

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC)

MINUTES October 20, 2021

Commissioners Present: Vice-Chair Stewart, Leigh Fitts, Mina Johnson, Kaitlyn Jones, Elizabeth Mayhall, David Price, Dr. Lea Williams

Zoning Staff: Sean Alexander, Kelli Mitchell, Joseph Rose, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Alex Dickerson and Ann Mikkelsen (legal counsel)

Applicants: Jose Hurtado and Courtney Wolfe, Martin Wieck, CJ Sabia, Preston Quirk, Brett Diaz, Andy Rhodes, Lonnie Fowler and Craig Kennedy, Van Pond, Matthew Schutz, Joe and Kristen Faulder

Councilmembers: Brett Withers

Public: None

Vice-chair Stewart called the meeting to order at 2:04 p.m.

Vice-chair Stewart read information about the procedures for the meeting and process for appealing a decision.

I. MHZC BUSINESS

A. ADOPTION OF SEPTEMBER 15, 2021 MINUTES

Motion: Commissioner Williams moved to approve the minutes as presented. Commissioner Jones seconded and the motion passed unanimously.

B. ADOPTION OF AGENDA

Staff member, Robin Zeigler, stated that the following projects are requested to be removed from the agenda: 1418 Forrest, 1422 Gartland, 1812 5th Ave N, 1401 Holly and 600 Fatherland. The applicants for 1805 Lakehurst and 949 Maxwell have requested to be removed from consent. In conclusion, she asked that 1204 Russell be moved up to be the first case after the consent agenda.

Motion:

Commissioner Johnson moved to accept the revised agenda. Commissioner Mayhall seconded, and the motion was passed unanimously.

C. COUNCILMEMBER PRESENTATIONS

II. CONSENT AGENDA

Staff member Joseph Rose presented the items on the consent agenda.

D. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

E. 1805 LAKEHURST DR

Application: New Construction—Outbuilding

Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021063739

F. 949 MAXWELL AVE

Application: New Construction—Addition
Council District: 05
Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021063764

G. 1402 BEECHWOOD AVE

Application: New Construction—Addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021063770

H. 3910 VALLEY RD

Application: New Construction—Addition
Council District: 24
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021063781

I. 2006 26TH AVE S

Application: New Construction—Addition
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021063783

J. 3615 MEADOWBROOK AVE

Application: New Construction—Addition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay
Project Lead: Joseph Rose Joseph.Rose@nashville.gov
PermitID#: T2021063957

K. 1002 PARIS AVE

Application: New Construction—Addition and Outbuilding
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2021064112 and T2021064143

L. 313 S 7TH ST

Application: New Construction—Addition
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: Joseph Rose Joseph.Rose@nashville.gov
PermitID#: T2021064497

M. 212 FAIRFAX AVE

Application: New Construction—Addition and Outbuilding

Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander sean.alexander@nashville.gov
PermitID#: T2021064517

Motion: Commissioner Jones moved to approve all consent items with their applicable conditions with the exception of 1805 Lakehurst and 949 Maxwell. Commissioner Price seconded and the motion passed unanimously.

III. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

None.

IV. PRELIMINARY & FINAL SP REVIEW, VIOLATIONS

S. 1204 RUSSELL ST

Application: Violation—Reconstruction and Addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander, sean.alexander@nashville.gov
PermitID#: 2021052924

Staff member Sean Alexander, presented the case for a violation at 1204 Russell Street. This property has been before the MHZC recently. After exceeding the scope of a permit to demolish a non-contributing rear addition in July, this project was heard as a show cause hearing. They had removed contributing portions of the historic house and started construction of a two-story addition that were not covered by any plans or permit. The decision of the Commission at that meeting was to require the applicant to reconstruct portions of the building that had been demolished without approval and to submit plans for the addition.

The applicant returned last month with plans for an addition, which was approved with a condition that work on the addition was not to start until the reconstruction had been satisfactorily completed.

In the course of inspections since then, it has become apparent that additional changes have been made to the historic house, including but not limited to work on the cross-gabled roof of the gabled-ell house and the front porch. These portions of the house were still intact when this was first seen by the Commission as a show cause and did not need to be reconstructed.

Several unapproved alterations of the building have been made, and it is not all apparent until you look at before and after photos side by side. When you do that, you see that the front gable roof has been rebuilt with a lower slope and possibly a higher ridge, which results in the eaves being higher. You can see before the roof eaves were in line with the eaves of the front projecting bay, but now they are higher. You can also see by the dark line just below the trim band at under the raking eave in the image on the right that the gable now is at a different pitch. The left and right eaves also are not at the same height, and the eaves also have a different form, with the copper flashing pitched forward. The pitch and eave height differences are also present on the left-facing gable of the primary roof. The roof of the projecting bay appears to have a different roof pitch too, and details like the thickness of the trim and cornerboards and the presence of a trim band at the bottom course of siding have also changed.

Previously, the front porch had a concrete block foundation with a concrete slab porch. These materials may have been original, although wooden porch floors on piers are not uncommon on houses of this age and style – if the materials were not original, the size and form would have matched the original. The previous porch still sits inside this porch you see in the image on the right. The builder here has constructed a brick wall around that concrete porch, expanding the footprint by about a foot in each direction, with a pressure-treated deck-style floor behind it

that sits on top of the existing concrete slab. As a result the porch roof size has increased, with the columns sitting forward of their original locations. The previous columns remain, wrapped with one inch thick cedar boards. Also, at some point the applicant started constructing an outbuilding. The foundation has been constructed and walls have been framed but there is no roof currently, nor a floor. No permits have been issued for this by MHZC or Codes, so we have requested and have received plans for the outbuilding, but no site plan so we have not been able to start reviewing it.

Staff recommends:

- Disapproval of the reconstructed cross-gable and porch, as currently reconstructed and that these two features be reconstructed, as shown in HCP 2021052924 and photographs, with approved materials, within the next sixty (60) days;
- Wider corner boards, to match the plans and photographs be installed, within the next sixty (60) days;
- The applicant provide a complete application for the partially constructed outbuilding so that the project may be reviewed; and
- The applicant be required to provide a summary at each subsequent MHZC meeting until reconstruction is complete.

Additionally, staff recommends that no additional Preservation Permits for additions, outbuildings, or other work be issued until the final reconstruction is approved by the Commission.

Mr. Hurtado, speaking through interpreter Courtney Wolfe, said he measured the gable as well as an engineer and both confirmed that they were correct. The columns are still inside new covers. He can replace the bricks, but he was told that he could cover it with stucco. He understands that he has made mistakes, but other features have been approved. The bay window matches the historic design and was made by hand. Corbels were salvaged and put back up. He is struggling to finish the house and he wants the opportunity to finish it following the guidelines.

Councilmember Withers explained that he has been working with the applicant for some time. He feels the pitch difference is slight but agrees there is an issue with the eaves. He asked the Commission to consider a repair to the eave heights without a full reconstruction of the gable. The applicant and his family are working hard to make the project work. He agrees the porch foundation is a concern. He requested a compromise for adjustments that won't require removing the roof.

Mr. Boulifard, architect for the project, explained that Mr. Hurtado has been communicating with him about missteps and how to best rectify them.

Commissioner Price said that when the violations first came to them, they were lenient and provided very clear direction not to continue work that was not approved and now here we are with what is essentially a new house. He is supportive of the staff recommendation. He is open to some type of compromise for the front gable. Commissioner Jones agreed that there might be a compromise that gets it back closer to the look it was. Commissioners Mayhall, Fitts and Williams agreed.

Commissioner Johnson reiterated that their job is to preserve historical character and sometimes a little angle or small measurement can mean a big difference. She suggested that Mr. Hurtado not do anything before double checking that the work will meet the design guidelines.

Vice-chair Stewart noted that its difficult to reconstruct when the original materials are removed, and he encouraged Mr. Hurtado to work with staff.

In answer to Commissioner Price's question, Mr. Alexander explained that it appeared that the new roof was framed over the original framing and then the original framing was removed.

Motion:

Commissioner Price moved to:

- 1. Disapprove the reconstructed cross-gable and porch, as currently reconstructed and that these two features be reconstructed, as shown in HCP 2021052924 and photographs, with approved materials, within the next sixty (60) days;**
- 2. Install wider corner boards, to match the plans and photograph, within the next sixty (60) days;**

3. **Provide a complete application for the partially constructed outbuilding so that the project may be reviewed; and**
4. **Provide a summary at each subsequent MHZC meeting until reconstruction is complete.**
5. **No additional Preservation Permits for additions, outbuildings, or other work be issued until the final reconstruction is approved by the Commission.**

Commissioner Mayhall seconded, and the motion passed unanimously.

N. 945 S DOUGLAS AVE UNIT #7

Application: New Construction - Infill

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren Jenny.Warren@nashville.gov

PermitID#: T2021063748

Staff member Jenny Warren presented the case for 945 S Douglas Avenue, Unit #7. In 2018 the Commission approved an SP for the site at 945 S Douglas. Nineteen houses are planned for the development. The Commission approved specific ridge and eave heights and widths for each unit, and recommended approval to the Planning Commission. The SP was approved. The applicant is returning to this Commission for final design approval of each unit. The Commission has already approved units 1-6. Today, the Commission will review unit #7.

This unit was approved at one-and-a-half stories with a maximum ridge height of thirty-two feet (32') and an eave height of twelve feet (12'). The width here was approved at forty feet (40'). The proposed height and width meet all of the parameters. At the very front of the house, the foundation will drop a bit to accommodate the grade, but staff finds that this is a condition of the site and that the resulting height will still be appropriate. Staff finds the proposed design to be appropriate in terms of form, height scale, setback and rhythm of spacing, materials, roof shape, orientation and proportion and rhythm of openings. Like all units in this development, the house will have an attached garage. Staff finds that the design is subservient to the main house, with appropriate dimensions. It is consistent with the site plan and massing approved for the SP. In conclusion, staff recommends approval of the proposed house with the conditions that staff review final materials and utility locations.

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

Motion:

Commissioner Johnson moved to approve with the following conditions:

1. **Final review and approval of the front step material, doors, garage doors and walkway material, prior to purchase and installation; and,**
2. **The location of utility meters and mechanicals shall be reviewed prior to an administrative sign-off on building permit(s) if located anywhere forward of the midpoint of the house;**

finding that the proposed infill meets the conditions of the part I SP approval for massing and Sections IV and V of the *Neighborhood Conservation Zoning Overlay Design Guidelines for Turn-of-the-20th Century Districts*. Commissioner Fitts seconded and the motion passed unanimously.

V. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS/ SHOW CAUSE

O. 1422 GARTLAND AVE

Application: Violation—Addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021063989

Deferred by request of the applicant.

P. 1710 LINDEN AVE

Application: New Construction— Reconstruction; Addition; Setback Determination
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov
PermitID#: 2021039895 and 2020074352

Staff member Kelli Mitchell presented the case for 1710 Linden Avenue located in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

A circa 1920 bungalow originally sat on the property and was contributing to the district. The property received a Codes permit for interior demo and a preservation permit for an addition in December 2020. The latter came after the Commission approved the request for an addition.

On May 20, 2021, a neighbor contacted staff about the level of demolition. Staff confirmed that all but the porch and front wall had been demolished. A stop work order was issued since the work exceeded the scope of all issued permits.

The project was reheard by the Commission on June 16, 2021, for a show cause hearing. The permit for the addition was rescinded and the applicant was required to reconstruct the historic building. The reconstruction plans were permitted on June 23, 2021. Several site visits and inspections have been conducted to track the progress of the project. The applicant has been working with staff to verify that materials meet the design guidelines, and the work conforms with the permitted plans.

The project is close to completion, and the applicant requests approval of the reconstruction. The work has followed the approved plans with the exception of the back wall, which was allowed to remain incomplete in anticipation of the addition. While some materials have not been installed, staff can continue to monitor the project to verify that the materials meet what was approved.

Finding that the historic home has been reconstructed following the requirements of the Commission, staff recommends approval of the reconstruction and the reissuance of the permit for an addition at 1710 Linden Avenue.

CJ Sabia, applicant, apologized for what happened and asked for the addition permit to be reissued.

There were no requests from the public to speak.

Motion:

Commissioner Price moved to approve the reconstruction and the reissuance of the permit for an addition at 1710 Linden Avenue, finding that the historic home has been reconstructed following the requirements of the Commission. Commissioner Jones seconded and the motion passed unanimously.

Q. 1812 5TH AVE N

Application: New Construction – Violation
Council District: 19
Overlay: Salemtown Neighborhood Conservation Zoning Overlay
Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov
PermitID#: 2019068705 and 2019072044

Removed from the agenda.

R. 3505 CENTRAL AVE

Application: Violation - Addition
Council District: 24
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

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

Staff member Kelli Mitchell presented the case for 3505 Central Avenue, which is a contributing structure in the Richland West End Conservation Zoning Overlay. The home was constructed c. 1915.

The violation is a carport that was constructed in the rear of the home, which was not permitted by staff and which does not meet the guidelines or base zoning. The applicant proposed a new design, which meets Guidelines II.2 for roof form, design, and location and removability and Section II.B.d for materials.

Typically, outbuildings should not be attached, but staff found this appropriate since the lot is only a hundred and thirty feet deep on its longest side and has a deep front setback.

The carport will need a setback determination. Given that it is an attached addition, it should be 20 feet from the rear property line but is proposed at approximately five feet (5'). Staff finds that the proposed rear setback meets the design guidelines because of the addition's small scale and open design as well as the short depth of the lot and the deep front setback.

Staff recommends that the existing carport be removed with sixty (60) days and recommends approval of the proposed addition at 3505 Central Ave with the condition that final approval is obtained for materials, finding that with that condition the project meets section II for additions.

Preston Quirk, architect for the project, explains that he got involved after the carport was constructed and he as provided the proposed solution.

There were no requests from the public to speak. [Public comment received via email.]

Commissioner Johnson asked about the location of the existing fence and the fact that the eaves overhang the existing fence. Quirk was invited back, and he explained that the fence is 5' from the post of the carport. He believes the fence to be located on the property line.

Motion:

Commissioner Jones moved to require that the existing carport be removed with sixty (60) days and approval of the proposed addition at 3505 Central Ave with the condition that final approval is obtained for materials, finding that with that condition the project meets section II for additions. Commissioner Johnson seconded and the motion passed unanimously.

T. 600 FATHERLAND ST

Application: Alterations & Repairs-Violation
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov

Deferred at the request of the applicant.

U. 1501 FATHERLAND ST

Application: New Construction – Infill & Outbuilding, Revision
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren, jenny.warren@nashville.gov
PermitID#: T2021042061 & T2021042067

Staff member Jenny Warren presented the case for infill and outbuilding at 1501 Fatherland Street.

This is an application for infill and an outbuilding on a vacant corner lot in Lockeland Springs. The project was

approved by the Commission in August, with conditions, including the condition that the height be reduced to a maximum of twenty-four to twenty-five feet from average existing grade at the front. The applicant revised and submitted this version of the house, which is twenty-five feet (25') from finished floor, or about twenty-six feet, eight inches (26'8") from average grade at the front.

The remainder of the plan has not changed, including the outbuilding, so this presentation will focus on the height issue. There were many conversations regarding infill on this lot over the past few years between multiple different staff members, the former owner and this applicant. The applicant has included an email from me wherein I discussed ridge heights from finished floor instead of from grade. This comes from a time when the applicant was considering dropping the grade in an effort to gain an increase in overall height and it did confuse/muddy the conversation a bit. However, our original feedback to the applicant back in March was that the maximum appropriate height would be twenty-four to twenty-five feet (24-25') **from grade** and that was also the recommendation that appeared in the final staff recommendation report, and what the Commission ultimately approved.

The applicant has provided a streetscape to show how the proposed design fits into the context on the block. They have shaded in a box above each picture to indicate the tallest point of that structure. Staff found the result to be a bit misleading as very few of these houses have full massing that rises to the highest point. Many of the houses have a pyramidal roof form, where only a small peak of the roof rises to the highest point while the majority of the massing is several feet lower.

Staff made some very rough adjustments in an attempt to incorporate the roof shapes into the streetscape. Despite the top peaks of some of the pyramidal roofs, which according to the applicant, rise to around thirty feet (30'), staff finds that the main massing of the historic context is several feet lower. If the applicant were proposing a similar roof form, where the maximum height was also reached by only a roof peak, that peak could certainly match the highest peaks in the context. But the applicant proposes a front and side gabled house that exceeds the height of every historic house on its side of the street and maintains the maximum height for its full thirty feet (30') of width as opposed to having a small peak that reaches that full height.

According to the applicant's streetscape, the yellow house at 1508 Fatherland is the tallest historic house on the block. They report that its maximum height from average grade is thirty point seven feet (30.7'). Staff measured - and remeasured - the front gable here to be approximately twenty-four feet (~24') from grade. That peak does not appear to be an additional six feet (6') tall, but perhaps their measurements were taken from a lower point of grade. Despite what the height on that rear peak might be, with the front gables on both of these two houses measuring at twenty-four feet (24') from front grade, as per staff's measurements, staff finds a maximum height of twenty-five feet (25') from grade would be appropriate for the proposed infill. The proposed twenty-six feet, eight inches (26'8") with a side gabled form would be two and a half feet (2'6") taller than these front gables and would exceed an appropriate contextual height.

In conclusion, staff recommends approval with these conditions:

1. The ridge height shall be reduced to be no more than twenty-four to twenty-five feet (24'-25') as measured from average grade at the front;
2. 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;
3. Staff shall approve the final metal roofing, the porch roofing, a brick sample, porch post material and doors, prior to purchase and installation; and,
4. The location of utility meters and mechanicals shall be reviewed prior to an administrative sign-off on building permit(s) if located anywhere forward of the midpoint of the house

Brett Diaz, applicant, explained that they are requesting a small increase to the height previously approved. They have designed the house as a slab on grade and lowered ceiling heights, so to lessen the height will be a complete redesign and mean losing rear yard.

Vice-chair Stewart asked for clarification. Diaz said on the front, on the right side, the foundation will be approximately six inches (6"), which might require some PVC siding at the bottom.

There were no requests from the public to speak.

Dr. Williams said that he agreed with staff recommendation. Commissioner Johnson noted discrepancies between staff and applicant's measurements of the context. She feels most comfortable with the staff recommendation due to the shape of the roof and the historic context. Commissioner Fitts understands the grade issues and is in support of the staff recommendation. Commissioner Price said they have been consistent with holding applications for infill to the context, which in this case, is primarily one-story buildings. He was not compelled to make a change in that precedent.

Motion:

Commissioner Fitts moved to approve with the following conditions:

- 1. The ridge height shall be reduced to be no more than twenty-four to twenty-five feet (24'-25') as measured from average grade at the front;**
- 2. 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;**
- 3. Staff shall approve the final metal roofing, the porch roofing, a brick sample, porch post material and doors, prior to purchase and installation; and,**
- 4. The location of utility meters and mechanicals shall be reviewed prior to an administrative sign-off on building permit(s) if located anywhere forward of the midpoint of the house;**

finding that the project meets Sections IV and V of the *Neighborhood Conservation Zoning Design Guidelines for Turn-of-the-20th-Century Districts: Part I*. Commissioner Williams seconded and the motion passed unanimously.

VI. MHZC ACTIONS

V. 1401 HOLLY ST

Application: Economic Hardship

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Joseph Rose Joseph.Rose@nashville.gov

PermitID#: T2021064683

Removed at the request of the applicant.

W. 308 BROADWAY

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

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

PermitID#: T2021063991

Staff member Melissa Sajid presented the request for a sign. The building located at 308 Broadway is a three-story, c. 1890 Victorian brick commercial structure that contributes to the historic context of the Broadway Historic Preservation Zoning Overlay. There are currently active violations on the site for the alteration of windows, string lighting, and unpermitted menu signage; these items will be on the November 17th MHZC agenda.

The applicant proposes to install a projecting sign in the same location as the previously permitted Crazy Town projecting sign. The proposed sign exceeds the allotment for the building as the maximum signage allotment for the building is fifty-six square feet (56sqft) while the proposed projecting sign is approximately sixty-nine square feet (69sqft).

The plans note the use of "marquee bulbs" along the left side of the sign. The applicant has stated that these are not bare bulbs but rather "Edison style LED globes." Staff has requested more information from the applicant in order

to confirm the type of bulb as bare bulbs are not permitted by the Broadway design guidelines; however, no additional information has been provided.

The letters of the sign are open face neon, and the applicant has requested a modification for chasing lights on the “Miranda” portion. This type of lighting is allowed on Broadway, but not the rest of the district if approved by the Commission as a modification and if each flash does not last less than three (3) seconds. The time of the chasing lights was not provided. This type of flashing has been approved in the past and could be appropriate if the sign did not exceed the allotment and the marquee bulbs were not a part of the design.

In conclusion, staff recommends disapproval of the projecting sign as proposed, finding that it does not meet Section IV. of the design guidelines for the Broadway Historic Preservation Overlay since the size of the sign exceeds the allotment for the building and more information is needed to evaluate the illumination, chasing elements, and materials. In addition, staff does not recommend approval of additional projects prior to a violation being corrected.

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

Motion:

Commissioner Jones moved to disapprove the projecting sign as proposed, finding that it does not meet Section IV of the design guidelines for the Broadway Historic Preservation Overlay since the size of the sign exceeds the allotment for the building and more information is needed to evaluate the illumination, chasing elements, and materials. Commissioner Johnson seconded and the motion passed unanimously.

X. 1404 N 14TH ST

Application: New Construction - Outbuilding
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren Jenny.Warren@nashville.gov
PermitID#: T2021063925

Y. 1406 N 14TH ST

Application: New Construction - Outbuilding
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren Jenny.Warren@nashville.gov
PermitID#: T2021063939

Staff member Jenny Warren presented the cases for outbuildings at 1404 N 14th Street and 1406 N 14th Street together. This is an application for the construction of a DADU at 1404 N 14th Street, and the identical DADU on the neighboring property, at 1406 N 14th Street. Because the structure is identical, and there is one owner, the cases will be presented together, but the Commission will need to hold two separate votes.

The proposed DADU meets the design guidelines for setbacks. With the addition of corner boards and staff approval of the final selections, it will also meet the guidelines for materials. The footprint is just a bit too large at seven-hundred-sixty-five square feet (765sqft) and the limit is seven-hundred-fifty square feet (750sqft).

The proposed DADUs will sit behind one-story historic houses, meaning that the maximum wall height allowed by the guidelines is twelve feet (12’). Due to the grade, both houses have full two-story additions. The applicant is proposing seventeen foot, six inch (17’6”) wall heights for the DADUs. The commission has long used the front of the original primary structure to determine the appropriate heights of outbuildings, not later rear additions. Staff finds that the wall heights should be reduced to be no more than twelve feet (12’) tall.

The design proposes two add-on features. The first is an awning over the garage door, which meets the guidelines. The second is a balcony. This balcony is about fifty-five square feet (55sqft), while the guidelines limit balconies to thirty square feet (30sqft).

Staff recommends approval of the proposed DADU at 1404 and 1406 N 14th Street with the following conditions:

1. The footprint shall be reduced to be no more than seven-hundred-fifty square feet (750);
2. The wall heights shall be no more than twelve feet (12') from finished floor;
3. Four inch (4") nominal corner boards shall be used at exposed corners;
4. The balcony footprint shall be reduced to be a maximum of thirty square feet (30sqft) and
5. Staff shall approve the final brick, trim material, balcony materials, windows, doors and garage doors prior to purchase and installation

Commissioner Johnson asked for clarifications of the roof form and wall heights.

Andy Rhodes, contractor for the project, explained that the one and one-half story restriction of the front house would push the building down too much and they are less than the maximum, so they are requesting to keep the proposed design. He asked for approval of the balcony to be larger than what the design guidelines allow.

There were no requests from the public to speak.

Commissioner Fitts agreed with the staff recommendation, but a full redesign is really needed so she recommended a disapproval. Commissioner Price agreed and expressed concern with new construction getting out of control with people constantly pushing the envelope.

Motions:

Commissioner Johnson moved to approve the outbuilding at 1404 N 14th St with the following conditions:

1. **The building footprint shall be reduced to be a maximum of seven-hundred-fifty square feet (750sqft);**
2. **The wall heights shall be no more than twelve feet (12') from finished floor;**
3. **Four inch (4") nominal corner boards shall be used at exposed corners;**
4. **The balcony footprint shall be reduced to be a maximum of thirty square feet (30sqft) and**
5. **Staff shall approve the final brick, trim material, balcony materials, windows, doors and garage doors prior to purchase and installation;**

finding that the project meets Sections IV and VII of the *Neighborhood Conservation Zoning Design Guidelines for Turn-of-the-20th-Century Districts: Part I*. Commissioner Price seconded and the motion passed unanimously.

Commissioner Johnson moved to approve the outbuilding at 1406 N 14th St with the following conditions:

1. **The building footprint shall be reduced to be a maximum of seven-hundred-fifty square feet (750sqft);**
2. **The wall heights shall be no more than twelve feet (12') from finished floor;**
3. **Four inch (4") nominal corner boards shall be used at exposed corners;**
4. **The balcony footprint shall be reduced to be a maximum of thirty square feet (30sqft) and**
5. **Staff shall approve the final brick, trim material, balcony materials, windows, doors and garage doors prior to purchase and installation;**

finding that the project meets Sections IV and VII of the *Neighborhood Conservation Zoning Design Guidelines for Turn-of-the-20th-Century Districts: Part I*. Commissioner Mayhall seconded, and the motion passed unanimously.

Z. 1201 BOSCOBEL ST

Application: Demolition; New Construction—Infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander Sean.Alexander@nashville.gov

PermitID#: T2021064520

Staff member Sean Alexander presented the case for infill at 1201 Boscobel, an application to demolish a non-contributing house and construct a new two-story house.

Demolition of the non-contributing house meets the design guidelines. The proposed new building will be two-stories with a side-gabled form. The proposed building will be twenty-six feet, six inches (26'6") tall, from the

ridge to average grade at the front. Surrounding historic houses are typically one-story ranging from sixteen feet (16') and twenty-two feet (22') tall. Staff finds the height and number of stories of the proposed infill to be inappropriate.

The width of the building's primary mass at the front will be thirty feet (30') wide. That's the width of the second story, the first story conditioned area is actually two-feet (2') narrower. The first story also includes a porch that wraps from the front to the side, and the width including the porch is thirty-three feet, four inches (33'4"). Historic houses on the block typically range between twenty-six feet (26') and thirty-three feet (33') wide. Staff finds that the width of the building is greater than is typical of the historic context, and that the condition of the upperstory being wider than the first story is not appropriate as it is not seen on historic house forms.

The window proportions of the building are atypical of the surrounding context. The proposed infill has a lack of windows on the lower level front façade, just the front door and a sidelight. The upperstory window sizes and proportions are highly irregular. Symmetry is not always needed for new construction, but historic houses in the surrounding area typically have a regular rhythm with windows evenly spaced without large sections of wall without an opening, openings are vertically oriented, and with the lower level openings larger than those of the upper levels. These windows are vertically oriented, but otherwise are not compatible proportions. The setback, general orientation, and known materials, of the proposed infill are appropriate, although additional information is needed on things like window and door selection.

Staff recommends approval of the application to demolish the non-contributing house, finding that it will meet section III.B(2)(b) of the design guidelines.

Staff recommends disapproval of the proposed two-story house at 1201 Boscobel Street, finding that it does not meet sections V.A(1), V.B(1), and V.D. of the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay.

Lonnie Fowler, applicant, explained that staff provided incorrect guidance. Craig Kennedy, architect for the project, provided information regarding staff's feedback and the context. He explained that lowering the height requires a redesign.

There were no requests from the public to speak. [Public comment received via email.]

In answer to Commissioner Fitts question, Ms. Zeigler and Mr. Alexander provided background on how advice is given to applicants. Ms. Zeigler said that staff advice to applicants changes as they learn how the Commission interprets the design guidelines. Alexander said that staff's advice is based on what they are given; the more information staff receives, the more detailed advice there are able to give.

Commissioner Jones said that she appreciates the design but has concern over some of the details. Commissioner Fitts said the three two-story houses are close enough to this lot that the proposal meets the context. Commissioner Price agreed and added that the second level is mitigated by the design. He noted that he read the public comment and drove by the lot. He added that because other houses in the area are contributing, there are not likely to be other infill projects in the area.

Commissioner Johnson explained that the area has changed dramatically. In theory, she agrees with staff recommendation because the two-story buildings are not historic but looking at the site and its topography the two-story section could be moved back. She understands that doing so would mean a redesign and she appreciates the comments of other commissioners.

Vice-chair Stewart said that having a larger window on an upper level, although not seen historically, is appropriate for a contemporary design.

Motion:

Commissioner Price moved to approve the application to demolish the non-contributing house, finding that demo will meet section III.B(2)(b) of the design guidelines and to approve the new construction with the condition that the applicant work with staff on windows and construction details; finding the proposed two-

story house at 1201 Boscobel Street, meets sections V.A(1), V.B(1), and V.D. of the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay. Commissioner Williams seconded and the motion passed unanimously.

Commissioners provided some direction to staff to meet the conditions which included:

- Front upper windows create a top-heavy design that could be mitigated by making them larger, or just one, or making them taller
- Potentially add a window to back right
- Enlarge lower side windows so they are more in keeping with the size of the upper windows (do not have to be the same)

AA. 1418 FORREST AVE

Application: New Construction – Addition and Outbuilding

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren, jenny.warren@nashville.gov

Permit ID#: T2021063949 T2021063944

Removed from agenda.

BB. 1015 HALCYON AVE

Application: New Construction—Infill and Outbuilding

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

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

Permit ID#: T2021063975 and T2021063890

Staff member Melissa Sajid presented the project. This is an application to construct infill and an outbuilding at 1015 Halcyon Ave. The site is currently a vacant lot. Last month the Commission disapproved a plan for this site. The applicant continued to work with staff on the revised plan, which staff finds to be appropriate for the historic context.

The lot is situated between two non-contributing houses that were constructed prior to the adoption of the Waverly-Belmont Neighborhood Conservation Zoning Overlay district. The historic context on this block of Halcyon Ave is one-and-a-half stories. The proposed infill is one-and-a-half stories with height and width that are appropriate for the historic context. The side elevations also read as one-and-a-half stories with dormers that are inset from the walls below.

The proposed infill meets all base zoning setbacks, and the project includes an outbuilding that also meets all base zoning setbacks. Staff finds that the proposed outbuilding meets the design guidelines. In conclusion, staff recommends approval with the conditions set forth in the staff recommendation.

Applicant Van Pond said he was available for comments. There were no requests from the public to speak.

Motion:

Commissioner Johnson moved to approve the infill and outbuilding with the following conditions:

- 1. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. The front setback shall be verified by MHZC staff in the field after staking;**
- 3. Staff approve the final details, dimensions and materials of windows, walkway material, shingle color, garage doors, and a masonry sample for the infill prior to purchase and installation; and**
- 4. Utility meters shall be located along the side façades or rear of the house;**

finding that with these conditions, the project meets Sections IV, V, and VII of Part I and the Waverly-Belmont chapter of Part II of the consolidated design guidelines for the turn-of-the-20th-century

neighborhood conservation zoning overlays. Commissioner Jones seconded, and the motion passed unanimously.

CC.2411 FAIRFAX AVE

Application: New Construction—Infill; Demolition

Council District: 18

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021064004 and T2021064967

Staff member Melissa Sajid presented the project. The application for 2411 Fairfax is to demolish a non-contributing house and to construct infill. The structure at 2411 Fairfax Avenue is a one-story, brick house that was constructed c. 1950. Given the later date of construction as well as the style, form, and detailing of the house, which are inconsistent with the predominant surrounding historic character, staff finds that the house does not contribute to the historic character of the Hillsboro-West End Neighborhood Conservation Zoning Overlay and that its demolition meets the design guidelines.

The proposed infill is oriented to Fairfax Ave with a front setback that is consistent with the historic houses on either side. The infill is one-and-a-half stories with an overall height and width that can be appropriate for the historic context for the 2400 block of Fairfax Ave. The side façades read as one-and-a-half stories, and the depth of the infill is appropriate for the context.

The context on this block of Fairfax Ave is predominantly one-and-a-half stories. The houses shown here are 2413 and 2409 Fairfax Ave, which are located to the right and left of the subject property. Eakin Elementary School is located across the street, and 2405 Fairfax Ave which is another contributing house.

In conclusion, staff recommends approval with the conditions set forth in the staff recommendation.

The applicant was not present. Ms. Sajid said he called to say he was in agreement with the conditions. There were no requests from the public to speak.

Motion:

Commissioner Fitts moved to approve with the following conditions:

- 1. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
 - 2. The front setback shall be consistent with the buildings to either side, to be verified by MHZC staff in the field;**
 - 3. Staff approve the final details, dimensions and materials of the brick and stone, trim, roof color, windows, doors, driveway, and walkway 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, and utility meters shall be located along the side façades of the house or at the rear. Alternative mechanical and utility locations must be approved prior to an administrative sign-off on building permit(s);**
- finding that with these conditions, the project meets Section II.B of the *Hillsboro-West End Neighborhood Conservation District: Handbook and Design Guidelines*. Commissioner Jones seconded, and the motion passed unanimously.**

E. 1805 LAKEHURST DR

Application: New Construction—Outbuilding

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021063739

Staff member Joseph Rose presented the project at 1805 Lakehurst, a house that was constructed c. 1945 out of concrete block. The house was built at the back of the lot, with a deep front yard and no rear yard. In May 2021, MHZC approved rear and side additions to the house. The applicant proposes an outbuilding that is set to the left side of the house since there is no way to put the garage behind the historic house. The garage meets all base zoning setbacks.

The outbuilding has a footprint of four-hundred-eighty square feet (480 sqft). Because the lot is over ten thousand square feet (10,000sqft), in theory, the outbuilding can have a footprint of up to one thousand square feet (1,000 sqft). However, the peculiarities of the lot limit the structure's footprint. The overall ridge and eave heights are lower than those on the historic house and meet the design guidelines. The materials will be similar to the materials of the historic house, which staff finds to meet the design guideline.

The applicant proposes one roof dormer that is inset two feet (2') from the wall below and one wall dormer that is not inset two feet (2') from the wall below. The wall dormer faces the rear and the inset dormer faces Lakehurst Avenue. Both dormers are wider than the fourteen feet (14') maximum width allowed under the design guidelines. They are both eighteen feet, eight inches (18'8") wide, or four feet, eight inches (4'8") wider than what the design guidelines allow.

Staff finds that the proposed width of the rear dormer to be appropriate in this instance because the proposed outbuilding is otherwise significantly smaller than what would typically be allowed under the design guidelines and because the dormer will not be highly visible from the street. The outbuilding's footprint is less than one-half of what would be allowed under the design guidelines. The footprint of the outbuilding is constrained by the peculiarities of the lot. In addition, the outbuilding is also three feet (3') shorter than what it could be under the design guidelines. Since the rear dormer is not highly visible from the street and the outbuilding is smaller than allowed under the design guidelines, staff finds the rear dormer width to be appropriate.

On the front, however, the wider front dormer is highly visible from the street because the outbuilding is located to the side of the historic house rather than behind it. Staff finds that because of its high visibility and because the outbuilding lines up with the historic home, the front dormer should not exceed the maximum and so should be reduced to fourteen feet (14') - that is, to reduce the dormer by four feet, eight inches (4'8").

Staff recommends approval of the outbuilding with the following conditions:

1. The front dormer be reduced in width to fourteen feet (14'); and,
2. Staff approve all windows and doors and the roof shingle color prior to purchase and installation.

With these conditions, staff finds that the project meets Sections IV. (Materials) and VII. (Outbuildings) of Part I and the Lockeland Springs-East End chapter of Part II. of the consolidated design guidelines for the turn-of-the-century neighborhood conservation zoning overlays.

Matthew Schutz, designer for the project, handed out additional information. He argued that the dormer is appropriate because a larger outbuilding is possible on this large lot, the design replicates lines on the house, the window patterns are consistent with historic patterns. Approval would not set a precedent because of the unique conditions of the lot.

There were no requests from the public to speak.

Commissioner Johnson stated she agreed with the staff recommendation. She recognized the unique conditions of the lot; however, those conditions are making the building more visible. Commissioner Price agreed, stating that additional width is being given to the rear dormer.

Motion:

Commissioner Johnson moved to approve the outbuilding with the following conditions:

1. The front dormer be reduced in width to fourteen feet (14'); and
2. Staff approve all windows and doors and the roof shingle color prior to purchase and installation;

finding that with these conditions, the project meets Sections IV. (Materials) and VII. (Outbuildings) of Part I and the Lockeland Springs-East End chapter of Part II of the consolidated design guidelines for the turn-of-the-century neighborhood conservation zoning overlays. Commissioner Williams seconded and the motion passed unanimously.

F. 949 MAXWELL AVE

Application: New Construction—Addition

Council District: 05

Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021063764

Staff member Melissa Sajid presented 949 Maxwell, a circa 1938 brick bungalow that contributes to the historic character of the neighborhood. The applicant proposes a wider addition and a rear dormer. The wider portion of the addition is inset appropriately and meets the design guidelines because the house is less than thirty feet (30') wide and is shifted on the lot. The addition will only add approximately one hundred and eighty square feet (180 sqft) of footprint to the historic house. The wider addition is just one story in height and is significantly lower in height than the historic house.

The rear dormer is inset appropriately on this right side. However, on the left elevation, the rear dormer is not inset but is stacked on the wall below. There is an existing flat roof addition that is not inset, and the shed dormer will stack on that addition.

While staff understands that the applicant is working with an existing addition that is not inset on the ground floor, staff recommends that the new dormer be inset a full two feet (2') so as to keep the scale of the dormer appropriate to the historic house and to meet the design guidelines.

Staff recommends approval of the project with the following conditions:

1. The rear dormer be inset two feet (2') from the left side wall of the house;
2. Staff approve all windows, doors, and the roof shingle color prior to purchase and installation;
3. Partial-demolition be accomplished manually and not begin until the building is shored and following the reviews of a partial-demo plan and a shoring inspection; and
4. MHZC approve the location of the HVAC unit and all utilities prior to purchase and installation.

With these conditions, staff finds that the proposed addition meets Sections III (Demolition), IV (Materials), and VI (Additions) of Part I of the design guidelines for turn of the 20th century districts and the Maxwell Heights chapter of Part II of the consolidated design guidelines for turn-of-the-century neighborhoods.

Owner Joe Faulder asked for the dormer to be approved as presented because of the amount of money they have put into the house, aesthetics, the cost of doing so, and the dangerous condition it creates for their children. Kristen Faulder read letters from their architect and contractor.

There were no requests from the public to speak. [Public comment received via email.]

Commissioner Fitts said the two foot (2') inset is not needed because of making the new addition work with the existing conditions and parapet roof. Not requiring an inset is more in keeping with the context than current conditions or the design with an inset. Commissioner Jones agreed because the addition is small. Commissioner Johnson was compelled by the applicant's reasoning and so agreed with Commissioners Fitts and Jones.

Motion:

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

1. **Staff approve all windows, doors, and the roof shingle color prior to purchase and installation;**

2. **Partial-demolition be accomplished manually and not begin until the building is shored and following the reviews of a partial-demo plan and a shoring inspection; and**
3. **MHZC approve the location of the HVAC unit and all utilities prior to purchase and installation.**

finding the proposed addition meets Sections III (Demolition), IV (Materials), and VI (Additions) of Part I of the design guidelines for turn of the 20th century districts and the Maxwell Heights chapter of Part II of the consolidated design guidelines for turn-of-the-century neighborhoods. Commissioner Johnson seconded and the motion passed unanimously.

VII. OTHER BUSINESS

Copies of applicant hand-outs were collected to be kept on file.

Ms. Zeigler introduced Ann Mikkelsen, who will be MHZC's new legal counsel.

Meeting adjourned at 4:36 p.m.

RATIFIED BY THE COMMISSION ON 11/17/2021