope.

Architect for the project, John Root, stated that the foundation will not exceed 3 blocks at the front.

There were no requests from the public to speak.

Commissioner Kaalberg expressed concern that the rear of the home, which faces a street rather than an alley, should step down, like the other two projects. One solution might be to remove the upper level deck. Commissioner Nielson stated that another option might just be to step the upper level deck back a few feet.

Mr. Root was invited back and explained that initially they didn't have a roof over the upper level deck but that was what the applicant wanted. He suggested that the garage and first level could be pulled out more to create a stair-step affect. Commissioners stated that that was not an appropriate solution.

Commissioner Stewart expressed concern about the house being 5' below the street. Mr. Root said he was working with an engineer and the Storm Water department to address those issues. He suggested that they stake it out and have the inspector review it. Commissioner Mosley warned against over manipulation of the front grade.

**Motion:**

**Commissioner Mosley moved to approve the proposed infill, with the following conditions:**

- 1. A new north elevation and site plan be submitted, prior to issuance of a permit, showing four total windows on the north elevation, first level;**
- 2. 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;**
- 3. The grade be verified to assure that it is approximately 5' below the street and that the existing grade not be built up;**
- 4. Staff approve the final details, dimensions and materials of windows, doors, garage doors, porch railing, porch posts, driveway material, masonry, and walkway material prior to purchase and installation; and**
- 5. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house.**

**finding the project meets sections II.B of the design guidelines for the Lockland Springs-East End Neighborhood Conservation Zoning Overlay for new construction and infill. Commissioner Stewart seconded and the motion passed unanimously.**

**y. 114 LINDSLEY PARK DR**

Application: New construction-infill

Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren

Staff member, Jenny Warren, presented the case for 114 Lindsley Park Drive. This site is located right next to the previous application. As such it has the same double frontage, steeply sloped lot and historic context. That historic context includes 1-1.5 story homes with overall heights that range from 16'-26'. 107 Lindsley Park Drive is the tallest contributing house on the block, measuring at approximately 26ft above grade.

Like #110, the proposed infill is oriented toward Lindsley Park Drive and meets all base zoning setbacks. The subject property is highlighted here – the grey shaded property is #110, just discussed. The front setback will be consistent with the infill at #104 & the proposed properties at 106 & 110 Lindsley Park Drive. This is appropriate as there are no historic homes on this side of Lindsley Park Drive.

The proposed infill is one and one-half stories at the front with an overall height of approximately 28 ft. As discussed, the immediate historic context on Lindsley Park Drive consists of 1 – 1.5 story homes ranging from 16' - 26' from grade. Staff feels that the overall massing of the proposed infill is mitigated by the projecting front bay with a low eave height, the wrap-around porch, the breakup of the roof massing into smaller components, and the fact that the house sits lower than the street. Given these factors, Staff feels that the 28ft height is compatible with the context.

The new infill will have a maximum width of thirty-four feet (34'); however, the width at the front setback includes a sixteen feet (16') wide covered porch and will not bump out to the full width until 28ft behind the front wall of the infill. Staff finds that the proposed building width could be appropriate in this case as the building will not read as the full thirty-four feet (34') at the front of the building given that nearly half of the width is comprised of a covered porch.

Notice on the side elevations how the massing steps down toward South 15<sup>th</sup> Street. The tallest point of the house is 40ft from grade at the rear, but this portion of the house is setback 26ft beyond the garage façade, helping to mitigate the impact of the height.

As seen in the side elevations, the massing steps down toward the rear of the building, so that it is only one story at the back. The height of this single story has been reduced from 15ft in the previous application to 11ft today. As with #110, the attached garage is accessed from proposed driveway off South Fifteenth Street at the rear and meets the criteria for when attached garages may be appropriate.

In conclusion, staff finds that the proposed massing and overall height of the proposed infill at 114 Lindsley Park Drive is compatible with the scale of the immediate historic context, which includes one and one-and-one-half (1-1.5) story homes that range from 16'-26' in height. For these reasons, staff finds that the infill meets sections II.B. 1 and 2 for height and scale of new construction.

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

Commissioner Kaalberg asked for clarification of the front setback which Mr. Root addressed.

**Motion:**

**Commissioner Stewart moved to approve the project with the conditions that**

- 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 grade be verified to assure that it is approximately 5' below the street and that the existing grade not be increased;**

3. **Staff approve the final details, dimensions and materials of windows, doors, garage doors, porch railing, porch posts, driveway material, masonry, rear awnings and railings, and walkway material prior to purchase and installation; and**
4. **The HVAC shall be located behind the house or on either side, beyond the mid-point of the house; finding the project meets sections II.B of the design guidelines for the Lockland Springs East End Neighborhood Conservation Zoning Overlay for new construction and infill. Commissioner Nielson seconded and the motion passed unanimously.**

**z. 1111 LILLIAN STREET**

Application: New construction-infill, Setback determination  
Council District: 06  
Overlay: Lockland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the case for new construction at 1111 Lillian Street.

The applicant is proposing to construct a new one and one-half story dwelling on the lot.

The house will be 30' feet tall and 32' wide. The scale is very similar to three recently constructed houses to the right at 1113, 1115, and 1201 Lillian Street. The character of the building will be very similar as well, and the materials will be the same including cement-fiber siding, asphalt roof, split-faced concrete block foundation. The new house will have attached covered parking at the rear, accessed from the side. Given the size and slope of the lot, and lack of alley access, staff has found this configuration to be appropriate.

The applicant, John Root, chose not to present and there were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve the project with the conditions that:**

- **The floor height shall be consistent with adjacent houses, to be verified by MHZC Staff during construction; and**
- **The roof color and the final selections of doors are administratively approved; and**
- **That the location of the HVAC is administratively approved;**

**finding the proposal will meet the design guidelines for new construction in the Lockland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Bell seconded and the motion passed unanimously.**

**aa. 4914 TANGLEWOOD DR**

Application: New construction-infill  
Council District: 07  
Overlay: Tanglewood Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for infill in the Tanglewood district. 4914 Tanglewood Drive is located within the Tanglewood Historic Preservation Zoning Overlay, a collection of log homes nestled in a wooded area. The lot is currently a vacant lot. The house formerly on the lot burned to the ground in January 2017. This application is to construct new infill on the vacant lot.

The house will be located in the approximate location as the previous house on the lot and will have a similar footprint. The proposed infill will be largely one-and-a-half stories with a two story bay at the front and on the rear. The bulk of the house will be twenty feet (20') tall, which matches the height of the house previously on the site. The two story bay on the left side of the house will have a height of twenty-two feet (22'), which staff finds to be appropriate.

The house is proposed to have 10" lap siding. MHZC usually requires that siding have a maximum reveal of five inches (5"), as historically, siding was not typically wider than five inches (5"). However, staff finds the ten inch (10") siding to be appropriate for this infill for several reasons. In the Tanglewood Historic Preservation Zoning

Overlay, the buildings are predominantly log homes. The logs tend to be wider than five inches (5"). In addition, the house previously on the lot had siding that was ten inches (10"). Narrow siding is not a common feature of this cohesive district.

Cheyenne Smith, 1627 Long Blvd, stated he agreed with the conditions. There were no requests from the public to speak.

**Motion:**

**Commission Stewart 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 final details, dimensions and materials of windows and doors prior to purchase and installation;**
- 3. Staff approve the roof color;**
- 4. Staff approve the material of the driveway and parking area;**
- 5. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house; and**
- 6. Staff approve all permanent landscape features, including, but not limited to, pathways, fencing, etc;**

**Finding the project meets section III.A. of the Tanglewood Historic Preservation Zoning Overlay Design Guidelines. Commissioner Nielson seconded and the motion passed unanimously.**

**bb. 1805 SWEETBRIAR AVE**

Application: New construction-infill and outbuilding (detached accessory dwelling unit), Setback determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for infill at 1805 Sweetbriar. 1805 Sweetbriar is a one-story brick house constructed between 1947 and 1951. Staff finds that the house does not contribute to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Although his particular block of Sweetbriar developed later than the Sweetbriar blocks to the east and other parts of the Belmont-Hillsboro Neighborhood, the building at 1805 Sweetbriar has been significantly altered over the years with the addition of the two front bays. These changes render the house non-contributing and staff recommends approval of its demolition.

Application is to construct infill and a detached accessory dwelling unit (DADU). The DADU requires a rear setback determination. Base zoning requires a twenty foot (20') rear setback for outbuildings with footprints larger than seven hundred square feet (700 sq. ft.). The DADU is proposed to have a footprint of seven hundred and fifty-four square feet (754 sq. ft.) and a rear setback of three feet (3').

Staff finds the proposed rear setback to appropriate for several reasons. Historically, outbuildings were situated on or close to the rear property line. In addition, if the outbuilding were fifty-four square feet (54 sq. ft.) smaller in footprint, the base zoning would be three feet (3'), as is proposed. Moreover, situating the DADU closer to the rear property line allows for more space in between the back of the infill and the DADU, which is appropriate. Since there is no alley for this site, placing the DADU close to the rear property line will not affect vehicular visibility in an alley.

The immediate context is a mix of one and one-and-a-half story historic houses with heights ranging from eighteen to twenty-four feet (18'-24'). In 2012, the Historic Zoning Commission approved a new one-and-a-half story infill next door at 1809 Sweetbriar that is twenty-seven feet (27') tall from grade. That same year, MHZC approved another infill across the street that is 30' tall. Because the historic houses in the immediate vicinity are no taller than 24', staff found that the new infill at 1805 Sweetbriar should not be taller than the infill next door which is 27'.

The proposed infill will be one-and-a-half stories with a maximum height of twenty-seven feet (27') from grade. At the front entryway, the applicant is proposing a triangular window opening that will be filled with a stained glass



window. Staff finds that triangular windows like the one proposed are not a common feature of the Belmont-Hillsboro neighborhood, where windows are largely square or vertically-oriented rectangles. In addition, the italicized portion of the design guidelines states that faux leaded glass is not appropriate. Staff recommends that this window be re-designed to be square or a vertically-oriented rectangle with clear glazing. The drawings do not include trim boards at the bottom of the dormers. Staff recommends that trim boards be added to the bottom of all dormers.

The DADU's design meets the design guidelines and the DADU ordinance.

Applicant for the project, Andrew Sky, stated that he agreed with the conditions. There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved to approve the project 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. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
- 3. Staff approve the asphalt shingle color and texture;**
- 4. Staff approve a brick sample;**
- 5. Staff approve a stone sample;**
- 6. Staff approve the material for the walkway;**
- 7. Trim boards be added to the bottom of all dormers;**
- 8. The triangular window at the entryway be a vertically-oriented rectangular or square opening and have clear glazing;**
- 9. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house; and**
- 10. The applicant submit a copy of the recorded restrictive covenant for the DADU; finding the project meets Sections II.B. and V. of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Nielson seconded and the motion passed unanimously.**

**IX. PRELIMINARY SP REVIEW**

None.

**X. OTHER BUSINESS**

**cc. OUTBUILDING & DADU POLICY**

**dd. REVISION TO RULES OF ORDER & PROCEDURE**

Both the policy and revision to rules of order and procedure were deferred

**XI. ADMINISTRATIVE ACTIONS**

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

*Meeting adjourned at 5:03 pm.*

RATIFIED BY COMMISSION ON 6/21/17